

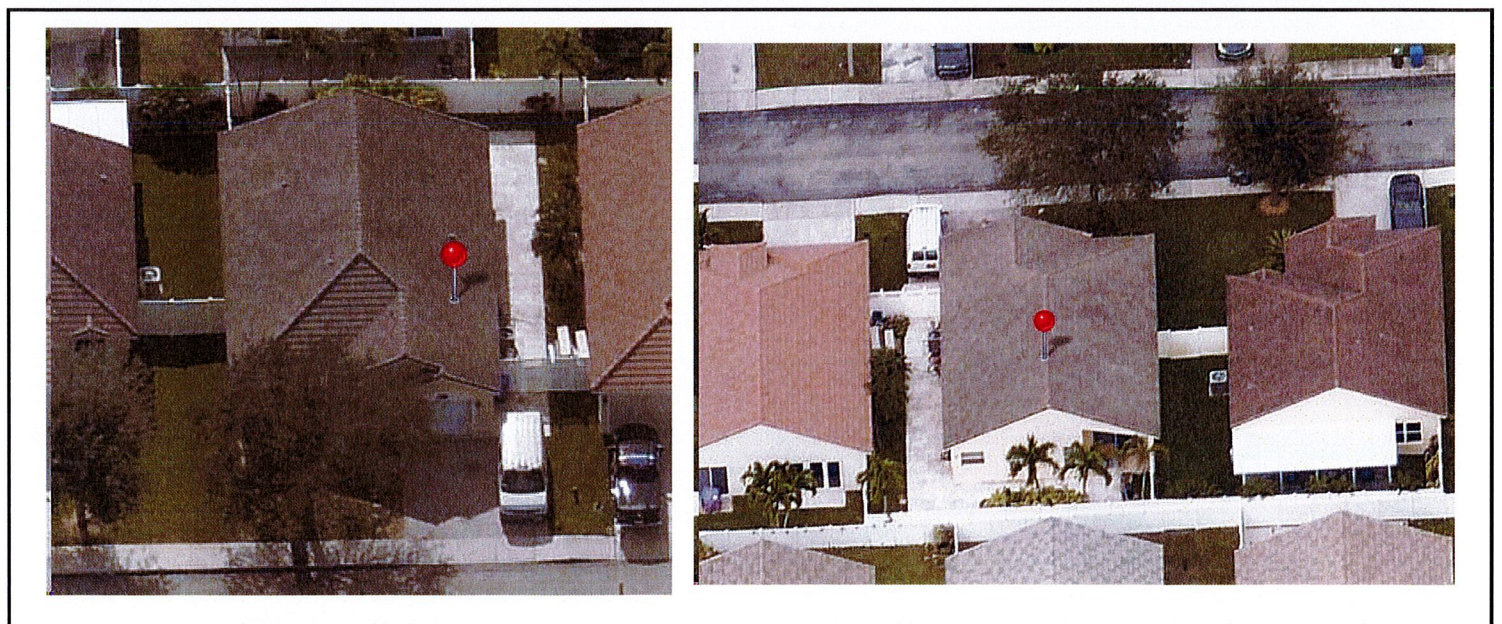
Vicinity Map

City of Pembroke Pines • Planning and Economic Development Department

ZV(R) 2021-01 to 03

Zoning Variances



AGUIRRE, MARIA R H/E BORGE, KAREN LISBETH
16406 NW 24 ST PEMBROKE PINES FL 33028





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

Summary

Agenda Date:	March 4, 2021	Application ID:	ZV(R) 2021-01 - 03
Project:	Proposed hard roofed open sided patio	Project Number:	N/A
Project Planner:	Dean Piper, Zoning Administrator		
Owner:	Maria R. Aguirre	Agent:	N/A
Location:	16406 NW 24 Street, Pembroke Pines, 33028		
Existing Zoning:	Single-Family (RS-7) Districts	Existing Land Use:	Residential
Reference Applications:	N/A		
Variance Summary			
Application	Code Section	Required/Allowed	Request
ZV(R) 2021 -01	155.108 (C)(3)(b)	15' rear yard setback	5' rear yard setback
ZV(R) 2021 - 02	155.108 (C)(3)(e)	5' side yard setback	3' side yard setback
ZV(R) 2021 - 03	155.108 (C)(6)	45% total lot coverage	49% total lot coverage
Final:	<input type="checkbox"/> Planning & Zoning Board		<input checked="" type="checkbox"/> Board of Adjustment
Reviewed for the Agenda:	Director: <u></u> Zoning Administrator: <u></u>		

PROJECT DESCRIPTION / BACKGROUND:

Maria Aguirre, owner, has submitted three (3) variance requests. Variance #ZV(R) 2021-01 is to allow a proposed hard roofed, open sided, patio to have a 5' rear yard setback, instead of the required 15'; Variance #ZV(R) 2021-02 is to allow a proposed hard roofed, open sided, patio to have a 3' side yard setback without a privacy wall, instead of the required 5'; and Variance #ZV(R) 2021-03 is to allow 49% lot coverage instead of the allowed 45%.

The Parkside at Spring Valley Homeowner's Association has provided approval for the proposed project.

VARIANCE REQUEST DETAILS:

ZV(R) 2021 - 01 allow a 5' rear yard setback instead of the 15' rear yard setback for a proposed hard roofed open sided patio.

Code Reference: **155.108 SINGLE-FAMILY (RS-7) DISTRICTS.**

(C) Development parameters. All applications for a zero lot line development shall comply with the following applicable development parameters. (3) Minimum setbacks. (b) Front and rear setback. The front setback shall be not less than 20 feet, and the rear setback shall not be less than 15 feet.

ZV(R) 2021 -02 allow a 3' side yard setback instead of the 5' side yard setback for a proposed hard roofed open sided patio without a privacy wall.

Code Reference: **155.108 SINGLE-FAMILY (RS-7) DISTRICTS.**

(C) Development parameters. All applications for a zero lot line development shall comply with the following applicable development parameters. (3) Minimum setbacks. e) Accessory buildings and structures shall observe all setback requirements as outlined in § 155.049 for Accessory Uses and Structures, except that for all non-water-front lots in developments approved under design criteria of (RS-7) single family zoning, accessory structures may extend to the zero setback side property line if a six-foot high concrete block privacy wall is installed along the entire length of the accessory structure.

ZV(R) 2021 -03 allow a 49% total lot coverage instead of the required 45% total lot coverage for a proposed hard roofed open sided patio.

Code Reference: **155.108 SINGLE-FAMILY (RS-7) DISTRICTS.**

(C) Development parameters. All applications for a zero lot line development shall comply with the following applicable development parameters. (6) Maximum lot coverage. The total lot coverage permitted for all buildings on the site shall not exceed 45% of the lot areas.

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: _____

Plans for DRC _____ Planner: _____

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: Dean Project #: PRJ 20 n/a Application #: ZV(R) 2021-01-03
Date Submitted: 01 / 07 / 21 Posted Signs Required: (1) Fees: \$ 750

SECTION 1-PROJECT INFORMATION:Project Name: PATIO ALUMINUM ROOFProject Address: 16406 NW 24TH STREET, PEMBROKE PINES, FLORIDA 33028Location / Shopping Center: 16406 NW 24TH STREET, PEMBROKE PINES, FLORIDA 33028

Acreage of Property: _____ Building Square Feet: _____

Flexibility Zone: _____ Folio Number(s): _____

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

Legal Description:LOT 79, PARKSIDE AT SPRING VALLEY, ACCORDING TO THE PLAT THEREOF, ASRECORDED IN PLAT BOOK 158 PAGE 13, OF THE PUBLIC RECORDS OF BROWARDCOUNTY, FLORIDA

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: MARIA R. AGUIRRE

Owner's Address: 16406 NW 24TH STREET, PEMBROKE PINES, FLORIDA 33028

Owner's Email Address: yrahc@hotmail.com

Owner's Phone: (954) 478-8511 Owner's Fax: (954)989-7243

Agent: KAREN LISBETH BORGE

Contact Person: KAREN LISBETH BORGE or MARIA R. AGUIRRE

Agent's Address: 400 LESLIE DRIVE #1112, HALLANDALE, FL 33009

Agent's Email Address: cacerkl@gmail.com

Agent's Phone: (954) 894-0302 Agent's Fax: (954) 989-7243

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: N/A

Code Section: ① 155.108(c)(3)(b) / ② 155.108(c)(3)(e) / ③ 155.108(c)(6)

Required: ① 15' Rear Yard Setback / ② 5' Sideyard setback w/out Privacy Wall

Request: ③ 45% Lot Coverage / ① 5' Rear Yard Setback / ② 3' Sideyard setback w/out Privacy Wall

Details of Variance, Zoning Appeal, Interpretation Request:
③ 49% Lot Coverage

See Section # 6

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)

Dear Sirs and/or Madams,

I have lived in Pembroke Pines for almost 18 years, and I love this city and my home. Because I have worked my entire life, I have not enjoyed my home to the fullest. However, I recently retired and then the Covid-19 Pandemic came and is keeping me fulltime at home. Because I am at home fulltime, I wish to be able to go to my patio to escape from the fact that is dangerous to go out.

However, Florida is extremely hot during the summers making it almost impossible to be outdoors, and the heat deprives me from the ability of utilizing the patio during the day. I am scared that if I stay in the patio for too long I can get sunstroke (heatstroke) considering my age.

This new structure will make the patio of my property usable during the day, and it does not obstruct the path of any of backyard. My application was denied at the zoning department on December 2, 2020.

That is why I am respectfully requesting the following variances:

1. Allow a 3' east side yard setback instead of the required 5'
2. Allow a 5' rear yard setback instead of the required 15'

Because of the above variances, a third variance is created:

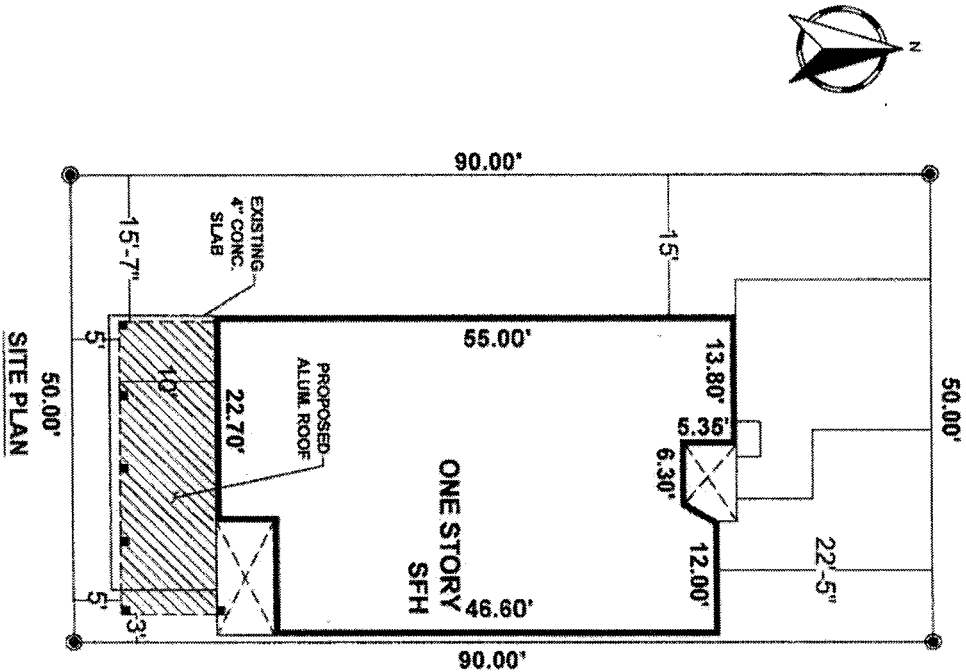
3. Allow a 49% lot coverage instead of the required 45% lot coverage

I want to thank you for taking the time to review my application, and I hope that you can understand my reasons. If you have any questions or need additional information please let me know, Thank you.

BEST REGARDS,

MARIA R. AGUIRRE

N.W 24TH STREET



TYPE OF CONSTRUCTION : TYPE III B
 BUILDING HEIGHT : 1 STORY
 CLASSIFICATION OCCUPANCY : GROUP R3

Project Site Address:

Maria Aguirre
 16406 NW 24th St
 Pembroke Pines, FL 33028

Engineer Seal:

Date: 10/24/2020
 MYOUNGHO KIM, P.E., Reg. # 62565
 2653 Baccant Dr, Cooper City, FL 33026
 TEL: 954-559-7297 FAX: 954-559-7297

Project #: 126-2020 Maria Aguirre

SECTION 7- PROJECT AUTHORIZATION

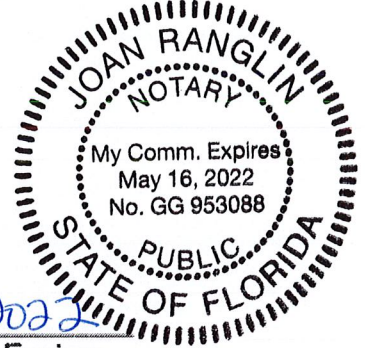
OWNER CERTIFICATION

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.

Norma Equine Jr. 01/07/2021
Signature of Owner Date

Sworn and Subscribed before me this 7 day
of JANUARY, 2021

φ [Signature] 05-16-2022
Fee Paid Signature of Notary Public My Commission Expires



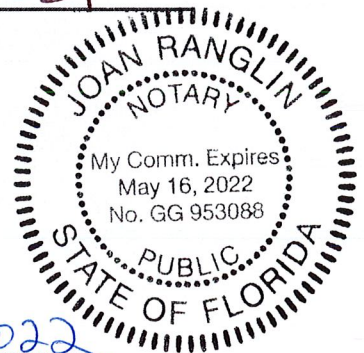
AGENT CERTIFICATION

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.

Karel Base 01/07/2021
Signature of Agent Date

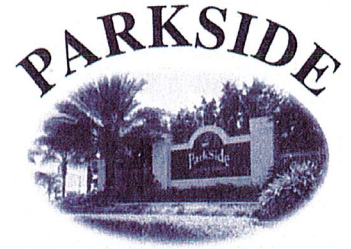
Sworn and Subscribed before me this 7 day
of JANUARY, 2021

φ [Signature] 05-16-2022
Fee Paid Signature of Notary Public My Commission Expires



REQUEST FOR ARCHITECTURAL MODIFICATION

TO: Board of Directors and/or Architectural Control Committee of
Parkside at Spring Valley Homeowner's Association, Inc.
 Elite Management Association, Inc.
 10081 Pines Blvd., Suite E-2
 Pembroke Pines, FL 33024
 Phone: 954-435-2424



Sub-Association:		Account Number:	
Name of Owner (s): <u>MARIA R. AGUIRRE</u>			
Street Address: <u>16406 NW. 24 ST. Pembroke Pines</u>		Signature: <u>Maria R. Aguirre</u>	
Date:	Day Phone: <u>(954) 478-8511</u>	Evening Phone: <u>(954) 478-0618</u>	

**APPLICATIONS WILL BE PROCESSED WITHIN 30 DAYS UPON RECEIPT OF
 ALL SUPPORTING DOCUMENTS REQUIRED WITH THIS APPLICATION**

Approval is hereby requested to make the following modification (s), alterations, and/or additions as described below:

- | | | |
|--|---|--|
| <input type="checkbox"/> Addition
<input type="checkbox"/> Doors Identical/New
<input type="checkbox"/> Pavers
<input type="checkbox"/> Driveway Painting
<input type="checkbox"/> Exterior Paint Identical Color
<input type="checkbox"/> Hurricane Shutters | <input type="checkbox"/> Landscaping
<input type="checkbox"/> Patio
<input type="checkbox"/> Jacuzzi
<input type="checkbox"/> Mailbox Replacement
<input type="checkbox"/> Satellite Dish 18"
<input type="checkbox"/> Screening Enclosure New | <input type="checkbox"/> Wall/Fence
<input type="checkbox"/> Concrete Slab
<input type="checkbox"/> Awning
<input type="checkbox"/> Light Fixture
<input type="checkbox"/> Other |
|--|---|--|

Description of Request: Aluminum Elite Roof 3" with aluminum post 4x4

All applications must include the following:

- ☐ Lot Survey with proposed modifications drawn on survey, including any set back distance required.

When applicable , the following information/ documents must be provided:

- ☐ Color photographs or manufacturer's brochure of the proposed modifications.
☐ Drainage Surface Water Plan
☐ If Painting - A color sample of the paint intended, along with a color photograph of your house including the roof.
☐ If Contracting - Proposed Improvement Contract
☐ If Construction - Contractor's Commitment indicating time frame and maintenance of common areas
☐ If Construction - Contractor's plans must specify the access point for contractors (ingress/egress)

- ☐ If Construction - A copy of the homeowner's insurance.
- ☐ If Construction - A copy of the contractor's insurance certificate naming Spring Valley as a named insured
- ☐ If Construction - and heavy equipment is required, color photographs of all adjoining common areas are required, along with a \$500 refundable security deposit (cashier's check only) for common area access.
- ☐ If Landscaping - The appropriate drawings must show both a Plan View and an Elevation.
- ☐ If Landscaping - Specifications of the proposed materials/modifications must be included, (i.e. Color, Style, Type of Material).
- ☐ If Structural Change - Consent Letter from Neighbors adjoined to your property.

(FOR Parkside at Spring Valley HOA ARC COMMITTEE USE ONLY)

Date Application Received: 10/12/2020 Date Application Received: 10/12/2020

- ☒ Approved
- ☐ Disapproved

Committee Member Signature: 

(FOR Parkside at Spring Valley POA ARC COMMITTEE USE ONLY)

Date Application Received: _____ Date Application Received: _____

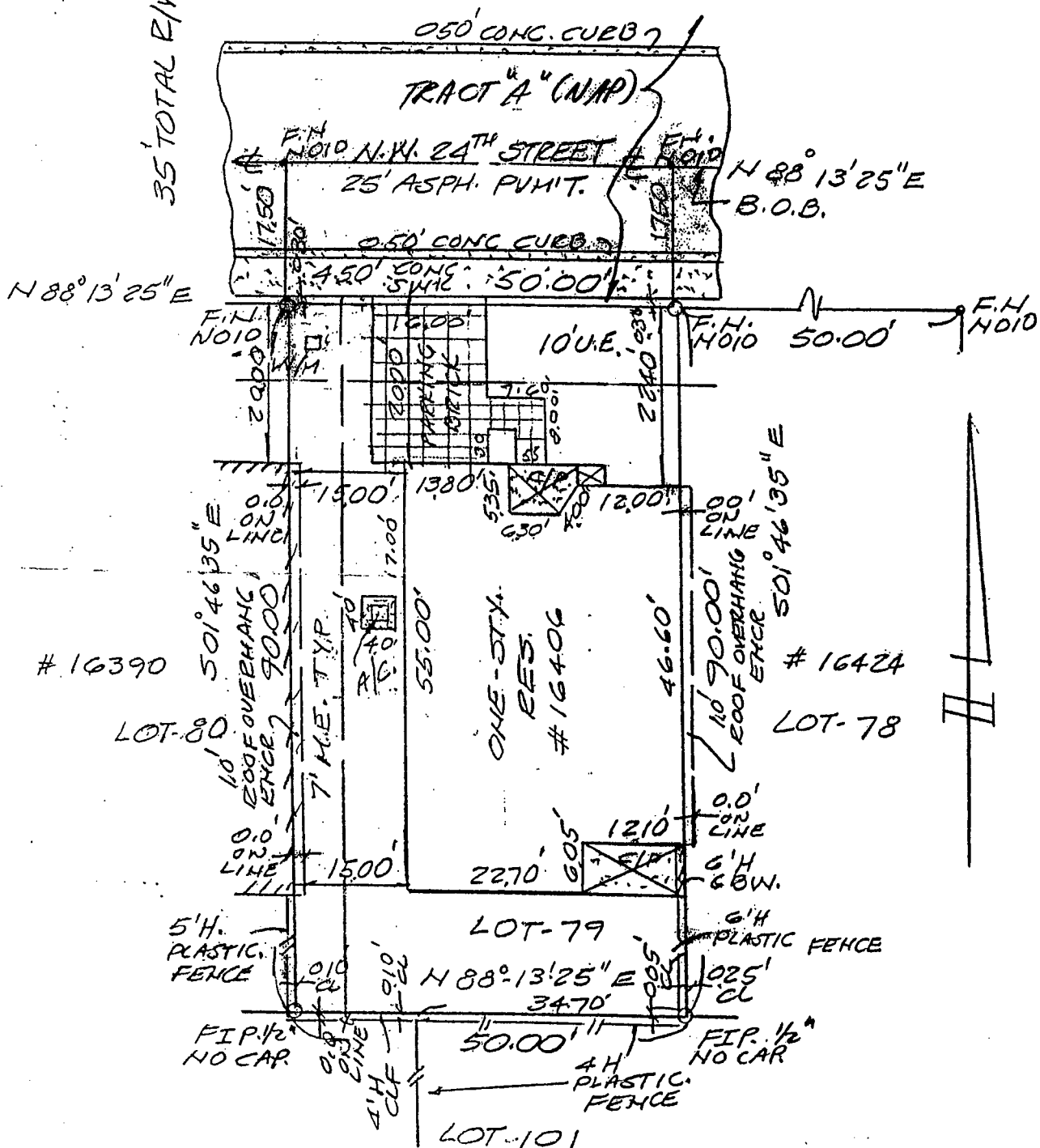
- ☐ Approved
- ☐ Disapproved

Committee Member Signature: _____

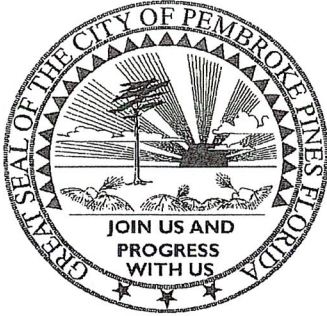
Your approval is subject to the following:

1. You are responsible for obtaining any necessary permits from the appropriate Building & Zoning Departments and when applicable, S. Broward Water District.
2. Acces to areas of construction is only to be allowed through your property, and you are responsible for any damage done to the common area elements and/or your neighbor's property during contruction.
3. If the modification requires more than 45 days and/or exceeds the time frame originally proposed, you must request an extension from the Parkside Board of Directors.
4. You are responsible to provide notice to Elite Property Management upon completion of the modification, and when applicable, a copy of the closed permit.
5. The \$500 security deposit will be refunded to you provided the inspection of the common area shows no damage and/or has been restored by the homeowner.

Explanation of Disapproval: _____



dpiper@ppines.com,



Type of Meeting

Board of Adjustment

QUASI-JUDICIAL PROCEEDINGS AFFECTED PERSON

INSTRUCTIONS: This form must be completed and returned to the City Clerk's office at least seven (7) calendar days before the meeting.

AFFECTED PERSON: (a person who is the owner of the subject property or who owns property within 500 feet of the subject property or who resides in or operates a business within 500 feet of the subject property)

CASE# ZV(R) 2021-01 - 03

PROJECT NAME: Maria R. Aguirre

MEETING DATE: March 4, 2021

NAME: Daniel + Beth Keating

BUSINESS ADDRESS: _____

HOME ADDRESS: 16405 NW 23rd St

TELEPHONE NUMBER: (954) 433-7433

QUALIFIES AS "AFFECTED PERSON":

- ☒ Subject property owner
- ☐ Owns property within 500 ft.
- ☐ Resides within 500 ft.
- ☐ Operates a business within 500 ft.
- ☐ City of Pembroke Pines representative

Signature of Affected Person Beth D. Keating Date: 2/18/21

EVIDENCE TO BE PRESENTED: (identify and attach a copy of all evidence to be presented at the hearing. Use additional sheet(s) if necessary.)

- A. My concern is what happens with the roof if there's a storm and it ends up on my property.
- B. She has a 6ft fence behind my 5ft fence and she doesn't maintain the space in between ~~between~~ as I was told she has to.

PROPOSED WITNESS LIST: (Use additional sheet for each witness)

NAME: Beth Keating

ADDRESS: 16405 NW 23rd St

TELEPHONE NUMBER: (954) 433-7433

SPEAKING: ☐ IN FAVOR OF PETITION ☒ AGAINST PETITION