

Vicinity Map

City of Pembroke Pines • Planning and Economic Development Department

ZV(R)2023-0094-0095

Zoning Variances

Kobaitri, Aboud & Lori
16246 NW 21 Street Pembroke Pines FL 33028





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

Summary

Agenda Date:	September 7, 2023	Application ID:	ZV(R) 2023-0094 & 0095
Project:	Driveway, Zero Lot	Pre-Application Number:	PRE2023-0080
Project Planner:	Christian Zamora, Senior Planner		
Owner:	Lori Kobaitri	Agent:	N/A
Location:	16246 NW 21 Street, Pembroke Pines, FL 33028		
Existing Zoning:	Planned Unit Development (PUD)	Existing Land Use:	Residential
Reference Applications:	Code Compliance Case (230702934, initiated 7/13/2023)		

Variance Summary

Application	Code Section	Required/Allowed	Request
ZV(R) 2023-0094	Table 155.620: Accessory Structure: Driveway, Zero Lot	40% front lot coverage (total)	49% front lot coverage (total)
ZV(R) 2023-0095	Table 155.620: Accessory Structure: Driveway, Zero Lot	40% of lot's width	43% of lot's width
Final:	<input type="checkbox"/> Planning & Zoning Board	<input checked="" type="checkbox"/> Board of Adjustment	
Reviewed for the Agenda:	Director: <u>MS</u>	Assistant Director: <u>EJY</u>	

PROJECT DESCRIPTION / BACKGROUND:

Lori Kobaitri, owner, submitted two residential zoning variance requests to legalize an existing driveway for the single-family residence located at 16246 NW 21 Street in Parkside at Spring Valley neighborhood which is zoned Residential Single-Family Zero Lot Line (R-1Z).

On January 27, 2023, the City's Code Compliance Division cited the property owner (Case No. 230702934) for work performed without building permit.

The applicant is requesting:

- **ZV(R) 2023-0094** is to allow 49% front lot coverage (total) instead of the allowed 40% front lot coverage (total) in a zero-lot.
- **ZV(R) 2023-0095** is to allow 43% width of lot instead of the allowed 40% of lot's width for an existing driveway in a zero-lot.

City staff reviewed aerial photography from the Broward County Property Appraiser, and it appears that the driveway has existed since at least 2016. Per City's records, there are no permits are on file for the existing driveway at the property.

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

The subject property is in Parkside in the Spring Valley Neighborhood. The applicant has provided a copy of the Homeowner Association (HOA) approval, dated September 1, 2016.

VARIANCE REQUEST DETAILS:

ZV(R) 2023-0094 is to allow 49% front lot coverage (total) instead of the allowed 40% front lot coverage (total) in a zero-lot.

ZV(R) 2023-0095 is to allow 43% of lot's width instead of the allowed 40% width of lot for an existing driveway in a zero-lot.

Code References:

Table 155.620 Accessory Building and Structures

Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Driveway, Zero-Lot	0 feet	0 on the zero side, 5 feet on the nonzero side	15 feet 155.600(B)	N/A	N/A	40% front lot coverage 40 % width of lot	[1] 10 foot minimum width

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
Proposed Plan
HOA Letter of approval (9/1/2016)
Copy of Code Compliance Case (7/13/2023).



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: 7/26/23

Plans for DRC 1 Planner: C-2

Indicate the type of application you are applying for:

- Appeal*
- Comprehensive Plan Amendment
- Delegation Request
- DRI*
- DRI Amendment (NOPC)*
- Flexibility Allocation
- Interpretation*
- Land Use Plan Map Amendment*
- Miscellaneous
- Plat*
- Sign Plan
- Site Plan*
- Site Plan Amendment*
- Special Exception*
- Variance (Homeowner Residential)
- Variance (Multifamily, Non-residential)*
- Zoning Change (Map or PUD)*
- Zoning Change (Text)
- Zoning Exception*
- 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 feet 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: C-2 Project #: PRJ 20 _____ Application #: _____

Date Submitted: 7/26/23 Posted Signs Required: (1) Fees: \$ 600.00

SECTION 1-PROJECT INFORMATION:Project Name: Kobalti DrivewayProject Address: 16246 NW 21 ST, Pembroke Pines FL 33028

Location / Shopping Center: _____

Acreage of Property: _____ Building Square Feet: _____

Flexibility Zone: _____ Folio Number(s): _____

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

Legal Description: _____
Portside at Spring Valley 15B-13 B Lot 10-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: Lori Kobaitri

Owner's Address: 16246 NW 21 ST Pembroke Pines FL 33028

Owner's Email Address: LEOKO6ATORA6MAIL.COM

Owner's Phone: (954) 554-7760 Owner's Fax: (954) 435-9835

Agent: Self

Contact Person: Lori Kobaitri

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: Math.

Code Section: 55-690

Required: 40% of FIA ; 40% of lot's width.

Request: 49% of the lot's width.

Details of Variance, Zoning Appeal, Interpretation Request:

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)

Dear Board Members,

Variance for driveway in a pie shape lot.

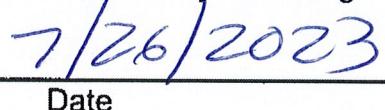
Please accept my fair request.

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.

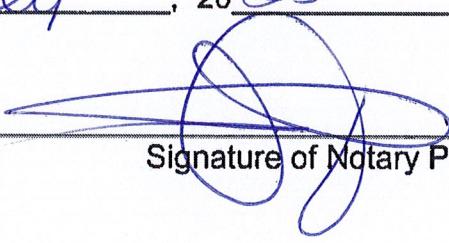

Signature of Owner


Date

Sworn and Subscribed before me this 26th day

of July, 2023

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

Waiver of Florida Statutes Section 166.033, Development Permits and Orders

Applicant: _____

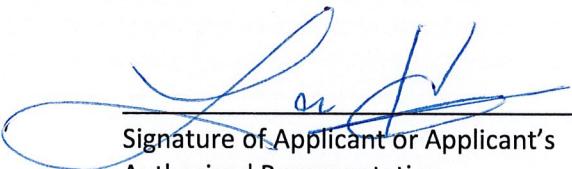
Authorized Representative: _____

Application Number: _____

Application Request: _____

I, _____ (print Applicant/Authorized Representative name), on behalf of _____ (Applicant), hereby waive the deadlines and/or procedural requirements of Florida Statute Section 166.033 as the provisions of said statute apply to the above referenced application, including, but not limited to the following:

- a. 30-day requirement for Applicant Response to Staff determination of incompleteness as described in DRC Comments and/or Letter to Applicant;
- b. 30-day Staff review of Applicant Response to DRC Comments and/ or Letter to Applicant;
- c. Limitation of three (3) Staff Requests for Additional Information;
- d. Requirement of Final Determination on Applicant's application approving, denying, or approving with conditions within 120 or 180 days of the determination of incompleteness, as applicable.


Signature of Applicant or Applicant's
Authorized Representative

7/26/23
Date

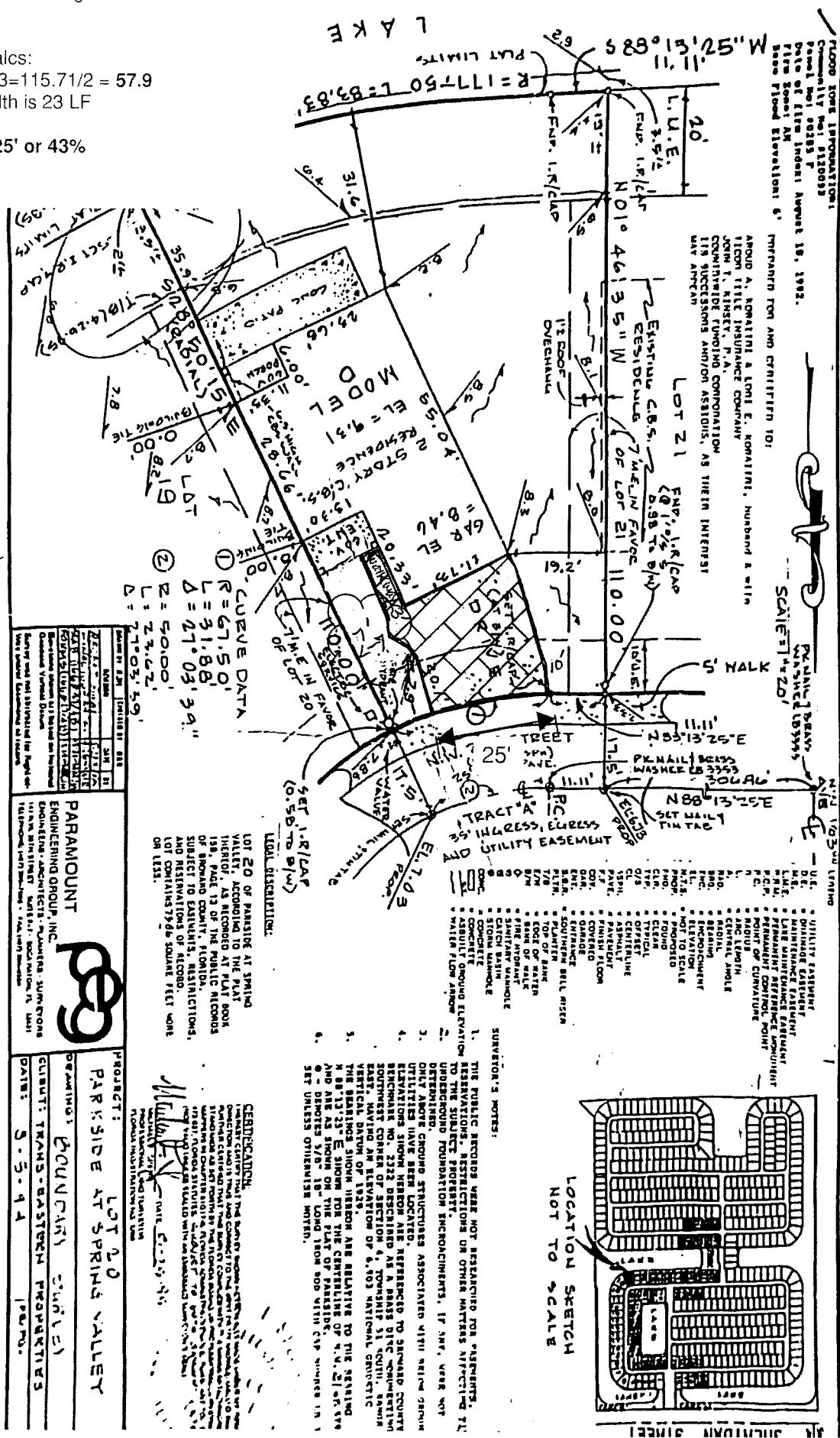
Print Name of Applicant/Authorized Representative

Front lot area is 1,277 SF

Existing F lot coverage is 620 SF or 48.55% (49%)

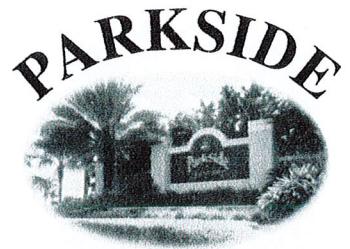
Lot width calc:
31.88+83.83=115.71/2 = 57.9
Allowed width is 23 LF

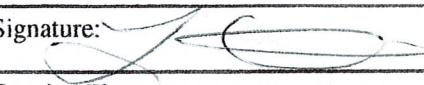
Existing is 25' or 43%



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



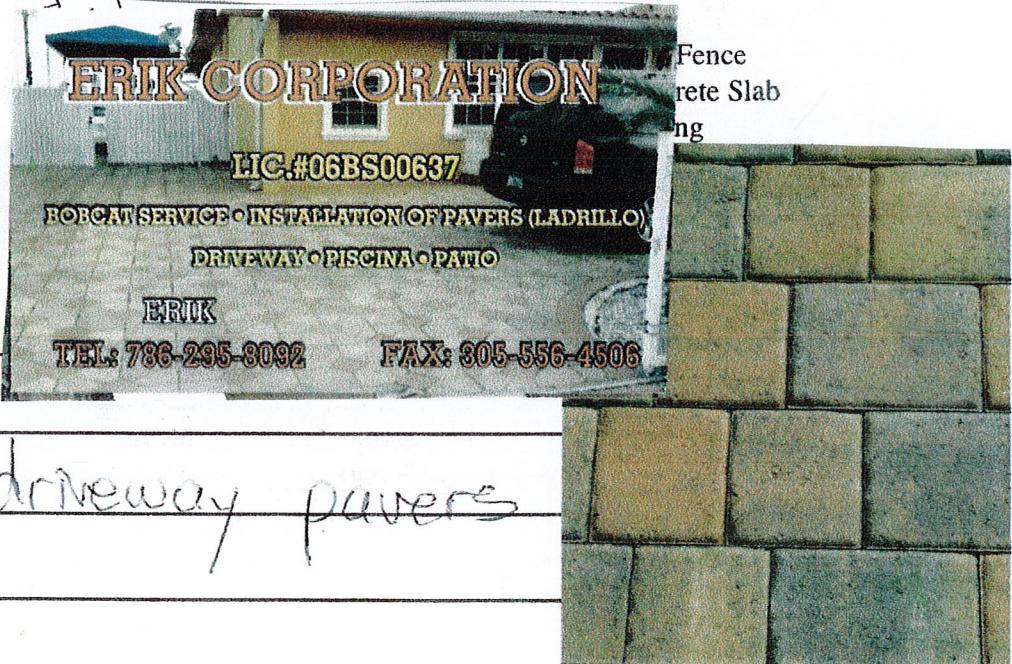
Sub-Association:	Account Number:	
Parkside	020	
Name of Owner(s): ROBART		
Street Address:	Signature:	
16246 NW 21ST		
Date: 8/24/16	Day Phone: 954 554 7760	Evening Phone: same

**APPLICATIONS WILL BE PROCESSED WITHIN 30 DAYS UPON RECEIPT OF
 ALL SUPPORTING DOCUMENTS REQUIRED WITH THIS APPLICATION**

Approval is hereby requested to make the following modification (s), alterations, and/or additions as described below:

- Addition
- Doors Identical/New
- Pavers
- Driveway Painting
- Exterior Paint Identical Color
- Hurricane Shutters

Description of Request: _____



All applications must include the following:

- Lot Survey with proposed modifications drawn on survey, including any set back distance required.

When applicable, the following information/ documents must be provided:

- Color photographs or manufacturer's brochure of the proposed modifications.
- Drainage Surface Water Plan
- If Painting - A color sample of the paint intended, along with a color photograph of your house including the roof.
- If Contracting - Proposed Improvement Contract
- If Construction - Contractor's Commitment indicating time frame and maintenance of common areas
- If Construction - Contractor's plans must specify the access point for contractors (ingress/egress)

Dark orange / Tan / Charcoal

Page 5
 New Miami

If Construction - A copy of the homeowner's insurance.
 If Construction - A copy of the contractor's insurance certificate naming Spring Valley as a named insured
 If Construction - and heavy equipment 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.
 If Landscaping - The appropriate drawings must show both a Plan View and an Elevation.
 If Landscaping - Specifications of the proposed materials/modifications must be included, (i.e. Color, Style, Type of Material).
 If Structural Change - Consent Letter from Neighbors adjoined to your property.

(FOR Parkside at Spring Valley HOA ARC COMMITTEE USE ONLY)

Date Application Received: 9/1/14 Date Application Received: _____

Approved
 Disapproved

Committee Member Signature: Chris Pen Bo

(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. Access 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 construction.
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: _____



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

VIOLATION WARNING

Case #: 230702934

Date: 7/13/2023

Folio #: 514008100200

Recipient: KOBAITRI, ABOUD A & LORI E

Address: 16246 NW 21 ST

PEMBROKE PINES, FL 33028

A physical inspection at 16246 NW 21 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	155.313 ENFORCEMENT	Extended driveway at the residence/property - no permit on file.	09/14/2023

Notes/Means of Correction:

Must obtain a permit for work done at the residence/property. Please contact the Building Department at 954.435.6502.

M - Th 7 - 6 pm

Driveway/sidewalk walls must be kept clean

YOU ARE HEREBY NOTIFIED TO REMEDY THE CONDITIONS AS STATED ABOVE BY 09/14/2023

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.

EspyMize@ppines.com
Code Compliance Officer - Espy Mize

HAND DELIVERY TO:

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

7/19/23, 7:52 PM

20230717_102644.jpg

