

Vicinity Map

City of Pembroke Pines • Planning and Economic Development Department

ZV(R) 2020-05-10

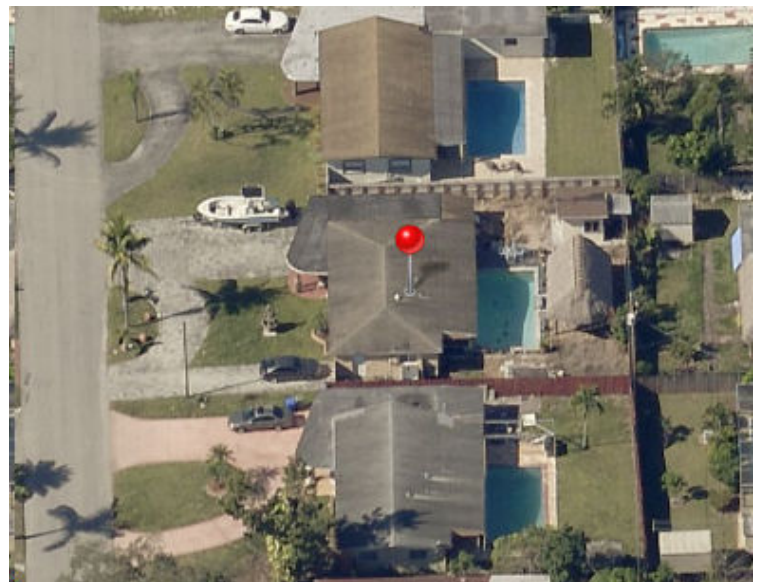
Zoning Variances

Aixa Guerrero

7121 SW 13 Street Pembroke Pines FL 33023



NOT TO SCALE







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

Summary

Agenda Date:	June 4, 2020	Application ID:	ZV(R) 2020-05 thru 10
Project:	Driveway & Walkway, Tiki-Hut and Shed	Project Number:	N/A
Project Planner:	Dean Piper, Zoning Administrator		
Owner:	Axia Guerrero	Agent:	N/A
Location:	7121 SW 13 Street, Pembroke Pines, 33023		
Existing Zoning:	One-Family Dwelling (R-1C) Districts	Existing Land Use:	Residential
Reference Applications:	N/A		

Variance Summary

Application	Code Section	Required/Allowed	Request
ZV(R) 2020-05	52.26 (C)	40% Width of Lot	91% Width of Lot w/ driveway for an existing paver driveway
ZV(R) 2020-06	52.26 (G)	5' Side Yard Setback	4.2' East Side Yard Setback for an existing paver driveway
ZV(R) 2020-07	52.26 (G)	5' Side Yard Setback	2.5' West Side Yard Setback for an existing paver driveway
ZV(R) 2020-08	52.26 (H)(1)	35% Front Lot Coverage	50% Front Lot Coverage for an existing paver driveway and walkway
ZV(R) 2020-09	155.049 (H)	One (1) Accessory Structure	Two (2) Accessory Structures
ZV(R) 2020-10	155.049 (I)	200 sq. ft. Maximum Open Sided Structure	288 sq. ft. tiki-hut

Final:	<input type="checkbox"/> Planning & Zoning Board <input checked="" type="checkbox"/> Board of Adjustment	
Reviewed for the Agenda:	Director: 	Zoning Administrator: 

PROJECT DESCRIPTION / BACKGROUND:

Aixa Guerrero, owner, has submitted six (6) variance requests for an existing paver driveway and walkway and existing tiki-hut and shed:

The following are requested variances:

To allow an existing paver driveway and walkway to:

ZV(R) 2020-05 – have 91% width of lot instead of the allowed 40% width of lot;

ZV(R) 2020-06 – have a 4.2' east side yard setback instead of required 5';

ZV(R) 2020-07 – have a 2.5' west side yard setback instead of required 5';

ZV(R) 2020-08 – have 50% front lot coverage instead of allowed 35%;

And

ZV(R) 2020-09 – allow two (2) accessory structures instead of allowed one accessory structure;

ZV(R) 2020-10 – allow a 288 sq. ft. tiki-hut instead of allowed 200 sq. ft. open sided structure.

There is no Homeowner's Association in this neighborhood.

The paver driveway, Tiki hut and shed were installed without permits and are currently under Code Compliance violations. The tiki-hut meets code for location and the shed meets code for location and size.

VARIANCE REQUEST DETAILS:

ZV(R) 2020-05) Allow a 91% width of lot for an anexisting paver driveway and walkway.

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.

ZV(R) 2020-06) Allow a 4.2' east side yard setback instead of the allowed 5' side yard setback for an existing paver driveway.

Code Reference: § 52.26 DRIVEWAYS ACROSS SWALE AREAS.

(G) Every driveway must include a minimum five foot setback from side property line(s), except zero-lot properties, where a zero foot setback shall be permitted on the zero lot line side with a five foot setback, or maintenance easement, required on the non-zero lot side(s).

ZV(R) 2020-07) Allow a 2.5' west side yard setback instead of the allowed 5' side yard setback for an existing paver driveway.

Code Reference: § 52.26 DRIVEWAYS ACROSS SWALE AREAS.

(G) Every driveway must include a minimum five foot setback from side property line(s), except zero-lot properties, where a zero foot setback shall be permitted on the zero lot line side with a five foot setback, or maintenance easement, required on the non-zero lot side(s).

ZV(R) 2020-08) allow a 50% Front Yard Lot Coverage with an existing paver driveway and walkway instead of the allowed maximum Front Yard Lot Coverage of 35%.

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;

ZV(R) 2020-09) Allow two (2) accessory structures, an existing tiki-hut and an existing shed, instead of the allowed one (1) accessory structure.

Code Reference: § 155.049 ACCESSORY USES AND STRUCTURES; SPECIAL PROVISIONS FOR CERTAIN SCREENED ENCLOSURES WITH COVERED ROOFS.

(H) In all residential districts except A-1, RR, E-1, R-3, R-4, and R-6, only one accessory building is permitted which shall not exceed 100 square feet. In the A-1, RR, E-1, R-3, R-4, and R-6 districts, all accessory uses, storage sheds, and accessory buildings, except structures for housing livestock, up to 150 square feet in area shall be located at least five feet from any plot line and at least 15 feet from any street line. Also in the A-1, RR, E-1, R-3, R-4 and R-6 districts, only one storage container shall be permitted. Storage sheds and accessory buildings over 150 square feet and storage containers shall be subject to the limitations on location of a principal building and shall not be placed in any required yard. For purposes of this section, fall-out shelters and garages shall not be deemed accessory buildings.

ZV(R) 2020-10) Allow a 288 sq. ft. existing tiki-hut instead of the allowed 200 sq. ft. open sided structure.

Code Reference: § 155.049 ACCESSORY USES AND STRUCTURES; SPECIAL PROVISIONS FOR CERTAIN SCREENED ENCLOSURES WITH COVERED ROOFS.

(I) In all residential districts, free-standing open sided structures such as, but not limited to, gazebos, chickee huts and trellises shall not exceed 200 square feet.

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: 1/28/2020

Plans for DRC _____ Planner: Deen

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 foot 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: Deen Project #: PRJ 20 _____ Application #: ZV(R)2020-5
Date Submitted: 2/25/20 Posted Signs Required: (____) Fees: \$ 1,500.00

SECTION 1-PROJECT INFORMATION:

*Project Name: Aixa Guerrero

*Project Address: 7121 SW 13th St, Pam. Pines 33023

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: Aixa Guerrero
* Owner's Address: 7121 SW 13th St, Penn. Pines 33023
* Owner's Email Address: orelvito1127@gmail.com
* Owner's Phone: _____ Owner's ^{Cell} Fax: 754-217-8035

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	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: ^①52.26(H)(1) ^{②+③}52.26(G) ^④52.26(C) ^⑤155.049(H) ^⑥155.049(I)

Required: ^①35% Front lot, ^②5' s. side (east), ^③5' s. side (west), ^④40% width of lot

Request: ^①50% Front lot, ^②4.2' s. side (east), ^③2.5' s. side (west), ^④91% width of lot.

^⑤2 accessory structures, ^⑥288 sq. ft. Tiki Hut

Details of Variance, Zoning Appeal, Interpretation Request:

* Unfortunately I had to do my driveway the way it looks because we are a big family and I don't have a garage to park my cars inside, the other reason is that I did the half moon driveway more up is because where my septic tank and drainfill is located I did with pavers because they drain and that is another good

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)

reason why I chose pavers. The shed in the back I did because I don't have storage or garage to put my stuff. It doesn't have any electrical inside. The Tiki Hut Seminole Indians did and I have the certified letter they said I wouldn't have a problem and it's up to code.

SECTION 7- PROJECT AUTHORIZATION

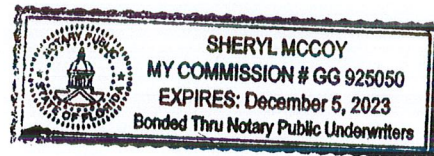
OWNER CERTIFICATION

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.

* Olivia Guerrero 02/25/2020
Signature of Owner FLDL Date

6660-000-88-648

Sworn and Subscribed before me this 25th day
of February, 2020



N/A [Signature] 12/05/2023
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.

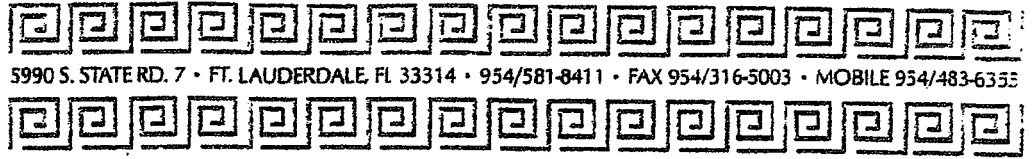
* _____
Signature of Agent Date

Sworn and Subscribed before me this _____ day

of _____, 20_____

Fee Paid Signature of Notary Public My Commission Expires

SEMINOLE TIKI HUTS



5990 S. STATE RD. 7 • FT. LAUDERDALE, FL 33314 • 954/581-8411 • FAX 954/316-5003 • MOBILE 954/483-6353

TO WHOM IT MAY CONCERN

PLEASE ACCEPT THIS LETTER AS CONFIRMATION FOR THE
CONSTRUCTION

OF A CHICKEE HUT AS DESCRIBED IN FLORIDA STATUTE F.S.553.73 (8)
OF THE

FLORIDA BUILDING CODE. BY A SEMINOLE TRIBAL MEMBER. ALL
MATERIALS

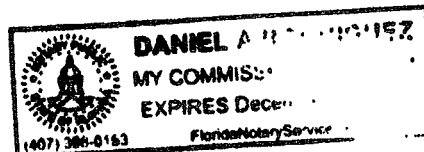
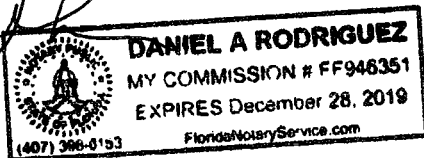
ARE OF NATURAL WOOD PRODUCTS AND PALM FRONDS. DEVOID OF
ELECTRICAL AND PLUMBING WORK.

JOBSITE:

*Mr. Beltran
7121 SW 13 St
Pembroke Pines, Fl. 33023*

SINCERELY,

John Hall Jr.
JOHN HALL JR.
TRIBAL MEMBER M1719





DAN THE TIKI MAN, INC.
305.367.1838
dan@danthetikiman.com

1950 NW 105 Terrace
Pembroke Pines, FL 33026
DanTheTikiMan.com

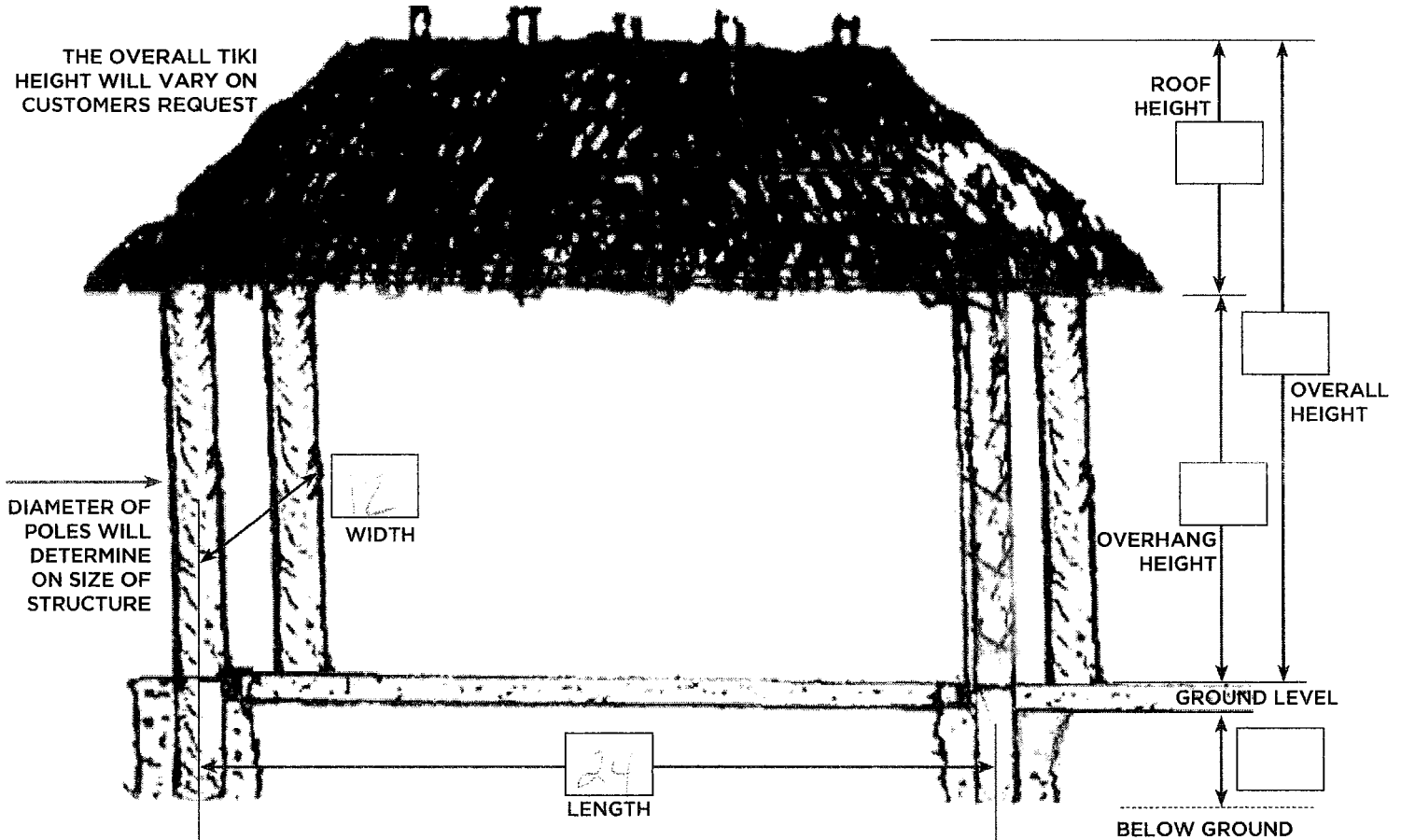
Date: 2/1/16

Customer: Jason

Address: 7225 NW 15th St
Fort Lauderdale, FL 33311

Phone: 754 246 2195

THE OVERALL TIKI
HEIGHT WILL VARY ON
CUSTOMERS REQUEST



DESCRIPTION	TOTAL Sq/Ft	STAIN OPTION	PERMITS & PLANS	TOTAL
<input checked="" type="checkbox"/> TIKI HUT <input type="checkbox"/> RETHATCH	288	—	—	4900.00

In accordance with the FS553.73 this is to certify that Dan The Tiki Man, Inc. is partnered with Tribal ID M2766, who is a member of the Seminole Tribe of Florida headquartered at 6300 Stirling Road, Hollywood, FL.

This invoice is a building contract between Dan The Tiki Man, Inc. and the customer name stated below. The signor acknowledges that they are ready willing and able to purchase the tiki hut above. A deposit of 50% or \$ 2450.00 is required before commencement of construction with the balance to be paid in full upon completion. Once the deposit has been made will proceed within 30 days, if not sooner. Any alterations from the above specifications involving extra material will be at additional cost to the customer. Cancellation of construction will result in forfeiture of the deposit.

Customer understands and agrees that Dan The Tiki Man, Inc. will provide a three year, no-drip warranty. Customer must maintain free from debris or any obstacles that could void this warranty.

Dan The Tiki Man, Inc. will give one year warranty on any repair or rethatch of customers tiki.

PRINT NAME

CUSTOMER SIGNATURE

DATE

Driveway

