

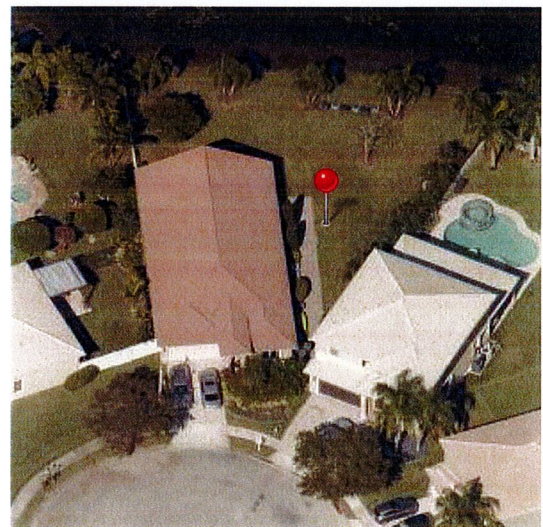
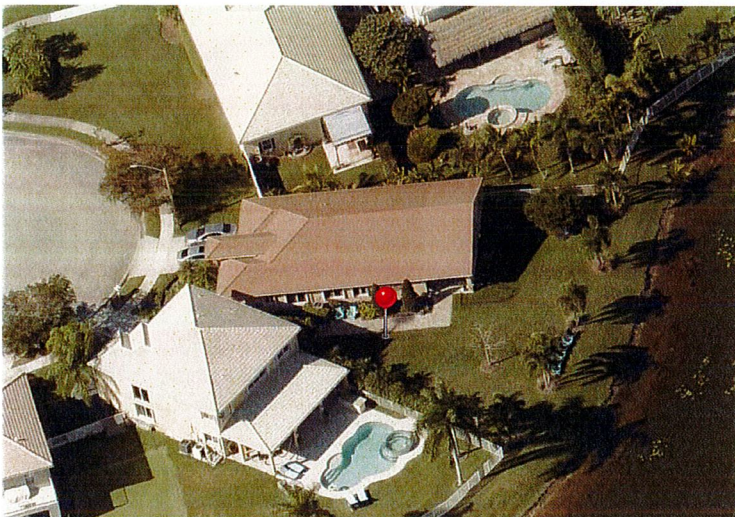
Vicinity Map

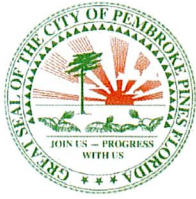
City of Pembroke Pines • Planning and Economic Development Department

ZV(R)2023-0142

Zoning Variances


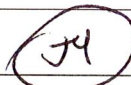
Michael & Catalina Cicero
16900 NW 19 ST Pembroke Pines FL 33029





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

Summary

Agenda Date:	February 1, 2024	Application ID:	ZV(R) 2023-0142
Project:	Driveway, Zero Lot	Pre-Application Number:	PRE2023-0131
Project Planner:	Christian Zamora, Senior Planner		
Owner:	Michael Cicero	Agent:	N/A
Location:	16900 NW 19 Street, Pembroke Pines, FL 33028	Commission District No.	3
Existing Zoning:	Planned Unit Development (PUD)	Existing Land Use:	Residential
Reference Applications:	Code Compliance Case (230903825, initiated 9/29/2023); Driveway Permit Application No. RX23-12845 (10/05/2023)		
Variance Summary			
Application	Code Section	Required/Allowed	Request
ZV(R) 2023-0142	Table 155.620: Accessory Structure: Driveway, Zero Lot	40% front lot coverage (total)	51% front lot coverage (total)
Final:	<input type="checkbox"/> Planning & Zoning Board	<input checked="" type="checkbox"/> Board of Adjustment	
Reviewed for the Agenda:	Director:  Assistant Director: 		

PROJECT DESCRIPTION / BACKGROUND:

Michael Cicero, owner, submitted a residential zoning variance request to legalize an existing driveway for the single-family residence located at 16900 NW 19 Street in Laguna Isles neighborhood which is zoned PUD (Planned Unit Development) and follows the "Big Sky North" PUD guidelines for Residential Single-Family (SF-1). The PUD does not address front lot coverage, driveways; therefore, the provisions of the City's Land Development Code (LDC) apply.

On September 29, 2023, the City's Code Compliance Division cited the property owner (Case No. 230903825) for work performed without permits.

In October 5, 2023, the owner submitted building permit application No. RX23-12845 to construct a driveway at the property; however, the application cannot be approved as the existing work under the application exceeds the limitations of the LDC.

The applicant is requesting:

- **ZV(R) 2023-0142** is to allow 51% front lot coverage (total) instead of the allowed 40% front lot coverage (total) in a zero-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.

The subject property is in Laguna Isles. The applicant has provided a copy of the Homeowner Association (HOA) approval, dated September 14, 2023.

VARIANCE REQUEST DETAILS:

ZV(R) 2023-0142 is to allow 51% front lot coverage (total) instead of the allowed 40% front lot coverage (total) in a zero-lot.

Code References:

Table 155.620 Accessory Building and Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Driveway, Zero-Lot	0 feet	0 on the zero side, 5 feet on the nonzero side	15 feet 155.600(B)	N/A	N/A	40% front lot coverage 40 % width of lot	[1] 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 (11/28/2023)
HOA Letter of Approval (9/14/2023)
Dr's Note
Letter of Support from neighbor
Copy of Code Compliance Case (9/29/2023)



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: 12/20/2023

Plans for DRC 2 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

Project Planner: C-2 Project #: PRJ 20 2018-0142 Application #: 2018-0142
Date Submitted: 12/20/23 Posted Signs Required: (1) Fees: \$ 557.00

SECTION 1-PROJECT INFORMATION:Project Name: Driveway extensionProject Address: 16900 NW 19 Street Pembroke Pines, FL 33028Location / Shopping Center: Pembroke IslesAcreage of Property: 12,927 SF Building Square Feet: 2458Flexibility Zone: _____ Folio Number(s): 51400812334Plat Name: Lot B43 Pembroke Isles I Traffic Analysis Zone (TAZ): _____Legal Description: PEMBROKE ISLES 1 160-44 B LOT B43Has 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: Michael Cicero, Catalina Franco-Cicero

Owner's Address: 16900 NW 19 Street, Pembroke Pines, FL 33028

Owner's Email Address: fixit63@bellsouth.net

Owner's Phone: 954-732-6761 Owner's Fax: _____

Agent: N/A

Contact Person: Michael Cicero

Agent's Address: N/A

Agent's Email Address: N/A

Agent's Phone: N/A Agent's Fax: N/A

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: RX23-12845

Code Section: 155.620 Acc. Structures

Required: 40% FLC - 2 lots

Request: 51% FLC - 2 lots

Details of Variance, Zoning Appeal, Interpretation Request:

See letter

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)

This project is a driveway extension. I am a disabled vet and I need the space to get in and out of my car. The extension is 6' 4"x19'. This project has been approved by my home owners association. This variance is due to the fact that my property is on a pie shaped lot.

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] 12/8/2023
Signature of Owner Date

Sworn and Subscribed before me this 8 day
of December, 20 23.

[Signature] 9/28/27
Fee Paid Signature of Notary Public My Commission Expires



KELLY STEVENSON
Notary Public
State of Florida
Comm# HH441633
Expires 9/28/2027

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

Michael Cicero

16900 NW 19 Steet

Pembroke Pines, FL 33028

Proposed Scope of Work Letter

Expand driveway with same color and style matching pavers. Looking at the property from the street the expansion will be in line front door right column. Expand the apron with concrete to match the length of the driveway. Driveway 6'5"x19' Apron 5'.8"x4'.3"

This request is due to my property being a pie shaped lot. I have a very large back yard and a small front yard.

I am a 100% permanent and totally disabled veteran, and I need my driveway extended to allow my access into and out of my car.

Thank you for considering my request.

Michael Cicero



DEPARTMENT OF VETERANS AFFAIRS

December 21, 2023

Michael William Cicero
16900 Nw 19th St
Pembroke Pnes, FL 33028

In Reply Refer to:
xxx-xx-9863
27/eBenefits

Dear Mr. Cicero:

This letter is a summary of benefits you currently receive from the Department of Veterans Affairs (VA). We are providing this letter to disabled Veterans to use in applying for benefits such as state or local property or vehicle tax relief, civil service preference, to obtain housing entitlements, free or reduced state park annual memberships, or any other program or entitlement in which verification of VA benefits is required. Please safeguard this important document. This letter is considered an official record of your VA entitlement.

Our records contain the following information:

Personal Claim Information

Your VA claim number is: xxx-xx-9863

You are the Veteran.

Military Information

Your most recent, verified periods of service (up to three) include:

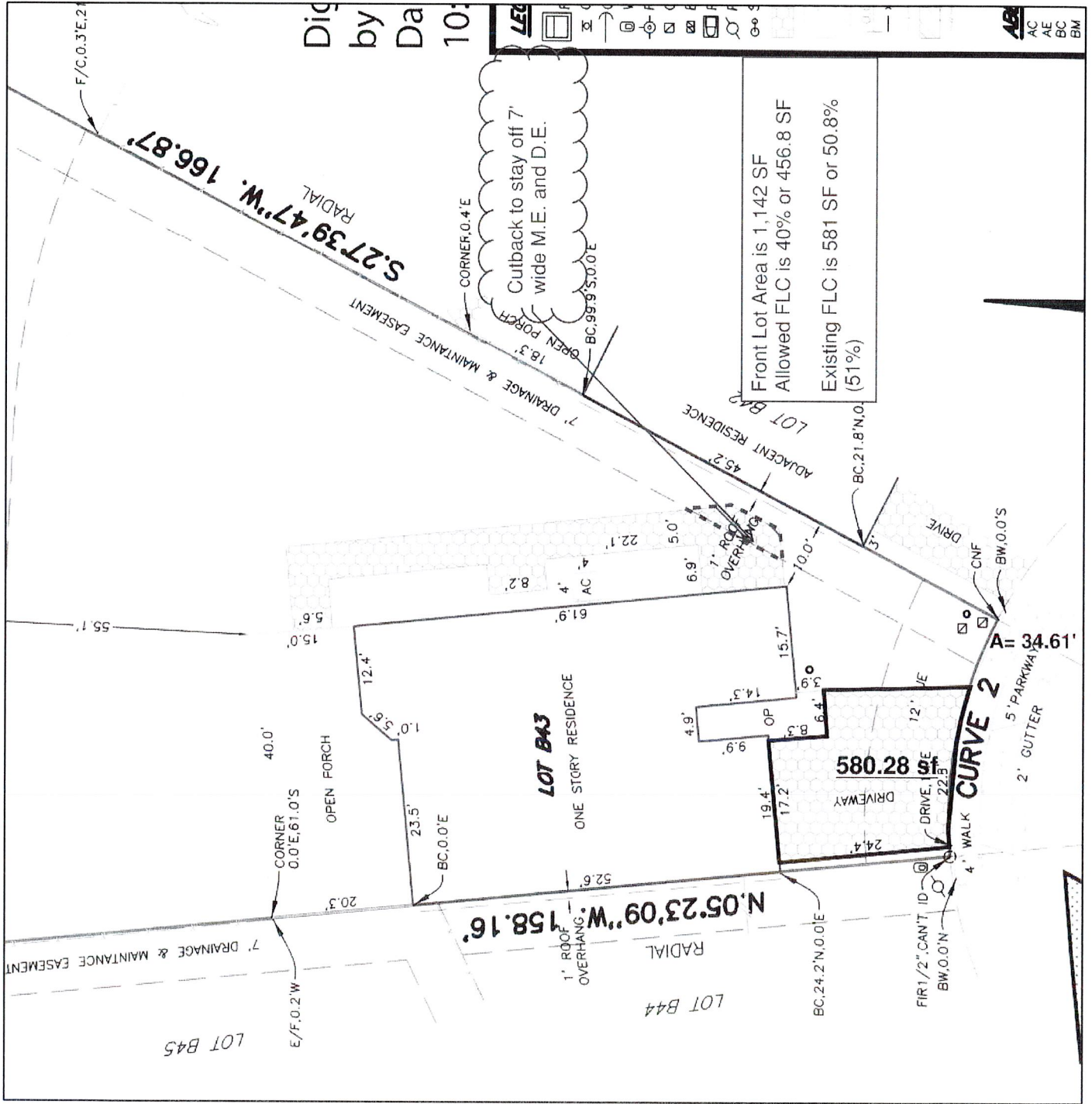
Branch of Service	Character of Service	Entered Active Duty	Released/Discharged
Army	Honorable	January 15, 1980	January 23, 1993

(There may be additional periods of service not listed above.)

VA Benefit Information

You have one or more service-connected disabilities:	Yes
Your combined service-connected evaluation is:	100%
You are considered to be totally and permanently disabled due solely to your service-connected disabilities:	Yes
The effective date of when you became totally and permanently disabled due to your service-connected disabilities:	February 17, 2023

You should contact your state or local office of Veterans' affairs for information on any tax, license, or fee-related



Pembroke Isles Homeowners Association, Inc.

1401 NW 169 Avenue
Pembroke Pines, FL 33028
954-792-6000

09/14/2023

PY-COVE-8043-01

Michael Franco Cicero & Catalina Franco Cicero
16900 NW 19 St
Pembroke Pines, FL 33028

**RE: Architectural Approval
16900 NW 19 St**

Dear Homeowner:

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

Expand driveway with same color and style matching pavers. Looking at the property from the street the expansion will be in line front door right column. Expand the apron with concrete to match the length of the driveway. Driveway 6'5"x19' Apron 5'.8"x4'.3"

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

On a pie shaped lot but permitted shape due to need for wheelchair access.

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. If there are any additional questions or concerns, please contact us at 954-792-6000.

Respectfully,

castle Management, LLC.
On behalf of the Board of Directors
Pembroke Isles Homeowners Association, Inc.

To Whom It May Concern;

We hope this letter finds you well. We're writing to express our appreciation for the recent improvements made to their driveway by my neighbors. As residents of The Cove in Pembroke Isles, We have had the opportunity to witness the positive transformation, and we wanted to take a moment to share our thoughts.

The new driveway not only enhances the neighborhood's aesthetic appeal but also seems to have been designed with a keen eye for functionality.

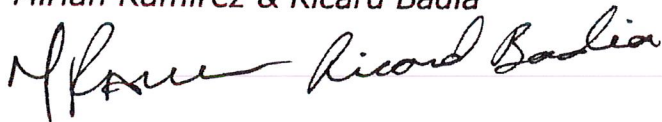
We want to emphasize that we do not have any concerns or issues related to the changes made. On the contrary, we find the upgrade to be a positive addition to the area. It's heartening to see neighbors taking pride in their properties and investing in improvements that benefit the entire community.

We understand that, as a city representative, you have a crucial role in addressing various concerns and feedback from residents. In this instance, we simply wanted to convey our positive sentiments and let you know that, from our perspective, the changes made to the driveway have been well-received.

Thank you for your time and attention to this matter. We appreciate the work that you and the city do to maintain and improve our community.

Best regards,

Mirian Ramirez & Ricard Badia

A handwritten signature in black ink, appearing to read "Ricard Badia", written over a horizontal line.



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

VIOLATION WARNING

Case #: 230903825	Date: 9/29/2023
Folio #: 514008123340	
Recipient: MICHAEL CICERO/CATALINA FRANCO-CICERO	
Address: 16900 NW 19 STREET	
PEMBROKE PINES, FL 33026	

A physical inspection at 16900 NW 19 ST Pembroke Pines, FL 33028 disclosed the following violation(s) of the City of Pembroke Pines Code:

Chapter:	Section:	Violation:	Comply By Date:
CHAPTER 155: ZONING CODE LDC	155.313 ENFORCEMENT	Extended driveway, no City permit on file.	01/31/2024
CHAPTER 150: BUILDINGS	150.11 Florida Building Code adopted by reference; rejection of county regulations	Extended driveway, no City permit on file.	01/31/2024

Notes/Mean of Correction:

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

Please stay in contact with the building department as they have to do a Final inspection for the case to be closed out

YOU ARE HEREBY NOTIFIED TO REMEDY THE CONDITIONS AS STATED ABOVE BY 01/31/2024

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.

BEFORE AND AFTER: 16900 NW 19 STREET

