

Vicinity Map

City of Pembroke Pines • Planning and Economic Development Department

ZV(R) 2023-0073-0076

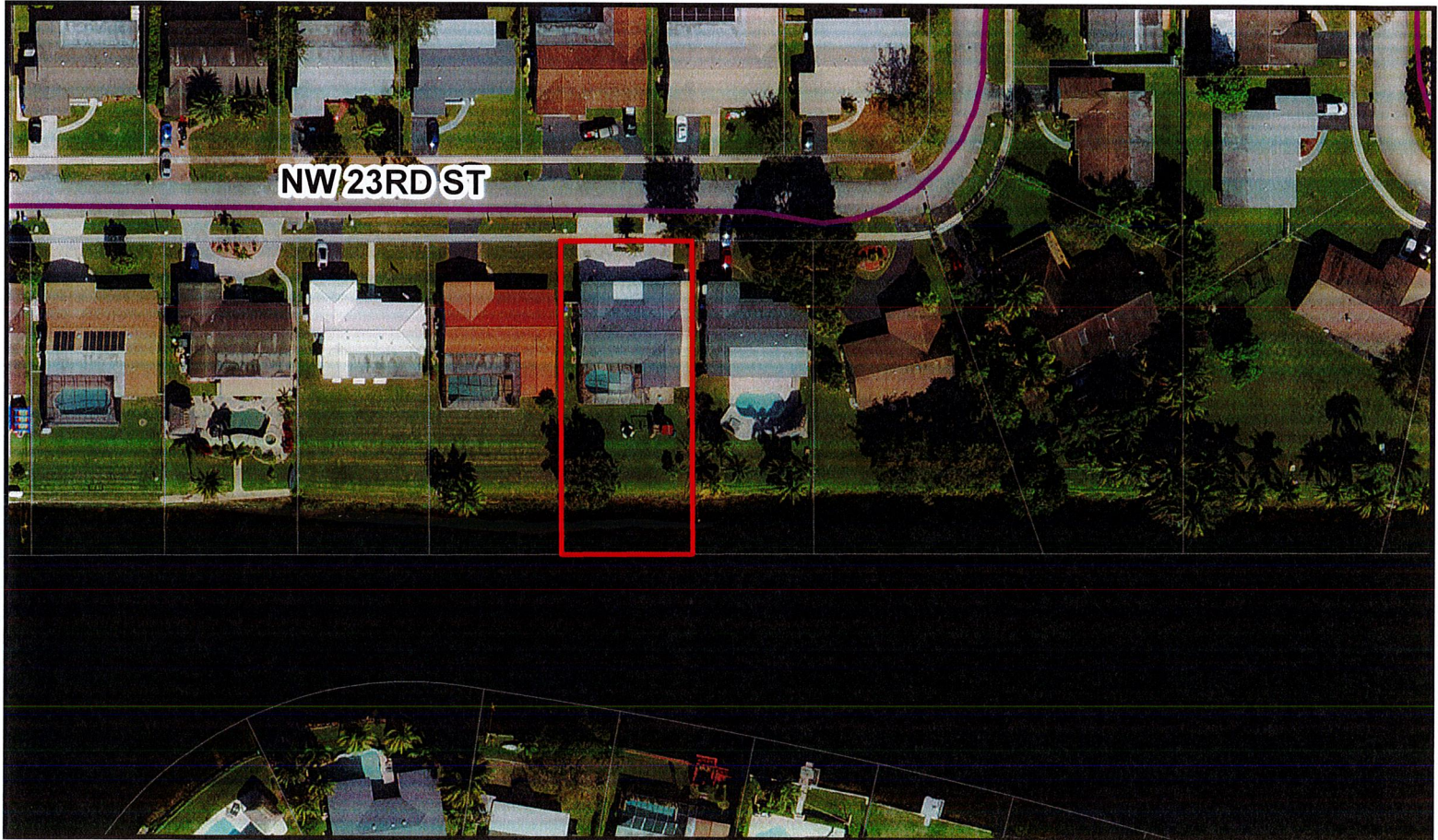
Zoning Variances

ACASTA, MARTHA CAMBA

11440 NW 23 ST PEMBROKE PINES FL 33026



NOT TO SCALE







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)2023-0073-0076 PRE2023-0065
Project:	Driveway, Attached roofed patio	Pre-Application:	PRE2023-0065
Project Planner:	Christian Zamora, Senior Planner		
Owner:	Martha Camba	Agent:	N/A
Location:	11440 NW 23 Street, Pembroke Pines, FL 33026		
Existing Zoning:	Residential Single-Family (R-1C)	Existing Land Use:	Residential
Reference Applications:	Code Compliance Case No. 66087 (Issued 05/14/2021), Building Permit Application No. BUL-259398 (Issued 02/22/2023)		
	This item was presented during the August 3, 2023 and it was tabled by the Board for September 7, 2023: <u>Applicant needed to modify existing driveway by reducing front lot coverage.</u>		

Variance Summary

Application	Code Section	Required/Allowed	Request
ZV(R) 2023-0073	Table 155.620: Accessory Structures: Driveway, Circular	35% of front lot area (total)	67% of front lot area (total) 58% of front lot area (total)
ZV(R) 2023-0074	Table 155.620: Accessory Structures: Driveway, Circular	40% width of lot	48% width of lot 42% width of lot
ZV(R) 2023-0075	Table 155.620: Accessory Structures: Deck or patio*	Five Feet side setback	One Foot, 10 Inch (1' - 10") side setback (eastern property line)
ZV(R) 2023-0076	Table 155.421.2: Residential Single Family (R-1C)	Seven and a half Feet (7.5) side setback	Three Feet, 2 Inch (3' - 2") side setback (eastern property line)
Final:	<input type="checkbox"/> Planning & Zoning Board <input checked="" type="checkbox"/> Board of Adjustment		
Reviewed for the Agenda:	Director:  Assistant Director: 		

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.

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

On 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 size approved in the building permit issued on February 2, 2023

- ~~**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.~~

The above requests for the driveway at the property were heard by the Board on August 3, 2023 Meeting where the owner was directed to reconsider their request and to possibly provide an alternative plan to reduce further the amount of paving in the front of the house. Per the updated plan, the applicant now is requesting:

- **ZV(R) 2023-0073:** to allow a 58% 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 42% 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 inch (50' – 3") by eight feet, eleven inches (8' – 11") concrete patio located along the east side of the home building, located 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'- 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.
- **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.

Code 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			
Driveway, Circular*	0 feet	5 feet	15 feet 155.600(B)	N/A	N/A	35% front lot coverage 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

ZV(R) 2023-0075)

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

ZV(R) 2023-0076)

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

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: Proposed Plan

DATE					
REVISIONS					
DATE					
BY:					
CHECKED BY:					
DRAWN BY:					
DESIGNED BY:					

PROPOSED SITE PLAN

SCALE 1/8"=1"

