# **Vicinity Map**

City of Pembroke Pines • Planning and Economic Development Department ZV(R)2023-0092-0093
Zoning Variances

Hernandez, Lisandro 16403 NW 18 Street Pembroke Pines FL 33029











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

### **Summary**

Agenda Date:	September 7, 2023	Application	on ID:	ZV(R) 2023-0092 & 0093		
Project:	Roofed open sided patio (attached)	Pre-Applic	cation	PRE2023-0079		
Project Planner:	Christian Zamora, Senior Planner					
Owner:	Lisandro Hernandez	Agent: N/A				
Location:	16403 NW 18 Street,	Pembroke F	Pines, FL 3	3028		
Existing Zoning:	Planned Unit Development (PUD)	Existing Land Use: Residential				
Reference Applications:  Code Compliance Case (No. 221202799, Initiated 12/05/2022)						
	Variance	Summary				
Application	Application Code Section Required/Allowed Request					
ZV(R) 2023-0092	Table 155.422: Residential Single- Family Zero Lot Line (R-1Z)	15' Rear Setback		5' Rear Setback		
ZV(R) 2023-0093	Table 155.422: Residential Single- Family Zero Lot Line (R-1Z)	Maximum Lot Coverage 45%		Maximum Lot Coverage 47%		
Final:	☐ Planning & Zoning Board ☐ Board of Adjustment			f Adjustment		
Reviewed for the Agenda:	Director: Assistant Director:					

#### PROJECT DESCRIPTION / BACKGROUND:

Lisandro Hernandez, owner, has submitted two residential zoning variance requests to legalize an existing roofed open side patio (attached) at the property located at 16403 NW 18 Street in Parkside at Spring Valley Neighborhood which is zoned Residential Single-Family Zero Lot (R-1Z).

On December 5, 2022, the City's Code Compliance Division cited the owner (Case No. 221202799) for work performed without building permit.

In February 16, 2023, the owner submitted a building permit application (No. RX23-02274) to build a roofed open sided patio attached to the rear of the existing home's structure. The existing roofed open sided patio exceeds the limitations of the City's Land Development Code (LDC), and the building permit cannot be approved; as result, the applicant is requesting the following:

- ZV(R) 2023-0092: to allow five feet (5') rear setback instead of the required fifteen feet (15') rear setback for an existing nine feet by twenty-four (9' x 24') roofed open sided attached patio in a residential single-family zero lot.
- ZV(R) 2023-0093: to allow a Maximum Lot Coverage of 47% of the lot's area instead of the allowed 45% Maximum Lot Coverage for an existing nine feet by twenty-four feet (9' x 24') attached roofed open patio in a residential single-family zero lot.

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 Spring Valley Neighborhood. The applicant has provided a copy of the Homeowners Association (HOA) approval, dated February 25, 2023.

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

**ZV(R) 2023-0092)** to allow five feet (5') rear setback instead of the required fifteen feet (15') for an existing nine feet by twenty-four (9' x 24') attached roofed open patio in a residential single-family zero lot type.

**ZV(R) 2023-0093** to allow a Maximum Lot Coverage of 47% of the lot's area instead of the allowed 45% Maximum Lot Coverage for an existing nine feet by twenty-four feet (9' x 24') attached roofed open patio in a residential single-family zero lot type.

#### Code References:

Table 155.422: Residential Single-Family Zero Lot Line (R-1Z)				
Standard Residential				
Minimum Lot Size	Width: 30 feet   Area: 4,500 square feet			
Maximum Lot Coverage	45%			
Maximum Height	Two Stories or 35 feet			
Front Setback	20 feet			
	0 feet for the side where the home is placed against the lot line;			
Side Setback	15 feet on the nonzero side			

Rear Setback	15 feet	
Street Side Setback	15 feet	
Minimum Floor Area	1,300 square 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

Subject Site Aerial Photo

Property Survey Proposed Plan

HOA Letter of Approval (2/25/2023)

Copy of Code Compliance Case (12/5/2022) and Images



## **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 Phone: (954) 392-2100	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.			
http://www.ppines.com	Pre Application Meeting Date: 7/25/23			
	# Plans for DRC Planner:			
Indicate the type of application you are Appeal* Comprehensive Plan Amendment Delegation Request DRI* DRI Amendment (NOPC)* Flexibility Allocation Interpretation* Land Use Plan Map Amendment* Miscellaneous Plat*	☐ Sign Plan			
<ol> <li>INSTRUCTIONS:</li> <li>All questions must be completed on this application. If not applicable, mark N/A.</li> <li>Include all submittal requirements / attachments with this application.</li> <li>All applicable fees are due when the application is submitted (Fees adjusted annually).</li> <li>Include mailing labels of all property owners within a 500 feet radius of affected site wit signed affidavit (Applications types marked with *).</li> <li>All plans must be submitted no later than noon on Thursday to be considered for Development Review Committee (DRC) review the following week.</li> <li>Adjacent Homeowners Associations need to be noticed after issuance of a project number and a minimum of 30 days before hearing. (Applications types marked with *).</li> <li>The applicant is responsible for addressing staff review comments in a timely manner Any application which remains inactive for over 6 months will be removed from staff review. A new, updated, application will be required with applicable fees.</li> <li>Applicants presenting demonstration boards or architectural renderings to the Cit Commission must have an electronic copy (PDF) of each board submitted to Planning Division no later than the Monday preceding the meeting.</li> </ol>				
Project Planner: Project #	Staff Use Only #: PRJ 20 Application #: ていに) このひっつの			
Date Submitted: 7 125 Posted	Signs Required: (1) Fees: \$ 600 000			

SECTION 1-PROJECT INFORMATION:
Project Name: Pergo 9
Project Address: 16403 NW 1857
Location / Shopping Center: N A
Acreage of Property: 4, 4/4 5/87 Building Square Feet: 2108
Flexibility Zone: Folio Number(s): <u>\$1400 8104300</u>
Plat Name:Traffic Analysis Zone (TAZ):
Legal Description: Parkside AT spring valley 158-13 B
LOT 430
Has this project been previously submitted?  Yes
Describe previous applications on property (Approved Variances, Deed Restrictions, etc) Include previous application numbers and any conditions of approval.

Date	Application	Request	Action	Resolution / Ordinance #	Conditions of Approval
		41877			/
					The state of the s
		///	77-57-58		
					A ANYMORENIUM NO.

SECTION 2 - APPLICANT / OWNER / AG	ENT INFORMATION
Owner's Name: Hernandez, List	modro J MATED, Gloria M
Owner's Address: 16403 Nw 1	8 ST, Penbroke Pives, P1-33028
Owner's Email Address: 6 lorig Mafe	Oly@gMAil.com
Owner's Phone: 754 423 4380	Owner's Fax: WA
Agent: N A	
Contact Person: 6 losia Mate	0
Agent's Address: NA	
Agent's Email Address: NA	34-months of the second
Agent's Phone: NA	Agent's Fax:/
All staff comments will be sent directly writing from the owner.	y to agent unless otherwise instructed in
SECTION 3- LAND USE AND ZONING INI	FORMATION:
EXISTING	PROPOSED
Zoning: Single Family (RS-7)	Zoning:
Land Use / Density:	Land Use / Density:
Use: Single family	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:

S:\Planning\DOCUMENTS application Unified Development Application 2017.docx Page 3 of 6

# Dear Board of Directors for the City of Pembroke Pines,

My name is Lisardro Hernandez, owner of the property address: 16403 nw 18th St, pembroke pines, Fl, 33028. The purpose of this letter is solely for consideration and approval for the Pergola in the backyard pario of my property. We are looking for a positive outcome as my wife Gloria Mateo's quality of life will be negatively impacted if the pergola is not approved and has to be removed. My wife has the following diagnoses: Asthma and severe allegies (pollen, mold, dust mires, etc.), Rosacea (avoid sun exposure), and Anxiety and depression — all of which limits her outing to recreational areas, such as: City parks, City Beaches, and Community pools. I have included a letter from her medical providers, Dermatologist, and Allergist, as well as the business card of her Clinical Psychologist for the Board's reference on the above request. Since the installation of the Pergola, my wife's health has substancially improved as she is able to enjoy our backyard, the fresh air while under coverage of sunlight, while avoiding environmental triggers. However, when we recently received notice from the city that the permit was denied, her mental health has since started to deteriorate. We look forward for your understanding and consideration on this reguest. If you have any further questions or require further documentation, please feel free to contact me at your leisure. Best regards Lesandia Hemande

Votary Public - State of Florida
Commission # HH 240676
Wy Comm. Expires Jul 4, 2026

#### **SECTION 7- PROJECT AUTHORIZATION**

#### **OWNER CERTIFICATION**

This is to certify that I am the owner of the property described in this application and that all information supplied herein is true and correct to the best of my knowledge.

200	Lirandra plemandes	7/12/2023
	Signature of Owner	Date
	Sworn and Subscribed before me this1 7day	
	avom and odobolisod boloro mo and day	
	of 504, 20 13	Joy 4 2026
	Fee Paid Signature of Notary Public	My Commission Expires
	EDWIN RIVERO Notary Public - State of i Commission # HH 240 My Comm. Expires Jul 4, Bonded through National Notar	Florida 676 2026
	AGENT CERTIFICATION	
	This is to certify that I am the agent of the property or and that all information supplied herein is true and co	wner described in this application prrect to the best of my knowledge.
	Signature of Agent	Date
	Sworn and Subscribed before me this day of, 20	
	Fee Paid Signature of Notary Public	My Commission Expires

Lisandro Hernandez 16403 Northwest 18<sup>th</sup> Street Pembroke Pines 33028

June 12, 2023

Dear Board of Directors for the City of Pembroke Pines:

My name is Lisandro Hernandez, owner of the property address listed above, and the purpose of this letter is solely for consideration and approval for the Pergola in the backyard patio of my property. We are looking for a positive outcome as my wife, Gloria Mateo's quality of life will be negatively impacted if the pergola is not approved and removed. My wife has the following diagnoses, all of which limits her outing to recreational areas such as City Parks, City Beaches and Community pools:

- 1. Asthma & Severe Allergies (Pollen, mold & dust mites)
- 2. Skin Condition: Rosacea (avoid sun exposure)
- 3. Anxiety & Depression

I have included letter of medical support from her medical providers, Dermatologist and Allergist as well as the business card of her Clinical Psychologist for the Board's reference on the above request.

Since the installation of the pergola, my wife's health has substantially improved as she is able to enjoy our back yard, the fresh air while under coverage of sunlight and as well as avoiding environmental triggers. However, when we recently received notice from the city that the permit was denied her mental health has since started to deteriorate.

We look forward to your understanding, consideration on this request.

If you have any further questions or require further documentation, please feel free to contact me at your leisure.

Regards,

Lisandro Hernandez

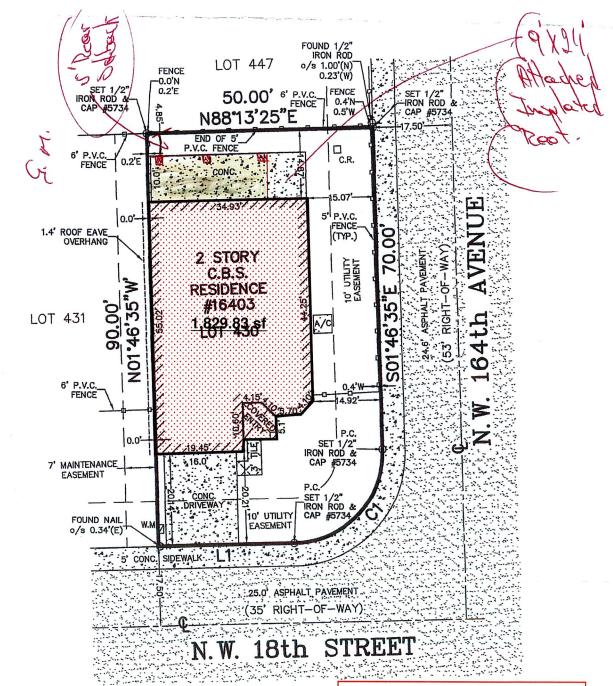
Grandio Hernands

EDWIN RIVERO

Notary Public - State of Florida
Commission # HH 240676
My Comm. Expires Jul 4, 2026
Bonded through National Notary Assn.

The foregoing astronom was acknowledged before me this 12 by 1 2012 by 1 201

Notary Name Printe EDWID A webs Personally Known or 10 produced Eulina 11



C1 RADIUS=20.00' DELTA=90'00'00" ARC=31.42'

L1 S88°13'25"W 30.00'

#### Lot area is 4,414 SF

Existing SF under roof is 1,830 SF Allowed SF under roof is **45%** or 1,863 SF

Existing roofed open patio-attached- is 9'x24' = **216 SF**Total Aggregate is = **1,863 SF+216**SF = 2,079 SF or 46.3% **(47%)** 

1	SCALE: 1" = 20'	SKETCH NO.: 19-1921		
	DRAWN BY: K.V.	SIDE 2 OF 2		

## 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



				ment legical trained by an analysis of the legical training and an article and training and an article
Sub-Association: Parthside	at Spring Valley	Account Number:	PS 430	
Name of Owner (s):	no Hernander	/ Gloria	Mareo	1
Street Address: 16403 Nu	S 18th ST.	Signature:	· Mernarder:	a long reference
	ione: 54-244-3166	Evening Phone:	4-244-3166	
APPLICATIONS V	WILL BE PROCESSED ING DOCUMENTS RE			
Approval is hereby requested to below:	make the following mod	ification (s), alterat	ions, and/or additions	s as described
[] Addition [] Doors Identical/New [] Pavers [] Driveway Painting [] Exterior Paint Identical Color [] Hurricane Shutters	[] Landscaping [/] Patio [] Jacuzzi [] Mailbox Re [] Satelite Disl [] Screening E	placement 1 18"	[] Wall/Fence [] Concrete Slat [] Awning [] Light Fixture [] Other	
Description of Request:	ergola back	in the	Paño	The second secon
		n til stad fra hall ett för flytte det kontaktionelle det stad han en	Сантан изгорияти учения мень в Мана Манаров в начина «Сан из тереначення и учения заполника	
All applications must include the [ ] Lot Survey with proposed models.	_	, including any set b	ack distance required.	
When applicable, the following [] Color photographs or manuface [] Drainage Surface Water Plan [] If Painting - A color sample of [] If Contracting - Proposed Implementation - Contractor's [] If Construction - Contractor's	turer's brochure of the prop the paint intended, along wrovement Contract Commitment indicating tim	posed modifications.  With a color photographic frame and mainten	aph of your house inclu	

<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: $\frac{2/25/2023}{2023}$ Date Application Received: $\frac{2/35/2023}{2023}$
[ ] Approved [ ] 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:
1. You are responsible for obtaining any necessary permits from the appropriate Building & Zoning Departments and when applicable, S. Broward Water District.
2. 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.
3. 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.
4. You are responsible to provide notice to Elite Property Management upon completion of the modification, and when applicable, a copy of the closed permit.
5. 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.
Explanation of Disapproval:
·

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ANA M. DUARTE, M.D., FAAP, FAAD ME556604 ANDLEEB USMANI, D.O. OS9945

KATHERINE HERNANDEZ, PA-C PA-9115740

**Skin Center** PEDIATRIC AND ADULT DERMATOLOGY

SARAH NAVIWALA, PA-C PA-9105780 SOFIA De La CAMARA, APRN APRN-1100246 CLAUDIA CHAR, APRN APRN-11022154 SARAH KENIS, APRN APRN-11007

LEDY OCHOA, PA-C PA-9107873

3100 S.W. 62nd Avenue • Miami, Florida 33155 (305) 669-6555 • Fax: (305) 669-6572

**ADDRESS** allow patient to avoid any Sun exporme due to skin wondition REFILL DO NOT DISPENSE GENERIC

SHARLENE LLANES, M.D., F.A.A.P.

2901 CORAL HILLS DRIVE, SUITE 310 CORAL SPRINGS, FL 33065

(954) 344-8100

600 NORTH HIATUS ROAD, SUITE 215 PEMBROKE PINES, FL 33063 DEA # BL 7230028

(954) 437-3600

BATCH # MDI220804014722407

NAME CLONIA

DEA#

TAMPER-RESISTANT SECURITY FEATURES LISTED ON BACK OF SCRIPT

Reare be advised that
Cloric has asthma t

allerjus to pollen \$7:24

LEDA 51 and over

Label Refill NR 1 POTE PART EXCEPTION OF

(Signature) In order for a brand name product to be dispensed the prescriber must write 'Medically Necessary' on the front of this prescription.

000628

2H07AL0212756

# Aida Anders, Psy.D.

Licensed Clinical Psychologist PY0006410

Fountain Executive Centre 9000 Sheridan St, Suite 98 Pembroke Pines, FL 33024

Office: (954) 450-0566 Cell: (954) 632-2409 Fax: (954) 538-0075



Consultorio 503, C/ Balilo Gómez No 5, La Vega, R D
Tel: 809-573-0022 Ext. 2506 | 3203 • Fax: 809-573-0100 • Cel. 829-988-1918
Email: alexandrabeltref@hotmail.com

#### CERTIFICADO MEDICO

Por  $\underline{\text{medio de la presente hacemos constar que el /la señor/a}}$   $\underline{\text{GLORIA MARIA MATEO}}$ 

Años
Sexo femenino
Pasaporte 530068849

Diagnostico BRONQUITIS AGUDA / CRISI DE BRONCOESPAMO / ASMA ALERGICA

Se recomienda: aislamiento de los rayos solares, medio exterior por alergia atópica, además exposiciones a arboles y animales, debido a asma alergia.

La presente certificado se hace 11/7/2023

Dra. Alexandra Beltre Fiallo

MEUNOLOGA
EXPO. Po. 4416

16404 Northwest 19th Street Pembroke Pines 33028

June 12, 2023

Dear Board of Directors for the City of Pembroke Pines:

My name is MARIE E HATO/ACI am the owner of the property address listed above and the purpose of this letter is solely to indicate my support to my neighbors, Lisandro Hernandez and Gloria Mateo's pergola installation as it does not impact our property.

Please consider their formal approval request from the Board.

Regards.

16421 Northwest 18<sup>th</sup> Street Pembroke Pines 33028

June 12, 2023

Dear Board of Directors for the City of Pembroke Pines:

My name is <u>Frank Donado</u>, I am the owner of the property address listed above and the purpose of this letter is solely to indicate my support to my neighbors, Lisandro Hernandez and Gloria Mateo's pergola installation as it does not impact our property.

Please consider their formal approval request from the Board.

Regards, Trong 5 Farada



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

#### VIOLATION WARNING

Case #: 221202799

Date: 12/5/2022

Folio #:

514008104300

Recipient:

LISANDRO J HERNANDEZ/GLORIA M MATEO

Address:

16403 NW 18 ST

PEMBROKE PINES, FL 330281731

A physical inspection at 16403 NW 18 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		WORK DONE WITHOUT PERMIT (DRIVEWAY, FRONT DOOR, FENCE, METAL AWNING)	10/10/2023

#### Notes/Means of Correction:

MUST OBTAIN PERMIT FOR WORK DONE ON PROPERTY. CONTACT THE BUILDING DEPARTMENT AT (954) 435-6502 FOR ANY PERMITTING QUESTIONS.

#### YOU ARE HEREBY NOTIFIED TO REMEDY THE CONDITIONS AS STATED ABOVE BY 10/10/2023

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.

Code Compliance Officer - Matthew Smith





