



Legislation Text

File #: 24-0126, **Version:** 1

ZV2023-0007, El Car Wash Pembroke Pines, generally located on the north side of Pines Boulevard and east of NW 78 Terrace, variance request. (Cole) (District 1)

SUMMARY EXPLANATION AND BACKGROUND:
PROJECT DESCRIPTION / BACKGROUND:

Janna Lhota, agent for owner University Pines LLC, is requesting two variances for the proposed El Car Wash located at 7871 Pines Boulevard. Variances from the Land Development Code attended automatic car wash regulations are being requested to allow exterior vacuums within 500' of residentially used property and allow the car wash tunnel entrance to face residentially used property.

The site is currently occupied by a freestanding restaurant (Miami Grill) and multi-tenant building. Both buildings will be demolished, and the parcels combined to accommodate the proposed El Car Wash (SP 2023-0007), which will be heard at a later date should these variances be granted.

VARIANCE REQUEST DETAILS:

The applicant is requesting the following variances pertaining to the proposed El Car Wash site:

- ZV 2023-0007 is requesting to allow exterior vacuums within 500' of residentially used property. The exterior vacuums will be located +/- 49' away from the Trayann Apartments to the east and +/- 54.5' away from Advenir at San Tropez to the north.
- ZV 2022-0008 is requesting to allow the car wash tunnel entrance to face residentially used property. The proposed tunnel faces the Trayann Apartments to the east.

The applicant has provided the attached justification statement to support their request. Attended automatic car washes are regulated by Land Development Code section 155.508 (D) For reference, staff has attached code section 155.508(D) from Article 5 of the Land Development Code.

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.