

Vicinity Map

City of Pembroke Pines • Planning and Economic Development Department

ZV(R)2024-0082-0085
Zoning Variances

PROBST, MAX T H/E MANON, YAHAIRA
2220 NW 93 WAY PEMBROKE PINES FL 33024



NOT TO SCALE





City of Pembroke Pines
Planning & Economic Development Department
601 City Center Way 3rd Floor
Pembroke Pines FL, 33025

Summary

Agenda Date:	December 5, 2024	Application ID:	ZV(R)2024-0082-0085		
Project:	Existing Driveway, patio and storage shed.	Pre-Application	PRE2024-0104		
Project Planner:	Christian Zamora, Senior Planner				
Owner:	Yahaira Manon	Agent:	N/A		
Location:	2220 NW 93 Way Pembroke Pines, FL 33024	Property Id No.	514108030700	Commission District No.	2
Existing Zoning:	Single-Family Residence (R-1C)	Existing Land Use:	Residential		
Reference Applications:	Code Compliance Case No. 231003975 (Initiated 10/12/2023) Driveway Permit Application No. RX24-02852 (Applied 3/18/2024)				
Variance Summary					
Application	Code Section	Required/Allowed	Request		
ZV(R)2024-0082	Table 155.620 Accessory Structures: Driveway, Typical Lot.	40% Front Lot Coverage (total).	57% Front Lot Coverage (total) for existing driveway in single-family residential, typical lot.		
ZV(R)2024-0083	Table 155.620 Accessory Structures: Driveway, Typical Lot.	Five-Foot (5') side setback	Zero-Foot (0') northern side setback for existing driveway in a single-family residential, typical lot.		
ZV(R)2024-0084	Table 155.620 Accessory Structures: Deck or Patio	Five-Foot (5') side setback	Zero-Foot (0') northern side setback for existing patio.		
ZV(R)2024-0085	Table 155.620 Accessory Structures: Shed	Five-Foot (5') side setback	Four-Foot (4') southern side setback for existing 9' x 10' storage shed on existing concrete path.		
Final:	<input type="checkbox"/> Planning & Zoning Board		<input checked="" type="checkbox"/> Board of Adjustment		
Reviewed for the Agenda:	Director:		Assistant Director:		

PROJECT DESCRIPTION/BACKGROUND:

Yahaira Manon, owner, submitted four residential zoning variance requests to legalize existing construction at the property located at 2220 NW 93 Way in the Rainbow Lakes Neighborhood which is zoned Residential Single-Family (R-1C).

On October 10, 2023, the City's Code Compliance cited the property (Case No. 231003975) for work performed without building permits.

In March 18, 2024, the owner submitted a building permit application (No. RX24-02852) to construct a driveway at the property; but, the building permit cannot be approved as the existing driveway exceeds the limitations of the City's Land Development Code (LDC).

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

- **ZV(R)2024-0082:** to allow 57% Front Lot Coverage (total) instead of the allowed 40% Front Lot Coverage (total) for an existing driveway in a single-family residential, typical lot.
- **ZV(R)2024-0083:** to allow zero-foot (0') side setback along a segment of the northern property line for an existing driveway in a single-family residential, typical lot.

After reviewing the applicant's initial request and, per the property survey, it was detected an existing patio and a storage shed on an existing concrete path. The existing structures encroach into the required five-foot side setback; as result of the changes done at the property, the petitioner would like to include the following requests:

- **ZV(R)2024-0084:** to allow zero-foot (0') side setback along a segment of the northern property line instead of the required five-foot (5') side setback for an existing patio.
- **ZV(R)2024-0085:** to allow four-foot (4') side setback along a segment of the southern property line instead of the required five-foot (5') side setback for an existing 9' x 10' storage shed on an existing concrete path.

Per staff review of the city's archives, no building permits can be found for the work detected via code case violation. However, copies of historical surveys utilized for building permits have been gathered, confirming the driveway, concrete path and shed had existed in a similar form at location (see surveys, attached) Per Broward County Property Appraiser Imagery, the patio (northern side) appeared at location since at least in December 2023.

Planning and Economic Development staff have assisted the applicant to identify potential modifications to the existing non-permitted work that could be done to meet the regulations of the City's Land Development Code. The petitioner is presenting an "As Built" survey showing the existing conditions at the property.

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 property is in the Rainbow Lakes neighborhood, there is no HOA.

VARIANCE REQUEST DETAILS:

ZV(R)2024-0082 is to allow 57% Front Lot Coverage (total) instead of the allowed 40% Front Lot Coverage (total) for an existing driveway in a single-family residential, typical lot.

ZV(R)2024-0083 is to allow zero-foot (0') side setback along a segment of the northern property line for an existing driveway in a single-family residential, typical lot.

ZV(R)2024-0084 is to allow zero-foot (0') side setback along a segment of the northern property line instead of the required five-foot (5') side setback for an existing patio.

ZV(R)2024-0085 is to allow four-foot (4') side setback along a segment of the southern property line instead of the required five-foot (5') side setback for an existing 9' x 10' storage shed on an existing concrete path.

Code References:

ZV(R)2024-0082-0085)

Table 155.620 Accessory Building and Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Driveway	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
Deck or Patio	0 Feet	5 feet	5 feet	5 feet	N/A	N/A	N/A
Shed	0 Feet	5 feet	15 feet	5 feet	Primary building or 24 feet, whichever is less	[1] 100 square feet [2] 200 square feet if located in A or R-E.	[2] If over 200 square feet it shall meet primary building setbacks

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 Surveys (2024, 1996, 1979)
Code Compliance Notice 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
<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: 9/15/24
 # Plans for DRC — Planner: C-2.

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 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:

- All questions must be completed on this application. If not applicable, mark N/A.
- Include all submittal requirements / attachments with this application.
- All applicable fees are due when the application is submitted (Fees adjusted annually).
- Include mailing labels of all property owners within a 500 feet radius of affected site with signed affidavit (Applications types marked with *).
- All plans must be submitted no later than noon on Thursday to be considered for Development Review Committee (DRC) review the following week.
- 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 *).
- 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.
- 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.

<i>Staff Use Only</i>			2024-0082 0085
Project Planner: <u>C-2.</u>	Project #: PRJ 20 <u>—</u>	Application #: <u>—</u>	
Date Submitted: <u>10/1/24</u>	Posted Signs Required: <u>(1)</u>	Fees: \$ <u>791.00</u>	

SECTION 1-PROJECT INFORMATION:

Project Name: Driveway repair

Project Address: 2220 NW 93 Way Pembroke Pines FL 3302

Location / Shopping Center: Single-Family House

Acreage of Property: _____ Building Square Feet: _____

Flexibility Zone: _____ Folio Number(s): _____

Plat Name: _____ Traffic Analysis Zone (TAZ): _____

Legal Description: Driveway repair, Driveway was with black asphalt, ^{driveway} was repaired and upgraded to concrete, same shape and dimension as the original driveway.

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: Yahaira Manon
Owner's Address: 2220 NW 93 Way Pembroke Pines, FL 33024
Owner's Email Address: Yahaira.victoria.1@yahoo.com
Owner's Phone: 786-899-3351 Owner's Fax: N/A
Agent: N/A
Contact Person: Yahaira Manon 786-899-3351
Agent's Address: N/A
Agent's Email Address: N/A
Agent's Phone: N/A Agent's Fax: N/A

All staff comments will be sent directly to agent unless otherwise instructed in writing from the owner.

SECTION 3- LAND USE AND ZONING INFORMATION:

EXISTING	PROPOSED
Zoning: _____	Zoning: _____
Land Use / Density: _____	Land Use / Density: _____
Use: _____	Use: _____
Plat Name: _____	Plat Name: _____
Plat Restrictive Note: _____	Plat Restrictive Note: _____
_____	_____
ADJACENT ZONING	ADJACENT LAND USE PLAN
North: _____	North: _____
South: _____	South: _____
East: _____	East: _____
West: _____	West: _____

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

The existing driveway, originally constructed of black asphalt, has been repaired and upgraded to concrete. The repair maintained the same shape and dimensions as the original driveway. NO changes were made to the size layout or boundaries of the driveway during the repair process. The new concrete driveway exactly replicates the previous configuration, ensuring consistency with the original design.

Replaced, Expanded Existing. C-2.

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] 8/19/2024
Signature of Owner Date
FL DL M550-960-80-808-0

Sworn and Subscribed before me this 19th day
of August, 2024



n/a [Signature] 12/13/2027
Fee Paid Signature of Notary Public 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

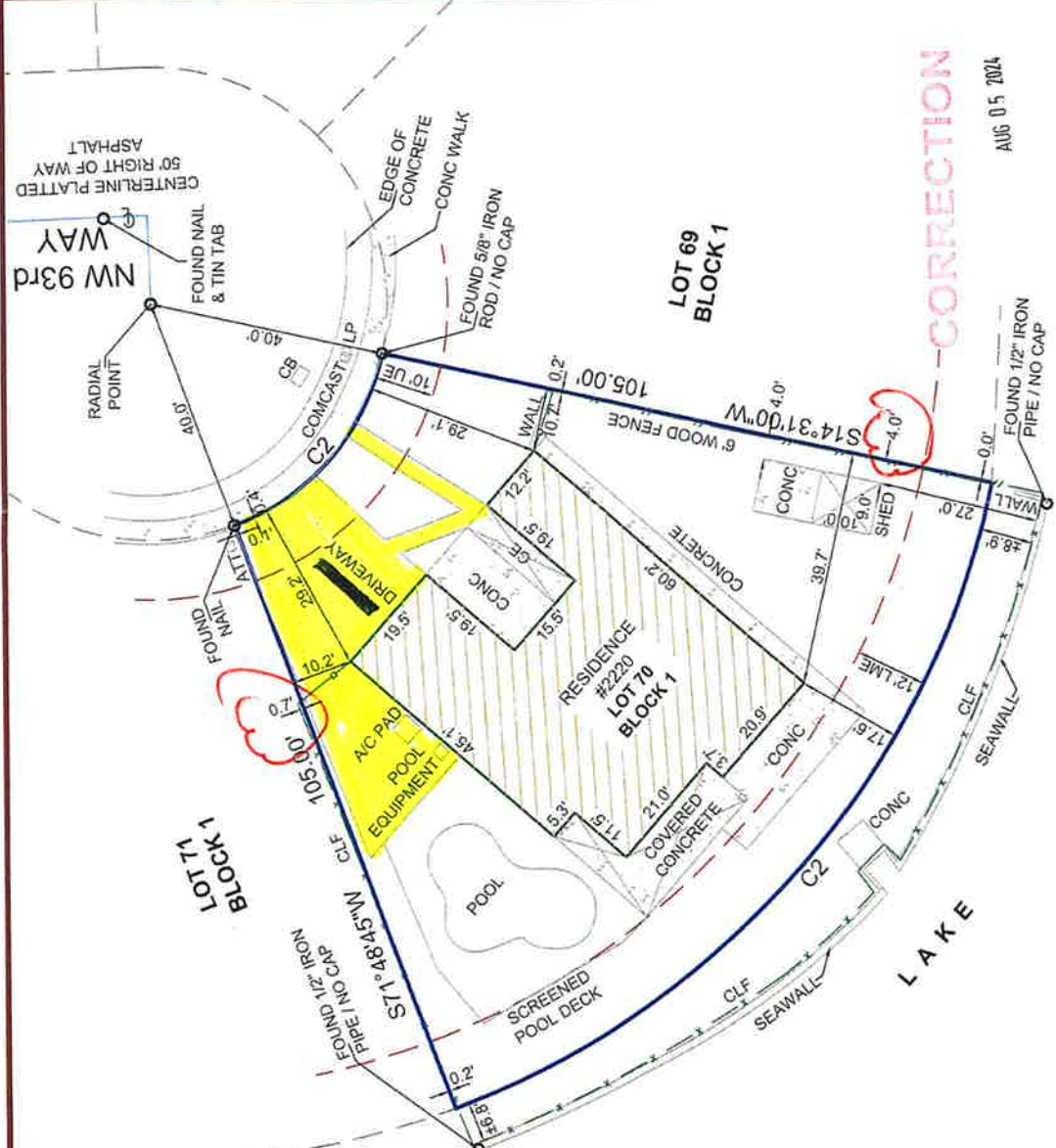
Sworn and Subscribed before me this _____ day
of _____, 20_____

Fee Paid Signature of Notary Public My Commission Expires

LEGAL DESCRIPTION:
 LOT 70, BLOCK 1, OF "RAINBOW LAKES", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 77, PAGE 1 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

CERTIFICATIONS:
**MAX PROBST &
 YAHAIIRA MANON**

SURVEYORS NOTES:
 (1.) BEARINGS SHOWN HEREON ARE REFERENCED TO THE NORTH LINE OF LOT 70 BLOCK 1 (S 71°48'45" W) PER THE RECORD PLAT AND ARE ASSUMED.
 (2.) LEGAL DESCRIPTION PROVIDED BY CLIENT UNLESS OTHERWISE NOTED.
 (3.) NO UNDERGROUND IMPROVEMENTS LOCATED EXCEPT AS SHOWN.
 (4.) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT THEREFOR THE ONLY SURVEY MATTERS SHOWN ARE PER THE RECORD PLAT. THERE MAY BE ADDITIONAL MATTERS OF RECORD, NOT SHOWN WHICH CAN BE FOUND IN THE PUBLIC RECORDS OF THE CORRESPONDING COUNTY OF RECORD.
 (5.) THERE MAY BE EXISTING RECORDED EASEMENTS CONTAINED IN THE PUBLIC RECORDS NOT DEPICTED HEREON THAT ONLY A THOROUGH TITLE SEARCH WOULD UNCOVER.
 (6.) SURVEY PURPOSE FOR PERMITTING FOR DRIVEWAY.
 (7.) ALL FENCE LOCATION SHOWN IS THE CENTER OF EXISTING FENCE.



THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

PEDRO L. MARTINEZ, P.S.M., STATE OF FLORIDA
 PROFESSIONAL SURVEYOR AND MAPPER, LS 5443
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

- GENERAL LEGEND:**
- AC = AIR CONDITIONER
 - BDR = BROWARD COUNTY HECHSUS
 - SAA = SCHEDULED AREA
 - CB = CATCH BASIN
 - CH = CHAIN LINK FENCE
 - CLF = CONCRETE BLOCK STRUCTURE
 - CHRT = CHART
 - CO = CLEAN OUT
 - DE = DRAINAGE EASEMENT
 - EB = ELECTRIC BOX
 - EV = ELEVATION
 - ESP = EDGE OF SIDEWALK
 - FF = FENCED FLOOR
 - FL = FOUND FLOOR
 - FN = FOUND FLOOR
 - FR = FOUND FLOOR
 - GR = GRASS
 - IR = IRON ROD
 - IS = IRON ROD
 - LP = LIGHT POLE
 - LA = LARGE W/WHYMAVANCE EASEMENT
 - NA = NORTH FACE FLOOD (FOR FLOOD ZONE X)
 - ND = NORTH DRIFT
 - NI = NOT IDENTIFIED
 - MF = METAL FENCE
 - OC = OVERHEAD CABLES
 - OR = OFFICIAL RECORD BOOK
 - OS = OFFSET
 - PA = PLAT AND MEASURED
 - PC = PLAT RECORD
 - PC = POINT OF CURVATURE
 - PG = PAGE
 - PT = PROGRAM TAPE
 - PP = POINT OF COMMENCEMENT
 - PP = POOL PUMP
 - PM = PLAT AND MEASURED
 - PCF = POLYURETHANE CHLORIDE FENCE
 - PCF = POLYURETHANE CHLORIDE FENCE
 - R/W = RIGHT OF WAY
 - S = SOUTH
 - SW = SIDEWALK
 - SB = SET BACK
 - SB = SET BACK & DISC
 - TT = TYPICAL
 - ME = METAL EASEMENT
 - WF = WOOD FENCE
 - WM = WATER METER
 - WV = WATER VALVE
 - WV = WATER VALVE
 - WV = WATER VALVE
- SYMBOLS:
- = 1/2" GREEN SYMBOL
 - = WATER METER
 - ☆ = LIGHT POLE
 - ⊙ = UTILITY POLE

FLOOD ZONE: N/A	DATE OF SURVEY: 06/28/2024	SCALE: 1" = 20'
BASE FLOOD: N/A	FIELD LOCATION OF IMPROVEMENTS	CADD: SBS
COMMUNITY #: N/A	CHECKED BY: PLM	
MAP/PANEL#: N/A	INVOICE #: 24-61276	
DATE OF FIRM: N/A	SHEET # 1 OF 1	

BOUNDARY SURVEY
 PROPERTY ADDRESS:
 2220 NW 93rd Way,
 PEMBROKE PINES, FL 33024

For Reference Only: Screen Incl Pmt 22701387 (12/15/2006)

LAND SURVEY

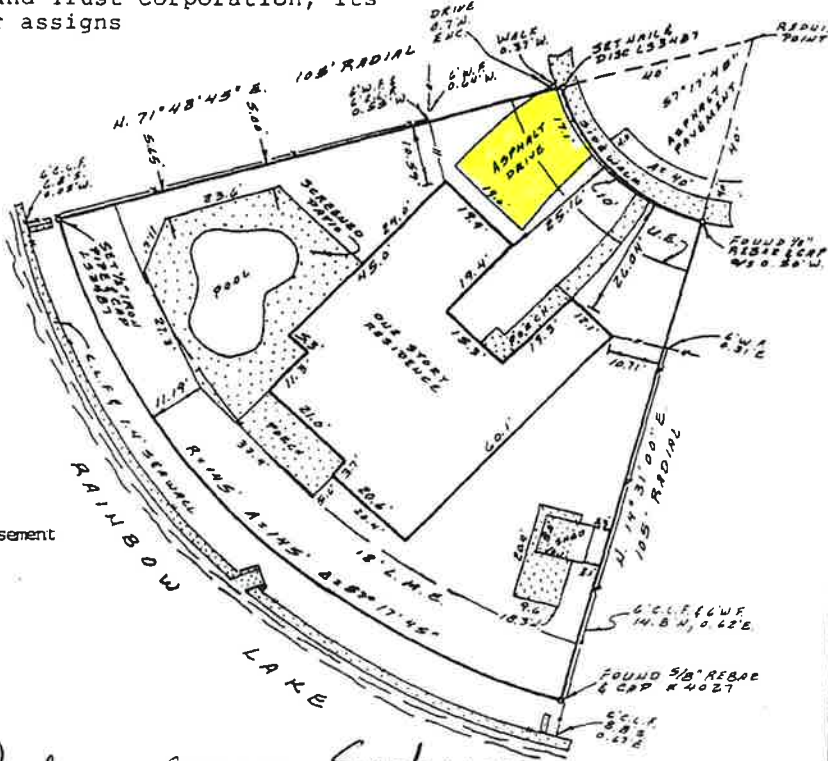
LEGAL DESCRIPTION: Block 1, RAINBOW LAKES, according to the Plat thereof, as recorded in Book 77, Page 28 of the Public Records of Broward County, Florida.

ADDRESS: 2220 N.W. 93 Way
Pembroke Pines, Florida 33024

CERTIFIED TO:

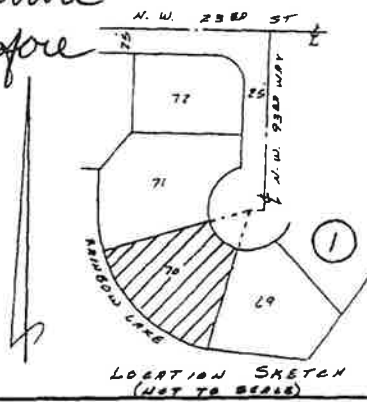
1. Walter R. Wheeler and Hermenegilda V. Wheeler
2. Quality Closings, An Escrow & Title Company
3. Attorneys' Title Insurance Fund, Inc.
4. Family Mortgage and Trust Corporation, its successors and/or assigns

Unless it bears the signature and the original raised seal of a Florida licensed surveyor and mapper this drawing is for informational purposes only and is not valid.



- LEGEND**
- L.M.E. = Lake Maintenance Easement
 - C.L.F. = Chain Link Fence
 - Elev. = Elevation
 - U.E. = Utility Easement
 - W.F. = Wooden Fence
 - Enc. = Encroachment
 - O/S = Offset
 - R. = Radius
 - A. = Arc Distance
 - △ = Central Angle
 - ⊕ = Centerline
 - ▨ = Concrete

Replace screen Enclosure at same location before Storm



COMMUNITY: 120053
PANEL: 0305
SUFFIX: F
DATE OF FIRM: 8/18/92

NOTES
Underground locations and/or underground encroachments, if any, are not shown unless otherwise indicated.
This survey was not abstracted for easements and/or right-of-way of record.
Elevations are relative to National Geodetic Vertical Datum of 1929.
Flood Zone AH Base Flood Elev = 7.0'
Finish Floor Elev. = 8.3' Lowest Floor Elev. = 8.3'
Benchmark: 5' HIGH MANGROVE AT N.W. 23RD ST, OPPOSITE (ELEV. 8.83')
Bearings Based On: PLAT OF N.W. 93RD WAY (S. 0° 02' 53\"/>

I hereby certify that I have made a recent survey of the above described property, and it is true and correct to the best of my knowledge and belief. I also certify that there are no above ground encroachments, unless otherwise noted. I further certify that the survey represented hereon meets the MINIMUM TECHNICAL STANDARDS adopted by the Florida Board of Land Surveyors, in Chapter 61G17-6, Florida Administrative Code pursuant to Section 472.027 Florida Statutes.

"Not Valid Unless Sealed"
Dated this 23RD day of APRIL 19 96 A.D.
Peter Blandino Sr.
PETER BLANDINO SR.
Professional Surveyor and Mapper No. 3487
State of Florida

SURVEY FOR: EUGENE GREY

DESCRIPTION

Lot 70, Block 1, "RAINBOW LAKES", as recorded in Plat Book 77, page 28, of the public records of Broward County, Florida.



SCALE:
1" = 20'

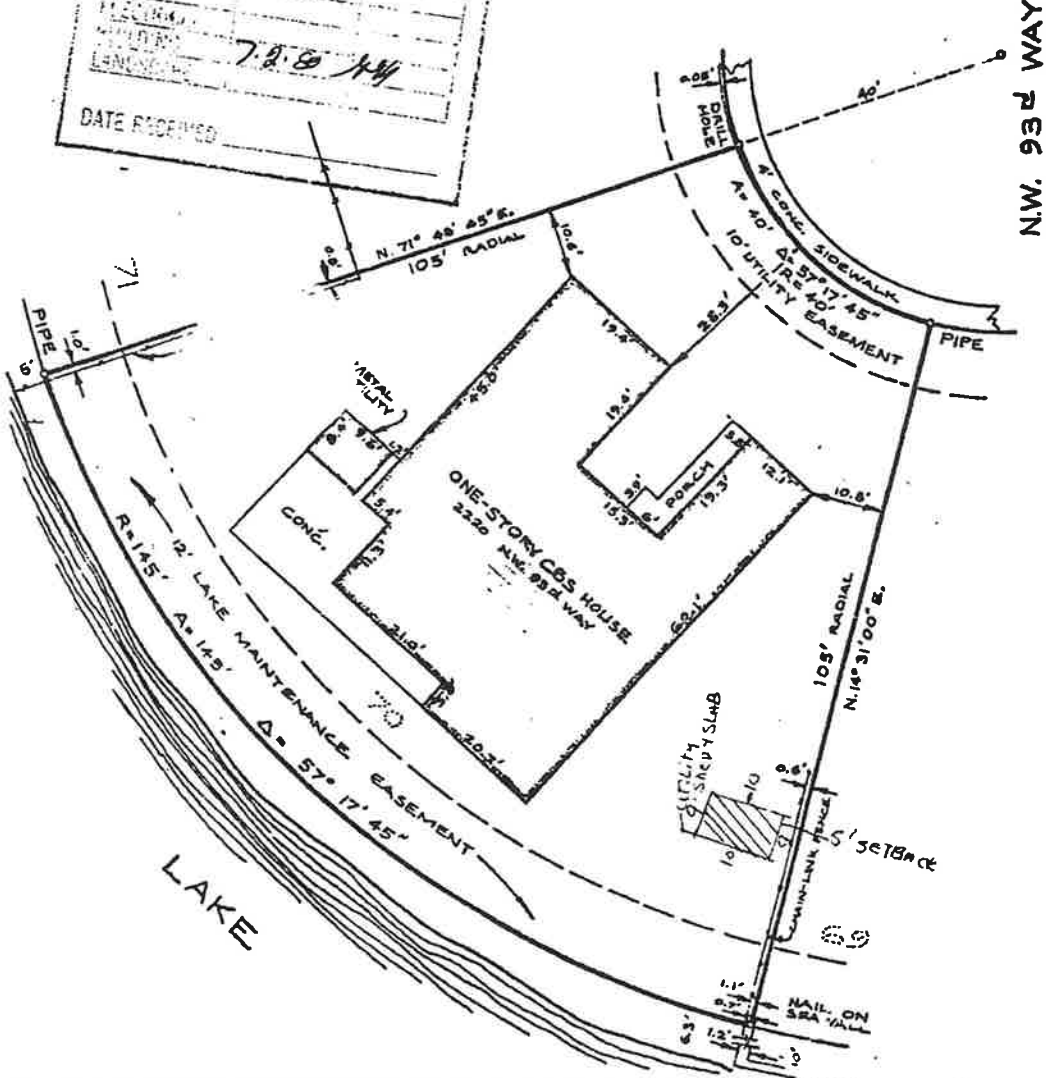
**BUILDING & ZONING DEPARTMENT
CITY OF PEMBROKE PINES
PLAN APPROVAL**

ZONING	APPROVAL DATE	APPROVAL BY
RS-100	7/1/80	JD
PERMITS		
REVISIONS		
DATE RECEIVED	7-2-80	HW

NOTICE YOU MUST CALL FOR A PERMITS

EUGENE GREY

002153



TO ALL PARTIES INTERESTED IN TITLE TO PREMISES SURVEYED:
 I, MAURICE E. BERRY II, hereby certify that I have made a recent survey of the above described property as indicated, and that there are no above-ground encroachments except as shown. I further certify that the survey represented hereon meets the requirements of the Florida Land Title Association and that this plat is true and correct.
 Dated at Hollywood, Broward County, Florida, this 26th day of JULY, A.D. 1979.

M. E. BERRY & ASSOCIATES
 REGISTERED LAND SURVEYORS
 28 S. HOLLYWOOD BOULEVARD
 HOLLYWOOD, FLORIDA 33020
 P. O. BOX 743
 PHONE: 922-6226

Maurice E. Berry II
MAURICE E. BERRY II
 Registered Land Surveyor No. 822
 STATE OF FLORIDA



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

VIOLATION WARNING

Case #: 231003975 Date: 10/12/2023
Folio #: 514108030700
Recipient: MAX T PROBST/YAHAIRA MANON
Address: 2220 NW 93 WAY
PEMBROKE PINES, FL 33024

A physical inspection at 2220 NW 93 WAY 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	No permit applied: Concrete driveway/walkway... Residential brown fencing	12/17/2024

Notes/Means of Correction:

Must obtain a permit for work done on property. Contact the Building Department at 954-435-6502 or enelson@ppines.com for any permitting questions

YOU ARE HEREBY NOTIFIED TO REMEDY THE CONDITIONS AS STATED ABOVE BY 12/17/2024

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:

Posted to
Property
10/16/2023 8:41 AM

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

Property Changes: 2220 NW 93 Way

