



Legislation Text

File #: 21-1068, **Version:** 1

ZV(R) 2021-38 - 39, Yosef Raskin, 7575 NW 19 Drive

SUMMARY EXPLANATION AND BACKGROUND: PROJECT DESCRIPTION / BACKGROUND:

Yosef Raskin, owner, has submitted variance requests ZV(R) 2021-38 to allow a proposed pool deck at a 2' Rear Yard setback; and ZV(R) 2021-39 to allow a 3' rear yard setback to proposed pool edge of water.

The Walnut Creek Architectural Review Committee has approved this project contingent upon all permits being received from the City of Pembroke Pines.

VARIANCE REQUEST DETAILS:

ZV(R) 2021-38 to allow a 2' rear yard setback for a proposed pool deck instead of the required 5' rear yard setback; and

ZV(R) 2021-39 to allow a 3' rear setback to proposed pool edge of water instead of the required 7' rear yard setback to the pool edge of water.

Code Reference: **Country Pines (Walnut Creek) Planned Unit Development (PUD) Guidelines**

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.