

# Vicinity Map

City of Pembroke Pines • Planning and Economic Development Department

ZV(R)2025-0025-0026

Zoning Variances

TOMLINSON, DEAN H/E TOMLINSON, CHARMAINE

400 NW 91 AVE PEMBROKE PINES FL 33024





NOT TO SCALE





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

**Summary**

<b>Agenda Date:</b>	September 4, 2025	<b>Application ID:</b>	ZV(R)2025-0025-0026		
<b>Project:</b>	Existing 8' x 8' shed	<b>Pre-Application Number:</b>	PRE2025-0103		
<b>Project Planner:</b>	Christian Zamora, Senior Planner				
<b>Owner:</b>	Dean & Charmine Tomlinson	<b>Agent:</b>	N/A		
<b>Location:</b>	400 NW 91 Avenue, Pembroke Pines FL 33024	<b>Property Id No.</b>	514117061730	<b>Commission District No.</b>	2
<b>Existing Zoning:</b>	Single-Family Residence (R-1C)	<b>Existing Land Use:</b>	Residential		
<b>Reference Applications:</b>	Code Compliance Case No. 250100061 (Issued 01/14/2025)				
<b>Variance Summary</b>					
<b>Application</b>	<b>Code Section</b>	<b>Required/Allowed</b>	<b>Request</b>		
ZV(R)2025-0025	155.620 Accessory Structures and Buildings, shed	5' side setback	Four-foot (4') side setback along a segment of the northern side property line instead of the required five-foot (5') side setback for an 8' x 8' existing shed.		
ZV(R)2025-0026	155.620 Accessory Structures and Buildings, shed	5' rear setback	Two-foot (2') rear setback along a segment of the rear property line instead of the required five-foot (5') for an 8' x 8' existing shed.		
<b>Final:</b>	<input type="checkbox"/> Planning & Zoning Board		<input checked="" type="checkbox"/> Board of Adjustment		
<b>Reviewed for the Agenda:</b>	Director:  Assistant Director: 				



## PROJECT DESCRIPTION / BACKGROUND:

Dean Tomlinson, owner, submitted two residential zoning variance requests to legalize an existing shed at the property located at 400 NW 91 Avenue in the Westview neighborhood, which is zoned Single-Family Residential Zoning District (R-1C).

On January 14, 2025, the City's Code Compliance Division cited the property (Code Case No. 250100061) for work performed without building permits.

Per the sketch on the survey, there is an existing 8' x 8' shed on a concrete slab located on northwest corner of the property, the applicant specifically is requesting:

- **ZV(R)2025-0025:** Four-foot (4') side setback along a segment of the northern side property line instead of the required five-foot (5') side setback for an existing 8' x 8' shed in a residential single-family, typical lot.
- **ZV(R)2025-0026:** Two-foot (2') rear setback along a segment of the rear property line instead of the required five-foot (5') for an existing 8' x 8' shed in a residential single-family, typical lot.

Per staff review of the city's archives, no permit information can be found for the shed; however, per Broward County Property Appraiser Imagery, the shed had existed at location since at least 1998. (See property images).

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 HOA list, there is no HOA in the neighborhood where the property is located.

## VARIANCE REQUEST DETAILS:

**ZV(R)2025-0025)** to allow four-foot (4') side setback along a segment of the northern side property line instead of the required five-foot (5') side setback for an existing 8' x 8' shed in a residential single-family, typical lot

**ZV(R)2025-0026)** is to allow two-foot (2') rear setback along a segment of the rear property line instead of the required five-foot (5') for an 8' x 8' existing shed in a residential single-family, typical lot.

*Code References:*

### ZV(R)2025-0025-0026)

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

## VARIANCE DETERMINATION:

## **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  
Code Compliance Notice 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  
Phone: (954) 392-2100  
<http://www.ppines.com>

*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.*

Pre Application Meeting Date: 8/7/25

# Plans for DRC \_\_\_\_\_ Planner: C2

Indicate the type of application you are applying for:

- |   |  |
|---|--|
| <input type="checkbox"/> Appeal*                      | <input type="checkbox"/> Sign Plan   |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Site Plan*  |
| <input type="checkbox"/> Delegation Request           | <input type="checkbox"/> Site Plan Amendment*                                |
| <input type="checkbox"/> DRI*                         | <input type="checkbox"/> Special Exception*                                  |
| <input type="checkbox"/> DRI Amendment (NOPC)*        | <input checked="" type="checkbox"/> Variance (Homeowner Residential)         |
| <input type="checkbox"/> Flexibility Allocation       | <input checked="" type="checkbox"/> Variance (Multifamily, Non-residential)* |
| <input type="checkbox"/> Interpretation*              | <input type="checkbox"/> Zoning Change (Map or PUD)*                         |
| <input type="checkbox"/> Land Use Plan Map Amendment* | <input type="checkbox"/> Zoning Change (Text)                                |
| <input type="checkbox"/> Miscellaneous                | <input type="checkbox"/> Zoning Exception*                                   |
| <input type="checkbox"/> Plat*                        | <input type="checkbox"/> Deed Restriction                                    |

#### INSTRUCTIONS:

1. All questions must be completed on this application. If not applicable, mark *N/A*.
2. Include all submittal requirements / attachments with this application.
3. All applicable fees are due when the application is submitted (Fees adjusted annually).
4. Include mailing labels of all property owners within a 500 foot radius of affected site with signed affidavit (Applications types marked with \*).
5. All plans must be submitted no later than noon on Thursday to be considered for Development Review Committee (DRC) review the following week.
6. 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 \*).
7. 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.
8. Applicants presenting demonstration boards or architectural renderings to the City Commission must have an electronic copy (PDF) of each board submitted to Planning Division no later than the Monday preceding the meeting.

#### Staff Use Only

Project Planner: C2 Project #: PRJ 20 \_\_\_\_\_ Application #: 2025-0103

Date Submitted: 8/7/25 Posted Signs Required: (1) Fees: \$ 621.00

**SECTION 1-PROJECT INFORMATION:**Project Name: Tamlinson Shed VarianceProject Address: 400 NW 91 Avenue

Location / Shopping Center: \_\_\_\_\_

Acreage of Property: \_\_\_\_\_ Building Square Feet: \_\_\_\_\_

Flexibility Zone: \_\_\_\_\_ Folio Number(s): \_\_\_\_\_

Plat Name: \_\_\_\_\_ Traffic Analysis Zone (TAZ): \_\_\_\_\_

Legal Description: Westview Sec 2 Part 1Amended 90-31 B LOT B BLK 9

Has this project been previously submitted?

☐ Yes☒ No

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

## SECTION 2 - APPLICANT / OWNER / AGENT INFORMATION

Owner's Name: DEAN TOMLINSON

Owner's Address: 400 NW 91<sup>ST</sup> AVE

Owner's Email Address: TOMLINSON58@Bellsouth.NET

Owner's Phone: 305 205 0857 Owner's Fax: \_\_\_\_\_

Agent: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Agent's Address: \_\_\_\_\_

Agent's Email Address: \_\_\_\_\_

Agent's Phone: \_\_\_\_\_ Agent's Fax: \_\_\_\_\_

*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

Zoning: \_\_\_\_\_

Land Use / Density: \_\_\_\_\_

Use: \_\_\_\_\_

Plat Name: \_\_\_\_\_

Plat Restrictive Note: \_\_\_\_\_

\_\_\_\_\_

### PROPOSED

Zoning: \_\_\_\_\_

Land Use / Density: \_\_\_\_\_

Use: \_\_\_\_\_

Plat Name: \_\_\_\_\_

Plat Restrictive Note: \_\_\_\_\_

\_\_\_\_\_

### ADJACENT ZONING

North: \_\_\_\_\_

South: \_\_\_\_\_

East: \_\_\_\_\_

West: \_\_\_\_\_

### ADJACENT LAND USE PLAN

North: \_\_\_\_\_

South: \_\_\_\_\_

East: \_\_\_\_\_

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): ☐ Variance ☐ Zoning Appeal ☐ Interpretation

Related Applications: Code Case No. 250100061 (1/8/25)

Code Section: 155.620

Required: 5' Side ; 5' Rear Setbacks

Request: 4' Side ; 2' Rear Setback for 8' x 8' Shed

Details of Variance, Zoning Appeal, Interpretation Request:

See sh

**SECTION 5 - LAND USE PLAN AMENDMENT APPLICATION ONLY**

☐ City Amendment Only

☐ City and County Amendment

Existing City Land Use: \_\_\_\_\_

Requested City Land Use: \_\_\_\_\_

Existing County Land Use: \_\_\_\_\_

Requested County Land Use: \_\_\_\_\_



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

8X8 WOODEN SHED

REPLACING PLASTIC 10X10 SHED WITH 8X8 WOODEN  
SHED WITH STRONGER STRUCTURE.

## 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.



Signature of Owner

8-7-25

Date

Sworn and Subscribed before me this 7<sup>th</sup> day

of August, 2025



n/a

Fee Paid



Signature of Notary Public

12/13/2027

My Commission Expires

### AGENT CERTIFICATION

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



Proudly Serving  
the Florida Real  
Estate Community  
for Over 20 Years  
WWW.MELANDSERVICES.COM

This survey shall not be used for construction/permitting purposes without written consent from the land surveyor who has signed and sealed this survey  
1"=20'

LOT 5  
BLK 7  
WESTVIEW SECTION TWO  
PART ONE AMENDED.  
P.B. 90 P.G. 31

LOT 4B  
WESTVIEW SECTION TWO  
PART ONE AMENDED.  
P.B. 90 P.G. 31

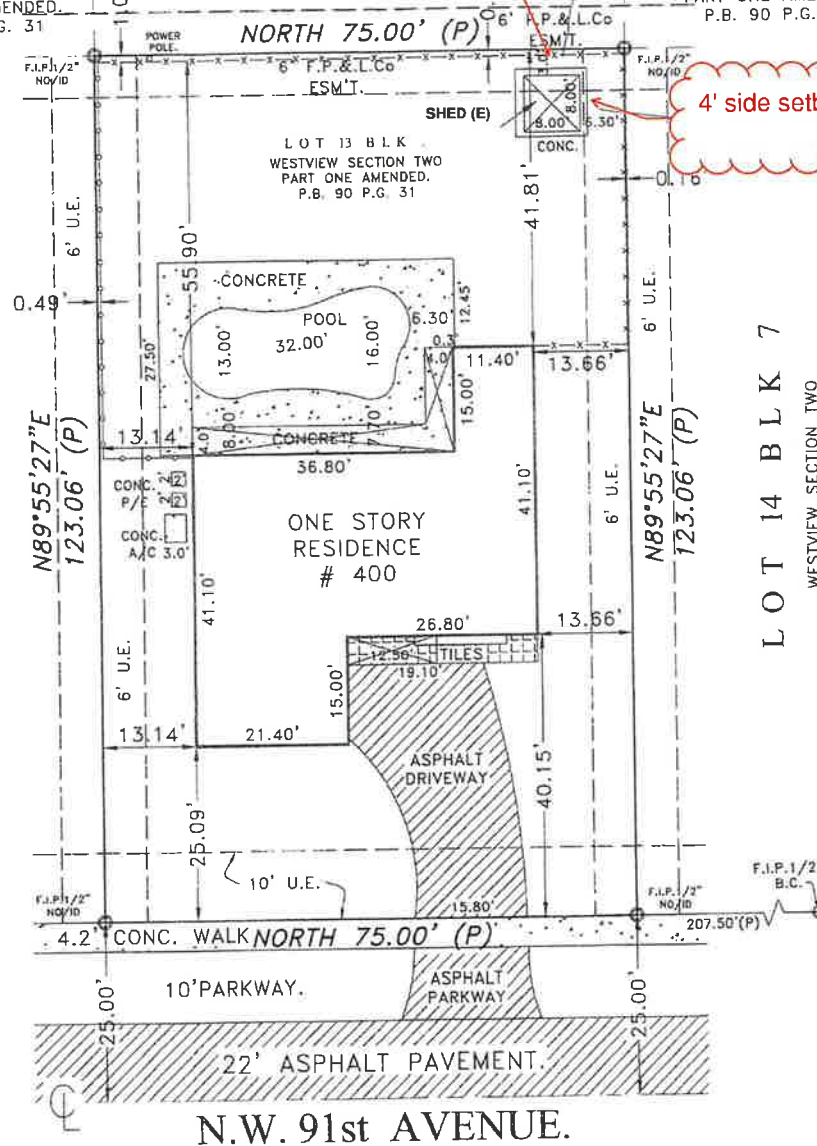
LOT 3  
BLK 7  
WESTVIEW SECTION TWO  
PART ONE AMENDED.  
P.B. 90 P.G. 31

LOT 12 BLK 7

WESTVIEW SECTION TWO  
PART ONE AMENDED.  
P.B. 90 P.G. 31

LOT 14 BLK 7

WESTVIEW SECTION TWO  
PART ONE AMENDED.  
P.B. 90 P.G. 31



Accepted By: \_\_\_\_\_

Property Address:  
400 N.W. 91 Avenue  
Pembroke Pines, FLORIDA 33024

Notes: ASPHALT ENCROACHES INTO EASEMENT ALONG EAST LOT LINE. FENCES ENCROACH INTO EASEMENT ALONG NORTH, SOUTH, AND WEST LOT LINES. CONCRETE ENCROACHES INTO EASEMENT ALONG NORTH AND WEST LOT LINES. PLASTIC SHED ENCROACHES INTO EASEMENT ALONG WEST LOT LINE.

SURVEYOR'S CERTIFICATION: I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A PROPERTY INTEREST AS REQUESTED UNDER MY DIRECTION. THIS COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE STATE OF FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AS CHAPTER 17, PART 1 THROUGH 5-17-002, FLORIDA ADMINISTRATIVE CODE PURSUANT TO CHAPTER 17, PART 1 THROUGH 5-17-002, FLORIDA STATUTES.

SIGNED

EFRAIN LOPEZ

STATE OF FLORIDA

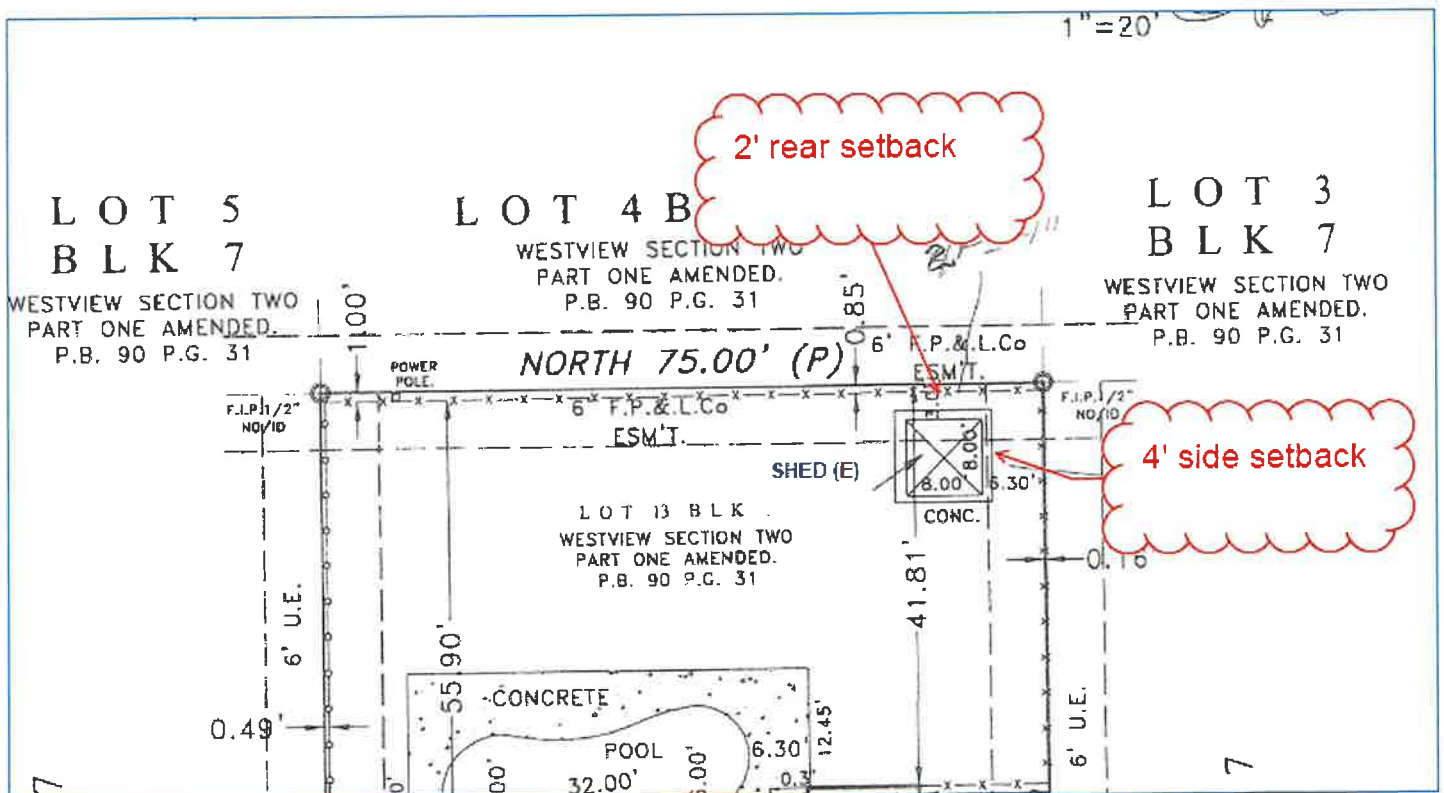
FOR THE FIRM

P.S.M. No. 6792

NOT VALID WITHOUT AND AUTHENTIC ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL AND/OR THIS MAP IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A LICENSED SURVEYOR AND MAPPER.

M.E. Land Surveying, Inc.  
10665 SW 190th Street  
Suite 3110  
Miami, FL 33157  
Phone: (305) 740-3319  
Fax: (305) 669-3190  
LB#: 7989









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

**VIOLATION WARNING**

**Case #:** 250100061 **Date:** 1/14/2025  
**Folio #:** 514117061730  
**Recipient:** DEAN TOMLINSON/CHARMAINE TOMLINSON  
**Address:** 400 NW 91 AVE  
PEMBROKE PINES, FL 33024

A physical inspection at 400 NW 91 AVE Pembroke Pines, FL 33024 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	Structure and cement pad erected in back yard without permits.	07/19/2025
CHAPTER 150: BUILDINGS	150.11 Florida Building Code adopted by reference; rejection of county regulations	Structure and cement pad erected in back yard without permits.	

**Notes/Mean of Correction:**

Must obtain all needed permits 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 07/19/2025**

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.

Code Compliance Officer - Matthew Smith

**HAND DELIVERY TO:**

Posted to  
Property

01/15/2025 10:37 AM

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



# Property Changes: 400 NW 91 Avenue

