



**TOWN OF DAVIE**  
**PLANNING & ZONING DIVISION**  
6591 ORANGE DRIVE • DAVIE, FLORIDA 33314-3399  
Phone: 954.797.1103 • www.davie-fl.gov

**PLANNING REPORT**

<b>Project Name</b>	
Garcia	

<b>Application</b>	
Request/Number:	Variance (V)/15-222
Owner	Lazaro and Elizabeth Garcia
Petitioner	Same as Owner
Project Planner	David Stallworth
Date of Report	10/02/2015
Date of Public Participation	N/A
Date of Public Notification	09/30/2015
Date of Board Review	10/14/2015
Date of Town Council Review	11/04/2015

<b>Location/Site</b>	
Folio/Identification Number	50-40-26-12-0020
Address	12820 Trotter Boulevard
Nearest North/South Road	Flamingo Road
Nearest East/West Road	Orange Drive
Size (Approx. Acres)	42,423.00 s.f. (+/-0.97 acres)
Existing Use	Single-Family Home
Future Land Use	Residential 1 DU/Acre
Zoning	A -1
Council District	4
Redevelopment Area	N/A
Overlay District	N/A
Design Regulation	N/A
Flexibility Zone	113
Planning Area	2
Utilities Provider	Sunrise
Drainage District	Central Broward Water Control District (CBWCD)
Nearby Equestrian Trail	Oak Hill Park
Nearby Recreational Trail	Oak Hill Park
Nearby Park	N/A
Nearby Bus Route	N/A

<b>Key Points</b>
<ul style="list-style-type: none"><li>• This is a request to allow a 5-foot-high fence (the Code restricts fencing to 4 feet in height) with 6-foot-high columns (the Code restricts columns to 4 feet in height) and 7-foot-high gates (the Code restricts gates to 4 feet in height) along the street frontage of a Rural Lifestyle property.</li><li>• The subject property is located at the west end of a dead-end street containing 4 residential lots. 3 of those lots have no fencing along their street frontages.</li></ul>

- Letters of no objection from surrounding property owners and the governing homeowners' association are included in this staff report.

### History

1. **Related Zoning Information:** N/A
2. **Previous Request(s) :** N/A
3. **Concurrent Request(s):** N/A

### Analysis

The following Staff analysis is based on the criteria established in §12-309(B)(1), Town of Davie Code, for variance applications:

- (a) There are special circumstances or conditions applying to the land or building for which the variance is sought, which circumstances or conditions are peculiar to such land or building and do not apply generally to land or buildings in the same district, and that said circumstances or conditions are such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of such land or building for which the variance is sought, and that alleged hardship is not self-created by any person having an interest in the property.

*The Petitioner has not specified any special circumstances, site peculiarities or extraordinary security concerns that are driving this request. Although there are other examples of similar fencing throughout the overall development, such is not the case along the entire length of Trotter Boulevard.*

- (b) The granting of the variance is necessary for the reasonable use of the land or building and that the variance as requested is the minimum variance that will accomplish this purpose.

*Granting of the variance is not necessary for the reasonable use of the land. A single-family residence already exists on the property, and several nearby properties have existing site fencing that complies with current Rural Lifestyle regulations.*

- (c) That granting the variance will be in harmony with the general purpose and intent of this chapter and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

*There is no evidence that granting the Variance will compromise the neighborhood public safety and welfare.*

### Recommendations

Staff finds the application complete and suitable for review.

### Attachments

1. Petitioner Documentation
2. Zoning Map
3. Noticing Information

## Lazaro & Elizabeth Garcia

12820 Trotter Blvd.  
Davie, FL 33330

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July 17, 2015

Town of Davie  
Planning & Zoning Division  
6591 Orange Drive  
Davie, FL 33314

Re: Scope of work to be completed for Application V15-222 for Variance

To Whom It May Concern:

This letter is to inform you of our intent to construct 8 fence sections, between 10 decorative masonry columns and a double gate entry system to our home's driveway inside the front setbacks of our property located at 12820 Trotter Blvd, Davie, FL 33330.

The scope of the proposed construction will be to erect 8 Black/Dk Bronze aluminum fence sections at are secured between 10 decorative masonry columns, with a minimum of 10' between columns and a Black/Dk Bronze aluminum double gate entry system to our home's driveway. The maximum height of the fence sections will be 5', the column heights will be a maximum height of 6' (to include decorative elements on the columns) and 12" in width on each side. Additionally, the 2 columns securing the driveway gates will be 18" in width on each side. The gate heights will be 6'3" (with an additional 25%, at the center point only, for decorative element on top of the gates making the gates a maximum of 7', at the center point only. See Exhibit A, B and C).

The construction of the fence sections and gates will be done by a licensed and experienced fence manufacturer and the columns will be constructed by a licensed and insured contractor that will ensure adherence to proper code and requirements. The gates automatic hydraulic opener units will be connected to our homes existing permitted exterior outlets. Drawings and photographs of homes in our community with similar fence, column and gate designs as to what we are constructing are included for your review. Please see Exhibits 1, 2 and 3.

If you require further information from us pertaining to this matter, please let us know.

Thank you,

  
Lazaro Garcia & Elizabeth Garcia

## Lazaro & Elizabeth Garcia

12820 Trotter Blvd.  
Davie, FL 33330

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July 17, 2015

Town of Davie  
Planning & Zoning Division  
6591 Orange Drive  
Davie, FL 33314

Re: Criteria Letter for Application **V15-222** for Variance to  
Davie, FL, Code of Ordinances, Sec. 12-286 (B) (1)

To Whom It May Concern:

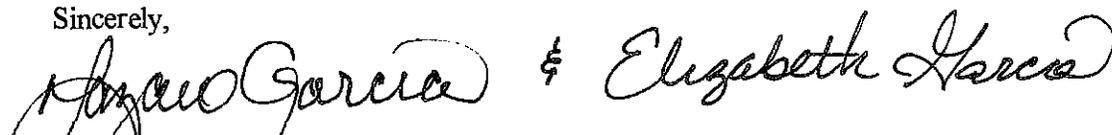
This letter is to inform you of our intent to construct a Black/Dk Bronze aluminum fence including 10 decorative masonry columns and a Black/Dk Bronze aluminum double gate entry system to our home's driveway inside the front setbacks of our property located at 12820 Trotter Blvd, Davie, FL 33330.

We are petitioning you for a variance to the Davie Florida, Code of Ordinances, Sec. 12-286 (B)(1) regarding fence height. The Code currently calls for a 4' height fence, 4' height columns with a minimum of 10' between any two columns. We would like a variance to the current Code to increase the maximum height of the fence to 5'. The column heights increased to 6' (to include decorative elements on the columns) and 1'6" width maximum on each side of the column. The gate's height increased to 6'3" (with an additional 25%, at the center point only, for decorative element on top of the gates making the gate a maximum of 7', at the center point only. See Exhibit A, B and C). We understand that the proposed change does not constitute a special grant or privilege; however, respectfully, the granting of our variance request would be consistent with the height of fences, columns and gates existing on other properties in our community of Grove Creek Ranches in the town of Davie, FL. We have included pictures of other subject properties located in the Grove Creek community for your reference. Please see Exhibits 1, 2 and 3.

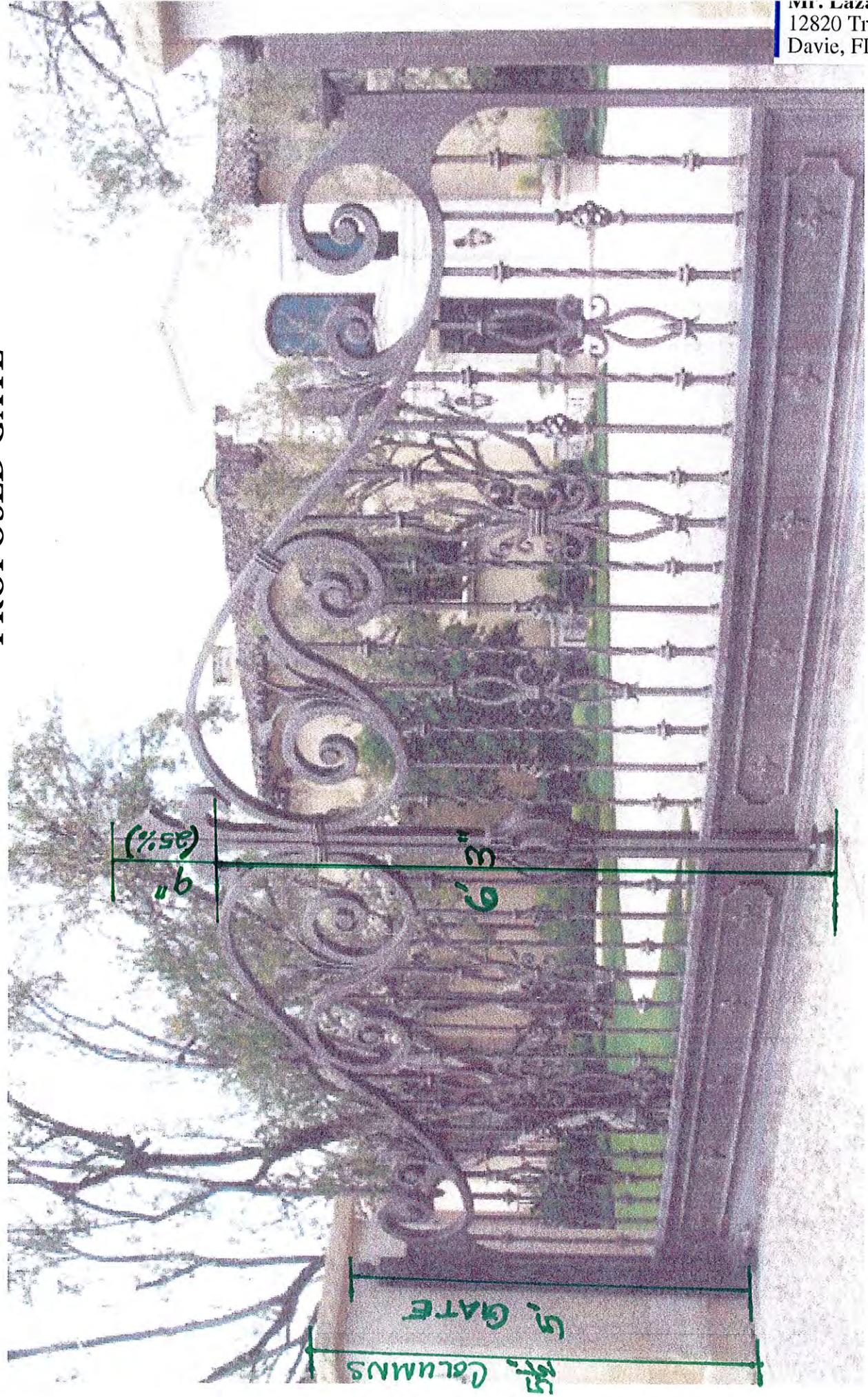
We believe that the fences, columns and gates will increase the security of our home, will be decorative and pleasing to the overall neighborhood design scheme and will be in harmony with the general purpose and intent of this chapter. We also believe that our design and construction will not be injurious to the neighborhood or otherwise detrimental to the public welfare. We have received written agreement to this variance request from our adjacent neighbors and the HOA of the Grove Creek community.

Thank you, in advance, for your consideration of this variance request.

Sincerely,

  
Lazaro Garcia & Elizabeth Garcia

PROPOSED GATE







# WEEK HOA, INC. ARCHITECTURAL APPROVAL REQUEST

Regarding this form please contact: crystal.ortega@nextgenmanagement.com

OWNER: Lazaro & Elizabeth Garcia ACCOUNT #: 1000028

ADDRESS: 12820 Trotter Blvd.

PHONE: (561) 561-6038 Work PHONE: ( ) Fax #: ( ) Email: garcias564@bellsouth.net

DESCRIPTION OF IMPROVEMENT: (check appropriate box)

- Storm Shutters  Pool  House Painting  Driveway Modification  Patio
- Roof Modification  **Fence**  Screen Enclosure  Landscaping Modification  Other

Brief Description Below: Driveway Gate & Fence (see attached)

### EASE FORWARD THE REQUIRED DOCUMENTS IN DUPLICATE

#### REQUIRED DOCUMENTS:

- A copy of your lot survey with the exact location of the proposed improvement drawn "to-scale" in a clear and legible manner.
- A copy of the proposal for the improvement or change with full sets of plans and/or drawings and specifications from contractor.
- The name, address and telephone number of the contractor.
- If you are doing the work yourself, then include a detailed sketch or drawing of the improvement or change.
- Letter of request providing as much information as possible regarding the exact location and description of the improvement or change and materials to be used.
- If the improvement or any part thereof will be located within five (5) feet of the neighboring property, the improvement's relationship to that property should be shown in your sketch.
- If you live on a corner lot and the street is on the side of your proposed improvement, please indicate this in your drawing.
- If you are painting your home you must submit paint swatches and your neighborhood association may require a picture of your house showing your roof color.
- A \$500 deposit is required with request.** The deposit will be refunded within 15 days AFTER RECEIPT OF ANY FINAL INSPECTION/APPROVAL FROM TOWN OF DAVIE (if applicable), or final inspection from Association (common area agreement attached and must also be submitted with request and deposit).
- Please submit a separate application for each improvement.
- Submit Architectural Review Structural Form (attached) signed by the contractor and homeowner.

### EASE FORWARD THE REQUIRED DOCUMENTS, IN DUPLICATE, TO:

NextGen Management, LLC.  
15951 SW 41<sup>st</sup> Street, Ste 300  
Davie, FL 33331  
Attention: Crystal Ortega

I have read the above application. If approval is granted, I agree to comply with the following conditions:

1. An approval is only valid for sixty (60) days unless otherwise specified.
2. You must obtain any permits required from the City, County, governmental agencies, etc.
3. You are responsible for any and all damage to underground utilities, including sewer, water, cable, electric and telephone.
4. You must remove all debris (concrete, fill, etc.) from around your home and re-sod any areas that are destroyed.
5. You are responsible for any damage that may be caused to the sidewalks or roadway from heavy equipment.
6. You may not alter the drainage of your property or your neighbor's property.
7. The final inspection and approval of both the neighborhood and master association boards after construction is completed.
8. You are responsible to maintain the niteration.
9. No changes may be made in plans after approval without the prior written consent of the association.

PLEASE NOTE: OTHER CONDITIONS MAY BE APPLICABLE. THESE CONDITIONS WILL BE DETERMINED AND STIPULATED ON AN INDIVIDUAL BASIS.

#### ACKNOWLEDGMENT

Lazaro & Elizabeth Garcia hereby make application for approval, pursuant to the regulations of my neighborhood and master associations, for the architectural changes above noted and if said approval is granted, I agree to comply with the conditions stipulated herein. I further understand that I may be prosecuted by either my neighborhood association, the master association, or both associations, should I fail to comply with the covenants and restrictions of either association, or if I intentionally misrepresent information on this form.

SIGNATURE OF APPLICANT: Lazaro Garcia DATE: 1/30/15

ROWE CREEK HOMEOWNER'S ASSOCIATION, INC.

Approved  Denied ( ) Incomplete ( ) Other ( )

Conditions of approval/denial:

N/A

BY: [Signature] Larry Harbor DATE: 2/13/15  
 Signature Print Name Date  
[Signature] 5/22/15

Date: 7/17/15

Town of Davie  
Planning & Zoning Division  
6591 Orange Drive  
Davie, FL 33314

Re: Our neighbors, Mr. & Mrs. Garcia Request for Variance to  
Davie, FL, Code of Ordinances, Sec. 12-286 (B)(1)

Dear Sir/Madam:

Being immediate neighbors of the Garcia residence located at 12820 Trotter Blvd, Davie, FL 33330, I/we have no objections to the variance requested.

I/We have viewed a copy of the plans with renditions of the types of fence design, types of columns and gates being proposed for construction and understand the fence and column height variance being requested.

It is keeping with other properties in our community.

Sincerely,

Neighbor: Clarisa Dodson 12821 Trotter Blvd, Davie, FL 33330

Print: [Signature]

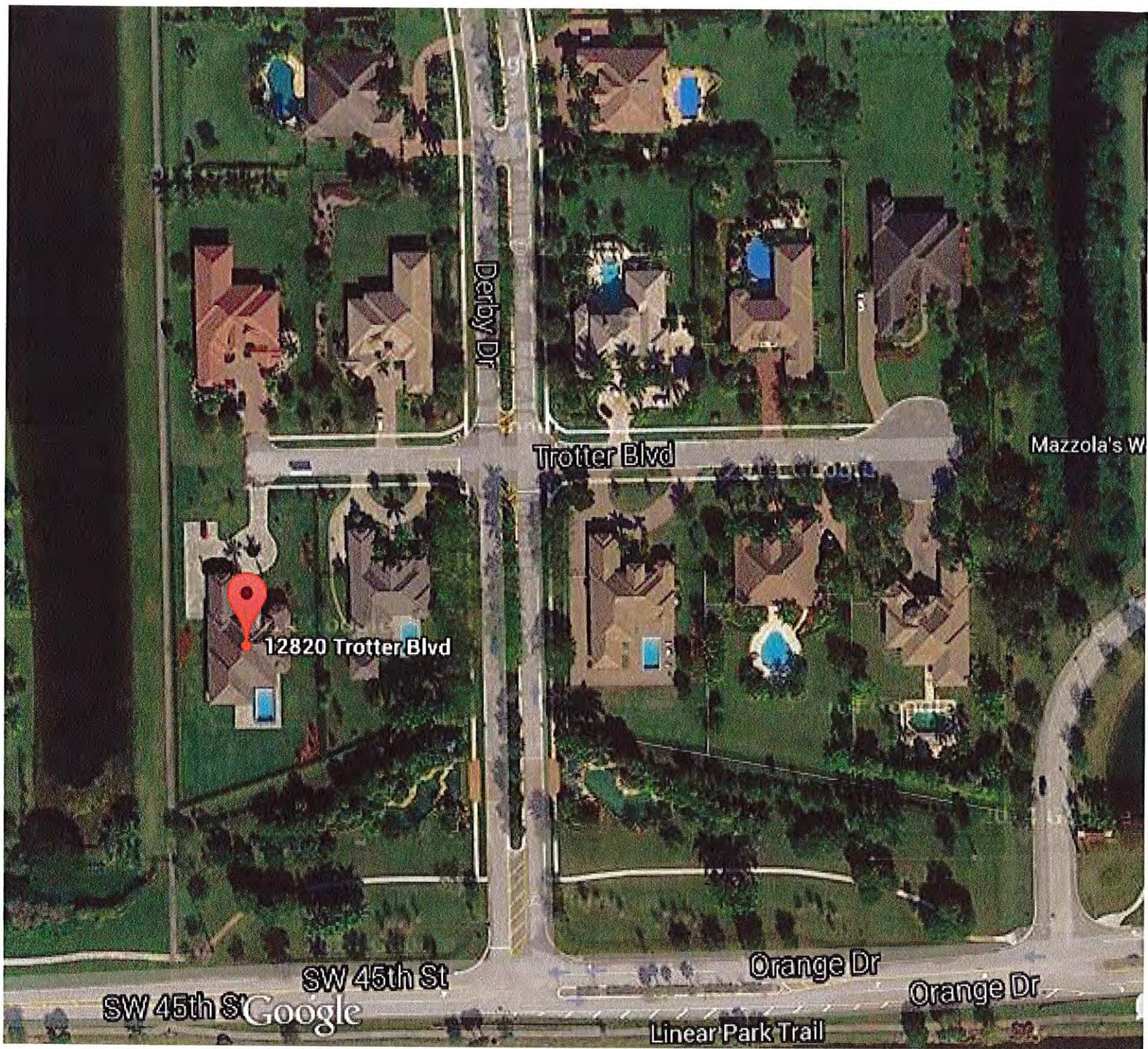
Neighbor: Wendy Almeida 12801 Trotter Blvd, Davie, FL 33330

Print: Mery Mercedes

Neighbor: [Signature] 12800 Trotter Blvd, Davie, FL 33330

Print: ANNIE MARTINEZ  
ROMA AMERICA CORPORATION

Mr. Lazaro Garcia  
12820 Trotter Blvd.  
Davie, FL 33330



**4122 Derby Drive**



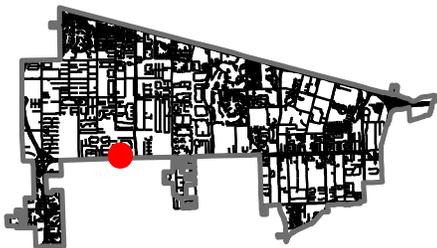
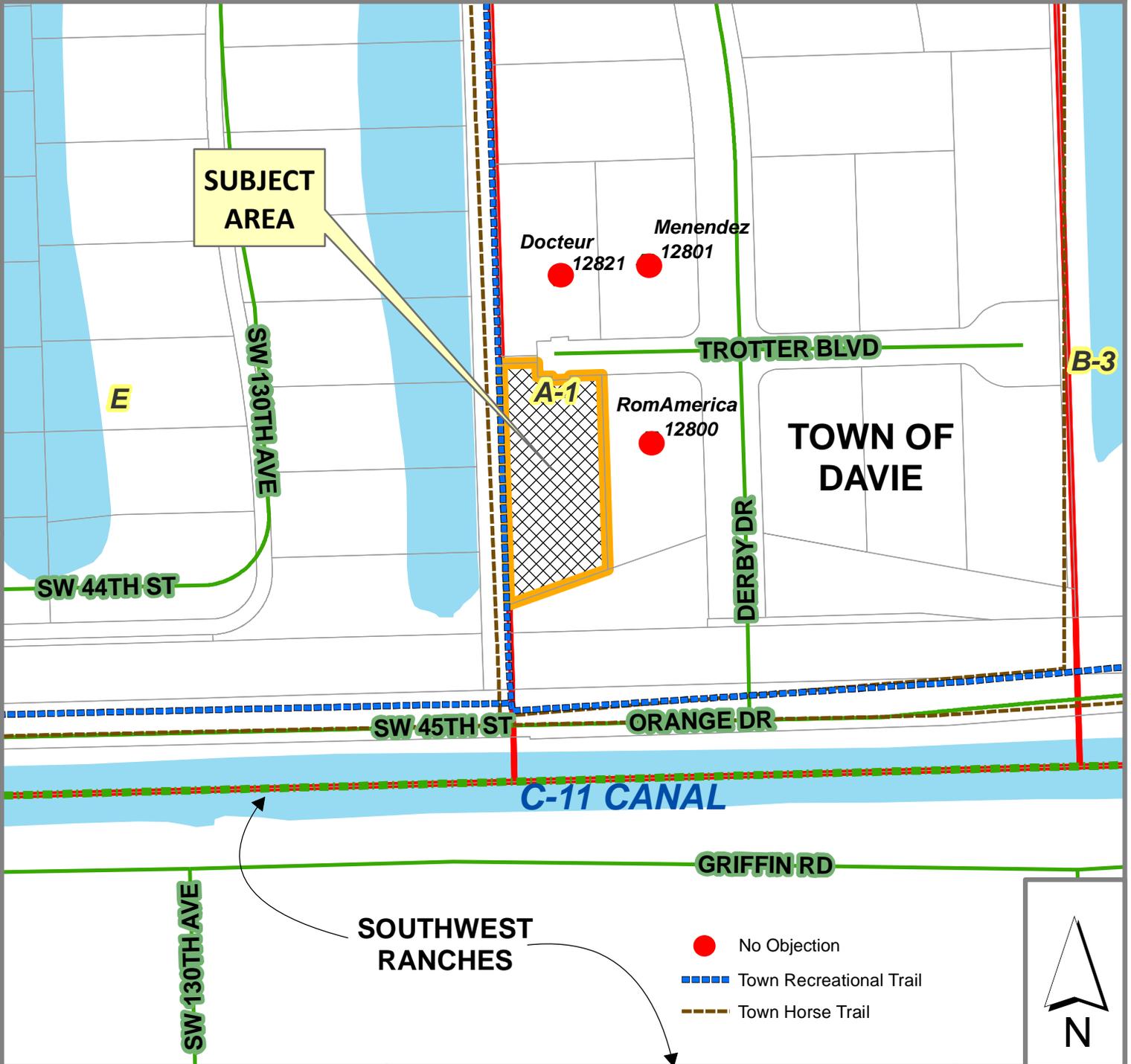
4100 Triple Crown Ct



4003 Derby Drive



# V 15-222, GARCIA



## ZONING MAP

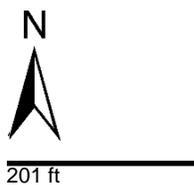
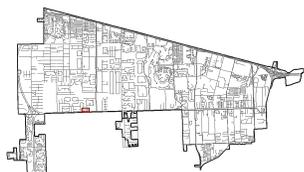
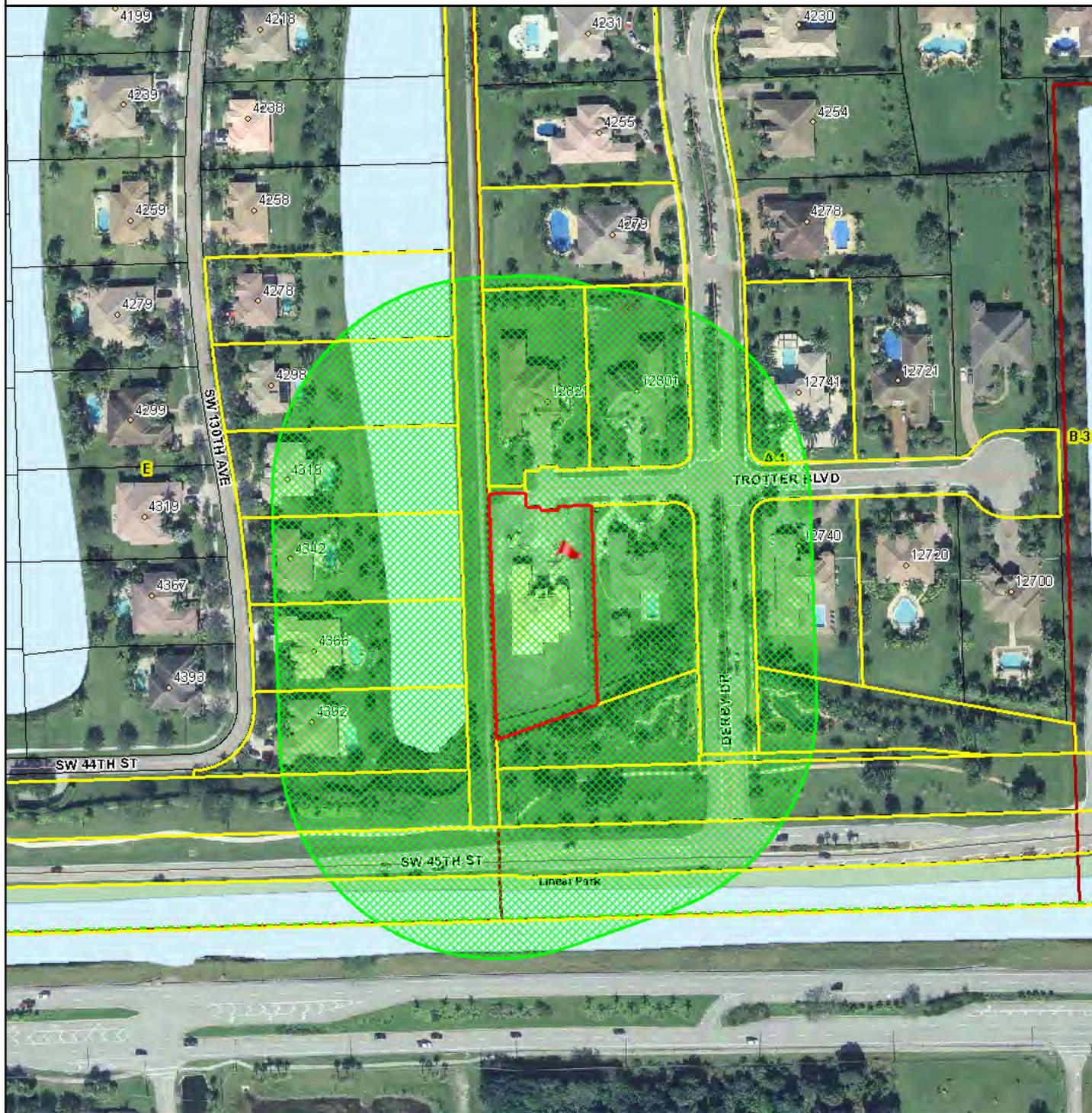
0 125 250 500 Feet



### GIS DISCLAIMER:

The information on this map is for graphical purposes only. It does not represent a legal survey, and it has not been prepared, nor is it suitable for legal, engineering or surveying purposes. While every effort has been made to ensure that this data is accurate and reliable, the Town of Davie shall not assume liability for any damages caused by errors or omissions in the data.

# V15-222 Garcia



300-FT NOTIFICATION  
AREA



## GIS MAP DISCLAIMER

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NAME	NAME LINE1	ADDRESS	CITY	STATE	ZIP
BENSON,CAMERON D & D'RENE C		4392 SW 130 AVE	DAVIE	FL	33330
BOYE,CHARLES F & LOURDES M		4366 SW 130 AVE	DAVIE	FL	33330
BROWARD COUNTY	BOARD OF COUNTY COMMISSIONERS	115 S ANDREWS AVE RM 326	FORT LAUDERDALE	FL	33301
F M CARIBBEAN INVESTMENT LLC		4279 DERBY DR	DAVIE	FL	33330
FLORIDA DEPT OF TRANSPORTATION	OFFICE OF RIGHT OF WAY	3400 W COMMERCIAL BLVD	FORT LAUDERDALE	FL	33309
FORTUN,LUISA		4318 SW 130 AVE	DAVIE	FL	33330
GARCIA,ELIZABETH & LAZARO		12820 TROTTER BLVD	DAVIE	FL	33330
GONZALEZ,VLADIMIR & SILVANA		12740 TROTTER BLVD	DAVIE	FL	33330
GROVE CREEK HOA INC	% NEXTGEN MANAGEMENT	15951 SW 41 ST	DAVIE	FL	33331
GROVE CREEK HOMEOWNERS ASSOC INC		12895 SW 132 ST STE 200	MIAMI	FL	33186
J M ROSADO SERVICES CORP		12741 TROTTER BLVD	DAVIE	FL	33330
LAVEAUX, VIOLETTE		12821 TROTTER BLVD	DAVIE	FL	33330
MARQUEZ,JOSE L & YOLANDA		4278 SW 130 AVE	DAVIE	FL	33330
MENENDEZ,LANNY & MERY		12801 TROTTER BLVD	DAVIE	FL	33330
PAPERNIK,ANA & GREGG		4342 SW 130 AVE	DAVIE	FL	33330
PARRINO,CHRISTOPHER E &	PARRINO,MELINDA F	4298 SW 130 AVE	DAVIE	FL	33330
PASADENA AT IMAGINATION FARMS	INC % CASTLE MANAGEMENT	12270 SW 3 ST STE 200	PLANTATION	FL	33325
PUBLIC LAND	% TOWN OF DAVIE	6591 ORANGE DR	DAVIE	FL	33314
ROMAMERICA CORP		6050 SW 35 ST	MIAMI	FL	33155
SOUTH FLORIDA WATER MANAGEMENT	DISTRICT	PO BOX 24680	WEST PALM BEACH	FL	33416
TOWN OF DAVIE	% DAVID STALLWORTH, PLNR II	6591 ORANGE DR	DAVIE	FL	33314

10 Current Occupants

<b>CUR_OCC</b>	<b>ADDRESS_1</b>	<b>CITY STATE ZIP</b>
CURRENT OCCUPANT	4392 SW 130 AVE	DAVIE FL, 33330
CURRENT OCCUPANT	4366 SW 130 AVE	DAVIE FL, 33330
CURRENT OCCUPANT	4342 SW 130 AVE	DAVIE FL, 33330
CURRENT OCCUPANT	4318 SW 130 AVE	DAVIE FL, 33330
CURRENT OCCUPANT	4298 SW 130 AVE	DAVIE FL, 33330
CURRENT OCCUPANT	12821 TROTTER BLVD	DAVIE FL, 33330
CURRENT OCCUPANT	12801 TROTTER BLVD	DAVIE FL, 33330
CURRENT OCCUPANT	12800 TROTTER BLVD	DAVIE FL, 33330
CURRENT OCCUPANT	12740 TROTTER BLVD	DAVIE FL, 33330