

Vicinity Map

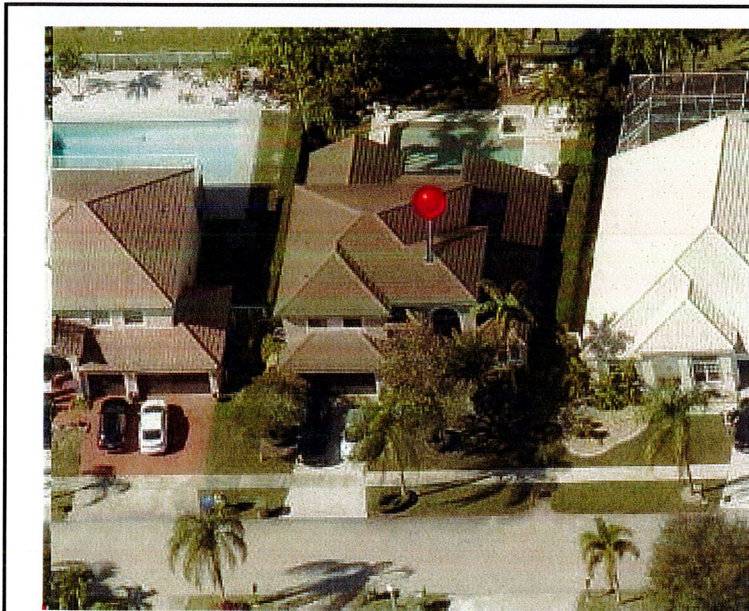
City of Pembroke Pines • Planning and Economic Development Department

ZV(R) 2023-0028-0029
Zoning Variances

MAYA, VINCENCIO
838 SW 173RD AVE PEMBROKE PINES FL 33029



NOT TO SCALE





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

Summary

Agenda Date:	May 4, 2023	Application ID:	ZV(R)2023-0028-0029
Project:	Circular Driveway	Project Number:	N/A
Project Planner:	Christian Zamora, Senior Planner		
Owner:	Vicencio, Maya	Agent:	N/A
Location:	838 SW 173 Avenue Pembroke Pines, FL 33029		
Existing Zoning:	PUD (Planned Unit Development)	Existing Land Use:	Residential
Reference Applications:	Building Permit Application No. RX22-08554 (Applied on 10/31/2022)		
Variance Summary			
Application	Code Section	Required/Allowed	Request
ZV(R) 2023-0028	Table 155.620: Accessory Structure: Driveway, Circular	35% Front Lot Coverage	51 % Front Lot Coverage
ZV(R) 2023-0029	Table 155.620: Accessory Structure: Driveway, Circular	40% of lot's width	45% of lot's width
Final:	<input type="checkbox"/> Planning & Zoning Board		<input checked="" type="checkbox"/> Board of Adjustment
Reviewed for the Agenda:	Director:		Zoning Administrator:

PROJECT DESCRIPTION / BACKGROUND:

Vicencio Maya, owner, has submitted two residential zoning variance requests to build a circular driveway at the property located at 838 SW 173rd Avenue. The property is part of the Silver Lakes Planned Unit Development (PUD) and follows the guidelines for single-family homes with a lot larger than 5,000 square feet. The PUD guidelines do not address driveway setbacks, lot coverage and driveway width; therefore, the provisions of the City’s Land Development Code (LDC) are applicable.

On July 19, 2022, the owner submitted a building permit application (No. RX22-04582) 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) 2023-0028 to allow a 51% total front lot coverage (total) instead of the allowed 35% front lot coverage (total) for a proposed circular driveway in a typical lot.
- ZV(R) 2023-0029 to allow 45% of the lot’s width instead of the allowed 40% of the lot’s width for a proposed circular driveway in a typical 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 Silver Lakes neighborhood. The applicant has provided a copy of the Homeowners Association (HOA) approval.

VARIANCE REQUEST DETAILS:

ZV(R) 2023-0028: to allow 51% front lot coverage (total) instead of the allowed 35% front lot coverage (total) for a proposed circular driveway in a typical lot.

ZV(R) 2023-0029: to allow 45% of the lot’s width instead of the allowed 40% of the lot’s width for a proposed circular driveway in a typical lot.

Code References:

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 % width of lot	[1] Shall include 5 foot radius between driveway and lot line. [2] 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
Property Survey
Proposed Plan
HOA Letter of Approval



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: 2/27/23

Plans for DRC _____ Planner: C-2

Indicate the type of application you are applying for:

- | | |
|---|--|
| <input type="checkbox"/> Appeal* | <input type="checkbox"/> Sign Plan |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Site Plan* |
| <input type="checkbox"/> Delegation Request | <input type="checkbox"/> Site Plan Amendment* |
| <input type="checkbox"/> DRI* | <input type="checkbox"/> Special Exception* |
| <input type="checkbox"/> DRI Amendment (NOPC)* | <input checked="" type="checkbox"/> Variance (Homeowner Residential) |
| <input type="checkbox"/> Flexibility Allocation | <input type="checkbox"/> Variance (Multifamily, Non-residential)* |
| <input type="checkbox"/> Interpretation* | <input type="checkbox"/> Zoning Change (Map or PUD)* |
| <input type="checkbox"/> Land Use Plan Map Amendment* | <input type="checkbox"/> Zoning Change (Text) |
| <input type="checkbox"/> Miscellaneous | <input type="checkbox"/> Zoning Exception* |
| <input type="checkbox"/> Plat* | <input type="checkbox"/> Deed Restriction |

INSTRUCTIONS:

- All questions must be completed on this application. If not applicable, mark N/A.
- Include all submittal requirements / attachments with this application.
- All applicable fees are due when the application is submitted (Fees adjusted annually).
- Include mailing labels of all property owners within a 500 feet radius of affected site with signed affidavit (Applications types marked with *).
- All plans must be submitted no later than noon on Thursday to be considered for Development Review Committee (DRC) review the following week.
- Adjacent Homeowners Associations need to be noticed after issuance of a project number and a minimum of 30 days before hearing. (Applications types marked with *).
- The applicant is responsible for addressing staff review comments in a timely manner. Any application which remains inactive for over 6 months will be removed from staff review. A new, updated, application will be required with applicable fees.
- Applicants presenting demonstration boards or architectural renderings to the City Commission must have an electronic copy (PDF) of each board submitted to Planning Division no later than the Monday preceding the meeting.

Staff Use Only

Project Planner: C-2 Project #: PRJ 20____ - Application #: 20(12)2023-0028-0029
 Date Submitted: 3/15/23 Posted Signs Required: (1) Fees: \$ 600⁰⁰

SECTION 1-PROJECT INFORMATION:

Project Name: Vicencio Maya

Project Address: 838 SW 173 Ave

Location / Shopping Center: Pembroke Pines

Acreage of Property: 8452 sqft Building Square Feet: 2795

Flexibility Zone: _____ Folio Number(s): 514019035880

Plat Name: replat 114-50 Traffic Analysis Zone (TAZ): _____

Legal Description: Silver Lakes Phase II. Replat 154-50 B lot RR39

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
10/31/202	PRX-08554	New paver Drive			Not approved

SECTION 2 - APPLICANT / OWNER / AGENT INFORMATION

Owner's Name: Vicencio Maya

Owner's Address: 838 SW 173 Ave

Owner's Email Address: vmaya2@gmail.com

Owner's Phone: (954) 256-4481 Owner's Fax: _____

Agent: _____

Contact Person: Clara Agudelo

Agent's Address: _____

Agent's Email Address: axxis@axxistudio.com

Agent's Phone: 786-247-8878 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

PROPOSED

Zoning: _____

Zoning: _____

Land Use / Density: _____

Land Use / Density: _____

Use: _____

Use: _____

Plat Name: _____

Plat Name: _____

Plat Restrictive Note: _____

Plat Restrictive Note: _____

ADJACENT ZONING

ADJACENT LAND USE PLAN

North: _____

North: _____

South: _____

South: _____

East: _____

East: _____

West: _____

West: _____

-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: _____

Code Section: 155.620.

Required: 35% Front lot coverage ; 40% of lot's width.

Request: 51% " " " ; 42% of lot's width.

Details of Variance, Zoning Appeal, Interpretation Request:

See Section #5 

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)


New Paver Driveway 842 SQFT and approach 275 SQFT

I would like to apply for variance for paver drive way , because I need more space for my son's car . We don't fit in the driveway , that's way , I need more space for the cars

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 01/24/2023

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

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: Vicencio Maya


Authorized Representative: _____

Application Number: _____

Application Request: _____

I, Vicencio Maya (print Applicant/Authorized Representative name), on behalf of 838 SW 173 Ave (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.

 _____ 01/24/2023
Signature of Applicant or Applicant's Date
Authorized Representative

Print Name of Applicant/Authorized Representative

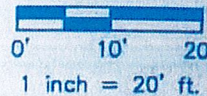
LAKE

APPROXIMATE EDGE OF WATER

N 01°46'28" W
65.20' (R&M)

F.I.P. 1/2"
(NO I.D.)

F.I.P. 1/2"
(NO I.D.)



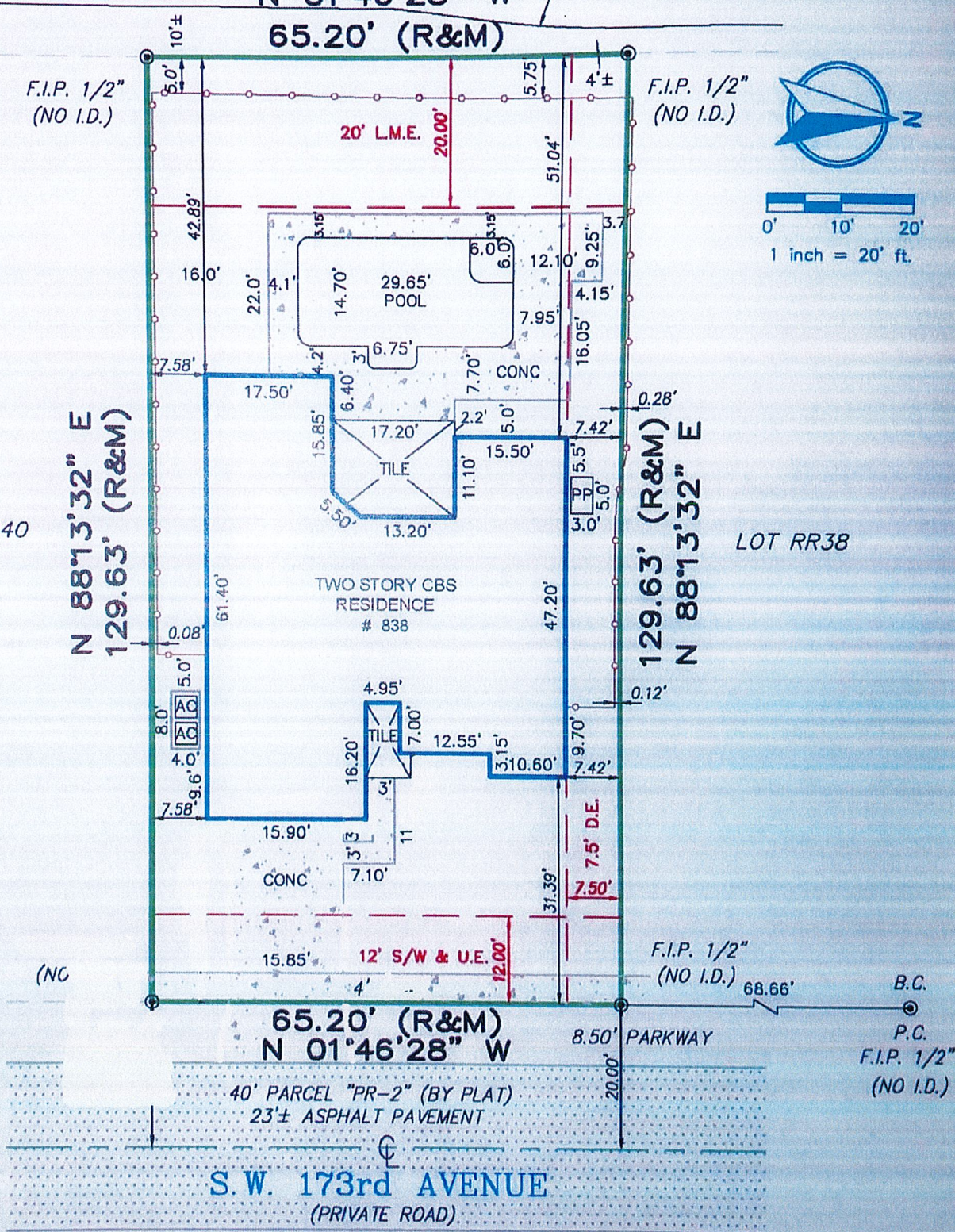
LOT RR40

LOT RR38

N 88°13'32" E
129.63' (R&M)

N 88°13'32" E
129.63' (R&M)

TWO STORY CBS
RESIDENCE
838

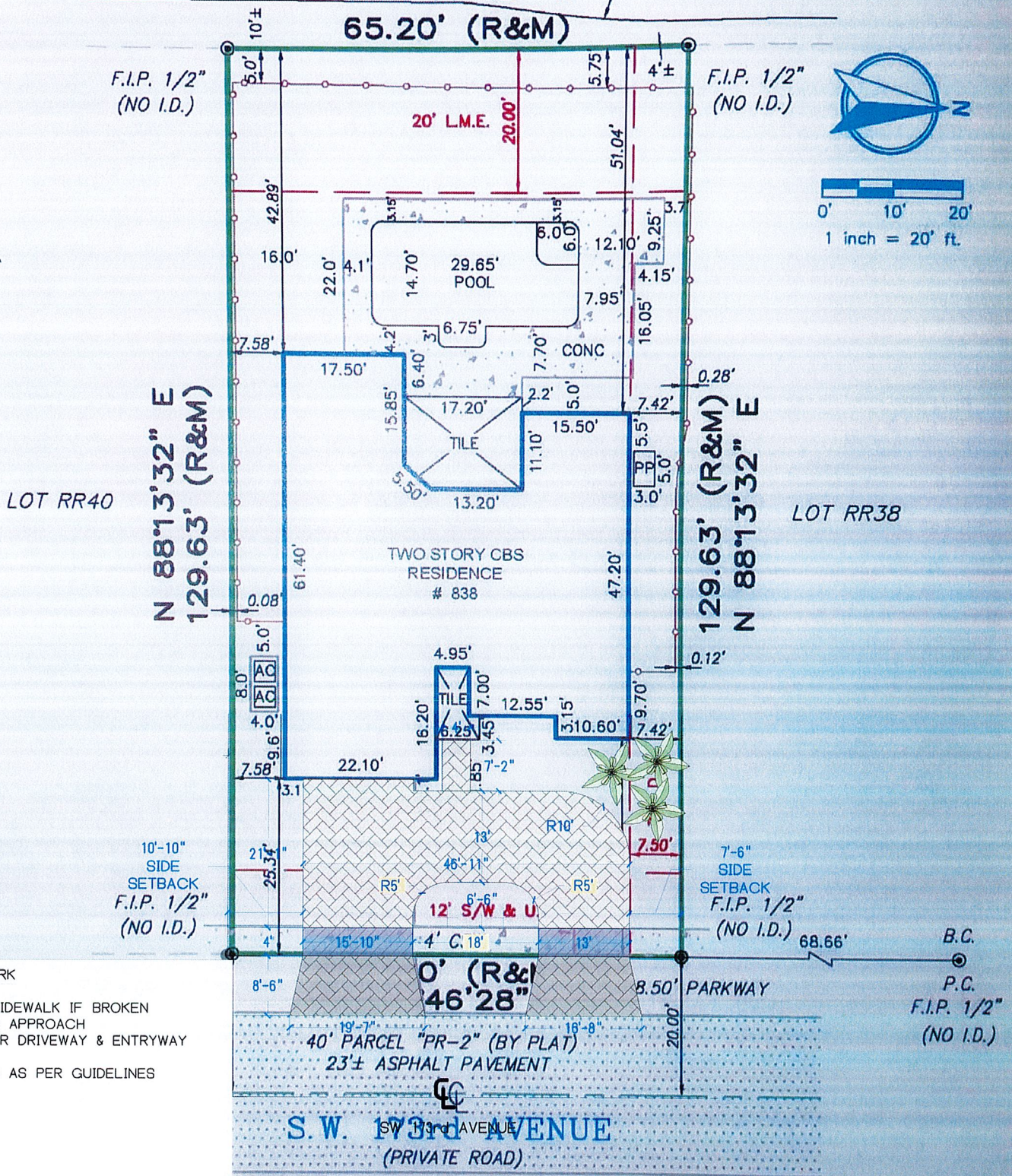


S.W. 173rd AVENUE
(PRIVATE ROAD)





838 SW 173 AVENUE - NEW DRIVEWAY

UNIVERSAL
LAND TITLE
We Make It Happen

LAKE APPROXIMATE EDGE OF WATER
N 01°46'28" W
65.20' (R&M)



SCOPE WORK

-  REPLACE SIDEWALK IF BROKEN
-  NEW PAVER APPROACH
-  NEW PAVER DRIVEWAY & ENTRYWAY
-  NEW PALMS AS PER GUIDELINES

NOTES

- THE SIDEWALK WILL BE REPLACED IF BROKEN WITH 6" THICK CONCRETE 3000 PSI.
- THE SWALE AREA WILL BE RESODED



APPROVED

SilverLakes Community Association, Inc.
C/O PINES PROPERTY MANAGEMENT, INC.
P.O. BOX 820100
SOUTH FLORIDA, FL 33082
(954)438-6570 FAX (954)438-3951

ARCHITECTURAL DECISION NOTICE
DRIVEWAY/ENTRYWAY

October 19, 2022
VINCENCIO MAYA
838 SW 173 AVENUE
Pembroke Pines, FL 33029

Account #: 220039

Re: Property: 838 SW 173 AVENUE

The SilverLakes Community Association, Inc. Architectural Control Committee has met and reviewed your application and has **APPROVED** your modification request for the following: *Circular DriveWay*

****Change concrete Driveway with travertine Paver and extend the driveway to Circular Driveway**

The following requirements must be met.

- Must meet all setback requirements of the community.
- The management office must be notified upon completion of project
- All Front door and garage doors must match and be a part of current approved color scheme of your home.
- The installation must be inspected by a member of the architectural committee or an assigned representative to assure that all requirements were met.

*Approval of Faux Finish constitutes an understanding that the finish must be maintained in original condition, in accordance with the "Community Standards and Guidelines".

Failure to meet any of the above requirements will void this approval.

Additionally, this approval is only an authorization from the community association. This approval does not relieve you of the responsibility for any other building and zoning permits, local or otherwise, you may be required to receive.

Remember, you are responsible to notify the contractor performing this work to provide you with a current certificate of insurance indicating both liability and workers compensation coverage. Also, please be informed that the association will hold the homeowner liable for any damages to the common elements of the community because of carelessness on the part of the contractor performing services. Please have your contractor observe the "no signs" ordinance in SilverLakes 00.

Finally, please be advised that this approval is effective for a period of ninety (90) days from the date of this letter, **this approval does not represent an extension of any time frames of homes currently in violation.**

THIS MODIFICATION WILL NOT BE CONSIDERED COMPLETE UNTIL INSPECTED BY A PROPERTY MANAGER.

Very truly yours.

SilverLakes Community Association, Inc. Modification Committee

UPON COMPLETION OF YOUR APPROVED MODIFICATION, PLEASE CONTACT YOUR PROPERTY MANAGER TO ARRANGE A TIME AND DATE TO HAVE YOUR MODIFICATION INSPECTED AND DOCUMENTED. FAILURE TO CALL FOR INSPECTION WITHIN THE 90 DAY TIME FRAME, THIS MODIFICATION WILL BE CONSIDERED A VIOLATION OF NON-COMPLETION