



Legislation Text

File #: 21-0977, **Version:** 1

ZV(R) 2021-32 - 36, Robert Romano, 1100 SW 189 Avenue

SUMMARY EXPLANATION AND BACKGROUND: **PROJECT DESCRIPTION / BACKGROUND:**

Robert Romano, owner, has submitted five (5) variance requests for an existing hard roofed covered patio and existing wood deck.

The following are the requested variances to allow:

ZV(R) 2021-32 - a 43% lot coverage for house and existing hard roofed covered patio instead of the required 40% lot coverage;

ZV(R) 2021-33 - a 6'-10" rear yard setback for existing hard roofed covered patio instead of required 15' rear yard setback;

ZV(R) 2021-34 - a 0' north side setback for an existing wood deck instead of the required 5' side setback;

ZV(R) 2021-35 - a 0' rear setback for an existing wood deck instead of the required 5' rear setback;

ZV(R) 2021-36 - a 0' south side setback for an existing wood deck instead of the required 5' side setback.

There is a Homeowner's Association in this neighborhood.

The existing hard roofed covered patio, built without a permit, is currently under Code Compliance Correction No. - #21080026. This violation began on March 3, 2021, although it appears that this structure has been existing since at least 2009 per Broward County Property Appraiser (BCPA) aeriels.

VARIANCE REQUEST DETAILS:

ZV(R) 2021-32) to allow a 43% lot coverage for house and existing hard roofed covered patio instead of the required 40% lot coverage

Code Reference: Table 155.421.3 Residential Single-Family (R-1C)

Standard, Residential, Maximum Lot Coverage, 40%

ZV(R) 2021-33) to allow 6'-10" rear yard setback for an existing hard roofed covered patio instead of

required 15' rear yard setback

Code Reference: Table 155.421.3 Residential Single-Family (R-1C)
Standard, Residential, Rear Setback, 15 feet

ZV(R) 202021-34) to allow a 0' north side yard setback for an existing wood deck instead of required 5' north side yard setback

Code Reference: Table 155.620: Accessory Structure:
Deck or Patio

ZV(R) 2020-35) to allow a 0' rear yard setback for an existing wood deck instead of required 5' yard setback

Code Reference: Table 155.620: Accessory Structure:
Deck or Patio

ZV(R) 2021-36) to allow a 0' south side yard setback for an existing wood deck instead of required 5' north side yard setback

Code Reference: Table 155.620: Accessory Structure:
Deck or Patio

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 follow Section 155.301(O) Variance:

1. Purpose: To allow for the provision of relief from certain development standards of this LDC for one or more of the following reasons:
 - a) 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) 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) 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.