



Legislation Text

File #: 19-1214, **Version:** 1

ZV(R) 2019-27, Luis Guerrero, 16390 NW 24 Street

SUMMARY EXPLANATION AND BACKGROUND:

VARIANCE FILE NUMBER: ZV(R) 2019 27

PETITIONER:

Luis Guerrero

ADDRESS:

SUBJECT PROPERTY:

16390 NW 24 Street
Pembroke Pines FL 33028

LEGAL DESCRIPTION:

Lot 78, of the PARKSIDE AT SPRING VALLEY PLAT, according to the Plat thereof as recorded in Plat Book 158, Page 13B, of the Public Record of Broward County, Florida.

VARIANCE REQUESTED:

Petitioner is requesting a variance to allow a 6' rear yard setback instead of the required 15' rear yard setback for a solid roofed, open sided, patio.

REFERENCE:

§ 155.108 SINGLE-FAMILY (RS-7) DISTRICTS

(C) Development parameters. All applications for a zero lot line development shall comply with the following applicable development parameters. (3) Minimum setbacks. (b) Front and rear setback. The front setback shall be not less than 20 feet, and the rear setback shall not be less than 15 feet.

PROJECT DESCRIPTION / BACKGROUND

Luis Guerrero, owner, has submitted a variance request to allow a 6' rear yard setback, instead of the required 15' rear yard setback, for a solid roofed, open sided, patio.

VARIANCE REQUEST DETAILS:

ZV(R) 2019-27) allow a 6' rear yard setback instead of the required 15' rear yard setback for a solid roofed, open sided, patio.

Code Reference: § 155.108 SINGLE-FAMILY (RS-7) DISTRICTS

(C) Development parameters. All applications for a zero lot line development shall comply with the following applicable development parameters.

(3) Minimum setbacks.

- (b) Front and rear setback. The front setback shall be not less than 20 feet, and the rear setback shall not be less than 15 feet.

VARIANCE DETERMINATION:

The Board of Adjustment shall not grant any single-family residential variances, permits, or make any decision, finding, and determination unless it first determines that:

Its decision and action taken is in harmony with the general purposes of the zoning ordinances of the city and is not contrary to the public interest, health, or welfare, taking into account the character and use of adjoining buildings and those in the vicinity, the number of persons residing or working in the buildings, and traffic conditions in the vicinity.

In the granting of single-family residential variances, the Board shall determine that the single-family residential variance granted is the minimum variance that will accomplish the intended purpose in accordance with above and:

- A) That there are special circumstances or conditions applying to the land or building for which the variance is sought, which circumstances are peculiar to the land or building and do not apply generally to land or buildings in the neighborhood, and that the strict application of the provisions of the zoning ordinances would result in an unnecessary hardship and deprive the applicant of the reasonable use of the land or building; or
- B) That any alleged hardship is not self-created by any person having an interest in the property nor is the result of a mere disregard for or in ignorance of the provisions of the zoning ordinances of the city; or
- C) That granting the variance is not incompatible with public policy, will not adversely affect any adjacent property owners, and that the circumstances which cause the special conditions are peculiar to the subject property.