

# DRAFT

Board of Adjustment

City of Pembroke Pines  
Pembroke Pines, FL

**AUGUST 3, 2023**

The regular meeting of the BOARD OF ADJUSTMENT was called to order by Chairman Rodriguez-Soto on Thursday, August 3, 2023 at 6:32 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 Goggin, Member Crawl; Alternate Member Siddiqui

**ABSENT:** Members Abbondandolo and Brito and Alternate Member Almeria

**ALSO PRESENT:** Christian Zamora, Senior Planner, 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 Vice Chair Goggin, seconded by Member Crawl, to approve the minutes of the June 1, 2023 meeting passed unanimously.

## **EXCUSED ABSENCES:**

A motion by Member Crawl, seconded by Vice Chair Goggin, to excuse the absence of Members Abbondandolo and Brito and Alternate Member Almeria passed unanimously.

## **LEGAL INSTRUCTIONS:**

Assistant City Attorney Quinten Morgan explained the hearing process to the audience and applicants. The hearing is quasi-judicial and all testimony taken is under oath. The Board has the right to ask witnesses questions that the Board deems relevant to the application. At the conclusion of the hearing, the Board will consider testimony and evidence and enter an order. Three votes are needed to approve a variance. The decisions are appealable to the City Commission of Pembroke Pines only.

[Secretary's Note: Interested parties were sworn under oath to give testimony in the relevant causes by the Assistant City Attorney.]

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**OLD BUSINESS:**  
**VARIANCES:**

**VARIANCE FILE NUMBERS: ZV(R)2023-0053 - 0057**

**PETITIONER:**  
Glenn & Tanya Chang

**ADDRESS:**  
**SUBJECT PROPERTY:**  
2336 NW 189 Avenue  
Pembroke Pines, FL 33029

**LEGAL DESCRIPTION:**  
Lot 54, Keystone Lake, of the BIG SKY PLAT, according to the Plat thereof as recorded in Plat Book 158, Page 11B, of the Public Record of Broward County, Florida.

**VARIANCES REQUESTED:**  
Petitioner is requesting a variance to:  
**ZV(R)2023-0053)** allow a 49% front lot area instead of the allowed 35% front lot coverage for a proposed circular driveway on a single family residential lot;  
**ZV(R)2023-0054)** allow a 43% total width of lot instead of the allowed 40% of the lot's width for a proposed circular driveway on a single family residential lot;  
**ZV(R)2023-0055)** allow a zero feet (0') side setback along a portion of the northern property line instead of the required five feet (5') for an existing deck or patio;  
**ZV(R)2023-0056)** allow a zero feet (0') rear setback along a portion instead of the required five feet (5') rear setback for an existing pool deck or patio;  
**ZV(R)2023-0057)** allow a two feet (2') side setback along a portion of the southern property line instead of the required five feet (5') for an existing pool deck or patio.

**REFERENCES:**  
**ZV(R)2023-0053 & 0054)**

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	<b>35% front lot coverage</b> 40% lot coverage for zero lot line. <b>40% width of lot</b>	[1] Shall include 5 foot radius between driveway and lot line. [2] 10 foot minimum width

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## ZV(R)2023-0055 - 0057)

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/A	N/A

Chairman Rodriguez-Soto read the request into the record.

### **PROJECT DESCRIPTION / BACKGROUND:**

Glenn & Tanya Chang, owners, have submitted five zoning variance requests for the property located at 2336 NW 189 Avenue in Keystone Lake neighborhood. The property is part of the Big Sky Planned Unit Development (PUD) and follows PUD Zone SF-1 (single-family conventional) guidelines. The PUD does not address driveways, patios, or decks (PUD), Single Family-Residential Zoning District. Therefore, the provisions of the City's Land Development Code (LDC) apply.

The applicant is proposing a new driveway at the property; however, the proposed driveway exceeds the limitations of the City's Land Development Code (LDC).

Specifically, the applicant is requesting:

- **ZV(R) 2023-0053:** to allow 49% front lot area (total) instead of the allowed 35% front lot coverage for a proposed circular driveway in a typical lot.
- **ZV(R) 2023-0054:** is to allow 43% of lot's width instead of the allowed 40% of the lot's width for a proposed circular driveway in a typical lot.

Upon review of construction documents for the property, Broward County Property Appraiser available imagery, and the provided survey, it was detected that the patio/deck have been extended towards the sides and rear property lines, closer than the required five feet (5') setbacks. Mr. Chang is requesting variance consideration to retain the items existing at the property, all built without building permits:

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- **ZV(R) 2023-0055:** to allow zero feet (0') side setback along a portion of the northern property line instead of the required five feet (5') for an existing deck or patio.
- **ZV(R) 2023-0056:** to allow zero feet (0') rear setback along a portion of the rear property line instead of the required five feet (5') rear setback for an existing pool deck or patio.
- **ZV(R) 2023-0057:** to allow two feet (2') side setback along a portion of the southern property line instead of the required five feet (5') for an existing pool deck or patio.

Per staff findings, the pool deck or patios have been present on the property since early 2007; however, according to city records, no building permits are available.

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 Keystone Lake Neighborhood. The applicant has provided copy of HOA Approval dated December 23, 2022.

**This item was presented during the June 1, and it was tabled by the Board for August 3, 2023: Applicant needed to provide plan showing modifications -reduction- for existing deck or patio (See proposed plan, attached)**

## **VARIANCE REQUEST DETAILS:**

**ZV(R) 2023-0053)** to allow 49% front lot area instead of the allowed 35% total front lot area for a proposed circular driveway in a typical lot.

**ZV(R) 2023-0054)** is to allow 43% of the lot's width instead of the allowed 40% total width of lot for a proposed circular driveway in a typical lot.

**ZV(R) 2023-0055)** is to a zero feet (0') side setback along a portion of the northern property line instead of the required five feet (5') for an existing deck or patio.

**ZV(R) 2023-0056)** is to a zero feet (0') rear setback instead of the required five feet (5') rear setback for an existing pool deck or patio.

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**ZV(R) 2023-0057)** is to allow an two feet (2') side setback along a portion of the southern property line instead of the required five feet (5') for an existing pool deck or patio.

## Code References:

**ZV(R) 2023-0053 & 0054)**

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	<b>35% front lot coverage</b> 40% lot coverage for zero lot line. <b>40% width of lot</b>	[1] Shall include 5 foot radius between driveway and lot line. [2] 10 foot minimum width

**ZV(R) 2023-0055 & 0057)**

Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
<b>Deck or Patio*</b>	Primary Building	<b>5 feet</b>	5 feet	<b>5 feet</b>	N/A	N/A	N/A

Glenn Chang, petitioner, spoke to the variance request. He stated they have taken up pavers to create the four foot set back on the north side. Christian Zamora confirmed the driveway (ZVR 2023-0053 and 0054) had not been objected to at the June meeting by board, but the back yard of home needed reductions, which the petitioner has made. Petitioner confirmed there is no neighbor to back, only on sides. Petitioner confirmed had originally put the additional pavers around the pool due to flooding and all materials is pavers.

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

The member of staff who spoke to the variance request was Christian Zamora.

The petitioner voluntarily agreed to change variance requests (ZV(R)2023-0055, 0056, and 0057)) to a 4 foot setback instead of the required 5 foot setback.

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

A motion by Alternate Member Siddiqui, seconded by Member Crawl, to grant variance request ZV(R)2023-0053, under Sec. 155.301(O)(1)(c), to allow a 49% front lot area instead of the allowed 35% front lot coverage for a proposed circular driveway on a single family residential lot passed unanimously.

A motion by Alternate Member Siddiqui, seconded by Vice Chair Goggin, to grant variance request ZV(R)2023-0054, under Sec. 155.301(O)(1)(c), to allow a 43% total width of lot instead of the allowed 40% of the lot's width for a proposed circular driveway on a single family residential lot passed unanimously.

A motion by Alternate Member Siddiqui, seconded by Vice Chair Goggin, to grant variance request ZV(R)2023-0055, under Sec. 155.301(O)(1)(c), to allow a four feet (4') side setback along a portion of the northern property line instead of the required five feet (5') for an existing deck or patio passed unanimously.

On a motion by Alternate Member Siddiqui, seconded by Vice Chair Goggin, to grant variance request ZV(R)2023-0056, under Sec. 155.301(O)(1)(c), to allow a four feet (4') rear setback along a portion instead of the required five feet (5') rear setback for an existing pool deck or patio, the following vote was recorded:

AYE: Vice Chairman Goggin, Member Crawl; Alternate Member Siddiqui

NAY: Chairman Rodriguez-Soto

Motion Passed

On a motion by Alternate Member Siddiqui, seconded by Vice Chair Goggin, to grant variance request ZV(R)2023-0057, under Sec. 155.301(O)(1)(c), to allow a four feet (4') side setback along a portion of the southern property line instead of the required five feet (5') for an existing pool deck or patio, the following vote was recorded:

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AYE: Vice Chairman Goggin, Member Crawl; Alternate Member Siddiqui

NAY: Chair Rodriguez-Soto

Motion Passed

## **NEW BUSINESS:**

## **VARIANCES:**

**VARIANCE FILE NUMBER: ZV(R)2023-0064**

## **PETITIONER:**

Peter Muller

## **ADDRESS:**

## **SUBJECT PROPERTY:**

19483 SW 68 Street  
Pembroke Pines, FL 33332

## **LEGAL DESCRIPTION:**

Lot 13, Block A, of LAGUNA ISLES; a portion of the BIG SKY NORTH RESIDENTIAL PLAT, according to the Plat thereof as recorded in Plat Book 168, Page 24B, of the Public Record of Broward County, Florida.

## **VARIANCE REQUESTED:**

Petitioner is requesting a variance to allow a 45% total front lot coverage instead of the required 35% total front lot coverage for a proposed driveway.

## **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>35% front lot coverage</b> 40 % width of lot	[1] 10 foot minimum width

## **PROJECT DESCRIPTION / BACKGROUND:**

Peter Muller, owner, submitted a residential zoning variance request for a proposed driveway and walkway for the single-family residence located at 19483 SW 68 Street in the Laguna Isles neighborhood. The property is part of the Big Sky North Planned Unit Development (PUD) and follows PUD Zone SF-1 (single-family conventional) guidelines. The PUD does not

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address driveways, patios, or decks (PUD), Single Family-Residential Zoning District. Therefore, the provisions of the City's Land Development Code (LDC) apply.

The applicant is proposing a new driveway and walkway at the property; however, the proposed driveway and walkway exceed the limitations of the City's Land Development Code (LDC). Specifically, the applicant is requesting:

- **ZV(R) 2023-0064** is to allow 45% front lot coverage (total) instead of the allowed 35% front lot coverage (total) for a proposed driveway and walkway in a typical lot.

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 Laguna Isles Neighborhood. The applicant has provided copy of HOA Approval dated January 20, 2023.

## **VARIANCE REQUEST DETAILS:**

**ZV(R) 2023-0064** is to allow 45% front lot coverage (total) instead of the allowed 35% front lot coverage (total) for a proposed driveway and walkway in a 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>35% front lot coverage</b>  40% width of lot	[1] 10 foot minimum width

Pete Muller, petitioner, spoke to the variance request. He stated the driveway is not wide enough for two vehicles to allow wheelchair access into and out of parked car. Widening will allow the wheelchair user access to the vehicle when two are parked next to each other.

The member of the board who spoke to the variance request was Chair Rodriguez-Soto.



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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.

A motion by Alternate Member Siddiqui, seconded by Vice Chair Goggin, to grant variance request ZV(R)2023-0064, under Sec. 155.301(O)(1)(c), to allow a 45% total front lot coverage instead of the required 35% total front lot coverage for a proposed driveway passed unanimously.

## **VARIANCE FILE NUMBERS: ZV(R)2023-0065 & 0066**

### **PETITIONER:**

Madeleine Casanova

### **ADDRESS:**

### **SUBJECT PROPERTY:**

16264 NW 20 Street  
Pembroke Pines, FL 33028

### **LEGAL DESCRIPTION:**

Lot 349, of the PARKSIDE AT SPRING VALLEY PLAT, according to the Plat thereof as recorded in Plat Book 158, Page 13B, of the Public Record of Broward County, Florida.

### **VARIANCES REQUESTED:**

Petitioner is requesting variances to allow:

**ZV(R)2023-0065**) a 51% total front zero lot line coverage instead of the required 40% total front lot coverage for an existing driveway

**ZV(R)2023-0066**) a 48% width of lot on a zero-lot line instead of the 40% required width of lot for an existing driveway.

### **REFERENCES:**

**ZV(R)2023-0065 & 0066)**

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

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## PROJECT DESCRIPTION / BACKGROUND:

Madeleine Casanova, owner, submitted two residential zoning variance requests to legalize an existing driveway and walkway for the single-family residence located at 16424 NW 20 Street in Parkside at Spring Valley neighborhood which is zoned R-1Z (Residential Single-Family Zero Lot Line).

On January 27, 2023, the City's Code Compliance Division initiated Code Compliance procedures (Case No. 221202833) for work performed without building permits.

In February 21, 2023, the owner submitted a building permit application (No. RX23-02451) to build a driveway and patio at the property; however, per owner's provided plan, the existing driveway exceeds the provisions of the City's Land Development Code (LDC)

The applicant is requesting:

- **ZV(R) 2023-0065** is to allow 51% front lot coverage (total) instead of the allowed 40% front lot coverage (total) in a zero-lot.
- **ZV(R) 2023-0066** is to allow 48% width of lot instead of the allowed 40% of lot's width for an existing driveway in a zero-lot.

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 located in Parkside in the Spring Valley Neighborhood. The applicant has provided a copy of the Homeowner Association (HOA) approval.

## VARIANCE REQUEST DETAILS:

**ZV(R) 2023-0065** is to allow 51% front lot coverage (total) instead of the allowed 40% front lot coverage (total) in a zero-lot.

**ZV(R) 2023-0066** is to allow 48% of lot's width instead of the allowed 40% width of lot for an existing driveway in a zero-lot.

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Code References:

ZV(R) 2023-0065 & 0066)

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

Madeleine Casanova, petitioner, spoke to the variance request. She stated when the home was purchased there were safety hazards on the driveway from tree roots and that three cars cannot park on the small driveway. There is limited guest parking in the community and they cannot park on street or swale and if parked overnight in the guest parking there are fines. They have HOA approval for the driveway, but were not aware they needed City permits. Petitioner confirmed the driveway is concrete and was not pavers when they purchased the home in April 2022. Christian Zamora confirmed the tree was also removed without permit and they are working with the City to replace the tree.

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

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.

A motion by Vice Chair Goggin, seconded by Alternate Member Siddiqui, to grant variance request ZV(R)2023-0065, under Sec. 155.301(O)(1)(c), to allow a 51% total front zero lot line coverage instead of the required 40% total front lot coverage for an existing driveway passed unanimously.

A motion by Vice Chair Goggin, seconded by Alternate Member Siddiqui, to grant variance

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request ZV(R)2023-0066, under Sec. 155.301(O)(1)(c), to allow a 48% width of lot on a zero-lot line instead of the 40% required width of lot for an existing driveway passed unanimously.

## VARIANCE FILE NUMBERS: ZV(R)2023-0067 & 0068

### PETITIONER:

Darrin & Celina Williams

### ADDRESS:

### SUBJECT PROPERTY:

976 SW 159 Way  
Pembroke Pines, FL 33027

### LEGAL DESCRIPTION:

Lot 23, Block 3, of the PASADENA AT PEMBROKE SHORES PLAT, according to the Plat thereof as recorded in Plat Book 159, Page 45B, of the Public Record of Broward County, Florida.

### VARIANCES REQUESTED:

Petitioner is requesting variances to allow:

**ZV(R)2023-0067)** a 43% total front lot coverage instead of the required 35% total front lot coverage for a proposed driveway.

**ZV(R)2023-0068)** a 46% total width of lot instead of the allowed 40% width of lot for a proposed driveway.

### REFERENCES:

**ZV(R)2023-0067 & 0068)**

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	35% front lot coverage  40% width of lot	[1] 10 foot minimum width

### PROJECT DESCRIPTION / BACKGROUND:

Darrin Williams, owner, has submitted two residential zoning variance requests to build a circular driveway at the property located at 976 SW 159 Way. The property is part of the Pembroke Shores Planned Unit Development (PUD) and follows the guidelines for single-family homes with a lot larger than 8,800 square feet. The PUD does not address driveway setbacks, lot coverage

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and driveway width; therefore, the provisions of the City's Land Development Code (LDC) are applicable.

On April 11, 2023, the owner submitted a building permit application (No. RX23-05030) to build a circular driveway at the property. The proposed driveway exceeds the limitations of the City's LDC.

The applicant is requesting the following:

- **ZV(R) 2023-0067** to allow 43% front lot coverage (total) instead of the allowed 35% front lot coverage (total) for a proposed circular driveway in a typical single-family residential lot.
- **ZV(R) 2023-0068** to allow 46% width of lot instead of the allowed 40% width of lot for a proposed circular driveway in a in a typical single-family residential 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 Pembroke Shores neighborhood, the owner provided HOA letter of approval dated June 23, 2023.

## **VARIANCE REQUEST DETAILS:**

**ZV(R) 2023-0067:** to allow 43% front lot coverage (total) instead of the allowed 35% front lot coverage (total) for a proposed circular driveway in a typical lot.

**ZV(R) 2023-0068:** to allow 46% width of lot instead of the allowed 40% width of lot for a proposed circular driveway in a typical lot.

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Code References:

ZV(R) 2023-0067 & 0068)

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	<b>35% front lot coverage</b>  <b>40 % width of lot</b>	[1] Shall include 5 foot radius between driveway and lot line. [2] 10 foot minimum width

Darin Williams, petitioner, spoke to the variance request. He stated the circular driveway is needed to accommodate cars, that there is not street parking, little guest parking, and that the 12 feet from the street as there is a fire hydrant across the street. Petitioner state there are 39 homes in the community with the same size circular drive. Petitioner is going to use pavers. Petitioner is also seeking to removes a tree in the swale that damages the sidewalk with the permitting department.

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

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.

A motion by Vice Chair Goggin, seconded by Member Crawl, to grant variance request ZV(R)2023-0067, under Sec. 155.301(O)(1)(c), to allow a 43% total front lot coverage instead of the required 35% total front lot coverage for a proposed driveway passed unanimously.

A motion by Vice Chair Goggin, seconded by Member Crawl, to grant variance request ZV(R)2023-0068, under Sec. 155.301(O)(1)(c), to allow a 46% total width of lot instead of the allowed 40% width of lot for a proposed driveway passed unanimously.

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**VARIANCE FILE NUMBERS: ZV(R)2023-0069 & 0070**

**PETITIONER:**

Carlos & Christine Martinez

**ADDRESS:**

**SUBJECT PROPERTY:**

1062 SW 159 Drive  
Pembroke Pines, FL 33027

**LEGAL DESCRIPTION:**

Lot 24, Block 10, of the PASADENA AT PEMBROKE SHORES PLAT, according to the Plat thereof as recorded in Plat Book 159, Page 45B, of the Public Record of Broward County, Florida.

**VARIANCES REQUESTED:**

Petitioner is requesting variances to allow:

**ZV(R)2023-0069**) allow a two feet (2') side setback along the northern property line instead of the required five feet (5') for an existing deck / patio.

**ZV(R)2023-0070**) allow zero feet (0') side setback along the southern property line instead of the required five feet (5') for an existing deck / patio.

**REFERENCES:**

**ZV(R)2023-0069 & 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

**PROJECT DESCRIPTION / BACKGROUND:**

Carlos Martinez Jr., owner, has submitted two Zoning Variance requests to legalize an existing walkway and patio on the property located at 1062 SW 159 Drive. The property is part of the Pembroke Shores Planned Unit Development (PUD) and follows the guidelines for single-family homes with a lot larger than 8,800 square feet. The PUD guidelines do not address walkways, patios, setbacks; therefore, the provisions of the City's Land Development Code (LDC) are applicable.

On August 16, 2022, the City's Code Compliance Division initiated Code Compliance procedures (Case No. 220801233) for work performed without building permits.

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On December 20, 2022, the owner submitted a building permit application (No. RX23-10735) to build a sixty five by three foot (65' x 3') +/- patio along the northern side property line; and a twenty-one, three inch by seven and a half foot (21'-3"x 7'-6") patio contiguous to/and extending past the side and rear building lines to the southern property side line, both were installed closer than the required five foot (5') setback. The existing walkway and patio exceed the limitations of the City's LDC.

The applicant is requesting the following:

- **ZV(R)2023-0069** is to allow two feet (2') side setback along a portion of the northern property line instead of the required five feet (5') for an existing sixty-five feet by three feet (65' x 3') patio.
- **ZV(R)2023-0070** is to allow zero feet (0') side setback along a portion of the southern property line instead of the required five feet (5') for an existing twenty-one, three inches by seven and a half feet (21'-3"x 7'-6") patio.

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 petitioner has included a letter of approval from Pembroke Shores HOA, dated May 24, 2023.

## **VARIANCE REQUEST DETAILS:**

**ZV(R)2023-0069** to allow two feet (2') side setback along a portion of the northern property line instead of the required five feet (5') for an existing sixty-five feet by three feet (65' x 3') patio.

**ZV(R)2023-0070** to allow zero feet (0') side setback along a portion of the southern property line for instead of the required five feet (5') for an existing twenty-one, three inches by seven and a half feet (21'-3"x 7'-6") patio.



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Code References:

**ZV(R) 2023-0069 & 0070)**

<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>Deck or Patio</b>	Primary Building	<b>5 feet</b>	5 feet	5 feet	N/A	N/A	N/A

Carlos Martinez, petitioner, spoke to the variance request. He stated the work was done without permits, he had hired a contractor and believed contract had pulled permits. He was repaving the pool with pavers. Code discovered the work was done without permit. Pavers are limestone that allow percolation. Drainage is not affected as there is a lake on the side and rear of property.

The members of the board who spoke to the variance request were Chair Rodriguez-Soto and Vice Chair Goggin.

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.

A motion by Vice Chair Goggin, seconded by Member Crawl, to grant variance request ZV(R)2023-0069, under Sec. 155.301(O)(1)(c), allow a two feet (2') side setback along the northern property line instead of the required five feet (5') for an existing deck / patio passed unanimously.

A motion by Vice Chair Goggin, seconded by Member Crawl, to grant variance request ZV(R)2023-0070, under Sec. 155.301(O)(1)(c), allow a zero feet (0') side setback along the southern property line instead of the required five feet (5') for an existing deck / patio passed unanimously.

**VARIANCE FILE NUMBERS: ZV(R)2023-0071 & 0072**

**PETITIONER:**

Doris Martes

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**ADDRESS:****SUBJECT PROPERTY:**

761 SW 173 Lane

Pembroke Pines, FL 33029

**LEGAL DESCRIPTION:**

Lot RR59, of the SILVER LAKES SILVER LAKES PHASE II REPLAT, according to the Plat thereof as recorded in Plat Book 154, Page 50B, of the Public Record of Broward County, Florida.

**VARIANCES REQUESTED:**

Petitioner is requesting variances to allow:

**ZV(R) 2023-0071)** a 45% total front lot coverage instead of the required 35% total front lot coverage for an proposed circular driveway.

**ZV(R) 2023-0072)** a two feet (2') side setback (southern) instead of the required five feet (5') side setback for an proposed circular driveway.

**REFERENCES:**

**ZV(R)2023-0071 & 0072)**

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	<b>5 feet</b>	15 feet 155.600(B)	N/A	N/A	<b>35% front lot coverage</b>  40% lot coverage for zero lot line.  40 % width of lot	[1] Shall include 5 foot radius between driveway and lot line.  [2] 10 foot minimum width

**PROJECT DESCRIPTION / BACKGROUND:**

Doris Martes, the owner, has submitted two Zoning Variance requests to build a circular driveway on the property located at 761 SW 173 Lane. The property is part of the Silverlakes Planned Unit Development (PUD) and follows the guidelines for single-family homes with lots larger than 5,000 square feet. The PUD guidelines do not address driveways, front lot coverage; therefore, the provisions of the City's Land Development Code (LDC) are applicable.

# DRAFT

On March 28, 2023, the owner submitted a building permit application (No. RX23-04301) to build a circular driveway at the property; however, the proposed work exceeds the limitations of the City's LDC. The applicant is requesting the following:

- **ZV(R) 2023-0071:** to allow 45% total front coverage instead of the permitted 35% total front lot coverage for a proposed circular driveway in a typical single-family residence lot.
- **ZV(R) 2023-0072:** to allow two feet (2') side setback along a portion of the southern property line instead of the required five feet (5') for a proposed circular driveway in a typical single-family residence 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 petitioner has included a letter of approval from Silverlakes Community Association, dated February 23, 2023.

## **VARIANCE REQUEST DETAILS:**

**ZV(R) 2023-0071)** to allow 45% front coverage (total) instead of the permitted 35% front lot coverage (total) for a proposed circular driveway in a typical single-family residence lot.

**ZV(R)2023-0072)** to allow two feet (2') side setback along a portion of the southern property line for a proposed circular driveway in a typical single-family residence lot.

*Code References:* **ZV(R)2023-0071 & 0072)**

<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, Circular*</b>	0 feet	<b>5 feet</b>	15 feet 155.600(B)	N/A	N/A	<b>35% front lot coverage</b>  40% lot coverage for zero lot line. 40 % width of lot	[1] Shall include 5 foot radius between driveway and lot line. [2] 10 foot minimum width

# DRAFT

Doris Martes, petitioner, spoke to the variance request. She stated that the pavers in the circular drive were cracked when the home was purchased about a year ago. The drive had been installed without permit before their purchase. They need the extra space, they are on a cul de sak and the lot is pie shaped.

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

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.

A motion by Vice Chair Goggin, seconded by Member Crawl, to grant variance request ZV(R)2023-0071, under Sec. 155.301(O)(1)(c), allow a 45% total front lot coverage instead of the required 35% total front lot coverage for an proposed circular driveway passed unanimously.

A motion by Vice Chair Goggin, seconded by Member Crawl, to grant variance request ZV(R)2023-0072, under Sec. 155.301(O)(1)(c), allow a two feet (2') side setback (southern) instead of the required five feet (5') side setback for an proposed circular driveway passed unanimously.

## **VARIANCE FILE NUMBERS: ZV(R)2023-0073 - 0076**

### **PETITIONER:**

Martha Camba

### **ADDRESS:**

### **SUBJECT PROPERTY:**

11440 NW 23 Street  
Pembroke Pines, FL 33026

### **LEGAL DESCRIPTION:**

Lot 14, Block 45, of the PEMBROKE LAKES SECTION 4 PLAT, according to the Plat thereof as recorded in Plat Book 91, Page 8B, of the Public Record of Broward County, Florida.

### **VARIANCES REQUESTED:**

Petitioner is requesting variances to allow:

**ZV(R) 2023-0073)** a 67% total front lot coverage instead of the required 35% total front lot

# DRAFT

coverage for an existing circular driveway.

**ZV(R) 2023-0074)** a 48% width of lot instead of the allowed 40% width of lot for a existing circular driveway.

**ZV(R) 2023-0075)** a one foot, ten inches (1' – 10") side setback along a portion of the eastern property line instead of the required five feet (5') side setback for an existing patio.

**ZV(R) 2023-0076)** a three feet, two inches (3' – 2") side setback along a portion of the eastern property line instead of the required seven and a half feet (7.5') side setback for an existing attached covered patio.

## REFERENCES:

**ZV(R)2023-0073 - 0074)**

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	<b>35% front lot coverage</b>  40% lot coverage for zero lot line.  <b>40 % width of lot</b>	[1] Shall include 5 foot radius between driveway and lot line.  [2] 10 foot minimum width

**ZV(R)2023-0075)**

Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
<b>Deck or patio*</b>	Primary Building	<b>5 feet</b>	15 feet	5 feet	N/A	N/A	N/A

**ZV(R)2023-0076)**

Table 155.421.3: Residential Single-Family (R-1C)	
<b>Standard</b>	<b>Residential</b>
<b>Side Setback</b>	<b>7.5 feet</b>

## PROJECT DESCRIPTION / BACKGROUND:

Martha Camba, owner, submitted four residential zoning variance requests to legalize an existing circular driveway and attached covered patio for the single-family residence located at 11440 NW 23 Street in the Pembroke Lakes neighborhood.

# DRAFT

On May 14, 2021, the City's Code Compliance Division initiated Code Compliance procedures (Case No. 127688) for a circular driveway, covered patio and fence built without building permits.

In October 12, 2021 the owner submitted a building permit application (BUL-259398) to legalize the constructed driveway. The building permit was approved, and the permit issued; however, building inspections failed as the approved plans did not match the conditions on the field (refer to building permit report, approved layout, attached)

The owner submitted a survey showing the unpermitted work, the document revealed the existing circular driveway exceeded the building permit issued on February 2, 2023. The existing circular driveway exceeds front lot coverage and permissible width; therefore, the applicant is requesting:

- **ZV(R) 2023-0073:** to allow a 67% front lot coverage (total) instead of the allowed 35% front lot coverage (total) for an existing circular driveway in a typical single-family residential lot.
- **ZV(R) 2023-0074:** to allow a 48% of lot's width instead of the allowed 40% width of lot for an existing circular driveway at a typical single-family residential lot.

Also, the survey document depicts an existing fifty feet, 3 inches (50' – 3") by eight feet, eleven inches (8' – 11") concrete patio located along the east side of the home building, closer than required five feet (5.0') side setback. Per staff research and Broward County Property Appraiser Imagery, it was found the sixty feet by nine feet (60' x 9') attached covered patio is extending closer than the required seven and a half (7' - 6 ") side setback along a portion of the eastern property line.

Specifically, the owner is requesting the following:

- **ZV(R) 2023-0075:** to allow one foot, ten inches (1' – 10") side setback along a portion of the eastern property line instead of the required five feet (5') side setback for an existing patio.

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- **ZV(R) 2023-0076:** to allow three feet, two inches (3' – 2") side setback along a portion of the eastern property line instead of the required seven and a half feet (7' – 6") side setback for an existing attached covered patio in a typical single-family residential lot.

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. This request does not include any landscape exemptions.

The subject property is in the Pembroke Lakes neighborhood. Per City's registered Homeowner's Association, there is no registered HOA.

## **VARIANCE REQUEST DETAILS:**

**ZV(R) 2023-0073)** is to allow a 67% front lot coverage (total) instead of the allowed 35% total front lot coverage for an existing circular driveway in a typical single-family residential lot.

**ZV(R) 2023-0074)** is to allow a 48% width of lot instead of the allowed 40% width of lot for an existing circular driveway at a typical single-family residential lot.

**ZV(R) 2023-0075)** is to allow one foot, ten inches (1' – 10") side setback along a portion of the eastern property line instead of the required five feet (5') side setback for an existing patio.

**ZV(R) 2023-0076)** is to allow three feet, two inches (3' – 2") side setback along a portion of the eastern property line instead of the required seven and a half feet (7' – 6") side setback for an existing attached covered patio.

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# DRAFT

Code References:

**ZV(R) 2023-0073-0074)**

<b>Table 155.620 Accessory Building and Structures</b>							
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	<b>35% front lot coverage</b>  40% lot coverage for zero lot line.  <b>40 % width of lot</b>	[1] Shall include 5 foot radius between driveway and lot line.  [2] 10 foot minimum width

**ZV(R) 2023-0075)**

Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
<b>Deck or patio*</b>	Primary Building	<b>5 feet</b>	15 feet	5 feet	N/A	N/A	N/A

**ZV(R) 2023-0076)**

<b>Table 155.421.3 Residential Single Family (R-1C)</b>	
<b>Standard</b>	<b>Residential</b>
<b>Side Setback</b>	<b>7.5 feet</b>

Martha Camba, petitioner, spoke to the variance request. She stated her husband built the driveway in 2020 and in July 2021 her husband died. She was not aware he had built it without permits. Code found it was not permitted, when she tried to get permits it was built larger than code allows. She does not know the name of the contractor her husband used to build the drive. Board member expressed sympathy for her problems, but they believe the size must be reduced. Christian Zamora confirmed that if variance is approved, in order to get permits, the drive will have to be tested to confirm it was built properly.

The members of the board who spoke to the variance request were Chair Rodriguez-Soto, Vice Chair Goggin, Member Siddiqui. It was suggested to table the items for the next meeting to allow petitioner to consider changing size of drive.



# DRAFT

The member of staff who spoke to the variance request was Christian Zamora.

Petitioner's mother in law spoke to the variance request.

A motion by Vice Chair Goggin, seconded by Member Crawl, to table ZV(R)2023-0073, ZV(R)2023-0074, ZV(R)2023-0075 and ZV(R)2023-00763 to the next meeting passed unanimously.

**VARIANCE FILE NUMBER: ZV(R)2023-0088**

**PETITIONER:**

Susy Corona

**ADDRESS:**

**SUBJECT PROPERTY:**

11601 NW 15 Court  
Pembroke Pines, FL 33026

**LEGAL DESCRIPTION:**

Lot 18, Block 57, of the PEMBROKE LAKES SECTION 6 PLAT, according to the Plat thereof as recorded in Plat Book 94, Page 3B, of the Public Record of Broward County, Florida.

**VARIANCE REQUESTED:**

Petitioner is requesting a variance to allow a zero feet (0') side setback along a portion of the western property line -commencing at zero feet from the west property line, gradually augmenting to two feet side setback, parallel to the west property line- instead of the required five feet (5') for the existing footprint of the existing deck or patio.

**REFERENCE:**

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/A	N/A

**PROJECT DESCRIPTION / BACKGROUND:**

Susy Corona, owner, has submitted a residential Zoning Variance request for an existing concrete deck or patio at the single-family residence at 11601 NW 15<sup>th</sup> Court in Pembroke Lakes neighborhood, which is zoned Residential Multi-Family (R-MF).

# DRAFT

On February 3, 2023, the City's Code Compliance Division initiated Code Compliance procedures (Case No. 230200575) for work performed without building permits.

In June 1, 2023 the Board (BOA) heard and approved the following Zoning Variances for the property:

- **ZV(R)2023-0062** is to allow a one foot (1') side setback along the eastern property line instead of the required five feet (5') for an existing deck or patio.
- **ZV(R)2023-0063** is to allow a three feet (3') side setback along the western property line instead of the required five feet (5') for an existing deck or patio.

In June 15, 2023, the City issued building permit (RX23-03067) for the existing decks or patios located to the east and west sides of the existing home building, both approved via zoning variance (ZV(R) 2023-0062-0063). However, during building permit inspections, it was detected the granted approval did not match the existing conditions for the deck or patio on the western side of the property. Therefore, the applicant is requesting:

- **ZV(R)2023-0088** is to allow zero feet (0') side setback along a portion of the western property line -commencing at zero feet from the west property line, gradually augmenting to two feet side setback, parallel to the west property line- instead of the required five feet (5') for the existing footprint of the existing deck or patio.

The applicant is aware this request would replace ZV(R)2023-0063 as presented and approved. Ms. Corona also understands that Board consideration of a residential variance request does not preclude the property owner from obtaining all necessary development related approvals or permits.

There is no active Homeowner's Association.

## **VARIANCE REQUEST DETAILS:**

**ZV(R)2023-0088:** is to allow zero feet (0') side setback along a portion of the western property line -commencing at zero feet from the west property line, gradually augmenting to two feet side setback, parallel to the west property line- instead of the required five feet (5') for the existing footprint of the existing deck or patio.

# DRAFT

Code Reference:

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

A motion by Alternate Member Siddiqui, seconded by Vice Chair Goggin, to grant variance request ZV(R)2023-0088, under Sec. 155.301(O)(1)(c), allow a zero feet (0') side setback along a portion of the western property line -commencing at zero feet from the west property line, gradually augmenting to two feet side setback, parallel to the west property line- instead of the required five feet (5') for the existing footprint of the existing deck or patio passed unanimously.

## **STAFF CONCERNS:**

There were no comments from staff.

## **ADJOURNMENT:**

Chair Rodriguez-Soto adjourned the meeting at 9:02 P.M.

Respectfully submitted:

\_\_\_\_\_  
Katherine Borgstrom  
Board Secretary

Adjourned: 9:02 P.M.

Approved: