



Legislation Text

File #: 21-1069, **Version:** 1

ZV(R) 2021-40, Alejandro Armentaros 639 SW 168 Lane

SUMMARY EXPLANATION AND BACKGROUND: PROJECT DESCRIPTION / BACKGROUND:

Alejandro Armenteros, owner, has submitted Zoning Variance request application #ZV(R) 2021-40 to allow a 11.4' rear setback instead of the required 15.00' to construct an attached 12' x 40' covered, open-sided patio at the property's backyard.

The subject property is located in Pembroke Shores PUD. Applicable guidelines section (SF-2) Single Family Conventional Lots are required to have 15.00' rear setback instead of the proposed 11.4'. PUD's required rear setback is consistent with City Code Section 155.421.3.

The applicant has provided a doctor's note describing the circumstances for the variance request. Also, the Homeowner's Association has granted approval for this project and, Mr. Armenteros is providing letters of support from the adjacent property owners.

VARIANCE REQUEST DETAILS:

ZV(R) 2021-40 allow an 11.4' rear yard setback for a proposed aluminum hard roof covered open-sided patio instead of the required 15' rear yard setback

Code Reference:

Pembroke Shores Planned Unit Development (PUD) Guidelines and/or City Code.
City of Pembroke Pines Code of Ordinances, Residential Single Family (R-1C) 155.421.3

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.