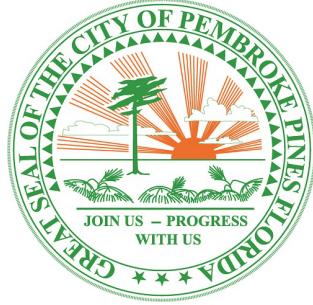


City of Pembroke Pines, FL

*City of Pembroke Pines
Board of Adjustment
601 City Center Way
Pembroke Pines, FL 33025*



Meeting Minutes - Final

Thursday, May 2, 2024

6:30 PM

Commission Chambers

Board of Adjustment

*City of Pembroke Pines
Board of Adjustment*

MEETING CALLED TO ORDER

The regular meeting of the BOARD OF ADJUSTMENT was called to order by Chair Rodriguez-Soto on Thursday, May 2, 2024 at 6:30 P.M., in the City Commission Chambers, Charles F. Dodge City Center, 601 City Center Way, Pembroke Pines, Florida, 33025.

ROLL CALL

PRESENT: Chair Rodriguez-Soto, Members Abbondandolo and Crawl

ABSENT: Member Brito, Alternate Member Almeria

ALSO PRESENT: Christian Zamora, Senior Planner; Julia Aldridge, Planner / Zoning Technician; Quentin Morgan, Assistant City Attorney, and Board Secretary Katherine Borgstrom

Board Secretary Borgstrom called roll and declared a quorum present.

APPROVAL OF MINUTES:

24-0338

April 4, 2024

A motion by Member Crawl, seconded by Member Abbondandolo, to approve the minutes of the April 4, 2024 meeting passed unanimously.

OLD BUSINESS:**VARIANCES:****LEGAL INSTRUCTIONS:**

Assistant City Attorney Quinten Morgan explained the hearing process to the audience and applicants. The hearing is quasi-judicial and all testimony taken is under oath. The Board has the right to ask witnesses questions that the Board deems relevant to the application. At the conclusion of the hearing, the Board will consider testimony and evidence and enter an order. Three votes are needed to approve a variance. The decisions are appealable to the City Commission of Pembroke Pines only. Petitioners were also advised that they could request to table their hearing to the next meeting, due to the fact that only three members are present and it will take a unanimous vote to pass any variance.

[Secretary's Note: Interested parties were sworn under oath to give testimony in the relevant causes by the Assistant City Attorney.]

24-0340

ZV(R)2024-0009 - 0014

Marleny Molina, 9441 Johnson Street (District 2)

VARIANCE FILE NUMBERS: ZV(R)2024-0009 - & 0014

PETITIONER:

Marleny Molina

ADDRESS:

SUBJECT PROPERTY:
9441 Johnson Street
Pembroke Pines, FL 33024

LEGAL DESCRIPTION:
Lot 21, Block 6, of the WESTVIEW SECTION 3 PART 2 PLAT, according to the Plat thereof as recorded in Plat Book 95, Page 1B, of the Public Record of Broward County, Florida.

VARIANCES REQUESTED:
Petitioner is requesting variances to allow:

ZV(R)2024-0009) a 5'-4" rear setback instead of the required 15' rear setback for an existing attached hard roofed structure.
ZV(R)2024-0010) a 1'-8" eastern side setback instead of the required 7'-5" side setback for an existing attached hard roofed structure.
ZV(R)2024-00011) a 2'-9" eastern side setback instead of the required 5' side setback for an existing accessory building structure.
ZV(R)2024-00012) a 1'-2" eastern side setback instead of the required 5' side setback for an existing patio.
ZV(R)2024-00013) a 0' augmenting to 1'-5" side setback along the eastern property line instead of the required 5' side setback for an existing patio.
ZV(R)2024-00014) a 44% maximum lot coverage for all buildings and structures instead of the required 40% for all buildings and accessory buildings.

REFERENCES:

ZV(R)2024-0009, 0010, & 0014
Table 155.421.3: Residential Single-Family (R-1C)
Standard Residential
Maximum Lot Coverage 40%
Side Setback 7.5 feet
Rear Setback 15 feet

ZV(R)2024-0011 - 0013)
Table 155.620 Accessory Building and Structures
Type, Deck or Patio, Setback, Side, 5 feet

Chairman Rodriguez-Soto read the request into the record.

PROJECT DESCRIPTION / BACKGROUND:

Marleny Molina, owner, has submitted six residential zoning variance requests to legalize an existing roofed structure (attached), accessory building and patio, all existing in the single-family residence located at 9441 Johnson Street in the Westview neighborhood which is zoned Residential Single-Family (R-1C).

On February 2, 2023, the City's Code Compliance Division cited the property owner (Case No. 230100424) for work performed without building permits.

The applicant is requesting:

- ZV(R)2024-0009 to allow five-foot, four-inch (5' - 4") rear setback instead of the required fifteen-foot rear setback for existing 43' - 8" x 14' - 6" roofed

structure, attached. (TABLED)

- ZV(R)2024-0010 to allow one-foot, eight-inch (1' - 8") eastern side setback instead of the required 7' - 6" side setback for existing 43' - 8" x 14' - 6" roofed structure, attached. (TABLED)

- ZV(R)2024-0011 to allow two-foot, nine-inch (2' - 9") eastern side setback instead of the required 5' side setback for existing 6' -1" x 5' - 2"; 3' - 6" x 5' - 2" accessory building. (TABLED)

- ZV(R)2024-0012 to allow one-foot, two-inch eastern side setback instead of the required five-foot (5') side setback for existing deck or patio. (TABLED)

- ZV(R)2024-0013 to allow zero-foot (0') augmenting to one-foot, five-inch (1' - 5") eastern side setback instead of the required 5' side setback for an approximately 70' x 8' - 6" existing deck/patio. (TABLED)

- ZV(R)2024-0014 to allow a Maximum Lot Coverage of 44% (all buildings) instead of the permitted 40% Maximum Lot Coverage (all buildings) in a single-family zoning district, typical lot. (TABLED)

The above variance requests were heard by the Board on April 4, 2024, meeting. The applicant was directed to reconsider the requests and to possibly provide an alternative plan to further reduce the impact of the unpermitted work at the property.

Per the updated plan, the petitioner is moving forward with changes to existing conditions. Per the plan (5/2/2024), the applicant will be:

- Reducing the footprint of the existing aluminum roof, attached. The existing aluminum roof will be installed perpendicular to the eastern wall of the house, located approximately twelve-foot (12') away from eastern property line.
- Demolishing the existing "Utility Room" located near the east side property line in the rear.
- Removing approximately 156 Square Feet (SF) from the existing aluminum roof's footprint.

Per the new plan, the changes listed above eliminate the need for Zoning Variance Requests: ZV(R)2024-0010 and ZV(R)2024-0011. The petitioner still requesting:

- ZV(R)2024-0009 to allow five-foot, four-inch (5' - 4") rear setback instead of the required fifteen-foot rear setback for existing 43' - 8" x 14' - 6" roofed structure, attached.
- ZV(R)2024-0012 to allow one-foot, two-inch eastern side setback instead of the required five-foot (5') side setback for existing deck or patio.
- ZV(R)2024-0013 to allow zero-foot (0') augmenting to one-foot, five-inch (1' - 5") eastern side setback instead of the required 5' side setback for an approximately 70' x 8' - 6" existing deck/patio.
- ZV(R)2024-0014 to allow a Maximum Lot Coverage of 44% 42% (all buildings) instead of the permitted 40% Maximum Lot Coverage (all buildings) in a single-family zoning district, typical lot.

Per staff review of the city's archives, no building permits can be found for the detected work on the property. Nevertheless, according to the Broward County Property Appraiser Imagery, it appears the roofed structures and patio have existed at the property since at least 2020.

The applicant/agent has been made aware that Board consideration of residential variance requests does not preclude the property owner from obtaining all necessary development related approvals and required building permits.

The subject property is in the Westview neighborhood. Per the city's registered HOA list, there is no Homeowner's Association (HOA) where the property is located.

VARIANCE REQUEST DETAILS:

ZV(R)2024-0009 is to allow five-foot, four-inch (5' - 4") rear setback instead of the required fifteen-foot rear setback for existing 43' - 8" x 14' - 6" roofed structure, attached.

ZV(R)2024-0012 is to allow one-foot, two-inch eastern side setback instead of the required five-foot (5') side setback for existing deck or patio.

ZV(R)2024-0013 is to allow zero-foot (0') augmenting to one-foot, five-inch (1' - 5") eastern side setback instead of the required 5' side setback for an approximately 70' x 8' - 6" existing deck/patio.

ZV(R)2024-0014 is to allow a Maximum Lot Coverage of 44% 42% (all buildings) instead of the permitted 40% Maximum Lot Coverage (all buildings) in a single-family zoning district, typical lot.

Code References:

ZV(R)2024-0009 & 0014

Table 155.421.3: Residential Single-Family (R-1C)

Standard Residential

Maximum Lot Coverage 40%

Rear Setback 15 feet

ZV(R)2024-0012 & 0013)

Table 155.620 Accessory Building and Structures

Table 155.620 Accessory Building and Structures

Type, Deck or Patio, Setback, Side, 5 feet

Jose Navarro, petitioner, spoke to the variance request through his interpreter, Katherine Granados. He stated that the utility room will be taken down, removing side of aluminum existing portion of terrace will be removed, variance will legalize the wall. He also stated the east side setbacks for the accessory building have been brought back to the code via removal, so Variances ZV(R)2024-0010 and ZV(R)2024-0011 are no longer needed. Also the concrete along eastern side remains but the lot coverage and roof have been reduced to 42%.

The member of the board who spoke to the variance request was Chair Rodriguez-Soto.

The member of staff who spoke to the variance request was Christian Zamora.

No one from the public asked to speak to the variance request.

A motion by Member Crawl, seconded by Member Abbondandolo, to grant variance request ZV(R)2024-0009, under Sec. 155.301(O)(1)(c), allow 5'-4" rear

setback instead of the required 15' rear setback for an existing attached hard roofed structure passed unanimously.

A motion by Member Abbondandolo, seconded by Member Crawl, to grant variance request ZV(R)2024-0012, under Sec. 155.301(O)(1)(c), allow 1'-2" eastern side setback instead of the required 5' side setback for an existing patio passed unanimously.

A motion by Member Crawl, seconded by Member Abbondandolo, to grant variance request ZV(R)2024-0013, under Sec. 155.301(O)(1)(c), allow 0' augmenting to 1'-5" side setback along the eastern property line instead of the required 5' side setback for an existing patio passed unanimously.

A motion by Member Abbondandolo, seconded by Member Crawl, to grant variance request ZV(R)2024-0014, under Sec. 155.301(O)(1)(c), allow 42% maximum lot coverage for all buildings and structures instead of the required 40% for all buildings and accessory buildings passed unanimously.

24-0341

ZV(R)2024-0015 - 0017

Alan & Bianca Sutherland, 1100 NW 185 Terrace (District 4)

VARIANCE FILE NUMBERS: ZV(R)2024-0015 - 0017

PETITIONER:

Alan & Bianca Sutherland

ADDRESS:

SUBJECT PROPERTY:

1100 NW 185 Terrace
Pembroke Pines, FL 33029

LEGAL DESCRIPTION:

Lot 3, Block A, of the CHAPEL LAKE ESTATES PLAT, according to the Plat thereof as recorded in Plat Book 154, Page 44B, of the Public Record of Broward County, Florida.

VARIANCES REQUESTED:

Petitioner is requesting variances to allow:

ZV(R)2024-0015) a 49% total front lot coverage instead of the required 35% total front lot coverage for a proposed driveway on a typical lot.

ZV(R)2024-0016) a 42% width of lot instead of the required 40% width of lot for a proposed driveway on a typical lot.

ZV(R)2024-0017) a 1' side setback along a portion of the eastern property line instead of the required 5' for a proposed deck / patio.

REFERENCES:

ZV(R)2024-0015 – 0017)

Table 155.620 Accessory Building and Structures

Type, Driveway, Typical Lot, Maximum Dimensions, 35% front lot coverage

Type, Driveway, Typical Lot, Maximum Dimensions, 40 % width of lot

Type, Deck or Patio, Setback, Side, 5 feet

Chairman Rodriguez-Soto read the request into the record.

PROJECT DESCRIPTION / BACKGROUND:

Alan Southerland, owner, has submitted three residential zoning variance requests to build a driveway and patio at the property located at 1100 NW 185 Terrace. The property is part of the Chapel Trail Planned Unit Development (PUD) and follows the guidelines for single-family conventional (SF-3A). The PUD guidelines do not address front lot coverage and driveway width; therefore, the provisions of the City's Land Development Code (LDC) are applicable.

On August 10, 2023, the owner submitted a building permit application (No. RX23-10352) to build a driveway and patio at the property. The proposed driveway and patio exceed the limitations of the City's LDC, so the permit cannot be issued.

The applicant is requesting the following:

- ZV(R)2024-0015: to allow 47% front lot coverage (total) instead of the allowed 35% front lot coverage (total) for a proposed driveway in typical single-family residential lot.
- ZV(R)2024-0016: to allow 42% of the lot's width instead of the allowed 40% of the lot's width for a proposed driveway in a typical single-family residential lot.
- ZV(R)2024-0017: to allow one-foot (1') side setback along a segment of the northern property line instead of the required five-foot (5') side setback for a proposed nine-foot by eight-foot (8' x 9') patio.

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

The subject property is in the Chapel Trail neighborhood. The owner has provided a copy of the Homeowners Association (HOA) Letter, dated July 10, 2023.

VARIANCE REQUEST DETAILS:

ZV(R)2024-0015 is to allow 47% front lot coverage (total) instead of the allowed 35% (total) for a proposed driveway in typical single-family residential lot.

ZV(R)2024-0016 is to allow 42% of the lot's width instead of the allowed 40% of the lot's width for a proposed driveway in a typical single-family residential lot.

ZV(R)2024-0017 is to allow one-foot (1') side setback along a segment of the northern property line instead of the required five-foot (5') side setback for a proposed nine-foot by eight-foot (8' x 9') patio.

Code References:

ZV(R)2024-0015 – 0017)
Table 155.620 Accessory Building and Structures

Type, Driveway, Typical Lot, Maximum Dimensions, 35% front lot coverage
Type, Driveway, Typical Lot, Maximum Dimensions, 40 % width of lot
Type, Deck or Patio, Setback, Side, 5 feet

Estavan Cortez, Agent, spoke for petitioner and spoke to the variance request. He stated family is seeking to extend driveway so four cars and be parked without blocking the sidewalk and they have an elderly grandmother who needs solid pavement to assist her in walking to vehicles. They also want to provide area to cover trashcans. There is no street parking and limited guest parking, which does not allow overnight parking. They have frequent visitors also. Agent also stated the family has a vintage car parked in the garage already. The driveway is pavers over sand and pathway along the house will be pavers. The owners were not present. Chair asked agent if he would like to table and have owners at next hearing. Agent chose to table.

The members of the board who spoke to the variance request were Chair Rodriguez-Soto, Members Crawl and Abbondandolo.

The member of staff who spoke to the variance request was Christian Zamora.

No one from the public asked to speak to the variance request.

A motion by Member Abbondandolo, seconded by Member Crawl, to table variance requests ZV(R)2024-0015 through ZV(R)2024-0017 passed unanimously.

NEW BUSINESS: VARIANCES:

24-0343

ZV(R)2023-0025 & 0026 & 0043

Ana Maria Veeser, 1728 NW 163 Terrace (District 3)

VARIANCE FILE NUMBERS: ZV(R)2023-025 & 0026 & 0043

PETITIONER:

Ana Maria Veeser & Rolando Zevallos

ADDRESS:

SUBJECT PROPERTY:

1728 NW 163 Terrace
Pembroke Pines, FL 33028

LEGAL DESCRIPTION:

Lot 289, of the PARKSIDE AT SPRING VALLEY PLAT, according to the Plat thereof as recorded in Plat Book 158, Page 13B, of the Public Record of Broward County, Florida.

VARIANCES REQUESTED:

Petitioner is requesting variances to allow:

ZV(R)2023-0025) a 74% 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)2023-0026) a 47% width of lot instead of the allowed 40% width of lot for an existing driveway on a zero lot line property.

ZV(R)2023-0043) a two feet (2') side setback on the nonzero side of a zero lot

line property instead of the required five feet (5') side setback for an existing patio.

REFERENCES:

ZV(R)2023-0025 & 0026 & 0043)

Table 155.620 Accessory Building and Structures

Type, Driveway, Zero Lot Line, Maximum Dimensions, 40% front lot coverage

Type, Driveway, Zero Lot Line, Maximum Dimensions, 40 % width of lot

Type, Deck or Patio, Setback, Side, 5 feet

Chairman Rodriguez-Soto read the request into the record.

PROJECT DESCRIPTION / BACKGROUND:

Ana Veeser, owner, has submitted three residential zoning variance requests to legalize an existing driveway, walkway and patio for the single-family residence located at 1728 NW 163 Terrace in the Spring Valley neighborhood which is zoned Residential-Single Family Zero Lot Line (R-1Z).

On April 20, 2022, the City's Code Compliance Division cited the property for work done without building permits (Case No. 220400053).

In August 25, 2022, the property owner submitted Building Permit Application (No. RX22-06290) to construct a driveway, walkway and patio at the property. However, the plans for the building permit cannot be approved as the work done exceeds the limitations of the City's Land Development Code (LDC); as result, the applicant is requesting:

- ZV(R)2023-0025: to allow 74% front lot coverage (total) instead of the required 40% front lot coverage (total) for an existing driveway and patio in a residential single-family property, zero-lot.
- ZV(R)2023-0026: to allow a 47% width of lot instead of the allowed 40% width of lot for an existing driveway in a residential single-family property, zero lot.
- ZV(R)2023-0043: to allow two-foot (2') side setback along a segment of the northern property line instead of the required five-foot (5') for an existing patio in a residential single-family property, zero lot.

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

Planning and Economic Development Staff assisted the applicant to identify potential modifications to the existing nonpermitted work that could be made to meet the regulations of the City's LDC. The petitioner is presenting a plan with no modifications to existing conditions.

The applicant is aware that Board consideration of a 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 at Spring Valley neighborhood. Ms. Veeser had supplied documents from the HOA dated August 27, 2020 and

September 19, 2022.

VARIANCE REQUEST DETAILS:

ZV(R) 2023-0025 is to allow 74% front lot coverage (total) instead of the allowed 40% total front lot coverage (total) for an existing driveway on a zero-lot line property.

ZV(R) 2023-0026 is to allow 47% width of lot instead of the allowed 40% width of lot for an existing driveway on a zero-lot line property.

ZV(R) 2023-0043 is to allow two-foot (2') side setback on the nonzero side of a zero-lot line property instead of the required five feet (5') side setback for an existing patio.

Code References:

ZV(R) 2023-0025 & 0026 & 0043

Table 155.620 Accessory Building and Structures

Type, Driveway, Zero Lot Line, Maximum Dimensions, 40% front lot coverage

Type, Driveway, Zero Lot Line, Maximum Dimensions, 40 % width of lot

Type, Deck or Patio, Setback, Side, 5 feet

Ana Maria Vesser, petitioner, spoke to the variance request. She stated this has existed since 2022 and was put in without permit. The lot is pie shaped. She was sighted by code and is facing fines in June 2024. The family has six cars in a four bedroom house. The entire front is covered with pavers. Petitioner stated she did not know she needed permits to do the expansion.

Christian Zamora stated he has met many times with petitioner in order to bring the requests to a reasonable size. After discussion, petitioner agreed to bring the front lot coverage to 55% and the front width to 47%, ZV(R)2024-0046 will not be needed and is withdrawn.

The members of the board who spoke to the variance request were Chair Rodriguez-Soto, Members Crawl and Abbondandolo.

The member of staff who spoke to the variance request was Christian Zamora.

No one from the public asked to speak to the variance request.

A motion by Member Crawl, seconded by Member Abbondandolo, to grant variance request ZV(R)2023-0025, under Sec. 155.301(O)(1)(c), allow a 55% total front lot coverage instead of the required 40% total front lot coverage for an existing driveway on a zero lot line property passed unanimously.

A motion by Member Crawl, seconded by Member Abbondandolo, to grant variance request ZV(R)2023-0026, under Sec. 155.301(O)(1)(c), allow a 47% width of lot instead of the allowed 40% width of lot for an existing driveway on a zero lot line property passed unanimously.

24-0344

ZV(R)2024-0019 - 0020

Jimmy James, 13801 NW 16 Street (District 3)

VARIANCE FILE NUMBERS: ZV(R)2024-0019 & 0020

PETITIONER:

Jimmy James

ADDRESS:

SUBJECT PROPERTY:
13801 NW 16 Street
Pembroke Pines, FL 33028

LEGAL DESCRIPTION:

Lot 46, Block 14, of the PEMBROKE FALLS PHASE 5 PLAT, according to the Plat thereof as recorded in Plat Book 164, Page 7B, of the Public Record of Broward County, Florida.

VARIANCES REQUESTED:

Petitioner is requesting variances to allow:

ZV(R)2024-0019 a 47% total front lot coverage instead of the required 35% total front lot coverage for an existing circular driveway.

ZV(R)2024-0020 a 46% width of lot instead of the allowed 40% width of lot for an existing circular driveway.

REFERENCES:

ZV(R)2024-0019 & 0020)

Table 155.620 Accessory Building and Structures,
Type, Driveway, Circular, Maximum Dimensions, 35% front lot coverage
Type, Driveway, Circular, Maximum Dimensions, 40 % width of lot

Chairman Rodriguez-Soto read the request into the record.

PROJECT DESCRIPTION / BACKGROUND:

Jimmy James, owner, submitted two residential zoning variance requests to legalize an existing circular driveway at the single-family residence located at 13801 NW 16 Street in the Pembroke Falls neighborhood, which is zoned PUD (Planned Unit Development) The property follows the guidelines for single-family conventional with lots larger than 8,250 Square Feet. The PUD guidelines do not address front lot coverage, driveway width; therefore, the provisions of the City's Land Development Code (LDC) are applicable.

On July 25, 2019, and on November 19, 2023, the owner submitted Building Permit Applications No.: BUL-205904 and No. RX23-14259 to build a circular driveway at the property, the permit could not be issued as the proposed work exceeded the limitations of the City's LDC, so the permit application expired.

In February 8, 2024 the City's Code Compliance Division cited the property (Code Case No. 240200514) for work performed without building permits.

As result of the unpermitted, existing work at the property, the owner is requesting:

- ZV(R)2024-0019: to allow 47% front lot coverage (total) instead of the allowed 35% front lot coverage (total) for an existing circular driveway on a residential single-family property, typical lot.
- ZV(R)2024-0020: to allow 46% width of lot instead of the allowed 40% width of lot for an existing circular driveway on a residential single-family residential property, typical lot.

The applicant is aware that Board consideration of residential variance

requests does not preclude the property owner from obtaining all necessary development related approvals or permits.

The subject property is in Pembroke Falls neighborhood. The owner has provided a copy of the Homeowners Association (HOA) Letter, dated September 16, 2021.

VARIANCE REQUEST DETAILS:

ZV(R)2024-0019: is to allow 47% total front lot coverage instead of the required 35% total front lot coverage for an existing circular driveway on a residential single-family property, typical lot.

ZV(R)2024-0020: is to allow a 46% width of lot instead of the allowed 40% width of lot for an existing circular driveway on a residential single-family property, typical lot.

Code References:

ZV(R)2024-0019 & 0020)

Table 155.620 Accessory Building and Structures,

Type, Driveway, Circular, Maximum Dimensions, 35% front lot coverage

Type, Driveway, Circular, Maximum Dimensions, 40 % width of lot

Jimmy James, petitioner, spoke to the variance request. He stated he hired a contractor in 2019 to make the existing circular driveway. First permit was denied due to size was over code requirements. Contractor "showed" petitioner permits, that petitioner believed to be authentic and a "code Inspector" even "showed up" whom the petitioner believed to be authentic, who inspected and approved the work. He was sighted by code enforcement for work done without permit. The family has three cars and an elderly father. The wider width is needed for the daycare bus to be able to swing into the driveway and park near the front door so the elderly father can go to daycare. Petitioner stated that there are no drainage problems.

The members of the board who spoke to the variance request were Chair Rodriguez-Soto, Members Crawl and Abbondandolo.

The member of staff who spoke to the variance request was Christian Zamora.

No one from the public asked to speak to the variance request.

A motion by Member Abbondandolo, seconded by Member Crawl, to grant variance request ZV(R)2024-0019, under Sec. 155.301(O)(1)(c), to allow a 47% total front lot coverage instead of the required 35% total front lot coverage for an existing circular driveway passed unanimously.

A motion by Member Abbondandolo, seconded by Member Crawl, to grant variance request ZV(R)2024-0020, under Sec. 155.301(O)(1)(c), to allow a 46% width of lot instead of the allowed 40% width of lot for an existing circular driveway passed unanimously.

24-0345

ZV(R)2024-0021

Niuvis Gutierrez Arroyo, 720 SW 68 Terrace (District 1)

VARIANCE FILE NUMBER: ZV(R)2024-0021

PETITIONER:
Niuvis Gutierrez Arroyo

ADDRESS:
SUBJECT PROPERTY:
720 SW 68 Terrace
Pembroke Pines, FL 33023

LEGAL DESCRIPTION:
Lot 29, Block 11, of the BOULEVARD HEIGHTS SECTION TEN PLAT, according to the Plat thereof as recorded in Plat Book 51, Page 15B, of the Public Record of Broward County, Florida.

VARIANCE REQUESTED:
Petitioner is requesting to allow a 60% total front lot coverage instead of the required 35% total front lot coverage for an existing circular driveway.

REFERENCE:
Table 155.620 Accessory Building and Structures
Type, Driveway, Circular, Maximum Dimensions, 35% front lot coverage

Chairman Rodriguez-Soto read the request into the record.

PROJECT DESCRIPTION / BACKGROUND:

Niuvis Gutierrez Arroyo, owner, has submitted a residential zoning variance request to legalize an existing circular driveway on the property located at 720 SW 68 Terrace in the Pines Village Neighborhood, which is zoned residential single-family (R-1C).

On August 29, 2023, the City's Code Compliance Division cited the property for work performed without permits (Code Case 230803493).

On October 26, 2023, the owner submitted Building Permit Application No. RX23-10352 to build a circular driveway on the property; however, the plans for the permit could not be approved as the existing circular driveway exceeds the limitations of the City's Land Development Code (LDC), therefore, the applicant is requesting the following:

- ZV(R)2024-0021: to allow 60% front lot coverage (total) instead of the allowed 35% front lot coverage (total) for an existing circular driveway in typical single-family residential lot.

After reviewing the applicant's initial request and, per the updated property survey (9/13/2023), it was revealed an existing patio, deck and shed encroaching into the required five-foot (5') rear and side setbacks (See survey attached).

Per staff review, of the city's archives, there are no permit records for the work detected via Code Violation; however, per Broward County Property Appraiser's Imagery, the footprint of the existing circular driveway has been present at the property in similar form since at least 1998; also, see survey utilized for fence permit No. 22801475, issued in 2008.

Per the plan, the petitioner is presenting the following changes to existing conditions:

- Removing an existing non-permitted shed located on the northwest corner of the property.
- Cutting back, reducing the existing patio and deck along and parallel to north, south and west property lines to provide the LDC's required five-foot setbacks.

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

There are no homeowner's association (HOA) in the neighborhood where the property is located.

VARIANCE REQUEST DETAILS:

ZV(R)2024-0021 is to allow 60% front lot coverage (total) instead of the allowed 35% front lot coverage (total) for an existing driveway in typical single-family residential lot.

**Table 155.620 Accessory Building and Structures
Type, Driveway, Circular, Maximum Dimensions, 35% front lot coverage**

Niuvis Gutierrez Arroyo, petitioner, spoke to the variance request. She stated that when she purchased the property in 2021, the driveway existed and she discovered the other items on the property that had not been done with permits, when she went to pull a permit for a fence. They have already fixed the other violations by taking out the shed and cutting back to allow for 5' setbacks. The property appraiser's photos show the driveway has existed since 1998. Petitioner stated the family has four cars and one garage.

The members of the board who spoke to the variance request were Chair Rodriguez-Soto, Members Crawl and Abbondandolo.

The member of staff who spoke to the variance request was Christian Zamora.

No one from the public asked to speak to the variance request.

A motion by Member Abbondandolo, seconded by Member Crawl, to grant variance request ZV(R)2024-0021, under Sec. 155.301(O)(1)(c), to allow a 60% 50% total front lot coverage instead of the required 35% total front lot coverage for an existing circular driveway passed unanimously.

24-0347

ZV(R)2024-0022 - 0025

Vint Ceglarek, 700 SW 67 Terrace (District 1)

VARIANCE FILE NUMBERS: ZV(R)2024-0022 - 0025

PETITIONER:

Vint Ceglarek

ADDRESS:

SUBJECT PROPERTY:

700 SW 67 Terrace
Pembroke Pines, FL 33023

LEGAL DESCRIPTION:

Lot 9, Block 2, of the BLVD HEIGHTS SEC 10-APLAT, according to the Plat thereof as recorded in Plat Book 55, Page 6B, of the Public Record of Broward County, Florida.

VARIANCES REQUESTED:

Petitioner is requesting variances to allow:

ZV(R)2024-0022) a 44% total front lot coverage instead of the required 35% total front lot coverage for an existing driveway on a typical lot.

ZV(R)2024-0023) a 9'-2" minimum width driveway instead of the required 10' minimum width driveway for an existing driveway on a typical lot.

ZV(R)2024-0024) a 0' side setback along a portion of the southern property line instead of the required 5' for an existing driveway and patio.

ZV(R)2024-0025) a 112 square feet instead of the 100 square feet maximum dimension for an existing shed.

REFERENCES:

ZV(R)2024-0022 – 0025)

Table 155.620 Accessory Building and Structures

Type, Driveway, Typical Lot, Maximum Dimensions, 35% front lot coverage

Type, Shed, Maximum Dimensions, [1] 100 square feet

Chairman Rodriguez-Soto read the request into the record.

PROJECT DESCRIPTION / BACKGROUND:

Vint Ceglarek, owner, has submitted four residential zoning variance requests to legalize an existing driveway, patio and a shed on the property located at 700 SW 67 Terrace in the Pines Village neighborhood, which is zoned Residential Single-Family (R-1C).

On December 26, 2023, Code Compliance cited the property for work performed without permits (Case No. 231204671)

The petitioner is requesting the following:

- ZV(R)2024-0022: to allow 44% front lot coverage (total) instead of the allowed 35% for existing driveways in a single-family residential, typical lot.
- ZV(R)2024-0023: to allow nine-foot, two-inch (9' – 2") driveway width instead of the minimum required ten-foot (10') for existing driveway in a single-family residential, typical lot.
- ZV(R)2024-0024: to allow zero-foot (0') side setback along a portion of the southern property line for existing driveway and patio in a single-family residential, typical lot.

Per staff review of the city's archives, no building permits can be found for the work detected via the code violation; nevertheless, staff did find and extracted a copy of the final survey required to complete Building Permit No. 22500124 for a home addition in the rear (see attached) The document date

revealed a rectangular piece of asphalt located closer than five-foot (5') to the southern property line had existed at location since at least 2005.

Planning and Economic Development Staff assisted the applicant to identify potential modifications to the existing nonpermitted work that could be made to meet the regulations of the City's LDC.

The petitioner is also requesting:

- ZV(R)2024-0025: to allow one-hundred and twelve square-foot (112 SF) instead of the allowed one-hundred square-foot (100 SF) for an existing 8.2' x 13.6' storage shed in a single-family residential, typical lot.

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

The property is in the Pines Village neighborhood, there are no HOAs.

VARIANCE REQUEST DETAILS:

ZV(R)2024-0022) a 44% total front lot coverage instead of the required 35% total front lot coverage for an existing driveway on a typical lot.

ZV(R)2024-0023) a 9'-2" minimum width driveway instead of the required 10' minimum width driveway for an existing driveway on a typical lot.

ZV(R)2024-0024) a 0' side setback along a portion of the southern property line instead of the required 5' for an existing driveway and patio.

ZV(R)2024-0025) 112 square feet instead of the 100 square feet maximum dimension for an existing shed.

REFERENCES:

ZV(R)2024-0022 – 0025)

Table 155.620 Accessory Building and Structures

Type, Driveway, Typical Lot, Maximum Dimensions, 35% front lot coverage

Type, Shed, Maximum Dimensions, [1] 100 square feet

Vint Ceglarek, petitioner, spoke to the variance request. He stated he has owned the home since 1992, the asphalt driveway was there when he purchased. Ten years ago he redid the driveway without permits.

The member of the board who spoke to the variance request was Chair Rodriguez-Soto.

The member of staff who spoke to the variance request was Christian Zamora.

No one from the public asked to speak to the variance request.

A motion by Member Abbondandolo, seconded by Member Crawl, to grant variance request ZV(R)2024-0022, under Sec. 155.301(O)(1)(c), to allow a 44% total front lot coverage instead of the required 35% total front lot coverage for an existing driveway on a typical lot passed unanimously.

A motion by Member Abbondandolo, seconded by Member Crawl, to grant variance request ZV(R)2024-0023, under Sec. 155.301(O)(1)(c), to allow a 9'-2"

minimum width driveway instead of the required 10' minimum width driveway for an existing driveway on a typical lot passed unanimously.

A motion by Member Abbondandolo, seconded by Member Crawl, to grant variance request ZV(R)2024-0024, under Sec. 155.301(O)(1)(c), to allow 0' side setback along a portion of the southern property line instead of the required 5' for an existing driveway and patio passed unanimously.

A motion by Member Abbondandolo, seconded by Member Crawl, to grant variance request ZV(R)2024-0025, under Sec. 155.301(O)(1)(c), to allow a 112 square feet instead of the 100 square feet maximum dimension for an existing shed passed unanimously.

EXCUSED ABSENCES:

A motion by Member Crawl, seconded by Member Abbondandolo, to excuse the absence of Member Brito and Alternate Member Almeria passed unanimously.

ITEMS AT THE REQUEST OF THE BOARD:

24-0348 Discussion and possible action to transmit the Annual Board Report to the City Commission.

Board Members discussed the Annual Board Report to the City Commission. Suggestions were made by members.

A motion by Member Crawl, seconded by Member Abbondandolo to approve the Annual Report to be presented by the Chair at the June 5, 2024 Commission Meeting passed unanimously.

ITEMS AT THE REQUEST OF STAFF:

Staff reminded members that the June meeting has been moved to June 27, 2024.

ADJOURNMENT:

The Chair adjourned the meeting at 9:02 P.M.

Respectfully submitted:

Katherine Borgstrom
Board Secretary

Adjourned: 9:02 P.M.