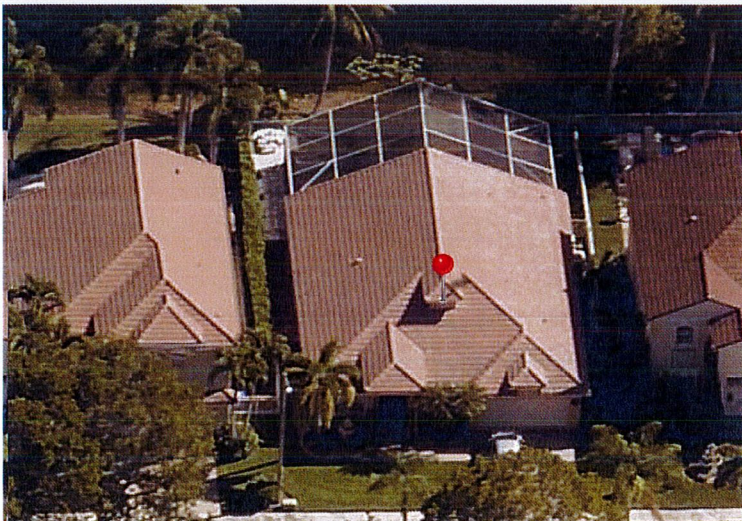


Vicinity Map

City of Pembroke Pines • Planning and Economic Development Department

ZV(R) 2019-13-14
Zoning Variances



Ricardo Oliva
1031 NW 185 Avenue
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:	June 6, 2019	Application ID:	ZV(R) 2019-13 & 14
Project:	Driveway & Walkway	Project Number:	N/A
Project Planner:	Dean Piper, Zoning Administrator		
Owner:	Ricardo Oliva	Agent:	N/A
Location:	1031 NW 185 Ave., Pembroke Pines, 33029		
Existing Zoning:	Planned Unit Development	Existing Land Use:	Residential
Reference Applications:	N/A		
Variance Summary			
Application	Code Section	Required/Allowed	Request
ZV(R) 2018-13	52.26(H)(1)	35 % Front Lot Coverage	48% Front Lot Coverage
ZV(R) 2018-14	52.26(C)	40% Width of Lot	50% Width of Lot
Final:	<input type="checkbox"/> Planning & Zoning Board		<input checked="" type="checkbox"/> Board of Adjustments
Reviewed for the Agenda:	Director: 		Zoning Administrator: 

Project Description / Background

Ricardo Oliva has requested two (2) variances ZV(R) 2019-13 to allow a 50% (30') wide driveway instead of the allowed 40% (24') wide driveway and ZV(R) 2019-14 to allow a 48% Front Lot Coverage instead of the maximum allowed 35% Front Lot Coverage with a driveway and walkway.

Mr. Oliva has provide his justification for these variances, his Homeowners Association approval of proposed driveway & walkway and letters from several neighbors in support of his requests.

VARIANCE REQUEST DETAILS:

ZV(R) 2019-13) Allow 48% Front Lot Coverage for a driveway and walkway instead of the allowed maximum 35% Front Lot Coverage;

Code Reference: § 52.26 DRIVEWAYS ACROSS SWALE AREAS.

(H) No driveway may:

(1) Exceed a 35% of the total front lot coverage in a single family residential home; or

ZV(R) 2019-14) Allow 50% of width of lot for a driveway instead of the allowed maximum 40% width of lot;

Code Reference: § 52.26 DRIVEWAYS ACROSS SWALE AREAS.

(C) In no instance shall the total width of all driveways exceed 40% of the lot 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 determine that the single-family residential variance granted is the minimum variance that will accomplish the intended purpose in accordance with above and:

A) That 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) That 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) That 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



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: 3/6/19

Plans for DRC _____ Planner: Dean

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: Dean Project #: PRJ 20 n/a Application #: ZV(R)2019-13/14
Date Submitted: 04/11/19 Posted Signs Required: (1) Fees: \$ 250.00

SECTION 1-PROJECT INFORMATION:* Project Name: Ricardo Oliver* Project Address: 1031 NW 185 Ave Leabrookline, FL 33024

Location / Shopping Center: _____

Acreage of Property: _____ Building Square Feet: _____

Flexibility Zone: _____ Folio Number(s): _____

Plat Name: _____ Traffic Analysis Zone (TAZ): _____

* Legal Description:

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: Ricardo Oline
*Owner's Address: 1031 NW 185 Ave Pembroke Pines FL 33026
*Owner's Email Address: swainsorange@bellsouth.net
*Owner's Phone: _____ *Owner's ^{Cell:}Fax: 786 325-6861

Agent: _____

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: _____

ADJACENT ZONING

North: _____

South: _____

East: _____

West: _____

PROPOSED

Zoning: _____

Land Use / Density: _____

Use: _____

Plat Name: _____

Plat Restrictive Note: _____

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: _____

Code Section: #13 52.26(H)(1); #14 52.26(E)

Required: #13 35% Front Lot Coverage; #14 40% of width of lot

Request: #13 48% Front Lot Coverage; #14 50% of width of lot.

Details of Variance, Zoning Appeal, Interpretation Request:

* See Attached email

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 7- PROJECT AUTHORIZATION

OWNER CERTIFICATION

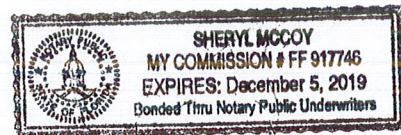
This is to certify that I am the owner of the property described in this application and that all information supplied herein is true and correct to the best of my knowledge.

* [Signature] _____ Date 4/11/19

Signature of Owner

Sworn and Subscribed before me this 11th day

of April, 2019



n/a
Fee Paid

[Signature]
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

Piper, Dean

From: Ricardo Oliva <swainsurance@bellsouth.net>
Sent: Monday, April 22, 2019 3:02 PM
To: Piper, Dean
Subject: Driveway expansion

To whom it may concern, kindly be advised that we are proud homeowners in Chapel Lake Estate's and original owners of our home in the city of Pembroke Pines since 1994. As many other people when we purchased our home over 25 years ago we had 2 children 3 and 4 years old. We have been blessed to live in this great community and make many friendships with our neighbors. We now are a family of five with each having their own car and dad has a couple of toys in the garage too. So now after 25 five years we got our first letter about all the cars so we need to address the driveway expansion or move out of our home that we have improved and love living in this wonderful city. Please assist us in letting us get the maximum variance allowance in an effort to maximize parking space and avoid us having to sell and leave. We just want continue to enjoy our home in this wonderful city and be in compliance with rules and regulations of our communities(chapel lake estate / chapel trail)that are obviously outdated for all big close niche family like ours. Nevertheless we are prepared to make the expenditure for the maximum driveway expansion to suit us and our community association in order to resolve this issue ASAP. Thanks RickOliva 786-325-6861

Sent from my iPhone

Chapel Trail Owners Association, Inc.

c/o Association Specialty Group,
9050 Pines Boulevard, Suite 480
Pembroke Pines, FL 33024
Phone: (954) 639-4505

4/22/2019

Barbara Oliva
1031 N.W. 185th Avenue
Pembroke Pines, FL 33029

NOTICE OF APPROVAL

Reference: 1031 N.W. 185th Avenue & Account Number: 1370094

Dear Barbara Oliva,

Your Architectural Modification Request has been approved. Specifically, you have been approved to proceed with the following:

APPROVED: DRIVEWAY EXPULSION. NOTE: CITY PERMIT REQUIRED. NO CONTRACTOR'S SIGNS ON PROPERTY.

This approval is valid for 30 days and is based on the information that you have provided. We reserve the right to make a final inspection of the modification to make sure it concurs with the request you submitted.

Once your application has been approved, any change invalidates the same. You will need to reapply for the additional change.

Please follow all local building codes and setback requirements. A building permit may be needed. Be aware that you are responsible for contacting the appropriate Utility Companies before digging.

Respectfully,

Milena Diaz, LCAM, Property Manager
Chapel Trail Owners Association, Inc.

Chapel Trail Owners Association, Inc.
ARCHITECTURAL APPROVAL REQUEST

HOMEOWNER'S NAME: Ricardo Olive
STREET ADDRESS: 1031 NW 185 Ave LOCAL DEVELOPMENT: Chapel Lake Estates
PHONE: HOME () OTHER (786) 325 6861 EMAIL: swainsofmace@bellsouth.net
DESCRIPTION OF IMPROVEMENT: (Please describe improvement in detail, including colors, dimensions, materials, etc., where applicable), Driveway expansion

ONE COMPLETE SET IS REQUIRED - THE ARCHITECTURAL APPROVAL REQUEST FORM AND THE COMMON AREA AGREEMENT FORM MUST HAVE THE OWNER'S ORIGINAL SIGNATURE. ALL OTHER REQUIRED DOCUMENTS TO BE COPIES.
(It is the responsibility of the HOMEOWNER to ensure the package is complete or the application will be returned to the homeowner)

WORK MAY NOT BE STARTED UNTIL OFFICIAL WRITTEN APPROVAL IS RECEIVED BY OWNER FROM THE CHAPEL TRAIL MASTER ASSOCIATION

1. If you are painting your home or any part of your home, including doors, trim, fascia, walkways, pavers, driveways, etc., you must submit paint colors sample swatches for each color and a color picture of your house showing your roof color. Chapel Trail does not require ARC if painted the same color.
2. A copy of your warranty deed or other document indicating proof of ownership of property. (ALL Improvements)
3. A copy of your lot survey with the exact location of the proposed improvement drawn "to-scale" (NOT required for Painting)
4. The Chapel Trail Master Association strongly recommends to all owners that they hire licensed and insured Contractors for their project. Neither the Chapel Trail Master Association, nor the Individual Sub-Association, shall assume responsibility for the Contractor hired by the owner.
5. A copy of Contractor's Proposal with full set of plans and/or drawings showing Name, Address and Telephone number of Contractor. (NOT for Painting)
6. If doing the work yourself, disclose it in this form - include a detailed sketch or drawing of the improvement and materials to be used. (NOT for Painting)
7. If the improvement or any part thereof will be located within five (5) feet of the neighboring property, the improvement's relationship to that property should be shown in your sketch. (NOT required for Painting)

AFTER FIRST OBTAINING APPROVAL FROM YOUR NEIGHBORHOOD LOCAL ASSOCIATION, PLEASE FORWARD THE COMPLETE SET OF THE REQUIRED DOCUMENTS FOR THE CHAPEL TRAIL MASTER ASSOCIATION'S APPROVAL to:

Chapel Trail Owners Association, Inc. c/o American Management Group, 9050 Pines Boulevard - Suite 480, Pembroke Pines, FL 33024

CONDITIONS OF APPROVAL:

1. An approval is only valid for sixty (60) days unless otherwise specified.
2. You must obtain any and all permits required by/from the City, County, Governmental Agencies, etc.
3. No changes in plans after approval without the written consent of both your Neighborhood Association and Chapel Trail Owners Association, Inc.
4. Homeowner is responsible for any and all damage to utilities, including sewer, water, cable, electrical and telephone.
5. You must promptly remove all debris (concrete, fill, etc.) from around the property and re-sod any and all areas that are destroyed.
6. You are responsible for any and all damage that may be caused to the sidewalks or roadway due to improvement.
7. You may not alter the drainage of your property or your neighbor's property.
8. The final inspection and approval of both the Neighborhood and Master Association Boards after completion.

PLEASE NOTE: Other conditions may be applicable. These conditions will be determined and stipulated on an individual basis as deemed necessary by the Committee and/or the Chapel Trail Board.

ACKNOWLEDGMENT:

I, Ricardo Olive, hereby make this application for approval, pursuant to the regulations of my Neighborhood Association and Chapel Trail Owners Association, Inc., for the architectural changes noted above and if approval is granted, I agree to comply with the conditions stipulated herein. I further understand that I may be in violation of either my Neighborhood Association, Chapel Trail Owners Association, Inc., or both, should I fail to comply with the covenants and restrictions of either Association, or if I intentionally misrepresent information on this form.

SIGNATURE OF APPLICANT: _____

DATE: 4/17/15

NEIGHBORHOOD ASSOCIATION - second signature only if required

Approved		Denied	
Name (Print): _____	Signature: _____	Name (Print): _____	Signature: _____
Name (Print): _____	Signature: _____	Name (Print): _____	Signature: _____
Date: <u>4/18/15</u>	Date: _____	Date: _____	Date: _____

Comments: _____

CHAPEL TRAIL OWNERS ASSOCIATION, INC.

Approved		Denied	
Name (Print): <u>Neema George</u>	Signature: _____	Name (Print): _____	Signature: _____
Date: <u>4/22/2015</u>	Date: _____	Date: _____	Date: _____

Comments: City Permit REQUIRED

CHAPEL TRAIL OWNERS ASSOCIATION, INC.

COMMON AREA AGREEMENT

(I, we) Ricardo Oliver
(PLEASE PRINT NAME(S))

the undersigned party / parties as homeowner(s) in Chapel Trail, located at
1031 NW 18th Ave Fl 33024 personally agree to
the following terms and conditions:

1. Under NO circumstances will any common property area be entered into, used or utilized in order to gain access to our property.
2. I, (we), further understand that if the above Paragraph 1. is not adhered to, it would be a direct violation against the Declarations, Covenants, and Restrictions of Chapel Trail Owners Association, Inc., and it will be dealt with in accordance with the documents, including, but not limited, to fines or direct billing of Unit owners account for replacement and/or repair of common area property.

Signature: _____

Signature: Bob - Oliver

Date: 4/17/11

NOTE:

This form must be included with ALL Architectural Approval Requests.

After your Neighborhood's (Subdivision's) approval send the set to:

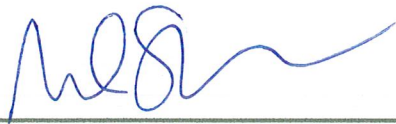
Chapel Trail Owners Association, Inc.
c/o American Management Group, LLC
9050 Pines Boulevard – Suite 480
Pembroke Pines, Florida 33024

(Revised: August 2014)

To Whom It May Concern:

I Michael Cabak acknowledge and agree with my neighbor Ricardo Oliva , who resides at 1031 NW 185 Ave Pembroke Pines ,FL 33029 to seek the maximum variance allowed by the City of Pembroke Pines in order to expand his driveway .

Sincerely



Michael Cabak 4/4/2019

Name/ Date

1051 NW 185th Ave, Pembroke Pines, FL 33029
Address /Phone/ email (954) 594-1225

To Whom It May Concern:

I Luis R Pizarra acknowledge and agree with my neighbor Ricardo Oliva , who resides at 1031 NW 185 Ave Pembroke Pines ,FL 33029 to seek the maximum variance allowed by the City of Pembroke Pines in order to expand his driveway .

Sincerely



Luis R Pizarra / 04/01/2019

Name/ Date

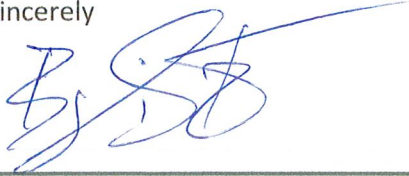
1021 NW 185TH Ave
Pembroke Pines FL 33029
Roberto Pizarra @ gmail.com

Address /Phone/ email

To Whom It May Concern:

I Byron A Silkett Irvine acknowledge and agree with my neighbor Ricardo Oliva , who resides at 1031 NW 185 Ave Pembroke Pines ,FL 33029 to seek the maximum variance allowed by the City of Pembroke Pines in order to expand his driveway .

Sincerely

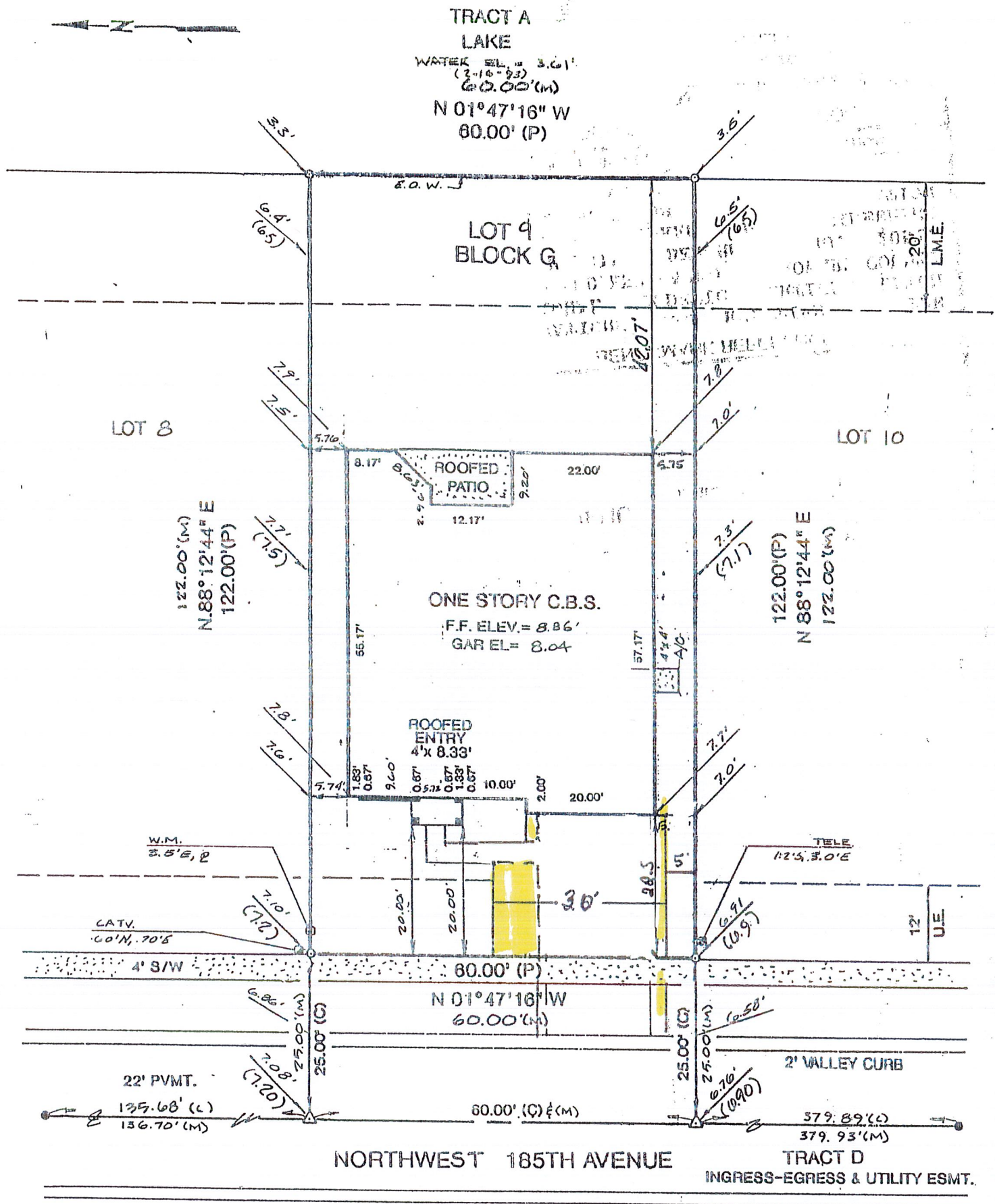


Byron Silkett-Irvine 1 Apr 2019

Name/ Date

1020 NW 185 Ave
Pembroke Pines, FL
793516504

B.SilkettIrvine@gmail.com
Address /Phone/ email



LEGEND

- ① PERMANENT REFERENCE MONUMENT
- ② PERMANENT CONTROL POINT
- WATER METER
- TELEPHONE BOX

BENCHMARK REFERENCE:

ELEVATIONS ARE RELATIVE TO THE
NATIONAL GEODETIC VERTICAL DATUM

