

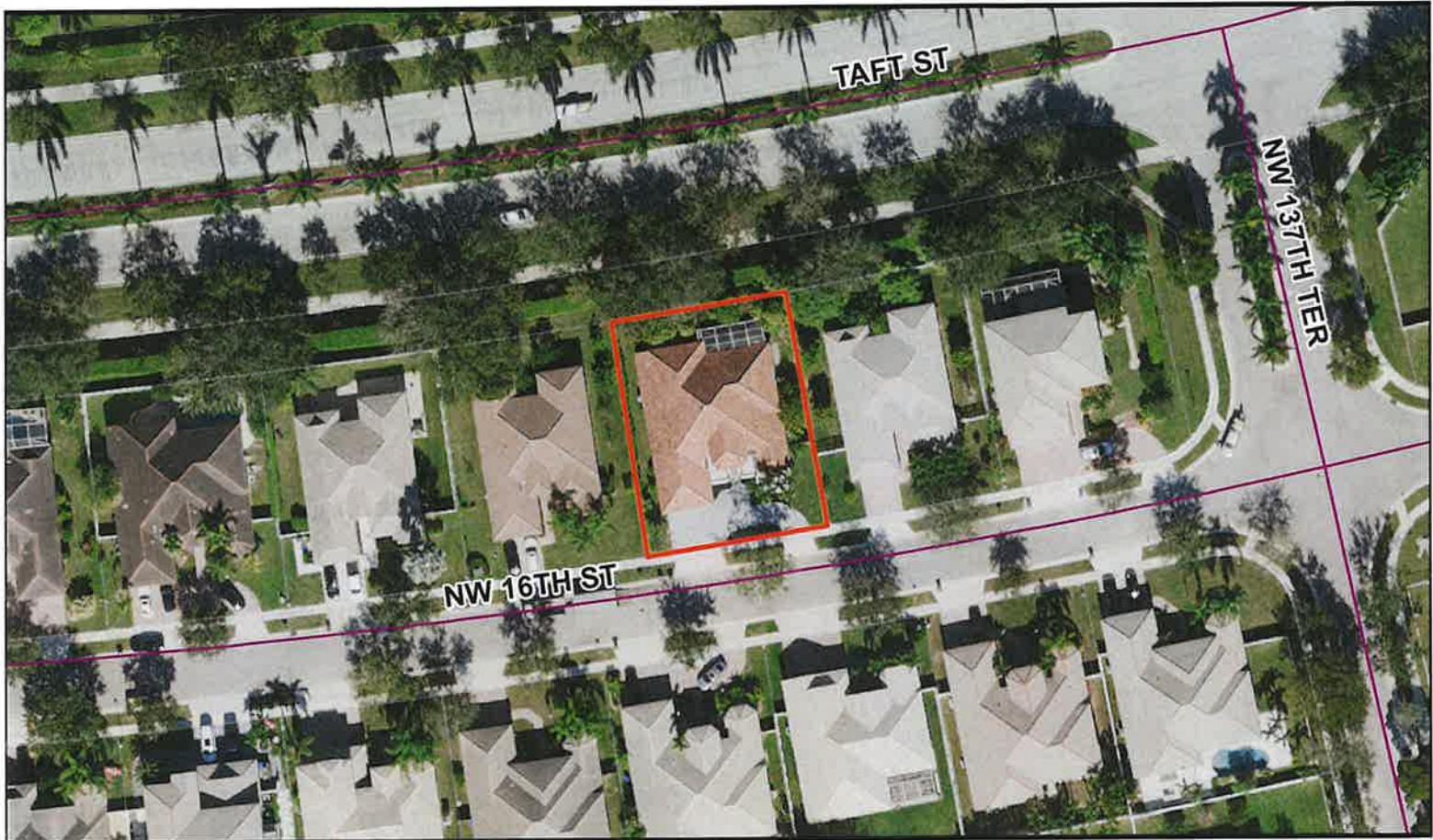
Vicinity Map

City of Pembroke Pines • Planning and Economic Development Department

ZV(R) 2024-0019-0020

Zoning Variances

JAMES,DIANA H/E JAMES,JIMMY
13801 NW 16 ST PEMBROKE PINES FL 33028





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

Agenda Date:	May 2, 2024	Application ID:	ZV(R)2024-0019 & 0020
Project:	Existing Circular Driveway, Typical Lot	Pre-Application Number:	PRE2024-0018
Project Planner:	Christian Zamora, Senior Planner		
Owner:	Jimmy James	Agent:	N/A
Location:	13801 NW 16 Street, Pembroke Pines, FL 33028	Commission District No.	3
Existing Zoning:	Planned Unit Development (PUD)	Existing Land Use:	Residential
Reference Applications:	Driveway Permit Application No. BUL-205904 (7/25/2019, expired), Driveway Permit Application No. RX23-14259 (11/9/2023), Code Compliance Case No. 240200514 (2/8/2024)		

Variance Summary

Application	Code Section	Required/Allowed	Request
ZV(R)2024-0019	Table 155.620: Accessory Structures: Driveway, Circular, Typical lot.	35% Front Lot Coverage (Total)	47% Front Lot Coverage (Total)
ZV(R)2024-0020	Table 155.620: Accessory Structures: Driveway, Circular. Typical lot.	40% of lot's width	46% of lot's width
Final:	<input type="checkbox"/> Planning & Zoning Board		<input checked="" type="checkbox"/> Board of Adjustment
Reviewed for the Agenda:	Director: <u>RS</u>		Assistant Director: <u>JM</u>

PROJECT DESCRIPTION/BACKGROUND:

Jimmy James, owner, submitted two residential zoning variance requests to legalize an existing circular driveway at the single-family residence located at 13801 NW 16 Street in the Pembroke Falls neighborhood, which is zoned PUD (Planned Unit Development). The property follows the guidelines for single-family conventional with lots larger than 8,250 Square Feet. The PUD guidelines do not address front lot coverage, driveway width; therefore, the provisions of the City's Land Development Code (LDC) are applicable.

On July 25, 2019, and on November 19, 2023, the owner submitted Building Permit Applications No.: BUL-205904 and No. RX23-14259 to build a circular driveway at the property, the permit could not be issued as the proposed work exceeded the limitations of the City's LDC, so the permit application expired.

In February 8, 2024 the City's Code Compliance Division cited the property (Code Case No. 240200514) for work performed without building permits.

As result of the unpermitted, existing work at the property, the owner is requesting:

- **ZV(R)2024-0019:** to allow 47% front lot coverage (total) instead of the allowed 35% front lot coverage (total) for an existing circular driveway on a residential single-family property, typical lot.
- **ZV(R)2024-0020:** to allow 46% width of lot instead of the allowed 40% width of lot for an existing circular driveway on a residential single-family residential property, typical lot.

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

The subject property is in Pembroke Falls neighborhood. The owner has provided a copy of the Homeowners Association (HOA) Letter, dated September 16, 2021.

VARIANCE REQUEST DETAILS:

ZV(R) 2023-0019: is to allow 47% total front lot coverage instead of the required 35% total front lot coverage for an existing circular driveway on a residential single-family property, typical lot.

ZV(R) 2023-0020: is to allow a 46% width of lot instead of the allowed 40% width of lot for an existing circular driveway on a residential single-family property, typical lot.

Code References:

ZV(R)2023-0019 & 0020

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
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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
 As Built Plan
 Code Compliance Notice and images.



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: 2/26/19

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:

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

2019-0019

Project Planner: C2 Project #: PRJ 20 Application #: 0020

Date Submitted: 2/26/19 Posted Signs Required: (1) Fees: \$ 607.40

SECTION 1-PROJECT INFORMATION:

Project Name: REWORK ON EXISTING DRIVEWAY

Project Address: 13801 NW 16 ST, PEMBROKE PINES, FL 33028

Location / Shopping Center:

Acreage of Property: 0.21 Building Square Feet: 3242.7

Flexibility Zone: Folio Number(s): 514010050460

Plat Name: Traffic Analysis Zone (TAZ):

Legal Description: PEMBROKE FALLS PHASE 5 164-7 B LOT 46 BLK 14

Has this project been previously submitted? Yes No

Describe previous applications on property (Approved Variances, Deed Restrictions, etc...) Include previous application numbers and any conditions of approval.

Date	Application	Request	Action	Resolution / Ordinance #	Conditions of Approval

SECTION 2 - APPLICANT / OWNER / AGENT INFORMATION

Owner's Name: JAMES JIMMY

Owner's Address: 13801 NW 16 ST PEMBROKE PINES, FL 33028

Owner's Email Address: JIMDIANA915@YAHOO.COM

Owner's Phone: 3054392724 Owner's Fax: _____

Agent: N/A

Contact Person: _____

Agent's Address: _____

Agent's Email Address: _____

Agent's Phone: _____ Agent's Fax: _____

All staff comments will be sent directly to agent unless otherwise instructed in writing from the owner.

SECTION 3- LAND USE AND ZONING INFORMATION:

EXISTING

Zoning: _____

Land Use / Density: _____

Use: _____

Plat Name: _____

Plat Restrictive Note: _____

PROPOSED

Zoning: _____

Land Use / Density: _____

Use: _____

Plat Name: _____

Plat Restrictive Note: _____

ADJACENT ZONING

North: _____

South: _____

East: _____

West: _____

ADJACENT LAND USE PLAN

North: _____

South: _____

East: _____

West: _____

-This page is for Variance, Zoning Appeal, Interpretation and Land Use applications only-

SECTION 4 – VARIANCE • ZONING APPEAL • INTERPRETATION ONLY

Application Type (Circle One): Variance Zoning Appeal Interpretation

Related Applications: RX23-14259

Code Section: 155.620

Required: DRIVEWAY EXTENSION 35% FLC; 40% of lot's width for existent circular driveway
Request: ALLOW ADDITIONAL SQ.FT ON EXISTING BUILT DRIVEWAY. *45% FLC; 44% of lot's width*

Details of Variance, Zoning Appeal, Interpretation Request:

DRIVEWAY WIDTH

FRONT LOT COVERAGE. DRIVEWAY SQ.FT EXCEED.

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)

WE ARE APPLYING VARIANCE TO REDUCTION OF FRONT LOT COVERAGE AND
CURB CUT TO EXISTING DRIVEWAY. THE SCOPE OF WORK WAS TO REBUILT
THE EXISTING DRIVEWAY. THE CONTRACTOR WAS HIRED TO DO THE JOB AND
PULL THE PERMIT BY OWNER BUT HE DID NOT PERFORMED HIS DUTY AS PER
CITY REQUIREMENTS FOR FRONT LOT COVERAGE CODE. ADDITIONAL SQ.FT
WAS ADDED TO EXISTING DRIVEWAY AND CURB CUT.

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.

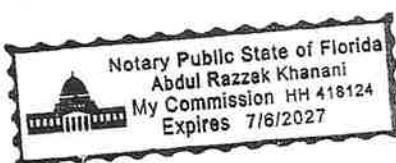
Jimmy James 02/19/24
Signature of Owner Date

Sworn and Subscribed before me this 19 day

of FEB, 2024

Fee Paid

Abdul Razek Khanani
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: JAMES JIMMY

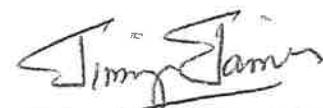
Authorized Representative: _____

Application Number: _____

Application Request: ALLOW ADDITIONAL S.Q.FT ON EXISTING BUILT DRIVEWAY.

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

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



2/13/24

Signature of Applicant or Applicant's
Authorized Representative

Date

JAMES JIMMY
Print Name of Applicant/Authorized Representative

E
Pembroke Falls Homeowners Association, Inc.
c/o KW Property Management & Consulting
1651 NW 136th Avenue
Pembroke Pines, FL 33028
(954) 430-8700

9/21/2021

Jimmy James
13801 NW 16th St
Pembroke Pines, FL 33028

CONCERNING: Architectural Approval

Dear Homeowner:

Your request for architectural change has been approved for the following specific modification to your home:

CIRCULAR DRIVEWAY

The approval of your request for architectural change is subject to the following stipulations:

The Association reserves the right to make a final inspection of the modification to ensure that it corresponds with the submitted request for architectural change and conforms to any stipulations of the approval. Please adhere to the plan you submitted or submit an additional Request for Architectural Change if you need to deviate from the submitted plan.

Please be aware that you may also be required to meet certain local building codes and setback requirements when making this modification. Additional permits may be required and can be applied for at the city offices. Please also be aware that you are responsible for contacting the appropriate utility companies should your modification involve any digging activity.

This approval is based only on the aesthetics of your proposed modification and should not be construed as certification of construction worthiness and/or structural integrity of the proposed modification.

We appreciate your cooperation in submitting this request for architectural change. The Association encourages owners to take an interest in the appearance of their homes since an attractive community helps protect and enhance the value of all homes.

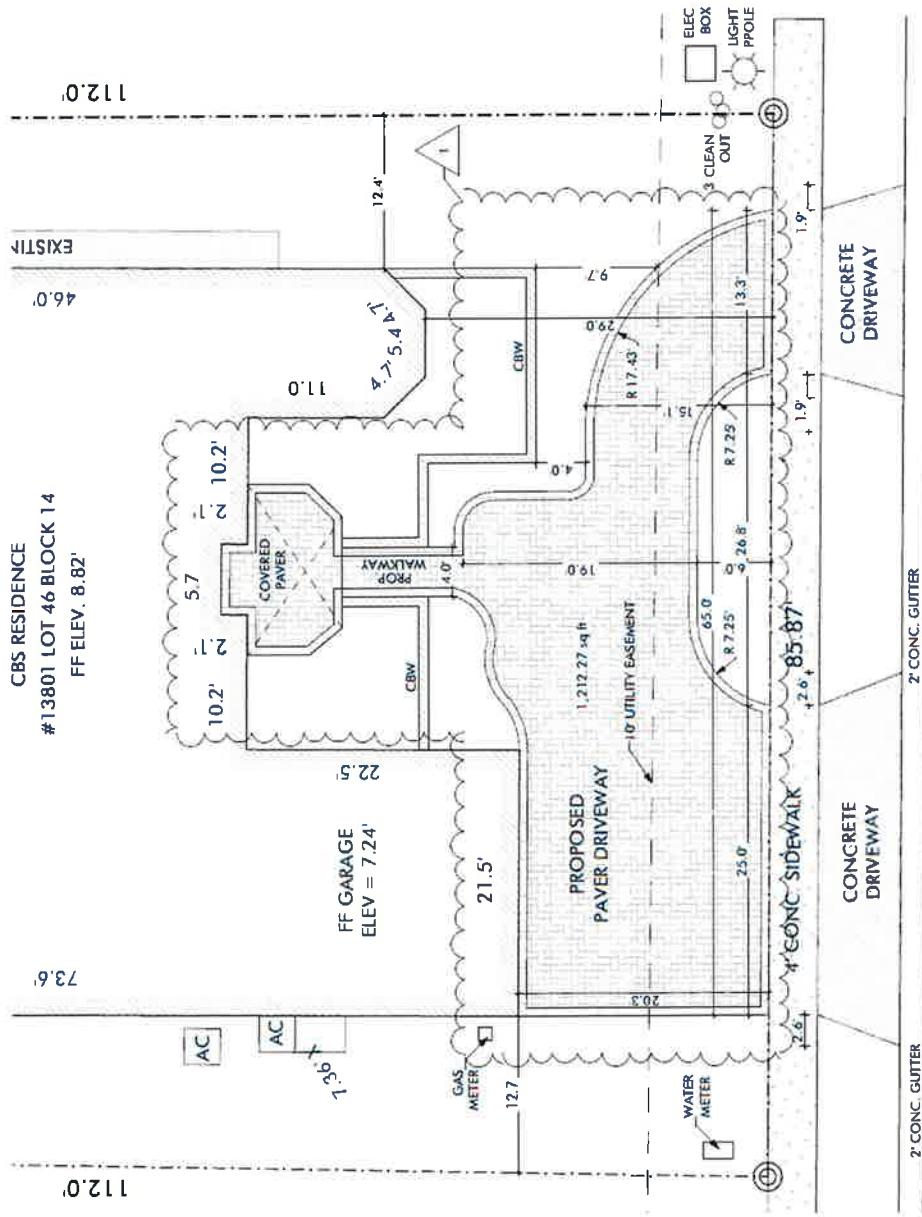
Please contact the Management office once the project is completed at (954) 430-8700.

Respectfully,



KW Property Management & Consulting

CBS RESIDENCE
#13801 LOT 46 BLOCK 14
FF ELEV. 8.82'



FRONT AREA CALCULATIONS:

$$\frac{\text{TOTAL FRONT AREA} = 2,569.85 \text{ S.F.}}{\text{PROPOSED DRIVEWAY/WALKWAY PAVERS AREA} = 1,212.27 \text{ S.F.}} \quad \frac{100\%}{47\%}$$

NOTE:

APPLY FOR VARIANCE #1: FRONT LOT COVERAGE.
APPLY FOR VARIANCE #2: DRIVEWAY WIDTH.



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

VIOLATION WARNING

Case #: 240200514 **Date:** 3/21/2024

Folio #: 514010050460

Recipient: JAMES,DIANA H/E/JAMES,JIMMY

Address: 13801 NW 16 ST

PEMBROKE PINES, FL 33028

A physical inspection at 13801 NW 16 ST Pembroke Pines, FL 33028 disclosed the following violation(s) of the City of Pembroke Pines Code:

Chapter:	Section:	Violation:	Comply By Date:
CHAPTER 150: BUILDINGS	150.95 Property Maintenance Code	Work done without permit(s): FENCE. RX23-14259 : DENIED REVIEW CYCLE. PENDING CORRECTIONS	06/20/2024
CHAPTER 150: BUILDINGS	150.11 Florida Building Code adopted by reference; rejection of county regulations	The city adopts by reference the latest addition of the Florida Building Code.	06/20/2024

Notes/Means of Correction:

Must obtain a completed permit for work done on property. Contact the Building Department at 954-435-6502 for any permitting questions.

[2023 Florida Building Code, Building, Eighth Edition]

CHAPTER 1 SCOPE AND ADMINISTRATION

[A]105.1 - Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

YOU ARE HEREBY NOTIFIED TO REMEDY THE CONDITIONS AS STATED ABOVE BY 06/20/2024

This is a courtesy Violation Warning that the above referenced Code Compliance violation(s) currently exist on the subject property. At this time, please take all necessary actions to remedy the violation(s) by the compliance date listed above. If you need additional time to bring the violation(s) into compliance or wish to discuss the violation(s) with the Code Compliance Officer, please immediately contact the undersigned Code Compliance Officer at the phone number listed above.

At this time, no fines or penalties have been assessed against you or recorded as a lien against your property. Failure to timely remedy the violation will result in the issuance of a formal Notice of Violation and Summons to Appear, this Code Compliance matter will be set for a hearing with the City's Special Magistrate. Fines or administrative costs may be assessed by the Special Magistrate once a Notice of Violation and Summons to Appear is issued.

If the violation(s) is corrected and then reoccurs, is not corrected by the time specified for correction by the Code Compliance Officer, or is a repeat violation(s), this case may be presented to the City's Special Magistrate even if the violation(s) has been corrected prior to the hearing.

Please govern yourself accordingly.

Property Changes: 13801 NW 16 Street

