



Legislation Text

File #: 24-0075, **Version:** 1

ZV(R)2023-0132 - 0138

Hector & Anna Perez, 16310 NW 19 Street (District 3)

SUMMARY EXPLANATION AND BACKGROUND:
PROJECT DESCRIPTION / BACKGROUND:

Hector Perez, owner, has submitted seven residential zoning variance requests to legalize an existing driveway, an existing patio, and an existing roofed structure (attached) for the single-family residence located at 16310 NW 19 Street in Parkside at Spring Valley neighborhood which is zoned Residential Single-Family Zero Lot Line (R-1Z).

On July 13, 2023, the City's Code Compliance Division cited the property owner (Case No. 230702915) for work performed without building permits.

In July 24, 2023, the owner submitted a building permit application (No. RX23-09354) to build a driveway at the property; however, the building permit cannot be approved as the existing driveway exceeds the limitations of the City's Land Development Code (LDC).

The applicant originally requested:

- **ZV(R)2023-0132** is to allow 41% front lot coverage (total) instead of the required 40% front lot coverage (total) for an existing driveway on a zero-lot line property.
- **ZV(R)2023-0133** is to allow 49% width of lot instead of the allowed 40% width of lot for an existing driveway on a zero-lot line property.

After reviewing the applicant's initial request and, per the property's survey, it was detected an existing patio encroaching into the required side and rear setbacks. The survey also revealed an existing 31.8' x 11' roofed structure, attached to the rear of the house's rear wall, closer than the required rear and side setbacks. (See survey attached)

Per staff review of the city's archives, no building permits can be found for the detected work at the property. Nevertheless, according to the Broward County Property Appraiser Imagery, it appears the driveway, patio/deck and roofed structure have existed since at least 2015.

Planning and Economic Development Staff worked with the applicant to identify potential modifications to the site that could be made to meet the regulations of the LDC. The petitioner nevertheless requested to move forward to retain the existing non-permitted items at the existing dimensions at existing location; therefore, the applicant specifically is requesting:

- **ZV(R)2023-0134:** to allow zero-foot (0') side setback along a segment of the western property line instead of the required five feet (5') side setback for an existing 39'-2' x 15' patio.
- **ZV(R)2023-0135:** to allow zero-foot (0') rear setback along the entire length of the rear property line instead of the required five feet (5') rear setback for an existing 50' x 15' patio.
- **ZV(R)2023-0136:** to allow four-foot, eleven-inch (4'-11") rear setback along a segment of the southern property line instead of the required fifteen-foot (15') rear setback for an existing 31.8' x 11' roofed structure, attached to the rear of the house's rear wall in a residential single-family zero lot.
- **ZV(R)2023-0137:** to allow zero-foot (0') and two-foot, ten-inch (2'-10") side setback along the eastern property line instead of the required five-foot (5') side setback for the existing 31.8' x 11' roofed structure and existing patio without a six-foot-high concrete block privacy wall in a residential single-family zero lot.
- **ZV(R)2023-0138:** to allow a Maximum Lot Coverage of 48% (all buildings) instead of the allowed 45% Maximum Lot Coverage (all buildings) for and existing 31.8' x 11' roofed structure, attached to the rear of the house's rear wall in a residential single-family zero lot.

The subject property is in the Parkside Spring Valley neighborhood. The applicant has provided a copy of the Homeowner Association (HOA) Letter, dated January 12, 2015.

VARIANCE REQUEST DETAILS:

ZV(R)2023-0132 is to allow 41% front lot coverage (total) instead of the required 40% front lot coverage (total) for an existing driveway on a zero-lot line property.

ZV(R)2023-0133 is to allow 49% width of lot instead of the allowed 40% width of lot for an existing driveway on a zero-lot line property.

ZV(R)2023-0134 is to allow zero-foot (0') side setback along a segment of the west property line instead of the required five feet (5') side setback for an existing 39' x 15' patio.

ZV(R)2023-0135 is to allow zero-foot (0') rear setback along the entire length of the rear property line instead of the required five feet (5') rear setback for an existing 50' x 15' patio.

ZV(R)2023-0136 is to allow four-foot, eleven-inch (4'-11") rear setback along a segment of the southern property line instead of the required fifteen-foot (15') rear setback for an existing 31.8' x 11' roofed structure, attached to the rear of the house's rear wall in a residential single-family zero lot.

ZV(R)2023-0137 is to allow zero-foot (0') and two-foot, ten-inch (2'-10") side setback along the eastern property line instead of the required five-foot (5') side setback for an existing 31.8' x 11' roofed structure and patio without a six-foot-high concrete block privacy wall in a residential single-family zero lot.

ZV(R)2023-0138 is to allow a Maximum Lot Coverage of 48% (all buildings) instead of the allowed 45% Maximum Lot Coverage (all buildings) for and existing 31.8' x 11' roofed structure, attached to the rear of the house's rear wall in a residential single-family zero lot.

Code References:

ZV(R)2023-0132 - 0136)

Table 155.620 Accessory Building and Structures

Type, Driveway, Zero-Lot Line, Maximum Dimensions, 40 % width of lot

Type, Driveway, Zero-Lot Line, Maximum Dimensions, 40% front lot coverage

Type, Deck or Patio, Setback, Rear, 5 feet

ZV(R)2023-0137 & 0138)

Table 155.422: Residential Single-Family Zero Lot Line (R-1Z)

Standard, Residential

Maximum Lot Coverage, 45%

Rear Setback, 15 feet