

# DRAFT

Board of Adjustment

City of Pembroke Pines  
Pembroke Pines, FL

**OCTOBER 17, 2024**

The regular meeting of the BOARD OF ADJUSTMENT was called to order by Chairman Rodriguez-Soto on Thursday, October 17, 2024, at 6:30 P.M., in the City Commission Chambers, Charles F. Dodge City Center, 601 City Center Way, Pembroke Pines, Florida, 33025.

**PRESENT:** Chairman Rodriguez-Soto, Vice Chairman Crawl, Members Abbondandolo, Brito; and Pitts; Alternate Member Jones

**ABSENT:** 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 THE MINUTES:**

A motion by Member Abbondandolo, seconded by Alternate Member Jones, to approve the minutes of the September 5, 2024 meeting passed unanimously.

## **EXCUSED ABSENCES:**

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

## **NEW BUSINESS:**

### **VARIANCES:**

**VARIANCE FILE NUMBER: ZV(R)2024-0063**

Chairman Rodriguez-Soto entered the request into the record.

### **PETITIONER:**

Maximo Canizalez Juarez

### **ADDRESS:**

#### **SUBJECT PROPERTY:**

6550 SW 8 Street  
Pembroke Pines, FL 33023

# DRAFT

**LEGAL DESCRIPTION:**

Lot 11, Block 30, of the BOULEVARD HEIGHTS SEC 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 variances to allow a 48% total front lot coverage instead of the required 40% total front lot coverage for an existing driveway and walkway.

**REFERENCE:**

<b>Table 155.620 Accessory Building and Structures</b>							
<b>Type</b>	<b>Setback</b>				<b>Maximum Height</b>	<b>Maximum Dimensions</b>	<b>Additional Regulations</b>
	<b>Front</b>	<b>Side</b>	<b>Street Side</b>	<b>Rear</b>			
<b>Driveway, Typical Lot</b>	0 feet	<b>5 feet</b>	15 feet 155.600(B)	N/A	N/A	<b>40% front lot coverage</b>  40 % width of lot	[1] 10 foot minimum width

**PROJECT DESCRIPTION / BACKGROUND:**

Maximo Juarez, owner, submitted a residential zoning variance request to legalize an existing driveway for the property located at 6550 SW 8 Street in the Pines Village neighborhood, zoned Single-Family Residential Zoning District (R-1C).

On April 25, 2023, the City’s Code Compliance Division cited the owner (Code Case No. 230401872) for work performed without building permits.

On June 13, 2024, the applicant submitted building permit application No. RX23-07486 to construct a driveway and patios at the property; however, the work done exceeds the limitations of the City’s Land Development Code (LDC) and the application cannot be approved.

After reviewing the applicant’s documentation and, per the property’s survey, it was detected an existing gazebo and wood deck located at the southeast corner of the property. The survey document also exposed patios encroaching into required side and rear setbacks (See survey attached).

# DRAFT

Per staff review of the city's archives no permitting information can be found for the accessory structures at the property; however, according to the Broward County Property Appraiser Imagery, it appears the driveway, patios and roofed structure have existed in the property since 2017 and 2020 respectively.

The applicant is presenting a plan to modify existing conditions of the non-permitted work at the property. Per the plan, the petitioner will be performing the following adjustments:

- Removal of gazebo and decking on the southeast corner of the lot.
- Removal of existing paving at grade: cutting back deck and patio along the south, east and west side property lines to provide five-foot rear and side setbacks.
- Reduction of the existing paved area installed in front of the house.

As part of the modifications listed above, the applicant would like to retain some of the work done by specifically requesting:

- **ZV(R)2024-0063** to allow 48% (total) front lot coverage instead of the required 40% (total) front lot coverage for an existing driveway in a single-family, 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.

Per the City's registered HOA list, there is no HOA in the neighborhood where the property is located.

## **VARIANCE REQUEST DETAILS:**

**ZV(R)2024-0063** is to allow 48% (total) front lot coverage instead of the required 40% (total) front lot coverage for an existing driveway in a single-family, typical lot.

Code Reference:

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# DRAFT

ZV(R)2024-0063)

Table 155.620 Accessory Building and Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Driveway, Typical Lot	0 feet	5 feet	15 feet 155.600(B)	N/A	N/A	40% front lot coverage  40 % width of lot	[1] 10 foot minimum width

Maximo Canizales, petitioner, spoke to the variance request. He stated he has worked with City staff to reduce the size and removal of some elements from the property to meet code.

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.

On a motion by Member Abbondandolo, seconded by Member Pitts, to grant variance request ZV(R)2024-0063, under Sec. 155.301(O)(1)(c), allow a 48% total front lot coverage instead of the required 40% total front lot coverage for an existing driveway passed unanimously.

## VARIANCE FILE NUMBERS: ZV(R)2024-0064 & 0065

Chairman Rodriguez-Soto entered the request into the record.

### PETITIONER:

Walter Gallardo & Pilar Vassallo

### ADDRESS:

### SUBJECT PROPERTY:

9630 NW 5 Street  
Pembroke Pines, FL 33024

### LEGAL DESCRIPTION:

Lot 3, Block 28, of the PASADENA LAKES SOUTH PLAT, according to the Plat thereof as recorded in Plat Book 75, Page 47B, of the Public Record of Broward County, Florida.

### VARIANCES REQUESTED:

Petitioner is requesting variances to allow:

# DRAFT

**ZV(R)2024-0064**) a 10 foot rear setback instead of the required 15 foot rear setback for an existing attached covered patio and home addition.

**ZV(R)2024-0065**) a 47% maximum lot coverage, instead of the required 40% maximum lot coverage for all buildings and accessory structures.

## REFERENCES:

Table 155.421.3: Residential Single Family (R-1C)	
Standard	Residential
Maximum Lot Coverage	40 %
Rear Setback	15 feet

## PROJECT DESCRIPTION / BACKGROUND:

Walter Gallardo, owner, submitted two residential zoning variance requests to legalize an existing attached roofed patio and a home addition for the property located at 9630 NW 5 Street in the Pasadena Lakes neighborhood which is zoned in Single Family Residential Zoning District (R-1C).

On November 9, 2023, the owner submitted building permit application No. RO23-14252 to construct a covered patio, attached to the rear wall of the existing home building; however, the permit cannot be approved as the existing covered patio encroaches into the minimum required fifteen-foot rear setback. As result, of the existing work at the property, the owner is requesting:

- **ZV(R)2024-0064** to allow ten-foot (10') rear setback instead of the required fifteen-foot (15') rear setback for an existing 36.40' x 10.40' attached roofed patio and home addition.

After reviewing the applicant's initial request and, per the property survey, it was discovered the existing footprint of the existing structure increased is in size over the years; consequently, the petitioner would like to include the following request:

- **ZV(R)2024-0065** to allow forty-seven per cent (47%) maximum lot coverage, all buildings instead of the required forty per cent (40%) maximum lot coverage, all buildings for existing 37' x 10.40' attached roofed patio and addition.

# DRAFT

Per staff review of the city’s archives, there are no permits for the detected work at the property; however, per Broward County Property Appraiser Imagery, it appears the home addition and attached roofed patio have existed in the property since at least 1999 and 2020, respectively.

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.

Per the City’s registered HOA list, there no HOA in the neighborhood where the property is located.

## **VARIANCE REQUEST DETAILS:**

**ZV(R) 2024-0064** is to allow ten-foot rear setback instead of the required fifteen-foot (15’) rear setback for an existing 36.40’ x 10.40’ attached roofed patio and home addition.

**ZV(R) 2023-0065** is to allow forty-seven percent (47%) maximum lot coverage, all buildings instead of the required forty percent (40%) maximum lot coverage, all buildings for existing 36.40’ x 10.40’ attached roofed patio and addition.

### Code References:

**ZV(R)2024-0064 & 0065)**

<b>Table 155.421.3: Residential Single Family (R-1C)</b>	
<b>Standard</b>	<b>Residential</b>
<b>Maximum Lot Coverage</b>	<b>40 %</b>
<b>Rear Setback</b>	<b>15 feet</b>

Walter Gallardo, petitioner, spoke to the variance request. He stated that he purchased the home in 2018 Christian Zamora confirmed Broward County Tax Appraiser’s aerial photos showed the work existed as far back to 1999. Petitioner did confirm he enclosed the existing porch on the southwest corner of the home without permit. He stated the roof was also added to the porch to add shade for the therapy sessions needed for his daughter.

The members of the board who spoke to the variance request were Chair Rodriguez-Soto and Alternate Member Jones.

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

# DRAFT

On a motion by Vice Chair Crawl, seconded by Member Abbondandolo, to grant variance request ZV(R)2024-0064, under Sec. 155.301(O)(1)(c), to allow a 10 foot rear setback instead of the required 15 foot rear setback for an existing attached covered patio and home addition passed unanimously.

On a motion by Vice Chair Crawl, seconded by Member Abbondandolo, to grant variance request ZV(R)2024-0065, under Sec. 155.301(O)(1)(c), to allow a 47% maximum lot coverage, instead of the required 40% maximum lot coverage for all buildings and accessory structures passed unanimously.

**VARIANCE FILE NUMBER: ZV(R)2024-0068**

Chairman Rodriguez-Soto entered the request into the record.

**PETITIONER:**

Eugene Ortega

**ADDRESS:**

**SUBJECT PROPERTY:**

16352 Segovia Circle N  
Pembroke Pines, FL 33331

**LEGAL DESCRIPTION:**

Lot 94, of the STONERIDGE LAKE ESTATES PLAT, according to the Plat thereof as recorded in Plat Book 157, Page 49B, of the Public Record of Broward County, Florida.

**VARIANCE REQUESTED:**

Petitioner is requesting variances to allow a 51% total front lot coverage instead of the required 40% total front lot coverage for a proposed circular driveway.

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# DRAFT

## REFERENCE:

Table 155.620 Accessory Building and Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Driveway, Circular	0 feet	5 feet	15 feet 155.600(B)	N/A	N/A	40% front lot coverage  40 % width of lot	[1] Shall include 5 foot radius between driveway and lot line. [2] 10 foot minimum width

## PROJECT DESCRIPTION / BACKGROUND:

Eugene Ortega, owner, submitted a residential zoning variance request to propose a circular driveway at the single-family residence located at 16352 Segovia Circle North in the Stoneridge Lake Estates neighborhood, which is zoned Single-Family Residential (R-1B).

On July 9, 2024, the owner submitted Building Permit Application No. RX24-07860 to build a circular driveway at the property and the permit cannot be issued as the proposed work exceeds the limitations of the City's LDC. As result, the owner is requesting:

**ZV(R)2024-0068:** to allow 51% front lot coverage (total) instead of the allowed 40% front lot coverage (total) for a proposed circular driveway on a residential single-family 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 Stoneridge Lake Estates. The owner provided a copy of the Homeowners Association (HOA) Letter, dated January 17, 2024.



# DRAFT

## VARIANCE REQUEST DETAILS:

**ZV(R)2024-0068** is to allow 51% total front lot coverage instead of the required 40% total front lot coverage for a proposed circular driveway on a residential single-family property, typical lot.

Code Reference:

<b>Table 155.620 Accessory Building and Structures</b>							
<b>Type</b>	<b>Setback</b>				<b>Maximum Height</b>	<b>Maximum Dimensions</b>	<b>Additional Regulations</b>
	<b>Front</b>	<b>Side</b>	<b>Street Side</b>	<b>Rear</b>			
<b>Driveway, Typical Lot</b>	0 feet	5 feet	15 feet 155.600(B)	N/A	N/A	<b>40% front lot coverage</b>  40 % width of lot	[1] Shall include 5 foot radius between driveway and lot line. [2] 10 foot minimum width

Eugene Ortega, petitioner, spoke to the variance request. He stated he needs the expanded driveway due to four adults living in the home, with five cars. The garage is used for a workplace for one of the adults, to be able to work without interruption from the two young children living in the home. Also, on the weekends, the wife's mother is brought to their home and due to her having to use a walker, the additional room is need on the driveway size to allow her to enter the home without having to move cars out of the driveway. Petitioner confirmed that there is a street drainage basin located at the southwest corner of the property.

The members of the board who spoke to the variance request were Chair Rodriguez-Soto, Vice Chair Crawl, and Alternate Member Jones.

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.

On a motion by Member Abbondandolo, seconded by Member Brito, to grant variance request ZV(R)2024-0068, under Sec. 155.301(O)(1)(c), to allow a 51% total front lot coverage instead of the required 40% total front lot coverage for a proposed circular driveway passed

# DRAFT

unanimously.

**VARIANCE FILE NUMBERS: ZV(R)2024-0069 & 0070**

**PETITIONER:**

Cecilio Pagan & Nancy Burgos

**ADDRESS:**

**SUBJECT PROPERTY:**

631 SW 100 Terrace  
Pembroke Pines, FL 33025

**LEGAL DESCRIPTION:**

Lot 4, Block 9, of the SKOMILL SECTION TWO PLAT, according to the Plat thereof as recorded in Plat Book 115, Page 15B, of the Public Record of Broward County, Florida.

**VARIANCES REQUESTED:**

Petitioner is requesting variances to allow:

**ZV(R)2024-0069)** a seven-foot, six-inch high fence along a segment of the southern and eastern property lines instead of the required six-foot high for an existing metal fence.

**ZV(R)2024-0070)** a two-foot street side setback along a segment of the southern property line instead of the required five-foot street side setback for an existing patio.

**REFERENCES:**

**ZV(R)2024-0069)**

155.655 FENCES, WALLS, AND HEDGES

(C) General Standards

1. Residential (a) No fence, wall, or hedge shall be erected or maintained along or adjacent to a lot line on residentially zoned property to a height exceeding six feet in any yard; except that where the lot line is adjacent to non-residential use, there shall be an eight-foot limit on the height of a fence, wall, or hedge along the lot line. Height shall be measured from grade.

**ZV(R)2024-0070)**

Table 155.620 Accessory Building and Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Deck or Patio	Primary Building	5 feet	5 feet	5 feet	N/A	N/At	N/A

**DEFERRAL REQUEST:**

Cecilio Pagan, owner, has requested deferral of these items due to personal matters that he must attend to.

# DRAFT

On a motion by Member Abbondandolo, seconded by Member Pitts, to defer ZV(R)2024-0069 & 00706 to the November 7, 2024 meeting passed unanimously.

## VARIANCE FILE NUMBERS: ZV(R)2024-0072 & 0073

Chairman Rodriguez-Soto entered the request into the record.

### PETITIONER:

Elizabeth Espinosa

### ADDRESS:

#### SUBJECT PROPERTY:

7921 NW 12 Street  
Pembroke Pines, FL 33024

### LEGAL DESCRIPTION:

Lot 16, Block 18, of the BOULEVARD HEIGHTS SECTION 8 PLAT, according to the Plat thereof as recorded in Plat Book 57, Page 9B, of the Public Record of Broward County, Florida.

### VARIANCES REQUESTED:

Petitioner is requesting variances to:

**ZV(R)2024-0072**) allow a 66% width of lot coverage instead of the required 40% width of lot coverage for an existing circular driveway.

**ZV(R)2024-0073**) allow a zero feet (0') radius between the driveway and lot line instead of the required five feet (5') radius between the driveway and lot line for an existing circular driveway.

### REFERENCES:

**ZV(R)2024-0072 & 0073)**

Table 155.620 Accessory Building and Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Driveway, Circular	0 feet	5 feet	15 feet 155.600(B)	N/A	N/A	40% front lot coverage  40 % width of lot	[1] Shall include 5 foot radius between driveway and lot line. [2] 10 foot minimum width

### PROJECT DESCRIPTION / BACKGROUND:

# DRAFT

Elizabeth Espinosa, owner, submitted two residential zoning variance requests for the property located at 7921 NW 12 Street in the Boulevard Height Neighborhood, which is zoned Single-Family Residential (R-1C).

On November 23, 2022, the city issued building permit application No. BUL-239618 to add to the existing footprint of the existing home and to convert the existing carport to habitable space; the project also included the correction and widening of an existing non-conforming nine-foot-wide (9') driveway to the minimum LDC's required sixteen-foot-wide (16') driveway for single-family residential properties. The driveway was approved via building permit application No. RX22-07513 (see approved layout, attached).

In September 17, 2023 the City's Code Compliance Division cited the property (Code Case No. 230903709, in progress) inviting the owner to complete the ongoing work at the property.

On March 7, 2024, the owner submitted driveway permit revision No. 24-02438 to modify the shape of the approved straight driveway to circular; the revision was approved, and the permit was completed. Nevertheless, per the final survey for the conversion project, addition permit (No. BUL-239618) it was noticed the constructed driveway did not match the approved plan; and, as result of the deviation in the execution of the approved work, the owner is requesting:

- **ZV(R)2024-0072:** to allow 66% of lot's width instead of the required 40% of lot's width for an existing circular driveway.
- **ZV(R)2024-0073:** to allow zero-foot (0') radius between driveway and lot line instead of the required five-foot radius for existing circular driveway.

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 property is in the Boulevard Heights Neighborhood. Per City's registered HOA list, there are no HOAs.

# DRAFT

## VARIANCE REQUEST DETAILS:

**ZV(R)2024-0072**) is to allow 66% of lot's width instead of the required 40% of lot's width for an existing circular driveway in a typical single family residential lot.

**ZV(R)2024-0073**) is to allow Zero-Foot (0') radius between driveway and lot line instead of the required five-foot radius for existing circular driveway.

Code References:

**ZV(R)2024-0072 & 0073)**

Table 155.620 Accessory Building and Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
<b>Driveway, Circular</b>	0 feet	5 feet	15 feet 155.600(B)	N/A	N/A	40% front lot coverage  <b>40 % width of lot</b>	<b>[1] Shall include 5 foot radius between driveway and lot line.</b> [2] 10 foot minimum width

Joanna Valdes, neighbor of Elizabeth Espinosa, petitioner, spoke to the variance request. She stated Ms. Espinosa has met with Staff, the plans were approved, permitted, and signed off by building staff as final. When a final survey was done, it was discovered that the builder had not built the driveway to the plans specification and had not done proper work. Christian Zamora confirmed that there are no sidewalks in this neighborhood and it is hard to find the property line. The built driveway is wider than the code requirement, the petitioner was offered to remedy by removal of some of the driveway to bring down the size, but petitioner does not believe that would leave enough room for parking that is needed. Petitioner will also be adding landscaping to the area to improve the visual look of the property.

The members of the board who spoke to the variance request were Chair Rodriguez-Soto, Vice Chair Crawl and Alternate Member Jones.

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.

# DRAFT

A motion by Vice Chair Crawl, seconded by Member Brito, to grant variance request ZV(R)2024-0072, under Sec. 155.301(O)(1)(c), to allow a 66% width of lot coverage instead of the required 40% width of lot coverage for an existing circular driveway passed unanimously.

A motion by Member Pitts, seconded by Vice Chair Crawl, to grant variance request ZV(R)2024-0073, under Sec. 155.301(O)(1)(c), to allow a zero feet (0') radius between the driveway and lot line instead of the required five feet (5') radius between the driveway and lot line for an existing circular driveway passed unanimously.

## **ITEMS AT THE REQUEST OF THE BOARD:**

There were no items.

## **ITEMS AT THE REQUEST OF STAFF:**

A motion by Member Brito, seconded by Vice Chair Crawl, to move the January 2, 2025 meeting to Thursday, January 16, 2025 passed unanimously.

## **ADJOURNMENT:**

A motion by Member Abbondandolo, seconded by Member Pitts, to adjourn the meeting at 8:14 P.M. passed unanimously.

Respectfully submitted:

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Katherine Borgstrom  
Board Secretary

Adjourned: 8:14 P.M.

Approved: