Vicinity Map

City of Pembroke Pines • Planning and Economic Development Department ZV(R)2023-0124-0127

Zoning Variances

Denny Maiz 16453 NW 21 Street Pembroke Pines FL 33028











City of Pembroke Pines Planning & Economic Development Department 601 City Center Way 3rd Floor Pembroke Pines FL, 33025

Summary

Agenda Date:	February 1, 2024	Application ID:	ZV(R)2023-0124 - 00127
Project:	Existing Driveway and Existing Patio	Pre-Application Number:	PRE2023-0077
Project Planner:	Christian Zamora, Senior	Planner	
Owner:	Denny Maiz	Agent	N/A
Location:	16453 NW 21 Street, Pembroke Pines, FL 33028	Commission District No.	3
Existing Zoning:	Single-Family Residence (R-1Z)	Existing Land Use:	Residential
Reference Applications:	Code Compliance Case Application (RX23-00114	No. 221202886 (Issued), applied on 1/4/2023)	d, 12/09/2022); Driveway Permit
		nce Summary	
Application	Code Section	Required/Allowed	Request
ZV(R) 2023-0124	Table 155.620 Accessory Building and Structures Driveway, Zero Lot Line	40% front lot coverage	58% front lot coverage for existing driveway, z-lot.
ZV(R) 2023-0125	Table 155.620 Accessory Building and Structures Driveway, Zero Lot Line	40% width of lot	58% width of lot for existing driveway, z-lot.
ZV(R) 2023-0126	Table 155.620 Accessory Building and Structures Deck or Patio	5 feet rear setback	4 feet rear setback for existing patio.
ZV(R) 2023-0127	155.652 Zero Lot Lines Homes: (C)(3)	"At grade structures encroaching into the five-foot required setback on the Zero Lot Line side shall place a 6-foot high completely opaque privacy wall in accordance with 155.621 (A)(1)(b)."	Zero Feet (0') side setback without a six-foot-high concrete block privacy wall (western property line)
Final:	☐ Planning & Zoning Boa	ard ⊠ Board of	Adjustment
Reviewed for the Agenda:	Director:	Assistant Director:	(19)

PROJECT DESCRIPTION / BACKGROUND:

Denny Maiz, owner, has submitted four residential zoning variance requests to legalize an existing driveway and existing patio for the single-family residence located at 16453 NW 21 Street in Parkside at the Spring Valley neighborhood which is zoned Residential Single-Family Zero Lot Line (R-1Z).

On December 9, 2022, the City's Code Compliance Division cited the property owner (Case No. 22102886) for work performed without building permits.

In January 4, 2023, the owner submitted a building permit application (No. RX23-00114) to build a driveway at the property; however, the building permit cannot be approved as the existing driveway exceeds the limitations of the City's Land Development Code (LDC).

The applicant originally requested:

- **ZV(R)2023-0124** is to allow 58% front lot coverage (total) instead of the required 40% front lot coverage (total) for an existing driveway on a zero-lot property.
- **ZV(R)2023-0125** is to allow 58% width of lot instead of the allowed 40% width of lot for an existing driveway on a zero-lot line property.

After reviewing the applicant's initial request and, per the property's survey, it was detected an existing 31.6' x 11' patio encroaching into the required side and rear setbacks. (See survey attached)

Per staff review of the city's archives, no building permits can be found for the existing driveway and existing patio. Nevertheless, according to the Broward County Property Appraiser Imagery, it appears the driveway and patio have existed in the property since at least 2022.

Planning and Economic Development Staff worked with the applicant to identify potential modifications to the site that could be made to meet zoning requirements. The petitioner nevertheless requested to move forward to retain the existing non-permitted items at the existing dimensions at existing location; therefore, the petitioner specifically is requesting:

- **ZV(R)2023-0126** is to allow four-foot (4') rear setback along a portion of the rear property line instead of the required five-foot (5') rear setback for an existing 31.6' x 11' patio in a single-family residence, zero lot property.
- ZV(R)2023-0127 is to allow zero feet (0') side setback without a six-foot-high concrete block privacy wall (western property line) instead of the required five feet (5') rear setback for an existing 31.6' x 11' patio in a single-family residence, zero-lot property.

The applicant is aware that Board consideration of residential variance request does not preclude the property owner from obtaining all necessary development related approvals or permits.

The subject property is in the Parkside Spring Valley neighborhood. The applicant has provided a copy of the Homeowner Association (HOA) Letter, dated January 3, 2023.

VARIANCE REQUEST DETAILS:

ZV(R) 2023-0124 to allow 58% of front lot coverage (total) instead of the required 40% front lot coverage instead of the required 40% front lot coverage (total) for an existing driveway in a single-family residence, zero lot.

ZV(R) 2023-0125 to allow a 58% width instead of the 40% required width of lot for an existing driveway in a single-family residence, zero lot property.

ZV(R) 2023-0126 to allow 4' rear setback along a segment of the rear property instead of the required 5' rear setback for an existing 31.6' x 11.0' patio in a single-family residence, zero-lot property.

ZV(R) 2023-0127 to allow zero feet (0') side setback without a six-foot-high concrete block privacy wall (western property line) instead of the required five feet (5') rear setback for an existing 31.6' x 11' patio in a single-family residence, zero-lot property.

Code References:

ZV(R) 2023-0124 & 0125)

Table 155.620 Accessory Building and Structures							
		Seth	oack		Maximum	Maximum	Additional
Type	Front	Side	Street Side	Rear	Height	Dimensions	Regulations
Driveway, Zero Lot Line*	0 feet	0 on the zero side, 5 feet on the nonzero side	15 feet 155.600(B)	N/A	N/A	40% front lot coverage 40% width of lot	[1] 10 foot minimum width

ZV(R) 2023-0126)

Table 155.620 Accessory Building and Structures							
		S	etback	Maximum	Maximum	Additional	
Туре	Front	Side	Street Side	Rear	Height	Dimensions	Regulations
Deck or	Primary	5 feet	E foot	E foot	NI/A	NI/A	N1/A
Patio*	Building	Jeet	5 feet	5 feet	N/A	N/A	N/A

ZV(R) 2023-0127)

Code Section: 155.652 ZERO LOT LINE HOMES

- (C) Maintenance and drainage easements.
- 3. At grade structures encroaching into the five foot required setback on the Zero Lot Line side shall place a 6 foot high completely opaque privacy wall in accordance with 155.621 (A)(1)(b).

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.

Enclosed: Va

Variance Request Application
Subject Site Aerial Photo
Unified Development Application
Property Survey
Code Compliance Notice, Images
HOA Letter of Approval
Letter and Signatures from the neighbors.



City of Pembroke Pines Planning and Economic Development Department **Unified Development Application**

Planning and Economic Development City Center - Third Floor 601 City Center Way Pembroke Pines. FL 33025

Prior to the submission of this application, the applicant must have a pre-application meeting with Planning Division staff

Phone: (954) 392-2100	requirements.
http://www.ppines.com	Pre Application Meeting Date: 12 4 53.
	# Plans for DRC Planner
 Include all submittal requirements / a All applicable fees are due when the Include mailing labels of all property signed affidavit (Applications types n All plans must be submitted no la Development Review Committee (Dl Adjacent Homeowners Association number and a minimum of 30 days b The applicant is responsible for add Any application which remains inactive. A new, updated, application to Applicants presenting demonstration Applicants presenting demonstration 	Sign Plan Site Plan* Site Plan Amendment* Special Exception* Variance (Homeowner Residential) Variance (Multifamily, Non-residential)* Zoning Change (Map or PUD)* Zoning Change (Text) Zoning Exception* Deed Restriction this application. If not applicable, mark N/A. attachments with this application. application is submitted (Fees adjusted annually). owners within a 500 feet radius of affected site with marked with *). atter than noon on Thursday to be considered for
Division no later than the Monday pro	Staff Use Only 2013 - OVE
	: PRJ 20 Application #
Date Submitted: \\(\frac{Q}{2} \land \frac{Q}{2} \rangle \) Posted	Signs Required: (\) Fees: \$ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \

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SEC.	TION 1-PROJECT	INFORMATION:			
Proje	ct Name: Driveway	y Extension Varia	nce		
Proje	ct Address: 16453	NW 21st street			
Loca	tion / Shopping Ce	nter: Spring Valle	y Parkside	·····	***************************************
Acre	age of Property: 45	00 sq ft	Building Squ	uare Feet: 164	14 sq ft
	bility Zone:				
Plat I	Name:		Traffic Analy	sis Zone (TA	Z):
Lega	Description: Con-	crete Slab drivew	ay extension		
Desc	this project been pr ribe previous appli) Include previous	cations on proper	ty (Approved \	es /ariances, Deconditions of ap	No Restrictions, proval.
te	Application	Request	Action	Resolution / Ordinance #	Conditions of Appr
			1		r /

Date	Application	Request	Action	Resolution / Ordinance #	Conditions of Approva

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SECTION 2 - APPLICANT / OWNER / AGENT INFORMATION Owner's Name: Denny Maiz Owner's Address: 16453 NW 21st street Owner's Email Address: maizdenny@hotmail.com Owner's Phone: 7868539407 Owner's Fax: Agent: Contact Person: _____ Agent's Address: Agent's Email Address: Agent's Fax: Agent's Phone: All staff comments will be sent directly to agent unless otherwise instructed in writing from the owner. SECTION 3- LAND USE AND ZONING INFORMATION: PROPOSED **EXISTING** Zoning: Zoning: Land Use / Density: _____ Land Use / Density: Use: ____ Use: Plat Name: Plat Name: Plat Restrictive Note: Plat Restrictive Note: ADJACENT ZONING ADJACENT LAND USE PLAN North: North: _____ South: South: ____ East: East: _____ West: West:

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-This page is for Variance, Zoning Appeal, Interpretation and Land Use applications only-

SECTION 4 - VARIANCE • ZONING APPEAL • INTERPRETATION ONLY
Application Type (Circle One): OVariance OZoning Appeal OInterpretation
Related Applications:
Code Section: 155-610 ·
Required: 40% TLC: 40% width; 5 Rear; 5' Side
Request: 58% FLC: 58% width . 4 Rear; O' Side.
Details of Variance, Zoning Appeal, Interpretation Request:
SECTION 5 - LAND USE PLAN AMENDMENT APPLICATION ONLY
☐ City Amendment Only ☐ City and County Amendment
Existing City Land Use:
Requested City Land Use:
Existing County Land Use:
Requested County Land Use:
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The addition of two co	oncrete slabs adjacent to each side of the original driveway
concrete slab. The dir	mensions of the Slab on the Left side are 9 feet by 15 feet and
6 inches deep of 3500	Opsi concrete with Fibermesh. The Right side dimensions are
4 feet by 20 feet and 6	6 inches deep of 3500psi concrete with Fibermesh reinforcement.
The Slabs are intende	ed to accomodate additional parking in front of the House for the
persons residing in the	e home. the dimensions of the slabs were chosen to allow for 3
normal sized vehicles	to park in front of the property without having to risk damaging
the vehicles from bein	ng too close to each other. One of the persons residing in the
home is diagnosed wi	ith Autism and as a result is lacking in coordination and spatial
awareness that preve	ents due care and understanding for things like maintaining
personal space and sa	afe distances to avoiding damage and injury. The slabs were
installed in a manner	and aesthetic to closely match or resemble the original driveway
slabs likeness so as to	o blend in with the overall look of the driveway and not subtract
from the exisiting aest	thetic value that the property was originally equipped with.

SECTION 7- PROJECT AUTHORIZATION

OWNER CERTIFICATION

This is to certify that I am the owner of the property de all information supplied herein is true and correct to the signature of Owner	
Sworn and Subscribed before me this <u>2.7</u> day	
of July 20 23 Macader Walle Fee Paid Signature of Notary Public	MERCEDES WATLER MY COMMISSION # HH 235285 EXPIRES: April 23, 2026
Fee Paid Signature of Notary Public	My Commission Expires
AGENT CERTIFICATION	
This is to certify that I am the agent of the property ov and that all information supplied herein is true and co	
Signature of Agent	Date
Sworn and Subscribed before me this day of, 20	
Fee Paid Signature of Notary Public	My Commission Expires

To whom it may concern,

The motive for this letter is to explain the reasons why we expanded our parking area beyond the standard dimensions outlined by the city of Pembroke Pines. Our son Denny Maiz, is diagnosed with Autism since he was 2 years old, He is currently 31 years old and will require lifetime care. Due to his condition, we have had to make many modifications in our lives and in our home as well. When Denny was younger, we had to modify the garage and pulled permit # 22001849 to accommodate an additional room for him to be able to undergo physical, occupational and speech therapies.

At this current time, we have 3 automobiles in the household, it is for this reason that we have extended the driveway to create enough space for household parking. The driveway was extended with dimensions that allow Denny to open car doors without damaging the adjacent vehicle due to his lack of spatial and situational awareness in his surroundings that results from his Autism and Attention Deficit Disorder.

We earnestly plead to this elected group of representatives to please allow us to maintain the extension that was constructed in the driveway at the current dimensions. Allowing this would spare our household from incurring a serious financial burden to remove something that was meant to solve our problem with not having enough space to park due to the highly occupied visitor parking area that results from excess cars entering and residing within Spring Valley Parkside.

Sincerely,

The Maiz Household



November 1, 023

To whom it may concern,

Through this written letter, we wish to communicate to all relevant parties that we currently provide physical and occupational therapy services to Denny A. Maiz, who is diagnosed with Autism and attention deficit disorder (ADD). Therapy services are provided to assist Denny to improve his gross and fine motor function.

Due to his lifelong health condition, Denny exhibits symptoms caused by his Autism and ADD including severe lack of spatial awareness of his surroundings and incoordination while performing motor skills in his home and community. For example, Denny requires ample space to allow him to open doors and move between spaces without bumping into objects (fixed or unfixed) or causing damage or harm to himself. Without adequate space, Denny can inadvertently damage any vehicles, property, or items if they are parked too close to each other when he is moving around or getting in and out of a motor vehicle.

I therefore recommend that sufficient space be provided or adapted for Denny to move about freely in his driveway and home environment without risk of damage or harm.

If you need more specific information about Denny A Maiz's medical condition, please contact us at the following email address: drfranklin@internationaltherapy.com.

Regards,

Dehlia Franklin, PT, DPT, PhD

To whom it may concern,

As a homeowner in Spring Valley Parkside, I would like to make it known that the visitor parking area is always occupied during peak hours and it is difficult to find spots to park after 6pm. Due to this, many families in Parkside have found themselves obligated to find ways of expanding the parking space in front of their houses. This allows home owners to avoid parking violations from the HOA for overnight parking in the street.

Due to the aforementioned reasons, we are in agreement and support Denny Maiz and Sonia Becerra in their decision to extend the driveway space in front of their home. Since this also becomes a benefit for those of us who do not get to access visitor parking, we kindly ask the group of representatives that will decide on this matter to approve the variance that is being requested.

Sincerely,

Name: Addicio TEDADA Mobile Tajorla Address: 16477 NW 21 ST, PENBLOKE PINGS, FL, 33028

Name: Bharah Holamarroi

Address: 16432 NW 215 81-

Pembake Ping, FL,33028

Name: Nercyda AlVarez

Address: IL492 NW 21 St.

Name: Dayne Kirkhard Street Dayne Address: 16512 NW 2151 Street

CamScanner

Name: Kit Mart MMMMMMMM Address: (1573) N. W. M. ST Panboke Pines Pl 33:028
Name: Alkara Miley Address: 10593 NW 21st permoter Pines FL 33028
Name: Lelicia Johnson. Yeth Selm. Address: 16572 NW 215t. St. Pemborke Pines Fl. 33028.
Name: HILLERY WALLES SHELLOW SHELL FIRSTON FIRSTON Address: 16552 NW 215/ SI. Peubole 1 - 7/33025
Name: Adawna Bel) austrus St. Address: 16573 NW 2161. St.
Name: Joe Linnell Leccolor Address: 16553 NW 244 St
Name: 16413 NW 21St Penbron pines Al. 33025 Address: Osully Qo Osupido GPEZ
Name: Lauren Rodnyw2 Address: 16433 NW 21 Streld P. Pines FL 33028
Name:

Address:

CS CamScanner

REQUEST FOR ARCHITECTURAL MODIFICATION

TO: Board of Directors and/or Architectural Control Committee of **Parkside at Spring Valley Homeowner's Association, Inc.**

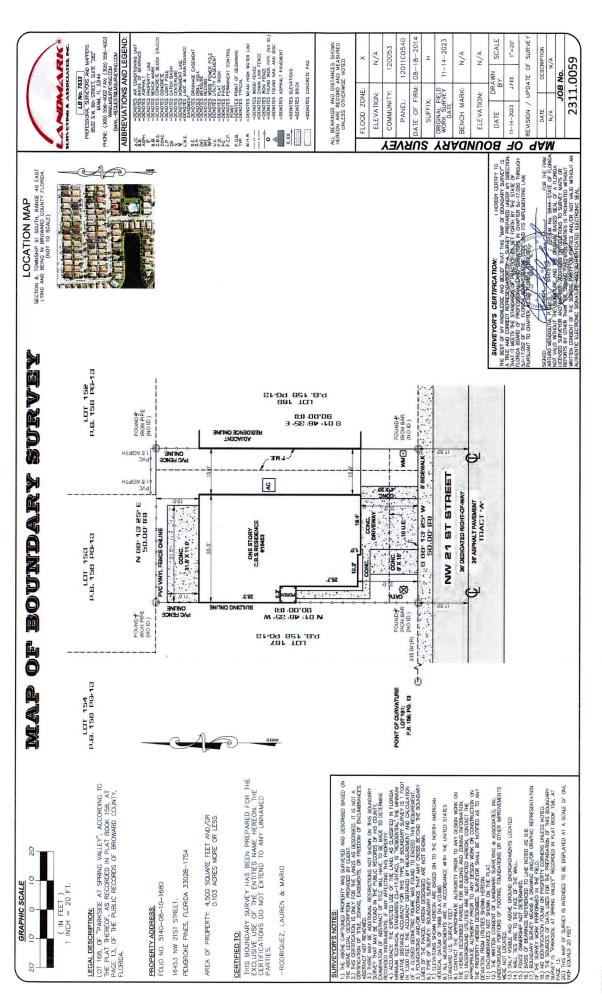
Elite Management Association, Inc. 10081 Pines Blvd., Suite E-2 Pembroke Pines, FL 33024 Phone: 954-435-2424



Sub-Association:		Account Number:	
Name of Owner (s): Denny Haiz		000	
Street Address: 16453 NW-21 St Pembron	33028 te Prnes FL.	Signature:	lylle
Date: 1-3-23 Day Phone: 786-85	539407.	Evening Phone:	5
APPLICATIONS WILL B ALL SUPPORTING DO	E PROCESSED		
Approval is hereby requested to make t below:	he following modi	fication (s), alterati	ons, and/or additions as described
[] Addition [] Doors Identical/New [] Pavers [] Driveway Painting [] Exterior Paint Identical Color [] Hurricane Shutters Description of Request:	[] Landscaping [] Patio [] Jacuzzi [] Mailbox Rep [] Satelite Dish [] Screening En	placement	[] Wall/Fence [M Concrete Slab [] Awning [] Light Fixture [] Other
			(, \(\),
		7.	
All applications must include the follow [] Lot Survey with proposed modification When applicable, the following informate [] Color photographs or manufacturer's barriage Surface Water Plan [] If Painting - A color sample of the painage [] If Contracting - Proposed Improvement	s drawn on survey, ation/ documents a rochure of the prop t intended, along w	must be provided: osed modifications.	
[] If Construction - Contractor's Commitr	nent indicating tim	e frame and mainten	ance of common areas

[] If Construction - Contractor's plans must specify the access point for contractors (ingress/egress)

[] If Co [] If Co along [] If La	truction - A copy of the homeowner's insurance. truction - A copy of the contractor's insurance certificate naming Spring Valley as a named insured truction - and heavy equiptment is required, color photographs of all adjoining common areas are required ith a \$500 refundable security deposit (cashier's check only) for common area access. scaping - The appropriate drawings must show both a Plan View and an Elecation. scaping - Specifications of the proposed materials/modifications must be included, (i.e. Color, Style, Typel).	
[] If Str	tural Change - Consent Letter from Neighbors adjoined to your property.	
*****	**************************************	****
	(FOR Parkside at Spring Valley HOA ARC COMMITTEE USE ONLY)	
Date Ap	ication Received: 1/3/2023 Date Application Received: 1/3/2023	
Appr	ed	
[] Disap	roved Committee Member Signature:	
*****	***********************************	****
	(FOR Parkside at Spring Valley POA ARC COMMITTEE USE ONLY)	
Date Ap	cation Received: Date Application Received:	
[] Appro [] Disap		
*****	· ************************************	****
Your ap	roval is subject to the following:	
whei	e responsible for obtaining any necessary permits from the appropriate Building & Zoning Departments pplicable, S. Broward Water District.	
	to areas of construction is only to be allowed through your property, and you are responsible for any dange the common area elements and/or your neighbor's property during contruction.	nage
3. If the	nodification requires more than 45 days and/or exceeds the time frame originally proposed, you must reconsion from the Parkside Board of Directors.	quest
4. You	e responsible to provide notice to Elite Property Management upon completion of the modification, and	when
5. The	ble, a copy of the closed permit. 00 security deposit will be refunded to you provided the inspection of the common area shows no damage has been restored by the homeowner.	ge
Explana	on of Disapproval:	
ika kecami Milabay dika sebi Gadhar saniga dia cem		Depter Sales Control of the
Place to the contract of tenenchy		

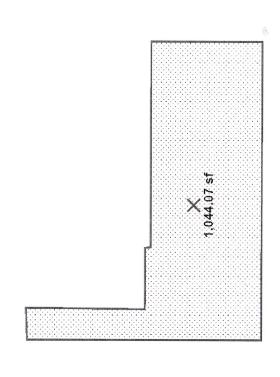


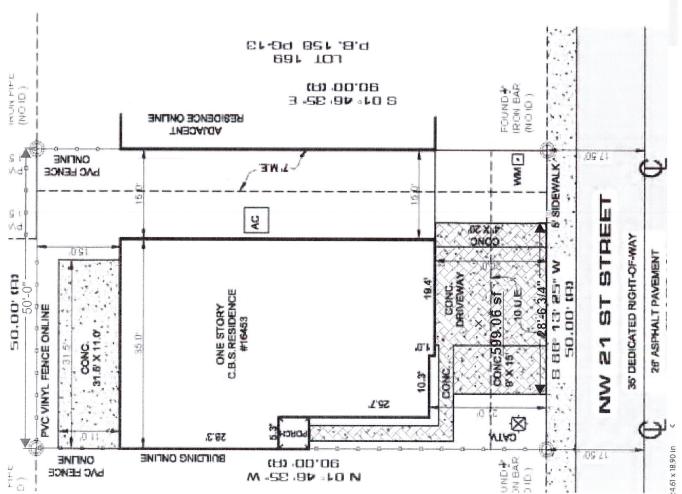


Front Lot Area is 1,045 SF

Allowed driveway width is 40% or 20 L.F. Allowed FLC is 40% or 418 S.F.

- Existing FLC is 600 S.F. or 57.4 (58%) Existing driveway width is 28'-7" L.F. or 57.1 % (58%) Existing rear patio shall be 5' away from side and rear property lines.







City of Pembroke Pines Police Department, Code Compliance Division 601 City Center Way, Pembroke Pines, FL 33025 954-431-4466

VIOLATION WARNING

Case #: 221202886 Date: 12/9/2022

Folio #: 514008101680

Recipient: MAIZ, DENNY/BECERRA, SONIA

Address: 16453 NW 21 ST

PEMBROKE PINES, FL 330281754

A physical inspection at 16453 NW 21 ST Pembroke Pines, FL 33028 disclosed the following violation(s) of the City of Pembroke Pines Code:

Chapter:	Section:		Comply By Date:
CHAPTER 155: ZONING CODE LDC		Observed extended driveway and new fence at the residence - no permit on file.	12/29/2023

Notes/Means of Correction:

Must obtain permits for fence and driveway work done at the residence. Please contact the Building Department at 954.435.6502 with any permitting questions.

YOU ARE HEREBY NOTIFIED TO REMEDY THE CONDITIONS AS STATED ABOVE BY 12/29/2023

This is a courtesy Violation Warning that the above referenced Code Compliance violation(s) currently exist on the subject property. At this time, please take all necessary actions to remedy the violation(s) by the compliance date listed above. If you need additional time to bring the violation(s) into compliance or wish to discuss the violation(s) with the Code Compliance Officer, please immediately contact the undersigned Code Compliance Officer at the phone number listed above.

At this time, no fines or penalties have been assessed against you or recorded as a lien against your property. Failure to timely remedy the violation will result in the issuance of a formal Notice of Violation and Summons to Appear, this Code Compliance matter will be set for a hearing with the City's Special Magistrate. Fines or administrative costs may be assessed by the Special Magistrate once a Notice of Violation and Summons to Appear is issued.

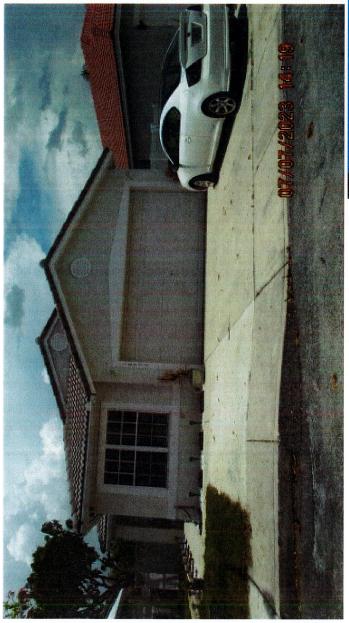
If the violation(s) is corrected and then reoccurs, is not corrected by the time specified for correction by the Code Compliance Officer, or is a repeat violation(s), this case may be presented to the City's Special Magistrate even if the violation(s) has been corrected prior to the hearing.

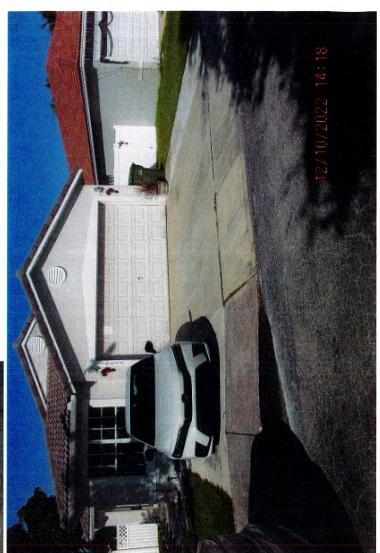
Please govern yourself accordingly.

HAND DELIVERY TO:

Code Compliance Officer - Espy Mize

Signature is not an admission of guilt but verification of receipt of this notice.





Property Changes: 16453 NW 21 Street

