

Vicinity Map

City of Pembroke Pines • Planning and Economic Development Department

ZV(R) 2024-0015-0017

Zoning Variances

SUTHERLAND, ALAN A & BIANCA J
1100 NW 185 TER PEMBROKE PINES FL 33029



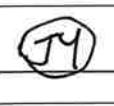


City of Pembroke Pines
Planning & Economic Development Department
601 City Center Way 3rd Floor
Pembroke Pines FL, 33025

Summary

Agenda Date:	April 4, 2024	Application ID:	ZV(R) 2024-0015-0017
Project:	Proposed Driveway, Typical Lot.	Pre-Application Number:	PRE2024-0008
Project Planner:	Christian Zamora, Senior Planner		
Owner:	Alan Sutherland	Agent:	Esteban Cortes
Location:	1100 NW 185 Terrace Pembroke Pines FL 33029	Commission District No.	4
Existing Zoning:	Planned Unit Development (PUD)	Existing Land Use:	Residential
Reference Applications:	Building Permit Application No. RX23-10352 (Applied on 8/10/2023)		

Variance Summary

Application	Code Section	Required/Allowed	Request
ZV(R) 2024-0015	Table 155.620: Accessory Structure: Driveway, Typical Lot	35% Front Lot Coverage	47% Front Lot Coverage
ZV(R) 2024-0016	Table 155.620: Accessory Structure: Driveway, Typical Lot	40% of lot's width	42% of lot's width
ZV(R) 2024-0017	Table 155.620: Accessory Structure: Deck or Patio	Five-foot (5') side setback	One-foot (1') side setback
Final:	<input type="checkbox"/> Planning & Zoning Board		<input checked="" type="checkbox"/> Board of Adjustment
Reviewed for the Agenda:	Director: 	Assistant Director: 	

PROJECT DESCRIPTION / BACKGROUND:

Alan Sutherland, owner, has submitted three residential zoning variance requests to build a driveway and patio at the property located at 1100 NW 185 Terrace. The property is part of the Chapel Trail Planned Unit Development (PUD) and follows the guidelines for single-family conventional (SF-3A). The PUD guidelines do not address front lot coverage and driveway width; therefore, the provisions of the City's Land Development Code (LDC) are applicable.

On August 10, 2023, the owner submitted a building permit application (No. RX23-10352) to build a driveway and patio at the property. The proposed driveway and patio exceed the limitations of the City's LDC, so the permit cannot be issued.

The applicant is requesting the following:

- **ZV(R) 2024-0015:** to allow 47% front lot coverage (total) instead of the allowed 35% front lot coverage (total) for a proposed driveway in typical single-family residential lot.
- **ZV(R) 2024-0016:** to allow 42% of the lot's width instead of the allowed 40% of the lot's width for a proposed driveway in a typical single-family residential lot.
- **ZV(R) 2024-0017:** to allow one-foot (1') side setback along a segment of the northern property line instead of the required five-foot (5') side setback for a proposed nine-foot by eight-foot (8' x 9') 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 subject property is in the Chapel Trail neighborhood. The owner has provided a copy of the Homeowners Association (HOA) Letter, dated July 10, 2023.

VARIANCE REQUEST DETAILS:

ZV(R) 2024-0015 is to allow 47% front lot coverage (total) instead of the allowed 35% (total) for a proposed driveway in typical single-family residential lot.

ZV(R) 2024-0016 is to allow 42% of the lot's width instead of the allowed 40% of the lot's width for a proposed driveway in a typical single-family residential lot.

ZV(R) 2024-0017 is to allow one-foot (1') side setback along a segment of the northern property line instead of the required five-foot (5') side setback for a proposed nine-foot by eight-foot (8' x 9') patio.

Code Reference:

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
Deck or Patio*	0	5 feet	15 feet 155.600(B)	5 feet	N/A	N/A	N/A

VARIANCE REQUEST DETAILS:

The Board of Adjustment shall not grant any single-family residential variances, permits, or make any decision, finding, and determination unless it first determines that:

Its decision and action taken is in harmony with the general purposes of the zoning ordinances of the city and is not contrary to the public interest, health, or welfare, taking into account the character and use of adjoining buildings and those in the vicinity, the number of persons residing or working in the buildings, and traffic conditions in the vicinity.

In the granting of single-family residential variances, the Board shall follow Section 155.301(O) Variance:

1. Purpose: To allow for the provision of relief from certain development standards of this LDC for one or more of the following reasons:
 - a) There are special circumstances or conditions applying to the land or building for which the variance is sought, which circumstances are peculiar to the land or building and do not apply generally to land or buildings in the neighborhood, and that the strict application of the provisions of the zoning ordinances would result in an unnecessary hardship and deprive the applicant of the reasonable use of the land or building; or
 - b) Any alleged hardship is not self-created by any person having an interest in the property nor is the result of a mere disregard for or in ignorance of the provisions of the zoning ordinances of the city; or
 - c) Granting the variance is not incompatible with public policy, will not adversely affect any adjacent property owners, and that the circumstances which cause the special conditions are peculiar to the subject property.

Enclosed: Variance Request Application
Subject Site Aerial Photo
Property Survey
Proposed Plan
HOA Letter



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.ppinies.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: 1/29/24

Plans for DRC 1 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:

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

2024-0015

0017

Project Planner: C-2 Project #: PRJ 20 Application #: 687

Date Submitted: 1/29/24 Posted Signs Required: 1 Fees: \$ 687

SECTION 1-PROJECT INFORMATION:Project Name: SUTHERLAND, ALAN A & BIANCA JProject Address: 1100 NW 185 TER PEMBROKE PINES, FL 33029Location / Shopping Center: 1100 NW 185 TER PEMBROKE PINES, FL 33029Acreage of Property: 6,000 Building Square Feet: 1757Flexibility Zone: _____ Folio Number(s): 513913060030Plat Name: CHAPEL LAKE ESTATES Traffic Analysis Zone (TAZ): _____Legal Description:

_____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

-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: RX23-10352

Code Section: 155-620

A maximum of 35% front lot coverage is permitted. Maximum 554 SF, DW width Maximum 24', 5ft

Required: setback, paver and base information

Request: Expand driveway pass 24' and exceed 35% front lot coverage: 47% FLC, 42% width

Details of Variance, Zoning Appeal, Interpretation Request:

I am writing to request permission to expand the width of our driveway from the current 17 feet to 25 feet and exceed the allowed 35% front lot coverage.

Currently, my wife and I park our two cars in the garage, and our daughter parks her car in the driveway. In the near future, we will be welcoming a new addition to our family as our son will be getting his own car.

we also plan to create a pathway or paver pad that extends from the widened driveway to the back patio along the north side of our house.

we would like to create a designated area within the landscape to hide our garbage containers. ----- Please find letter attached

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)

I am writing to request permission to expand the width of our driveway from the current

17 feet to 25 feet and exceed the allowed 35% front lot coverage.

Currently, my wife and I park our two cars in the garage, and our daughter parks her

car in the driveway. In the near future, we will be welcoming a new addition to our family,

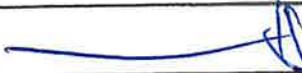
as our son will be getting his own car.

we also plan to create a pathway or paver pad that extends from the widened driveway

to the back patio along the north side of our house.

we would like to create a designated area within the landscape to hide our garbage

containers. ----- Please find letter attached



Hello,

I hope this letter finds you well. I am writing to request permission to expand the width of our driveway from the current 17 feet to 25 feet and exceed the allowed 35% front lot coverage. I understand that this exceeds the allowed limit by 1 foot, but we have valid reasons for this request.

Currently, my two cherished vintage cars are safely stored inside our garage. My wife, daughter, and myself parks our regular cars in the driveway. However, with our son soon to have his own vehicle, maneuvering our vehicles will become even more challenging. Our garage space is reserved for the vintage cars, leaving us with limited space for the family's daily use vehicles. This growing fleet of cars necessitates more room on the driveway to accommodate the four non-vintage cars comfortably. Complicating matters, our frequent family visitors often find themselves without a parking spot or parking on the side road. To address these challenges and ensure our property remains safe and functional for our family's needs, we're planning an addition to the driveway. This expansion will not only allow for more cars to park but also provide space for visiting family members, ensuring everyone can park conveniently and safely.

Furthermore, we would like to create a designated area within the landscape to hide our garbage containers. Currently, the area in question is just dirt, devoid of any vegetation. The constant movement of the trash cans has caused the grass to die, leaving behind only bare soil. This not only detracts from the aesthetic appeal of our property but also contributes to a significantly dirtier appearance of the driveway and surrounding areas. Therefore, establishing a designated space to conceal the garbage containers will not only enhance the cleanliness and appearance of our property but also ensure compliance with the Florida Building Code regulations.

Furthermore, we also plan to create a pathway or paver pad that extends from the widened driveway to the back patio along the north side of our house. Currently, navigating from the driveway to the patio involves walking across grass, which can become muddy and slippery, especially during inclement weather. By installing a dedicated pathway or paver pad, we aim to enhance both the aesthetic appeal and accessibility of our property. This improvement will provide a safer and more convenient route for family members and guests, ensuring a pleasant experience while moving around our home.

We are committed to adhering to all relevant regulations and guidelines, including those outlined in the Florida Building Code, during the expansion of our driveway and the proposed improvements to our property. We are willing to work closely with the local authorities and comply with any necessary permits and inspections to ensure that our project is carried out in a safe and compliant manner.

We kindly request that you consider our request for the driveway expansion and the associated improvements and provide us with guidance on the necessary steps and permits required to move forward with this project. We are more than willing to meet with any relevant representatives to discuss

this further.

Thank you for your time and attention to our request. We look forward to your favorable response and guidance in this matter.

Thank You,

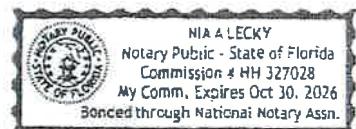
SECTION 7- PROJECT AUTHORIZATION

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.

 11/15/2023
Signature of Owner Date

Sworn and Subscribed before me this 15 day
of November, 2023.



YES *Nicole L. Lohr* 10/30/2026

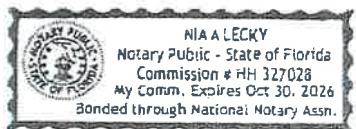
Fee Paid Signature of Notary Public My Commission Expires

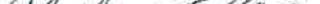
AGENT CERTIFICATION

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.

 11/15/2023
Signature of Agent Date

Sworn and Subscribed before me this 15 day
of November, 2023



YES  10/30/2026

Fee Paid	Signature of Notary Public	My Commission Expires
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Chapel Trail Owners Association, Inc.

c/o Pointe Management Group, Inc.

18501 Pines Boulevard – Suite 201

Pembroke Pines, Florida 33029

July 10, 2023

MODIFICATION NOTICE OF APPROVAL

Alan A. Sutherland and Bianca J. Sutherland

1100 NW 185th Terrace

Pembroke Pines, Florida 33029

Your Architectural Modification Request has been approved. Specifically, you have been approved to proceed with the following:

Driveway Pathway and Apron Expansion.

Measurements are to be exactly as shown in application package.

Ultra Combo, Sand Dune Color Pavers.

Pavers Installation as marked in Survey provided by Homeowners.

Sidewalk will not be altered.

City Permit is Required.

You have 30 days to apply for the City Permit. If a City Permit is not required for your modification, you have 30 days to commence the work. We reserve the right to make a final inspection of the modification to make sure it concurs with the request you submitted.

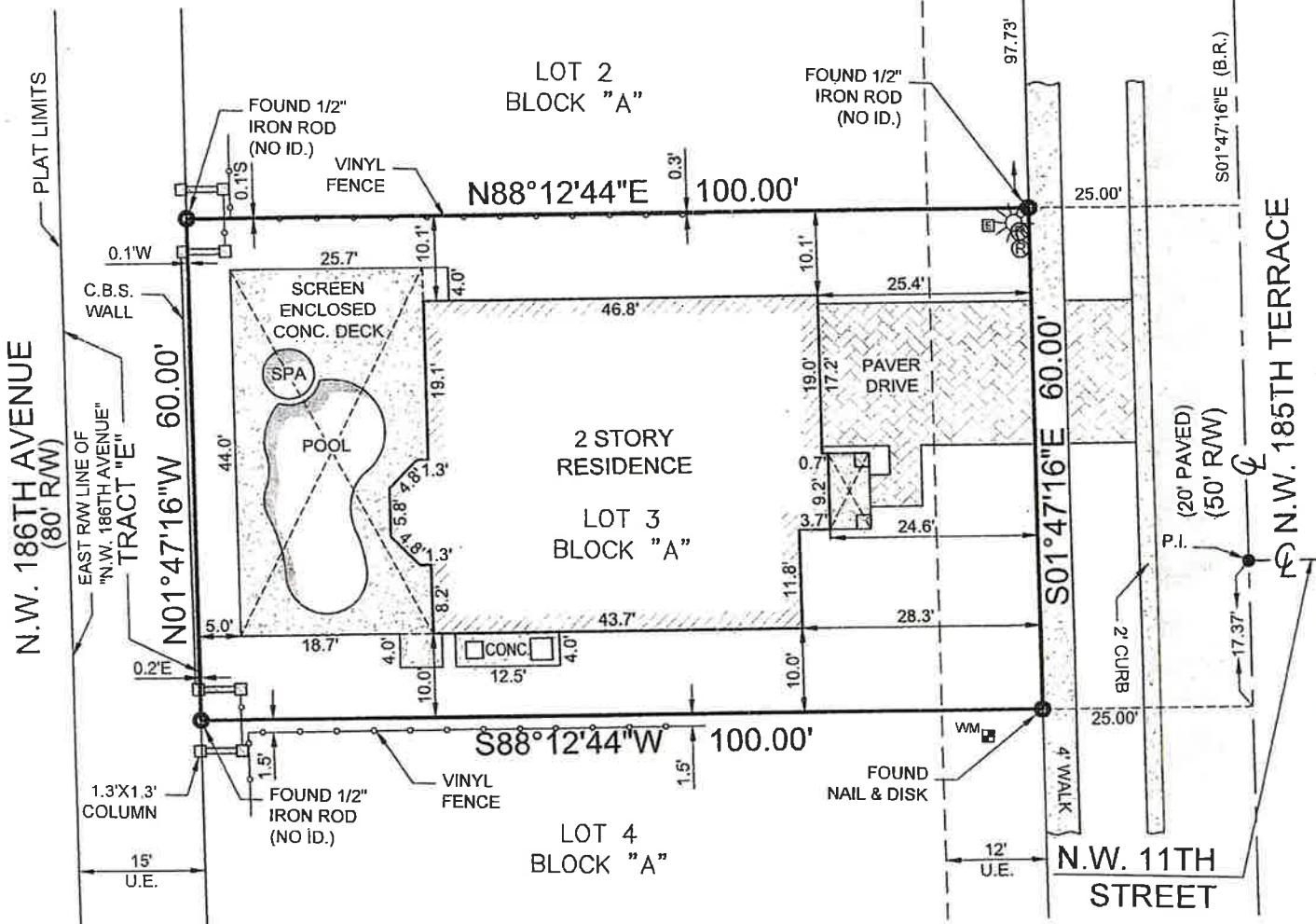
Once the application has been approved, any change invalidates the same. You will need to reapply.

Please follow all local building codes and setback requirements. A building permit may be needed. Be aware that you are responsible for contacting the appropriate Utility Companies before digging. No Contractor's signs on property please. No debris outside of property.

Please save this approval letter, the fully-executed Architectural Approval Request form as well as the copy of the Common Area Agreement form for future reference. Your Contractor may need a copy of this Modification Notice of Approval to pull the City Permit or other permits, if required.

On behalf of,

*The Chapel Trail Board of Directors
Architectural Design Control Committee*



CERTIFIED TO: Bianca J. Sutherland, Alan A. Sutherland; Caliber Home Loan, Inc., its successors and/or assigns as their interest may appear; Law Office of Donna Hearne-Gousse, PA; Fidelity National Title Insurance Company

PROPERTY ADDRESS: 1100 NW 185th Terrace, Pembroke Pines, FL 33029

FLOOD ZONE: X500 (FIRM 120053 12011C0520H 8/18/14)

DESCRIPTION: Lot 3, Block A, Chapel Lake Estates, according to the map or plat thereof, as recorded in Plat Book 154, Page 44, of the Public Records of Broward County, Florida.

SURVEY NOTES:

- 1.) THIS SURVEY IS NOT INTENDED FOR CONSTRUCTION OR DESIGN PURPOSES.
- 2.) Lands shown hereon were not abstracted by this office for easements, right-of-ways, or other instruments of record.
- 3.) No underground improvements located.
- 4.) All bearings and distances shown hereon are plat and measured unless otherwise noted.
- 5.) This firm's "Certificate of Authorization" number is "L.B.#6838".

LEGEND:

CALC. = CALCULATED

REVISIONS:



BOUNDARY SURVEY

This survey is in seal and/or an authenticated el

MICHAEL J. MILLER
Surveyor
License Number
State of Florida
Professional Surveyor and Member
Registered in MIC. 4

4



City of Pembroke Pines
Received

MAR 28 2024

Planning & Economic Development

Type of Meeting

Board of Adjustment

QUASI-JUDICIAL PROCEEDINGS AFFECTED PERSON

INSTRUCTIONS: This form must be completed and returned to the City Clerk's office at least seven (7) calendar days before the meeting.

AFFECTED PERSON: (a person who is the owner of the subject property or who owns property within 500 feet of the subject property or who resides in or operates a business within 500 feet of the subject property)

CASE# ZV(R)2024-0015 - 0017

PROJECT NAME: Alan & Bianca Sutherland

MEETING DATE: April 4, 2024

NAME: JESUS PALENCILLA

BUSINESS ADDRESS:

HOME ADDRESS: 1110 NW 185 TERR. PEMBROKE PINES, FL 33029

TELEPHONE NUMBER: (305) 785-3977

QUALIFIES AS "AFFECTED PERSON":

- Subject property owner
- Owns property within 500 ft.
- Resides within 500 ft.
- Operates a business within 500 ft.
- City of Pembroke Pines representative

Signature of Affected Person

Date: 3/24/2024

EVIDENCE TO BE PRESENTED: (Identify and attach a copy of all evidence to be presented at the hearing. Use additional sheet(s) if necessary.)

A. _____

B. _____

C. _____

PROPOSED WITNESS LIST: (Use additional sheet for each witness)

NAME: JESUS PALENCILLA

ADDRESS: 1110 NW 185 TERR. PEMBROKE PINES, FL 33029

TELEPHONE NUMBER: (305) 785-3977

SPEAKING: IN FAVOR OF PETITION AGAINST PETITION