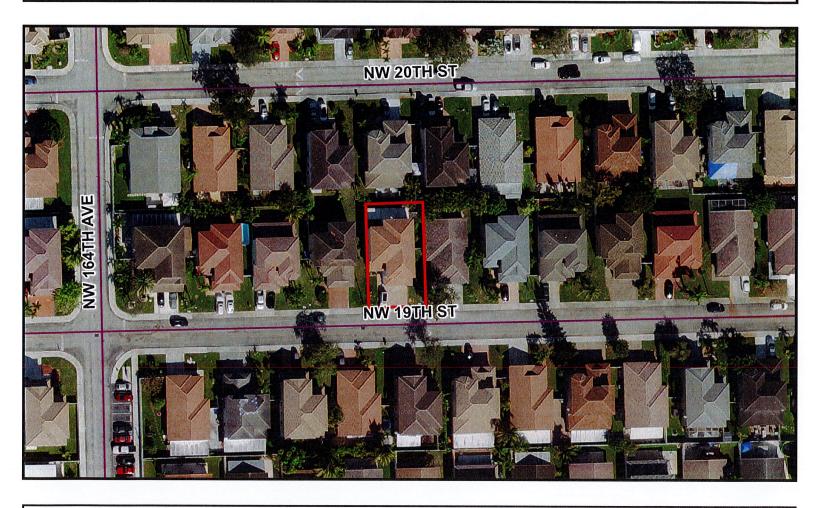
# **Vicinity Map**

City of Pembroke Pines • Planning and Economic Development Department

ZV(R) 2023-0114-0119 Zoning Variances

ANGULO, ALCIBIADES A 16347 NW 19 STREET PEMBROKE PINES FL 33028











# City of Pembroke Pines Planning & Economic Development Department 601 City Center Way 3<sup>rd</sup> Floor Pembroke Pines FL, 33025

## **Summary**

Agenda Date:	December 7, 2023	Application ID:	ZV(R)2023-0114-0119
Project:	Driveway, Roof Structure (attached) Zero Lot	Pre-Application Number:	PRE2023-0110
Project Planner:	Christian Zamora, Senior	Planner	
Owner:	Alcibiades A Angulo	Agent:	N/A
Location:	16347 NW 19 Street, Pembroke Pines, FL 33028	Commission Distri No.	<b>ct</b> 3
Existing Zoning:	Single-Family Residence (R-1Z)	Existing Land Use:	Residential
Reference Applications:	Code Compliance Case N	No. 230100037 (Issued,	1/4/2023)
	Varianc	e Summary	
Application	Code Section	Required/Allowed	Request
ZV(R)2023-0114	Table 155.620: Accessory Structures: Driveway, Zero Lot	40% Front Lot Coverage (Total)	49% Front Lot Coverage (Total)
ZV(R)2023-0115	Table 155.620: Accessory Structures: Driveway, Zero Lot	40% width of lot	53% width of lot
ZV(R)2023-0116	Table 155.620: Accessory Structures: Storage Shed	5' side setback	0' side setback (north side)
ZV(R)2023-0117	Table 155.620: Accessory Structures: Storage Shed	5' side setback	0' side setback (east side)
ZV(R)2023-0118	Table 155.422: Residential Single- Family Zero Lot Line (R- 1Z)	15' rear setback	4.8' rear setback
ZV(R)2023-0119	Table 155.422: Residential Single- Family Zero Lot Line (R- 1Z)	45% Maximum Lot Coverage (All Buildings)	47% Maximum Lot Coverage (All Buildings)
Final:	☐ Planning & Zoning B	ng Board  ⊠ Board of Adjustment	
Reviewed for the Agenda:	Director: AS	Assistant Directo	or: M

#### PROJECT DESCRIPTION / BACKGROUND:

Alcibiades Angulo, owner, has submitted six residential zoning variance requests to legalize an existing driveway, an existing shed, and an existing roofed structure (attached) for the single-family residence located at 16347 NW 19 Street in Parkside at Spring Valley neighborhood which is zoned Residential Single-Family Zero Lot Line (R-1Z).

On January 4, 2023, the City's Code Compliance Division cited the property owner (Case No. 230100037) for work performed without building permits.

In February 16, 2023, the owner submitted a building permit application (No. RX23-02291) 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)2023-0114** is to allow 49% front lot coverage (total) instead of the required 40% front lot coverage (total) for an existing driveway on a zero-lot line property.
- **ZV(R)2023-0115** is to allow 53% 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 storage shed encroaching into the required side and rear setbacks. The survey also revealed an existing 35' x 10' roofed structure, attached to the rear of the house's rear wall, closer than the required 15' rear setback. (See survey attached)

Per staff review of city's archives, on May 10, 1999, the city issued building permit (No. 20003876) to construct a ten foot long by six-foot tall "privacy wall" extension along the west side of the property in the rear (See copy of approved permit); yet no building permits can be found for the existing 35' x 10' roofed structure, attached to the rear of the house's rear wall. Nevertheless, according to the Broward County Property Appraiser Imagery, it appears the roofed structure, storage shed, and driveway have existed in the property since 2013, 2015 and 2020 respectively.

The owner would like to retain the existing non-permitted items at the existing location. The applicant amended the original request to include the following additional variances:

- ZV(R)2023-0116 is to allow zero-foot (0') side setback instead of the required five feet (5') side setback for an existing storage shed.
- ZV(R)2023-0117 is to allow zero feet (0') rear setback instead of the required five feet (5') rear setback for an existing storage shed.
- ZV(R)2023-0118 is to allow 4.8 feet rear setback along a segment of the rear property line
   (north) instead of the required 15 feet (15') rear setback for an existing 35' x 10' roofed
   structure, attached to the rear of the house's rear wall in a residential single-family zero lot.

• **ZV(R)2023-0119** is to allow a Maximum Lot Coverage of 47% (all buildings) instead of the allowed 45% Maximum Lort Coverage (all buildings) for and existing 35' x 10' roofed structure, attached to the rear of the house's rear wall in a residential single-family zero lot.

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) approval for the driveway, dated August 28, 2023.

#### **VARIANCE REQUEST DETAILS:**

**ZV(R)2023-0114** is to allow a 49% total front lot coverage instead of the required 40% total front lot coverage for an existing driveway on a zero-lot line property.

**ZV(R)2023-0115** is to allow a 53% width of lot instead of the allowed 40% width of lot for an existing driveway on a zero-lot line property.

**ZV(R)2023-0116** is to allow a 0' rear setback (northern) for an existing shed.

ZV(R)2023-0117 is to allow a 0' rear setback (eastern) for an existing shed.

ZV(R)2023-0118 is to allow a 4.8' rear setback for an existing 35' x 10' "Roofed Structure (attached)"

**ZV(R)2023-0119** is to allow a 47% maximum lot coverage for all buildings and structures instead of the required 45% maximum lot coverage.

Code References:

ZV(R)2023-0114; ZV(R)2023-0115; ZV(R)2023-0116; ZV(R)2023-0117)

Table 155.620 Accessory Building and Structures							
Setback							
Туре	Front	Side	Street Side	Rear	Maximum Height	Maximum Dimensions	Additional 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
Shed	Primary Building	5 feet	15 feet	5 feet	Primary building or 24 feet, whichever is less	[1] 100 square feet [2] 200 square feet if located in A or R.E.	[2] If over 200 square feet it shall meet primary building setbacks

ZV(R)2023-0118; ZV(R)2023-0119)

Table 155.422: Residential Single-Family Zero Lot Line (R-1Z)				
Standard Residential				
Maximum Lot Coverage	45%			
Rear Setback	15 feet			

#### 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:** Variance Request Application

Letter of Request

Subject Site Aerial Photo

Property Survey (1-10-96; 9/21/2023)

Copy of "privacy wall' building permit

**HOA Letter of Approval** 

Copy of Code Compliance Notice (7/13/2023) and Image(s)



# **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 to review the proposed project submittal and processing				
requirements.	1			
Pre Application Meeting Date:	. 25/ 11/01			
# Plans for DRC Pla	nner: C.Z.			

	Phone: (954) 392-2100 http://www.ppines.com	requirements.			
•		Pre Application Meeting Date: 10 17 23.			
		# Plans for DRC Planner:			
	Indicate the type of application you are	e applying for:			
	☐ Appeal*	☐ Sign Plan			
	Comprehensive Plan Amendment				
	Delegation Request	☐ Site Plan Amendment*			
	☐ DRI*	pecial Exception*			
	DRI Amendment (NOPC)*	Variance (Homeowner Residential)			
	☐ Flexibility Allocation	Variance (Multifamily, Non-residential)*			
	☐ Interpretation*	Zoning Change (Map or PUD)*			
	☐ Land Use Plan Map Amendment*	Zoning Change (Map of FOD)  Zoning Change (Text)			
	☐ Miscellaneous	Zoning Change (Text)  Zoning Exception*			
	☐ Plat*	Deed Restriction			
	INSTRUCTIONS:	■ Deed Restriction			
		this application. If not applicable, mark N/A.			
2	<ol><li>Include all submittal requirements / a</li></ol>	attachments with this application.			
(	<ol><li>All applicable fees are due when the</li></ol>	application is submitted (Fees adjusted annually).			
4	<ol> <li>Include mailing labels of all property signed affidavit (Applications types r</li> </ol>	owners within a 500 feet radius of affected site with			
	5. All plans must be submitted no la	signed affidavit (Applications types marked with *).  All plans must be submitted no later than noon on Thursday to be considered for			
	Development Review Committee (D	RC) review the following week.			
(	3. Adjacent Homeowners Association	s need to be noticed after issuance of a project			
-	The applicant is responsible for add	pefore hearing. (Applications types marked with *).  dressing staff review comments in a timely manner.			
	Any application which remains inac	ctive for over 6 months will be removed from staff			
	review. A new, updated, application	will be required with applicable fees.			
8	3. Applicants presenting demonstration	on boards or architectural renderings to the City			
	Division no later than the Monday pr	ic copy (PDF) of each board submitted to Planning			
WW607		eceang the meeting.			
	0.5	Staff Use Only			

Project Planner: \_\_\_\_\_ Project #: PRJ 20\_\_\_\_\_ Application #: Will was oily Date Submitted: 10 11 / 23 Posted Signs Required: (

SECTION 1-PROJECT INFORMATION:
Project Name: Angulo Various
Project Name: May lo Variances  Project Address: 16347 NW 1974 ST Ponthoke Pine, FL 33028
Location / Shopping Center: Spring Valley
Acreage of Property:Building Square Feet:
Flexibility Zone: Folio Number(s):
Plat Name:Traffic Analysis Zone (TAZ):
Legal Description:
Has this project been previously submitted?  Yes  No
Describe previous applications on property (Approved Variances, Deed Restrictions,

Application	Request	Action	Resolution / Ordinance #	Conditions of Approval
	A THE RESIDENCE OF THE PROPERTY OF THE PROPERT			
	/			
	Application	Application Request	Application Request Action	Application Request Action Resolution / Ordinance #

etc...) Include previous application numbers and any conditions of approval.

# **SECTION 2 - APPLICANT / OWNER / AGENT INFORMATION** Owner's Name: A/cibiades A. Arigulo Owner's Address: 16347 UW 19th ST Pontbooke Aires FL 33028 Owner's Email Address: <u>a/c161ades.a, angulo a 6 mail.com</u> Owner's Phone: 973-234-2344 Owner's Fax: Agent: Selt. 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: **EXISTING** PROPOSED 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: \_\_\_\_\_

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

# SECTION 4 - VARIANCE • ZONING APPEAL • INTERPRETATION ONLY

Application Type (Circle One): 放 Variance 🔘 Zoning Appeal 🗡 Interpretation
Related Applications:
Required: 40% TC; 50% lots with; 5' scar-side systems; 15' Rear setbelt; 19 Request: 49% TC; 53% lots with; 0' scar-side systems; 15' Rear setbelt; 19 Details of Variance, Zoning Appeal, Interpretation Request:
SECTION 5 - LAND USE PLAN AMENOMENT 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:

## SECTION 6 - DESCRIPTION OF PROJECT (attach additional pages if necessary)

See teller

# **SECTION 7- PROJECT AUTHORIZATION**

#### **OWNER CERTIFICATION**

This is to certify the all information sup	pat I am the owner of the property policy herein is true and correct to	described in this application and that the best of my knowledge.
Signature of Owner	er	Date
Sworn and Subsc	ribed before me this da	зу
of	, 20	
Fee Paid	Signature of Notary Public	My Commission Expires
AGENT CEI	RTIFICATION	
This is to certify th and that all inform	at I am the agent of the property ation supplied herein is true and	owner described in this application correct to the best of my knowledge.
Signature of Agen	t	Date
Sworn and Subsci	ribed before me this da	ау
of		
Fee Paid	Signature of Notary Public	My Commission Expires

To The City of Pembroke Pines:

My name is Alcibiades A Angulo (<u>alcibiades.a.angulo@gmail.com</u>) phone number 973-234-2344.

I am writing my reason for the construction of my variances that I have in my house.

After my military assignment to the Miami Recruiting Battalion I moved to Pembroke Pines, I was renting in the subdivision of Silver Lake, that is where I fall in love to the City of Pembroke Pines, and I was making sure this will be my last assignment, so I can retire here.

In August 2013 my mother was diagnosed with a bad and long sickness, then I decide to bring her with me to live with my family, in that case I decide to buy my house so I can accommodate all of us.

In the case of my driveway extension, I had my two daughters at that time in college, they are used to returning from the university late at night, I did what over 200 plus families been doing in the subdivision. I request permission to the Home Association to extend my driveway that is not interfering with the city walkway so my daughters can park because the association did not permit to park in the street. There is visitor parking but also the association did not permit residents to park in the visitor parking. The HA approved my request.

In my rear porch the main reason that I did this conversion was with the extremely heat in Florida, was the only solution to be a little more comfortable to take my mother out the house to take some fresh air, she was bedbound for more than eight years and all afternoon we used to take her out. She passed on April 2022, but our remembrances are in that porch. Now mi wife and I, today and in the future, we have the need for the use of the porch. Also, there are more than 150 families with porches in their houses in the community.

Before the construction I requested permission from the Home Association and the 2014 building porch codes for the city and was built based on those guidelines. The HA also approved.

Those variances have been domed over a decade and is now that the city of Pembroke Pines is issuing me those codes of compliance.

As a retired military after almost 30 years of US Army service, all our action in the military we must go by rules and regulation, and I understand, that we as a member of a city and a community, we need to go by their rules and regulations, but all rules and regulations have an exception to those policy, and that is what I am requesting.

Thank you very much.

Very Respectfully/

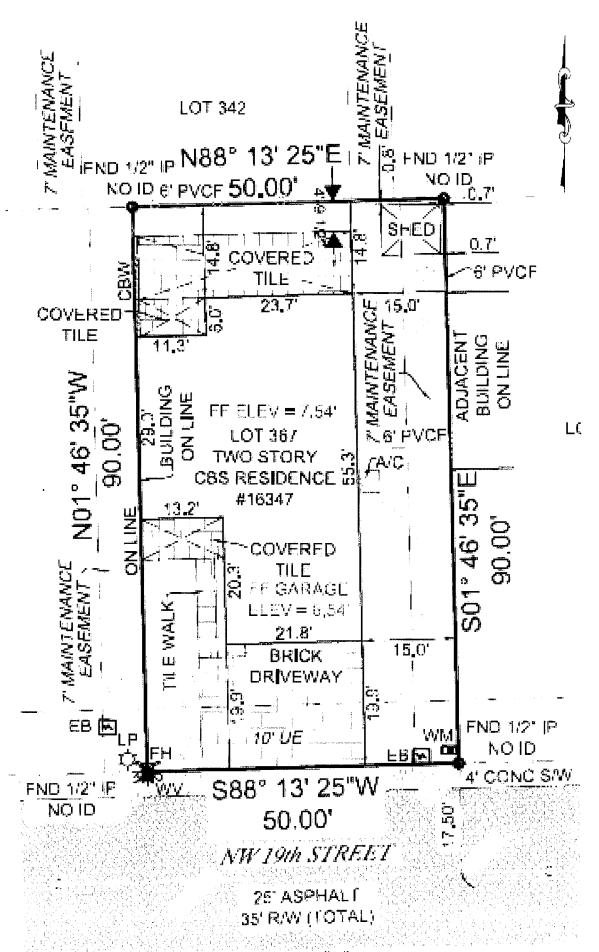
Alcibiades A Angulo

Alcibiades.a.angulo@gmail.com

973-234-2344

# Waiver of Florida Statutes Section 166.033, Development Permits and Orders

Applica	ant: Alcibiades A, Angulo
Author	rized Representative:
Applica	ation Number:
Applica	ation Request:
	I, (print Applicant/Authorized Representative name), on behalf of (Applicant), hereby waive the deadlines and/or
	lural requirements of Florida Statute Section 166.033 as the provisions of said statute apply to the referenced application, including, but not limited to the following:
a.	30-day requirement for Applicant Response to Staff determination of incompleteness as described in DRC Comments and/or Letter to Applicant;
b.	30-day Staff review of Applicant Response to DRC Comments and/ or Letter to Applicant;
c.	Limitation of three (3) Staff Requests for Additional Information;
d.	Requirement of Final Determination on Applicant's application approving, denying, or approving with conditions within 120 or 180 days of the determination of incompleteness, as applicable.
	Signature of Applicant or Applicant's Date Authorized Representative  Alcibrades A. Angulo  Print Name of Applicant/Authorized Representative



TRACT "A"

#### REQUEST FOR ARCHITECTURAL MODIFICATION

Board of Directors and/or Architectural Control Committee of Parkside at Spring Valley Homeowner's Association, Inc. Elite Management Associates, Inc 9600 Griffin Road

Cooper City, FL 33328 Phone: 954-435-2424



Sub-Association: SPRING Valle	4 H.	Account Number:	
Name of Owner (s): VICTOR Alvarez/InaiDA	Ferreiga	De AlVage	
Street Address: 16358 UW 17C+	embroko P.	Signature: Jacka Tra	
Date: 135/2023 Day Phone: 05	-3963	Evening Phone: SAME	THE RESIDENCE OF CONTROL OF THE RESIDENCE OF THE RESIDENC
APPLICATIONS WILL BE ALL SUPPORTING DOC	PROCESSED		
Approval is hereby requested to make the below:	e following modi	ification (s), alterations	, and/or additions as described
[] Addition [] Doors Identical/New [] Pavers [] Driveway Painting [] Exterior Paint Identical Color [] Hurricane Shutters	[] Landscaping [] Patio [] Jacuzzi [] Mailbox Rep [] Satelite Dish [] Screening En	placement 18"	[] Wall/Fence [] Concrete Slab [] Awning [] Light Fixture [] Other
Description of Request: Remove	ove ex	usting di	every and
INSTALL Paver	Sic	over a	.sand bed.
Dimensions of	20	feet by	30 feet.
All applications must include the following [] Lot Survey with proposed modifications of	g: irawn on survey,	including any set back o	listance required,
When applicable, the following information of the painting of	thure of the properties of the	osed modifications.  Ith a color photograph of frame and maintenance	e of common areas

<ul> <li>[] If Construction - A copy of the homeowner's insurance.</li> <li>[] If Construction - A copy of the contractor's insurance certificate naming Spring Valley as a named insured</li> <li>[] If Construction - and heavy equiptment is required, color photographs of all adjoining common areas are required, along with a \$500 refundable security deposit ( cashier's check only ) for common area access.</li> <li>[] If Landscaping - The appropriate drawings must show both a Plan View and an Elecation.</li> <li>[] If Landscaping - Specifications of the proposed materials/modifications must be included, (i.e. Color, Style, Type of Material).</li> <li>[] If Structural Change - Consent Letter from Neighbors adjoined to your property.</li> </ul>
(FOR Parkside at Spring Valley HOA ARC COMMITTEE USE ONLY)
Date Application Received: 3/23/23 Date Application Received: 8/23/23
[ ] Disapproved Committee Member Signature:
**************************************
( FOR Parkside at Spring Valley POA ARC COMMITTEE USE ONLY )
Date Application Received: Date Application Received:
[] Approved
[] Disapproved Committee Member Signature:
**************************************
Your approval is subject to the following:
<ol> <li>You are responsible for obtaining any necessary permits from the appropriate Building &amp; Zoning Departments and when applicable, S. Broward Water District.</li> <li>Acces to areas of construction is only to be allowed through your property, and you are responsible for any damage done to the common area elements and/or your neighbor's property during contruction.</li> <li>If the modification requires more than 45 days and/or exceeds the time frame originally proposed, you must request an extension from the Parkside Board of Directors.</li> <li>You are responsible to provide notice to Elite Property Management upon completion of the modification, and when applicable, a copy of the closed permit.</li> <li>The \$500 security deposit will be refunded to you provided the inspection of the common area shows no damage and/or has been restored by the homeowner.</li> </ol>
Explanation of Disapproval:
·
•



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

#### VIOLATION WARNING

Case #:

230100037

Date: 1/4/2023

Folio #:

514008103670

Recipient:

ANGULO, ALCIBIADES A

Address:

16347 NW 19 ST

PEMBROKE PINES, FL 33028

A physical inspection at 16347 NW 19 ST Pembroke Pines, FL 33028 disclosed the following violation(s) of the City of Pembroke Pines Code:

Chapter:	Section:	Violation:	Comply By Date:
CHAPTER 155: ZONING CODE LDC	155.313 ENFORCEMENT	Observed extended driveway - no pennit on file.	03/07/2023

#### Notes/Means of Correction:

Must obtain a permit for the driveway work done on the property. 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 03/07/2023

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.

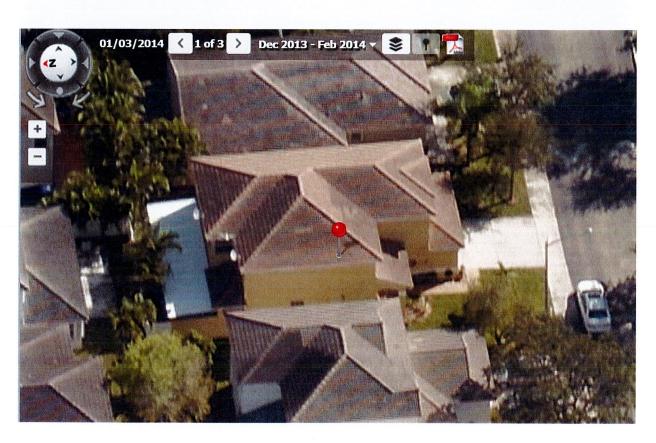
HAND DELIVERY TO:

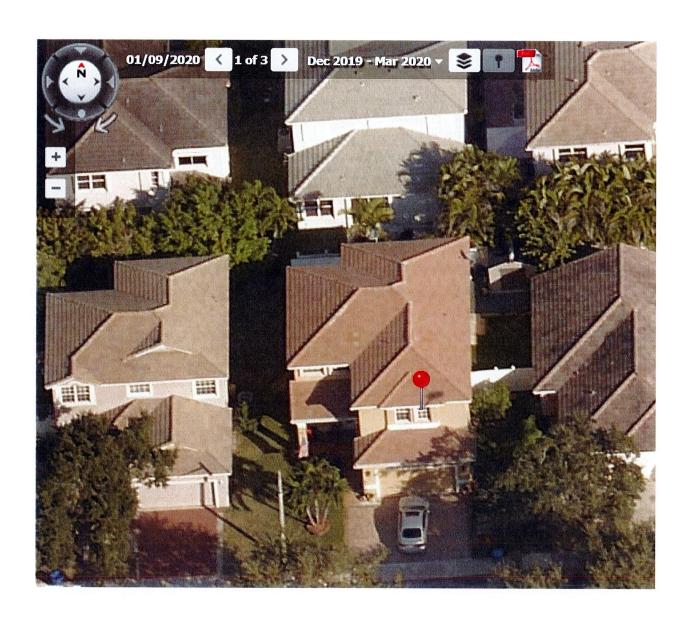
Signature is not an admission of guilt but verification of receipt of this notice.

Cada Camalianas Officare Land Mira

Property Changes: 16347 NW 19 Street









# City of Pembroke Pines Received

NOV 28 2023

Type of Meeting

**Board of Adjustment** 

Planning & Economic Development

#### **QUASI-JUDICIAL PROCEEDINGS AFFECTED PERSON**

**INSTRUCTIONS:** This form must be completed and returned to the City Clerk's office at least seven (7) calendar days before the meeting.

<b>AFFECTED PERSON:</b> (a person who is the owner of the subject property or who owns property within 500 feet of the subject property or who resides in or operates a business within 500 feet of the subject property)
CASE#ZV(R)2023-0114 - 0119
PROJECT NAME: Alcibiades Angulo
MEETING DATE: December 7, 2023
NAME: Kalyan Mallivamala BUSINESS ADDRESS:
HOME ADDRESS: 16881 NW/8 Th ST P. Pines for \$3028 TELEPHONE NUMBER: (954) 608 8424
QUALIFIES AS "AFFECTED PERSON":  Subject property owner Owns property within 500 ft. Resides within 500 ft. Operates a business within 500 ft. City of Pembroke Pines representative
Signature of Affected Person Date:
EVIDENCE TO BE PRESENTED: (identify and attach a copy of all evidence to be presented at the hearing. Use additional sheet(s) if necessary.)  A. Not Ebbect in for any body.  B