



Legislation Text

File #: 23-0023, Version: 1

ZV2022-0017, 16000 Pines Market Residences (A.K.A Sunset Pines) - Building 4, Building 4 is generally located on the southern 27 residential acres of 16000 Pines Boulevard, variance request. (Dean)

SUMMARY EXPLANATION AND BACKGROUND: PROJECT DESCRIPTION / BACKGROUND:

Cynthia Pasch, agent for Lennar, is requesting a zoning variance for 16000 Pines Market Residences (A.K.A. Sunset Pines) - Building 4.

Zoning Variance #ZV 2022-0017 is to allow a 16' front building setback instead of the required 18' front building setback.

Due to surveying error in the field, the location of Building #4 was built with a front setback of sixteen (16) feet instead of the required eighteen (18) feet. The only portion of the structure that encroaches into the required front setback is the covered entry area. Required parking dimensions meet all requirements and this variance request is only for Building #4 as all other buildings are at required setback.

VARIANCE REQUEST DETAILS:

ZV 2022-0017)

USPS Mixed-Use Development (MXD) Guidelines:

Section 6: COMMUNITY DESIGN GUIDELINES

N. Minimum Setbacks for Residential

The minimum setbacks for residential uses shall be as provided below. If the setbacks below conflict with any other provisions elsewhere in the MXD, the setbacks below shall apply to any residential areas.

(B) Front and rear setback. The front setback shall be not less than 18 feet...

VARIANCE DETERMINATION:

The Planning & Zoning Board shall not grant any non-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 non-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.