Vicinity Map

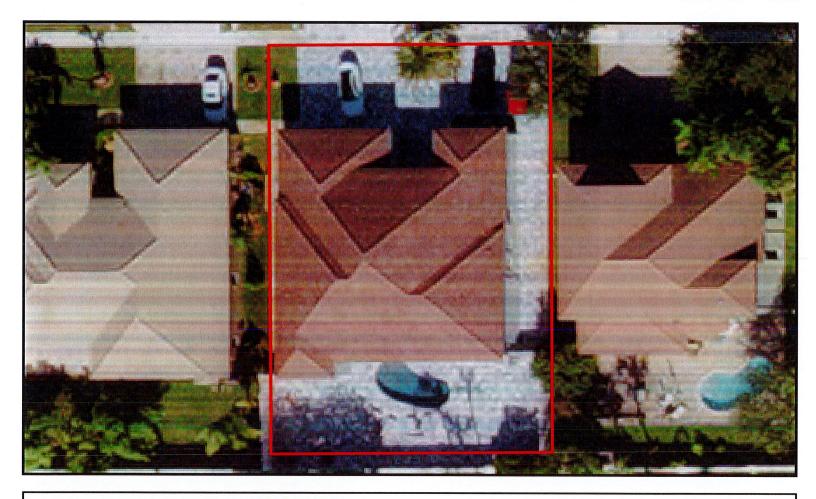
City of Pembroke Pines • Planning and Economic Development Department

ZV(R) 2023-0038-0042

Zoning Variances

MUXO,MAYLEM 15962 SW 16 ST PEMBROKE PINES FL 33027











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

Summary

Agenda Date:	May 4, 2023	Applicat	tion ID:	ZV(R) 2023-0038-0042	
Project:	Circular Driveway, deck, or patio	Project I	Number:	N/A	
Project Planner:	Christian Zamora, Senio	or Planner			
Owner:	Maylem Muxo	Agent:		N/A	
Location:	15962 SW 16 ST PEMBROKE PINES, FL 33027				
Existing Zoning:	Planned Unit Development (PUD) SF-1, Single-Family Conventional	Existing Land Use:		Residential	
Reference Applications:	Code Compliance Case No. 68431 (Issued 11/16/2021); Building Permi				
	Varianc	e Summa	ry		
Application	Code Section	Require	ed/Allowed	Request	
ZV(R) 2023-0038	Table 155.620: Accessory Structures: Driveway, Circular		Front Lot age (Total)	70% Front Lot Coverage (Total)	
ZV(R) 2023-0039	Table 155.620: Accessory Structures: Driveway, Circular	40% of lot's width		55% of lot's width	
ZV(R) 2023-0040	Table 155.620: Accessory Structures: Driveway, Circular	Five Feet (5') side setback (western property line)		Zero Feet (0') side setback (western property line)	
ZV(R) 2023-0041	Table 155.620: Accessory Structures: Deck or Patio	Five Feet (5') side setback (western property line)		Zero Feet (0') side setback (western property line)	
ZV(R) 2023-0042	Table 155.620: Accessory Structures: Deck or Patio	Five Feet (5') rear setback (southern property line)		Zero Feet (0') rear setback (southern property line)	
Final:	☐ Planning & Zoning E	Board	⊠ Board of A	Adjustment	
Reviewed for the Agenda:	Director:	Zoni	ing Administra	ator:	

PROJECT DESCRIPTION / BACKGROUND:

Maylem Muxo, owner, submitted five residential zoning variance requests to legalize an existing driveway and patio at the property located at 15962 SW 16 Street. The property is part of Pembroke Shores Planned Unit Development (PUD) and follows the guidelines for Single Family Conventional (SF-1). The PUD guidelines do not address setbacks or lot coverage of structures at grade; therefore, the provisions of the City's Land Development Code (LDC) are applicable.

On October 29, 2020, the previous property owner submitted a building permit application (No. BUL-234388) to legalize a circular driveway and patio, nonetheless, the building permit was denied as the existing driveway exceeded the limitations of the City's LDC. The property was sold in September 2022.

In November 16, 2022, the City's Code Compliance Division initiated Code Compliance procedures (Case No. 68431) for work done without building permits; the citation was provided to the current owner.

The current owner, submitted a survey showing the unpermitted work and it was revealed that the existing paving (driveway) in the front of the property exceeded maximum total front lot coverage, allowable driveway width and did not comply with the required setbacks. As result, the applicant is requesting:

- ZV(R) 2023-0038 is to allow 70% front lot coverage (total) instead of the allowed 35% front lot coverage (total) for an existing circular driveway in a typical lot.
- ZV(R) 2023-0039 is to allow 55% of lot's width instead of the allowed 40% of lot's width for an existing circular driveway in a typical lot.
- ZV(R) 20223-0040 is to allow zero feet (0') side setback (western property line) instead of the required five feet (5') setback for an existing circular driveway in a typical lot.

In addition to the driveway, the survey revealed that the existing patio is located within the required, east side, west side and rear setbacks. As result, the applicant is requesting:

- ZV(R) 2023-0041 is to allow zero feet (0') side setback instead of the required five feet (5') to west property line for an existing patio or deck.
- ZV(R) 2023-0042 is to allow zero feet (0') setback instead of the required five feet (5') to south property line for an existing patio or deck.

Per a review of aerial photography from the Broward County Property Appraiser, the driveway and patio have been on the property since 2021. The applicant was not able to produce any permits for the work. The applicants request is less than the work that exists on the property, but still exceeds the requirements of the LDC.

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 Shores homeowners association (HOA). The applicant has provided a copy of the HOA approval.

VARIANCE REQUEST DETAIL	V	AR	IA	NCE	REQ	UEST	DETA	ILS
-------------------------	---	----	----	-----	-----	------	------	-----

ZV(R) 2023-0038 is to allow 70% front lot coverage (total) instead of the allowed 35% front lot coverage (total) for an existing circular driveway typical lot.

ZV(R) 2023-0039 is to allow 55% of lot's width instead of the allowed 40% of lot's width for an existing circular driveway in a typical lot.

ZV(R) 2023-0040 is to allow zero feet (0') side setback instead of the required five feet (5') to west property line for an existing circular driveway in a typical lot.

ZV(R) 2023-0041 is to allow zero feet (0') side setback instead of the required five feet (5') to east property line for an existing patio/deck.

ZV(R) 2023-0042 is to allow zero feet (0') side setback instead of the required five feet (5') to south property line for and existing patio/deck.

Code References:

ZV(R) 2023-0038, 0039, 0040:

	Table 155.620 Accessory Building and Structures						
Setback			7				
Туре	Front	Side	Street Side	Rear	Maximum Height	Maximum Dimensions	Additional Regulations
						35% front lot coverage	[1] Shall include 5 foot radius between
Driveway, Circular*	0 feet	5 feet	15 feet 155.600(B)	N/A	N/A	coverage for zero lot line.	driveway and lot line.
						40 % width of lot	[2] 10 foot minimum width

ZV(R) 2023-0041, 0042:

Tyme	Setback			Maximum	Maximum	Additional	
Туре	Front	Side	Street Side	Rear	Height	Dimensions	Regulations
Deck or Patio	Primary Building	5 feet	15 feet	5 feet	N/A	N/A	N/A.

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

Imagery

Proposed Plan

HOA Letter of Approval



☐ Appeal*

D DRI*

☐ Plat*

Delegation Request

☐ Flexibility Allocation

☐ DRI Amendment (NOPC)*

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: 300 2023 Indicate the type of application you are applying for: Sign Plan ☐ Comprehensive Plan Amendment ☐ Site Plan* ☐ Site Plan Amendment* ☐ Special Exception* ☑ Variance (Homeowner Residential) ☐ Variance (Multifamily, Non-residential)* ☐ Zoning Change (Map or PUD)* ☐ Land Use Plan Map Amendment* ☐ Zoning Change (Text) Zoning Exception* ☐ Deed Restriction

INSTRUCTIONS:

☐ Interpretation*

☐ Miscellaneous

- 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.

		MAGENT STANDARD CONTRACTOR AND ADDRESS OF THE CONTRACTOR AND ADDRESS OF THE CONTRACTOR AND ADDRESS OF THE CONTRACTOR ADDRE
	Staff Use Only	
Project Planner:F	Project #: PRJ 20 Appli	ication #: 20/0/2005-00
Date Submitted: 3/8/33	Posted Signs Required: ()	Fees: \$

SECT	TON 1-PROJEC	T INFORMATION:			
awle:	ot Name: Ma	rylem Huxa)	,	
Projec	ct Address. 15	962 50	16 ST P	EMBRICE,	Pines FL 33027
Locat	ion / Shopping C	Senter:			
Acres	age of Property*	,214		uare Feet. 2	
Flexit	oility Zone		Foto Numb	ensi 5/40°	20060740
Path	vaine.		Traffic Anar	vs.s Zone (TAZ	
Legal	LDescription:				
		previously submitt		Yes Vanances, Dee	No d Restrictions.
etc) Include previou	is application num	pers and any o	unditions of app	rovai.
Date	Application	Request	Action	Resolution / Ordinance #	Conditions of Approval

SECTION 2 - APPLICANT / OWNER / AGENT INFORMATION

Owner's Name: Maylem Mux	0
Owner's Address: 15962 SW	16 ST Pembroke Pines FL 33027
Owner's Email Address: MMUXO 2	
	Owner's Fax:
Agent:	
Contact Person:	
Agent's Address:	
Agent's Email Address:	
Agent's Phone:	Agent's Fax:
All staff comments will be sent dire- writing from the owner.	ctly to agent unless otherwise instructed in
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 Ozoning Appeal OInterpretation Related Applications: __ Code Section: 153-620 · Required: 35% A Coverage - 10% of lots aid 41-5' State (cost south west) Details of Variance, Zoning Appeal, Interpretation Request: Regusting variances for the dimensions of the driveway set back on each side of the property, and for the terrace against the rear property line. This would include a total of & variances. SECTION 5 - LAND USE PLAN AMENDMENT APPLICATION ONLY ☐ City and County Amendment City Amendment Only Existing City Land Use: Requested City Land Use: Existing County Land Use:

Requested County Land Use:

Please be advice due to the circumstances of the unpermitted work from the previous property owner, my family and I are reguesting these variances to minimize costs as we recently bought this house without knowledge of the discrepancies and we are left with very little funds to bring this to cake. Facing the front of the property from 16th ST we propose to remove 9ft. ("A" on the plans) from the East property line to to the driveway and from the side walk to 4ft before the front planter area. Those 4ft will connect to the walk way on the east side against the house. We will remove pavers 5ft ("B" on the plans) from the east groperty line to the house from the beginning of the house all the way to the rear property line on the south. On the rear of the house we will remove 5ft ("C" on the plans) from the concrete wall to the house. On the rear West side of the house we will remove 5 ft ("D" on theplans) from the property line, from the rear to a landing area before the gate door, We would leave the west walk way from the gate door to the front of the house.

My family and I are grateful for your consideration.

Regards,

Kfaylem Muxo

SECTION 7- PROJECT AUTHORIZATION

OWNER CERTIFICATION

This is to certify that I am the owner of the property de all information supplied herein is true and correct to the	ne best of my knowledge.
10 10 CO	03/16/2023
Signature of Owner	Date
Sworn and Subscribed before me this/6 4/4 day	
of March, 20 23	
Fee Paid Signature of Notary Public	08 (6/2023 My Commission Expires
700 7 410	
Notary in Jose E My Can Expires	Public State of Florida inrique Collazo Sr nmission GG 364351 08/16/2023
AGENT CERTIFICATION	
This is to certify that I am the agent of the property or and that all information supplied herein is true and co	wner described in this application prrect to the best of my knowledge.
Signature of Agent	Date
O and a distributed hefere me this day	
Sworn and Subscribed before me this day	
of	
Fee Paid Signature of Notary Public	My Commission Expires

15962 SW 16 ST PEMBROKE PINES, FL 33027









(NOV) unless otherwise noted.Underground features, if any, not identified nor located of property and provided by client and except as may be indicated hereon.

(Not cereamized and for entracements shown hereon are of the apparent nature, and the contraction of the cereamized and the cereamized an o)The flood information shown heron does not imply that the referenced property will or will not be free from flooding or damage and does not create liability on the part of the firm, any officer or employee thereof, for any damage that results from refence on said information. Inclination or saw minormotion.

b) The survey shows plotted easements and right-of-ways. There may exist additional prestrictions and/or encumbrances which affect this property.

c) Elevations shown hereon are with references to the Notional Geodetic Vertical Datum all g sodisk data

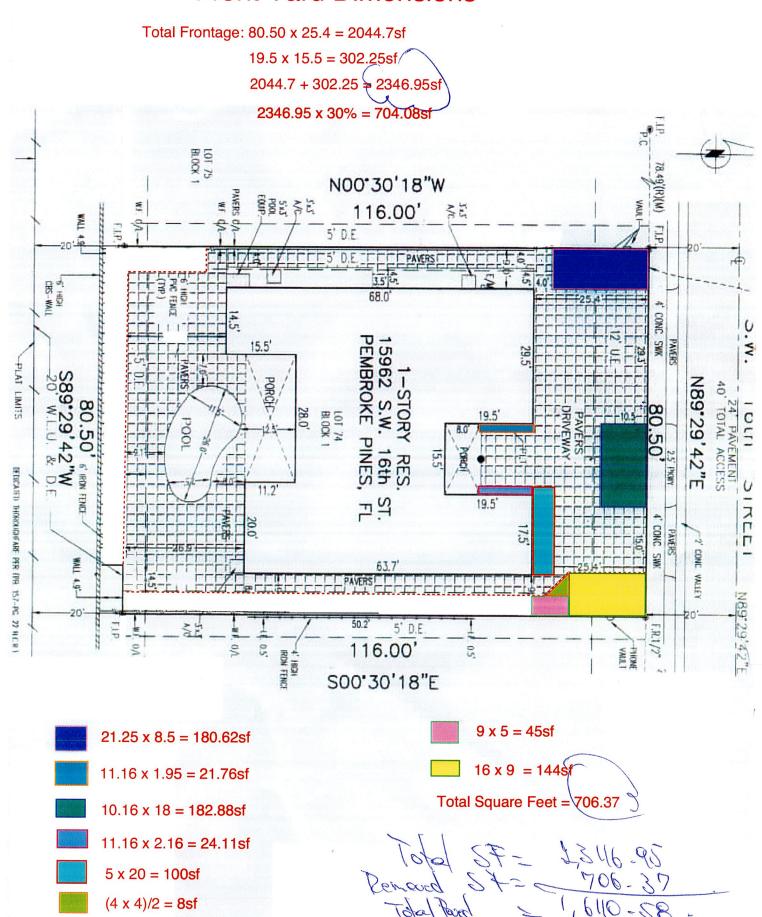
P.O.C.=Paint of Commencement
P.O.C.=Point of Compened Curvature
D.M.= Promoged/Mointenance/cosement
PRCL=Point of Reverse Curvature
PRCL=Point of Reverse Curvature
PRCL=Point of Reverse Curvature
D.C.=Urchange Casement
D.C.=Urchange Casement
D.C.=Urchange Casement
D.C.=Urchange Casement
D.C.=Urchange Casement PL=Planter
Pkwy=Parknay
N.T.S.=Not to Scale
LB=Licenced Business
L.S.=Land Suveyor
T=Tangent
Sec.=section
RNG=Range P.O.B.=Point of Beginning M=Monument Line N/A=Non applicable 0/S=0ff Sat BBQ=Barbecue P.D.=Power Pole R/R=RafRoad SWK=Sidewalk © = Center Line ABBREVIATIONS:
M.H.=Man Hole
WF= Wood Fence
R=Rodus
F.R.=Found Rebor
A/C=Air Conditioner
C.B.=Cotch Bosin
E.O.P.= Edge of Povement
B.S.B.I.=Building Set Bock Line Comm.=Community
P.C.=Point of Curvature
P.T.=Pooint of Tangency
P.C.P.=Permanent Control Point
P.L.S.=Professional Land Surveya
Res.=Residence
C.F=Chain Link Fence BM=Bench Mark
Chatta.=Chattahoochee
F.D.H.=Found Drill Hole
W/M=Water Meter
F.I.P.= Found Iron Pipe
F.N.=Found Nail
A=Central Angle F.H.=Fire Hydrant M=Measured CL= Clear B.C.=Block Corner R/W=Right-of-Way 0.U.L.=Overhead Utility Line F.N.&D.=Found NAII & Disc M=Measured D=Deed P=Plat Asph.=Asphalt Φ=Diameter CBS=Concrete Block Stucco O/H=Roof Overhang S.I.P.=Set Iron Pipe & cop A= Arc Length Ch=Chord CONC.=Concrete U.E.=Utility Easement FNCR=Encroaching BL-Building Set Bock I
NOTES:
This Source
The June
The und
The und This Survey Declaration is made on the Field Date indicated, to the Owner(s) listed. It is not transferable to additional institutions or subsequent Owners. LOWEST The intented use of this survey is for Mortgage purposes only, any other use is not valid without the write consent of the signing Professional Surveyor and Mapper. The undersigned Land Surveyor and Mapper does not carry Liability Insurance, the only liability coverage is the cost of this Survey ADJACENT GRADE__N/A_ BLOCK 1 55 78.49'(R)(M) N/A 15962 N00°30'18"W PAVERS d/L-PVC F 3'x3' A/C 5'x3' P000! P001P: VALUE 116.00 BASE FL000 FLP WALL 5' D.E. FLOOD ELEV. .≤ ZONE 3.5 E. 68.0' 6th CBS-WALL LINE STREET PAVERS O/L N/N S WW PEMBROKE 1-STORY 15962 S.W. ' PEMBROKE PI 8 PAVERS 15.5 1/4, SEC. 21-51-40. ER/W DATE OF FIRM COMM/PANEL PLAT LIMITS N89°29'42"E S89°29'4 PORCH 40 DEDICATED 24' PAVEMENT TOTAL ACCESS 6th 80 LOT 74 BLOCK 1 8 7.50° POOL RY RES. V. 16th PINES, .50)'42"W U. & D.E. PINES, FLORII 120653 0705 H 08/18/2014 PLT ВΥ AND DEDICATED THOROUGHFARE PER (PB. 157-PG. 22 B.C.R.) D (ORB 156, PG. 230 B.C.R.) AND (PB. 2, PG. 17 D.C.R.) / (PB. 1, PG. 5A B.C.R.) STREET SIFL 6' IRON 11.2 ROAD FZ. 5.0' PLAT 4' CONC. S FENCE 17.5 PLT CONC WAS BENCH MARK ELEVATION ______ COUNTY ____ WALL N89-29 USED F.R.1/2" 5' D.E BROWARD. PVC F. 0/1 NONE 116.00 0.5 PVC FENCE 0.5 RON FENCE 91 AND 241.15 (R)(M) 55' S00°30'18"E BLOCK 1 NOT VALID UNLESS
IT BEARS THE
SIGNATURE AND
THE ORIGINAL
RAISED SEAL OF
FLORIDA LICENSED
SURVEYOR AND
MAPPER NOTES\REVISIONS
REVISED_SKETCH:02/24/23 FIP NOTES: PAVERS / PAVERS I CERTIFIED TO:
MAYLEM MAIXO
NEW PLACE TILE, INC.
NEW PLACE TILE, INC.
NEW PLACE TILE, INC.
NEW PLACE TILE, INC.
NEW ANTIONAL TILE INSURANCE COMPANY
A. D. MORTGAGE LLC, ITS SUCCESSORS AND/OR ASSIGNS, LEGAL DESCRIPTION:

LOT 74, BLOCX 1, "PASADEM AT PRIBROKE PINES", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK,
PAGE 45, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. Jount NAY SURVEY

I hereby certify that this Survey meets the Standards of AND Surveyors and Mappers in Chapter 55-17 Florida Authoristrative Code, pursuant to Section 472,027 Florida Statutes.

Teld Date: 08/26/29/297 DRIVEWAY IS PARTIALLY INTO A 12 FEET UTILITY EASEMENT (WEST, S.W.159th TER. SAW YEST HIS THIS WE BASIS OF BEARINGS: PLAT MERIDIAN: CENTERLINE SW 16th ST=N89'29'42"E 135 AS LOCATION MAP 6453 THEIR (NORTH INTERESTS T &SOUTH PI Professional Surveyor & Mapper No. 6453 682 MAY GUILLERMO A. GUERRERO (N.T.S.) SCALE: East 21st Street, Hialeah, (305)408-6276 Fax (305)333-3328 Cell kcadservicesllc@yahoo.c (786)468-0090 Office LINES) JOB No. GG-2208-1982 SURVEY 7 33013 159. (

Front Yard Dimensions



IL= Cleor

3.C =Block Corner

R/W=Right-of-Way

0.U.L =Overheed Utility Line.
F.N. &D.=Found NAI & Disc

05S=Concrete Block Studeo

0/H=Roof Overheng

U.E.=Utility Easement

BM=Bench Mark
Chatta = Chattahoochee
F.D.H.=Found Driff Hole
W/M=Water Meter
F.P. = Found Iron Pipe
F.N.=Found Nai
A=Central Angle
CONC.=Concrete

Comm.=Community
P.C.=Point of Curvature
P.C.=Point of Tangency
P.C.P.=Perframent Control Point
P.L.S.=Professional Land Surveyor
R.S.=Residence
Q.F.=Chain Link Fence
A= Arc Length
Dh=Chard

rt = rhanter
PkwysPorkway
NkwysPorkway
NkwysPorkway
LS = Not 10 Scale
LS = Land Suveyor
I= Tongent
Pkg=Range
ENCR=Encroacting

V. J. Front of beginning
W=Monument Line
N/A=Non applicable
0/S=Off Set
BP.0=Borbeare
P.0.=Power Pole
R/M=RailRoad
SMK=Sidewalk
C = Center Line
P=Property Line

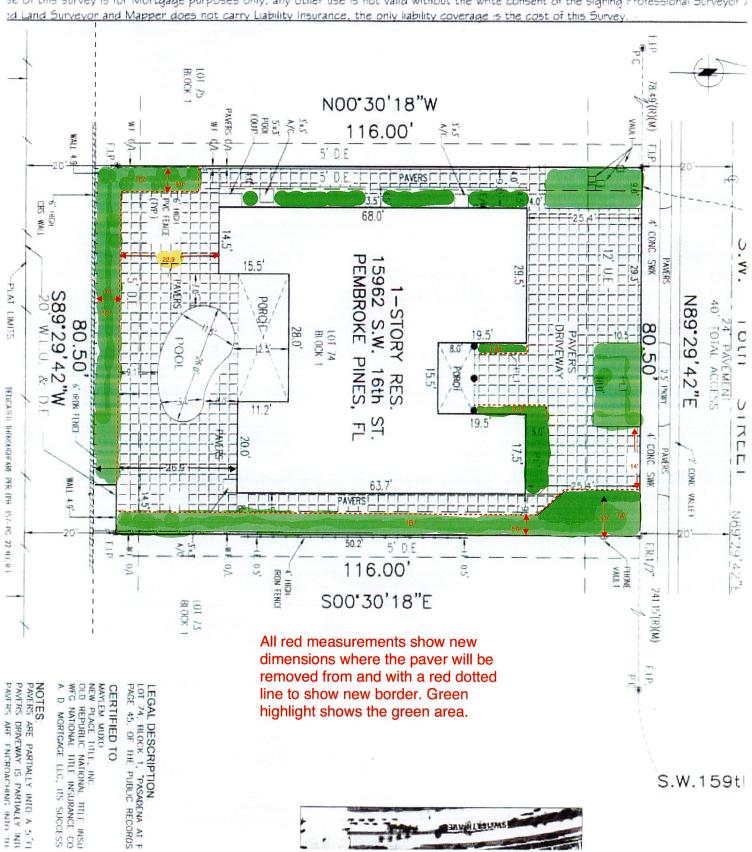
W=Measured
D=Dead
P=Plot
Asph.: #Asphail
Φ=Diameter
No. =Number
S.I.P.=Set Iran Pipe & cap

r.m.=rife mydrant

P.C. Point of Comp.
DM.E. = Droinoge&Moint
P.R.M. = Pertmonent 2:
PRCE = Point of Reverse
E.P.L. = Florida Power &
D.E. = Droinage Easemir
P.M.A. = Poin not occes

- Denotes Elevations

sclaration is made on the Field Date indicated, to the Owner(s) listed. It is not transferable to additional institutions or subsequent Owners so of this survey is for Mortgage purposes only, any other use is not valid without the write consent of the signing Professional Surveyor and Land Surveyor and Mapper does not carry Liability Insurance, the only liability coverage is the cost of this Survey.





Pembroke Shores Community Association, Inc.c/o Akam (Site 2) 18501 Pines Blvd Suite 362 Pembroke Pines FL 33029

www.akam.com

Date: March 02, 2023

Project Ref: [35283153] 15962 SW 16th St

Maylem Muxo 15962 SW 16th St Pembroke Pines FL 33027

Dear Maylem Muxo,

For the listed project item(s):

Driveway

I am pleased to inform you that the Pembroke Shores Architectural Committee has approved your application with the following stipulations:

Please notify us upon receiving the city permit and after work is completed. A PSA inspection is required.

The approval is contingent upon compliance with the specifications set forth in the approved application. If your change or addition requires a county, city or state permit, it is the responsibility of the homeowner to obtain this before starting construction.

Please retain this letter for your files. If you have any questions regarding this matter, please contact Customer Care at or e-mail us at office@pembrokeshores.org.

Sincerely,

Pembroke Shores Community Association, Inc.