

**JUNE 1, 2023**

The regular meeting of the BOARD OF ADJUSTMENT was called to order by Chairman Rodriguez-Soto on Thursday, June 1, 2023 at 6:30 P.M., in the City Commission Chambers, Charles F. Dodge City Center, 601 City Center Way, Pembroke Pines, Florida, 33025.

**PRESENT:** Chairman Rodriguez-Soto, Vice Chairman Goggin, Member Brito, Crawl and Abbondandolo; Alternate Member Siddiqui

**ABSENT:** Alternate Member Almeria

**ALSO PRESENT:** Christian Zamora, Planner/Zoning Specialist, Quentin Morgan, Assistant City Attorney, and Board Secretary Katherine Borgstrom

Board Secretary Borgstrom called roll and declared a quorum present.

**APPROVAL OF THE MINUTES:**

A motion by Member Crawl, seconded by Vice Chair Goggin, to approve the minutes of the May 4, 2023 meeting as corrected passed unanimously.

**EXCUSED ABSENCES:**

A motion by Vice Chair Goggin, seconded by Member Abbondandolo, to excuse the absence of Alternate Member Almeria passed unanimously.

**LEGAL INSTRUCTIONS:**

Assistant City Attorney Quinten Morgan explained the hearing process to the audience and applicants. The hearing is quasi-judicial and all testimony taken is under oath. The Board has the right to ask witnesses questions that the Board deems relevant to the application. At the conclusion of the hearing, the Board will consider testimony and evidence and enter an order. Three votes are needed to approve a variance. The decisions are appealable to the City Commission of Pembroke Pines only.

[Secretary’s Note: Interested parties were sworn under oath to give testimony in the relevant causes by the Assistant City Attorney.]

**NEW BUSINESS:**

**VARIANCES:**

**VARIANCE FILE NUMBERS: ZV(R)2023-0027 & 0030 - 0031**

**PETITIONER:**

Carlos Ramos & Esther Soledad Pena

**ADDRESS:**

**SUBJECT PROPERTY:**

6146 SW 191 Avenue  
Pembroke Pines, FL 33332

**LEGAL DESCRIPTION:**

Lot 100, Block E, Laguna Isles, of the BIG SKY NORTH RESIDENTIAL PLAT, according to the Plat thereof as recorded in Plat Book 168, Page 24B, of the Public Record of Broward County, Florida.

**VARIANCES REQUESTED:**

Petitioner is requesting variances to allow:

**ZV(R)2023-0027)** a 56% total front lot coverage instead of the required 35% total front lot coverage for an existing driveway.

**ZV(R)2023-0030)** a 55% total width of lot instead of the allowed 40% width of lot for an existing driveway.

**ZV(R)2023-0031)** a 46% total lot coverage instead of the required 40% total lot coverage for all buildings and accessory structures.

**REFERENCES:**

**ZV(R)2023-0027 & 0030)**

Table 155.620 Accessory Building and Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Driveway, Typical Lot	0 feet	5 feet	15 feet 155.600(B)	N/A	N/A	35% front lot coverage  40 % width of lot	[1] 10 foot minimum width

**ZV(R)2023-0031)**

Big Sky North Planned Unit Design (PUD) Guidelines: PUD SF-1

Chairman Rodriguez-Soto read the request into the record.

## **PROJECT DESCRIPTION / BACKGROUND:**

Carlos Ramos, owner, submitted three residential zoning variance requests for an existing driveway and an existing covered patio at the single-family residence located at 6146 SW 191<sup>st</sup> Avenue in the Laguna Isles subdivision, which is zoned Planned Unit Development (PUD).

On July 20, 2021, the City's Code Compliance Division initiated Code Compliance procedures (Case No. 129430) for work performed without building permits.

On February 3, 2022, Mr. Ramos appeared before the Board of Adjustment requesting two (2) variances: ZV(R) 2021-48 to allow 75% front lot coverage instead of maximum 35% front lot coverage; and ZV(R) 2021-49 to allow 64% width of lot instead of allowed 40% width of lot. Both of these variances failed by 0-5 votes, partially due to Laguna Isles Homeowner's Association (HOA) testimony against these requests.

Since this meeting, Mr. Ramos has been working with his HOA to come up with agreed upon limits for the paver driveway. With the resubmitted variance requests agreed to by the HOA, it was discovered that there is an existing covered patio that was installed without permits. Due to this unpermitted structure, the total lot coverage of all roofed structures is 46% which exceeds code allowance of 40% maximum lot coverage.

- ZV(R) 2023-0027 is to allow 56% front lot coverage (total) instead of allowed 35% front lot coverage (total) for an existing paver driveway in a typical lot.
- ZV(R) 2023-0030 is to allow 55% total width of lot instead of allowed 40% front lot coverage (total) for an existing paver driveway in a typical lot.
- ZV(R) 2023-0031 is to allow 46% Lot Coverage instead of the allowed 40% Lot Coverage.

The applicant is aware that Board consideration of residential variance requests does not preclude the property owner from obtaining all necessary development related approvals or permits.

The subject property is in the Laguna Isles subdivision and has received approval from the Laguna Isles Homeowner's Association.

**VARIANCE REQUEST DETAILS:**

**ZV(R) 2023-0027** to allow a 56% total front lot coverage instead of the required 35% total front lot coverage for an existing driveway;

**ZV(R) 2023-0030** to allow a 55% total width of lot instead of the allowed 40% width of lot for an existing driveway;

**ZV(R) 2023-0031** to allow a 46% total lot coverage instead of the required 40% total lot coverage for all buildings and accessory structures.

*Code References:*

**Table 155.620 Accessory Building and Structures**

**ZV(R)2023-0027)**

Type, Driveway, Typical Lot, Maximum Dimensions, 35% front lot coverage

**ZV(R)2023-0030)**

Type, Driveway, Typical Lot, Maximum Dimensions, 40 % width of lot

**ZV(R)2023-0031)**

Big Sky North Planned Unit Design (PUD) Guidelines: PUD SF-1

Carlos Ramos, petitioner, spoke to the variance request. He stated he has worked with HOA to get approval and changed the size request from the original petition of February 2023. Members were most concerned that reduction is still well over the code limitations and that drainage will still be limited. Members recognized the buffer behind the home, located in SW Ranches, but that property is lower than Mr. Ramos' property and will not aid in drainage.

The members of the board who spoke to the variance request were Vice Chair Goggin, Chair Rodriguez-Soto, Members Crawl, Abbondandolo and Alternate Siddiqui.

The member of staff who spoke to the variance request was Christian Zamora.

No one from the public asked to speak to the variance request.

On a motion by Vice Chair Goggin, seconded by Member Crawl, to grant variance request ZV(R)2023-0027, under Sec. 155.301(O)(1)(c), to allow a 56% total front lot coverage instead of the required 35% total front lot coverage for an existing driveway, the following vote was recorded:

AYE: Member Abbondalol

NAY: Chairman Rodriguez-Soto, Vice Chairman Goggin, Members Brito and Crawl

Motion Failed

On a motion by Vice Chair Goggin, seconded by Member Crawl, to grant variance request ZV(R)2023-0030, under Sec. 155.301(O)(1)(c), to allow a 55% total width of lot instead of the allowed 40% width of lot for an existing driveway, the following vote was recorded:

AYE: Member Abbondalol

NAY: Chairman Rodriguez-Soto, Vice Chairman Goggin, Members Brito and Crawl

Motion Failed

On a motion by Vice Chair Goggin, seconded by Member Crawl, to grant variance request ZV(R)2023-0031, under Sec. 155.301(O)(1)(c), to allow a 46% total lot coverage instead of the required 40% total lot coverage for all buildings and accessory structures, the following vote was recorded:

AYE: Member Abbondalol

NAY: Chairman Rodriguez-Soto, Vice Chairman Goggin, Members Brito and Crawl

Motion Failed

**VARIANCE FILE NUMBERS: ZV(R)2023-0050 - 0052**

**PETITIONER:**

Alexander & Marisela Munoz

**ADDRESS:**

**SUBJECT PROPERTY:**

18851 NW 24 Court  
Pembroke Pines, FL 33029

**LEGAL DESCRIPTION:**

Lot 464, of the KEYSTONE LAKE of the BIG SKY PLAT, according to the Plat thereof as recorded in Plat Book 158, Page 11B, of the Public Record of Broward County, Florida.

**VARIANCES REQUESTED:**

Petitioner is requesting variances to allow:

**ZV(R)2023-0050**) a 46% front lot coverage (total) instead of the allowed 40% front lot coverage (total) in a zero-lot for an existing driveway.

**ZV(R)2023-0051**) a zero feet (0') side setback along the eastern property line instead of the required five feet (5') on a zero-lot line for an existing deck/patio.

**ZV(R)2023-0052**) a three feet (3') side setback along the western property line instead of the required five feet (5') on a zero-lot line for an existing deck/patio.

**REFERENCES:**

**ZV(R)2023-0050)**

Table 155.620 Accessory Building and Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Driveway, Zero Lot Line*	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

**ZV(R)2023-0051 & 0052)**

Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Deck or Patio*	Primary Building	5 feet	5 feet	5 feet	N/A	N/A	N/A

Chairman Rodriguez-Soto read the request into the record.

**PROJECT DESCRIPTION / BACKGROUND:**

Alexander Munoz, owner, submitted three residential zoning variance requests to legalize an existing driveway and patio for the single-family residence located at 18851 NW 24 Court in Keystone Lake neighborhood. The property is part of the Big Sky Planned Unit Development (PUD) and follows PUD Zone SF-2 (single-family zero-lot line) guidelines. The PUD does not address driveways, patios, or decks, but it establishes “*a perpetual seven foot (7') wide easement for the maintenance of the wall on the lot adjacent to the zero-lot line, which, with the exception of landscaping shall be kept clear of structures*”. The provisions of the City’s Land Development Code (LDC) apply when PUD guidelines are silent.

On October 10, 2022, the owner submitted a building permit application (No. RX22-07828) to replace the originally “as built” driveway and walkway at the property (like for like) The permit was approved, issued, inspections satisfied, and the permit was completed on December 6<sup>th</sup> 2022.

In March 3<sup>rd</sup>, 2023, the City’s Code Compliance Division initiated Code Compliance procedures (Case No. 230301073, in progress) for a patio built without a building permit; also, the code case notes tree(s) removed without approval.

The owner submitted a survey showing the unpermitted work and it was revealed it exceeded the building permit completed in December 2022. Per the survey, the existing paving along the sides of the home’s building is extending closer than required five feet (5’) setbacks and encroaching into the perpetual maintenance easement; in addition, the work performed on the front of the home exceeds total front lot coverage. Mr. Munoz, via building permitting and HOA approval, is willing to modify the existing pool deck/patio along the sides and rear property lines so they are five feet (5’) setback; nevertheless, he would like to keep the recent work done without approval.

Specifically, the owner is requesting:

- ZV(R) 2023-0050 is to allow a 46% front lot coverage (total) instead of the allowed 40% front lot coverage (total) in a zero-lot for an existing driveway.
- ZV(R) 2023-0051 to allow a zero feet (0’) side setback along the eastern property line instead of the required five feet (5’) on a zero-lot line for an existing deck/patio.
- ZV(R) 2023-0052 is to allow a three feet (3’) side setback along the western property line instead of the required five feet (5’) on a zero-lot line for an existing deck/patio.

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. This request does not include any landscape exemptions.

The subject property is in the Keystone Lake neighborhood. No HOA approval has been provided.

**VARIANCE REQUEST DETAILS:**

**ZV(R) 2023-0050** is to allow a 46% front lot coverage (total) instead of the allowed 40% front lot coverage (total) in a zero-lot for an existing driveway.

**ZV(R) 2023-0051** is to allow a zero feet (0') side setback along the eastern property line instead of the required five feet (5') on a zero-lot line for an existing deck/patio.

**ZV(R) 2023-0052** is to allow a three feet (3') side setback along the western property line instead of the required five feet (5') on a zero-lot line for an existing deck/patio.

*Code References:*

Table 155.620 Accessory Building and Structures

**ZV(R) 2023-0050)**

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

**ZV(R) 2023-0051-0052)**

Type, Deck or patio\*, Setback, Side, 5 feet

Alexander Munoz, petitioner, spoke to the variance request. He stated the information in the Staff Summary is correct and that he did have the work done unpermitted. He has worked with the HOA to get their approval. He is a firefighter, wife is a nurse, the grandparents often help with the children when their shifts overlap. The enlarged drive will allow them to park legally on the property.

The members of the board who spoke to the variance request were Chair Rodriguez-Soto, Vice Chair Goggin, Member Abbondandolo.

The member of staff who spoke to the variance request was Christian Zamora.

Eddy Gomez, neighbor, spoke from the public about the variance request. He stated there is no flooding in the community and he supports this variance request.

A motion by Vice Chair Goggin, seconded by Member Crawl, to grant variance request ZV(R)2023-0050, under Sec. 155.301(O)(1)(c), to allow a 46% front lot coverage (total) instead of the allowed 40% front lot coverage (total) in a zero-lot for an existing driveway passed



unanimously.

A motion by Vice Chair Goggin, seconded by Member Crawl, to grant variance request ZV(R)2023-0051, under Sec. 155.301(O)(1)(c), to allow a zero feet (0') side setback along the eastern property line instead of the required five feet (5') on a zero-lot line for an existing deck/patio passed unanimously.

A motion by Vice Chair Goggin, seconded by Member Crawl, to grant variance request ZV(R)2023-0052, under Sec. 155.301(O)(1)(c), to allow a three feet (3') side setback along the western property line instead of the required five feet (5') on a zero-lot line for an existing deck/patio passed unanimously.

**VARIANCE FILE NUMBERS: ZV(R)2023-0053 - 0057**

**PETITIONER:**

Glenn & Tanya Chang

**ADDRESS:**

**SUBJECT PROPERTY:**

2336 NW 189 Avenue  
Pembroke Pines, FL 33029

**LEGAL DESCRIPTION:**

Lot 54, Keystone Lake, of the BIG SKY PLAT, according to the Plat thereof as recorded in Plat Book 158, Page 11B, of the Public Record of Broward County, Florida.

**VARIANCES REQUESTED:**

Petitioner is requesting a variance to:

**ZV(R)2023-0053** allow a 49% front lot area instead of the allowed 35% front lot coverage for a proposed driveway on a single family residential lot;

**ZV(R)2023-0054** allow a 43% total width of lot instead of the allowed 40% of the lot's width for a proposed driveway on a single family residential lot;

**ZV(R)2023-0055** allow a zero feet (0') side setback along a portion of the northern property line instead of the required five feet (5') for an existing deck or patio;

**ZV(R)2023-0056** allow a zero feet (0') rear setback along a portion instead of the required five feet (5') rear setback for an existing pool deck or patio;

**ZV(R)2023-0057** allow a two feet (2') side setback along a portion of the southern property line instead of the required five feet (5') for an existing pool deck or patio.

**REFERENCES:**

**ZV(R)2023-0053 & 0054)**

Table 155.620 Accessory Building and Structures
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Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Driveway, Circular*	0 feet	5 feet	15 feet 155.600(B)	N/A	N/A	35% front lot coverage 40% lot coverage for zero lot line. 40% width of lot	[1] Shall include 5 foot radius between driveway and lot line. [2] 10 foot minimum width

**ZV(R)2023-0055 - 0057)**

Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Deck or Patio*	Primary Building	5 feet	5 feet	5 feet	N/A	N/A	N/A

Chairman Rodriguez-Soto read the request into the record.

**PROJECT DESCRIPTION / BACKGROUND:**

Glenn & Tanya Chang, owners, have submitted five zoning variance requests for the property located at 2336 NW 189 Avenue in Keystone Lake neighborhood. The property is part of the Big Sky Planned Unit Development (PUD) and follows PUD Zone SF-1 (single-family conventional) guidelines. The PUD does not address driveways, patios, or decks (PUD), Single Family-Residential Zoning District. Therefore, the provisions of the City’s Land Development Code (LDC) apply.

The applicant is proposing a new driveway at the property; however, the proposed driveway exceeds the limitations of the City’s Land Development Code (LDC).

Specifically, the applicant is requesting:

- ZV(R) 2023-0053: to allow 49% front lot area (total) instead of the allowed 35% front lot coverage for a proposed driveway in a typical lot.
- ZV(R) 2023-0054: is to allow 43% of lot’s width instead of the allowed 40% of the lot’s width for a proposed driveway in a typical lot.

Upon review of construction documents for the property, Broward County Property Appraiser available imagery, and the provided survey, it was detected that the patio/deck have been extended towards the sides and rear property lines, closer than the required five feet (5') setbacks. Mr. Chang is requesting variance consideration to retain the items existing at the property, all built without building permits:

- ZV(R) 2023-0055: to allow zero feet (0') side setback along a portion of the northern property line instead of the required five feet (5') for an existing deck or patio.
- ZV(R) 2023-0056: to allow zero feet (0') rear setback along a portion of the rear property line instead of the required five feet (5') rear setback for an existing pool deck or patio.
- ZV(R) 2023-0057: to allow two feet (2') side setback along a portion of the southern property line instead of the required five feet (5') for an existing pool deck or patio.

Per staff findings, the pool deck or patios have been present on the property since early 2007; however, according to city records, no building permits are available.

The applicant is aware that Board consideration of a residential variance request does not preclude the property owner from obtaining all necessary development related approvals or permits.

The subject property is in Keystone Lake Neighborhood. The applicant has provided copy of HOA Approval dated December 23, 2022.

**VARIANCE REQUEST DETAILS:**

**ZV(R) 2023-0053** to allow 49% front lot area instead of the allowed 35% total front lot area for a proposed driveway in a typical lot.

**ZV(R) 2023-0054** is to allow 43% of the lot's width instead of the allowed 40% total width of lot for a proposed driveway in a typical lot.

**ZV(R) 2023-0055** is to a zero feet (0') side setback along a portion of the northern property line instead of the required five feet (5') for an existing deck or patio.

**ZV(R) 2023-0056)** is to a zero feet (0') rear setback instead of the required five feet (5') rear setback for an existing pool deck or patio.

**ZV(R) 2023-0057)** is to allow an two feet (2') side setback along a portion of the southern property line instead of the required five feet (5') for an existing pool deck or patio.

**Code References:**

**ZV(R) 2023-0053 & 0054)**

Table 155.620 Accessory Building and Structures

Type, Driveway, Zero Lot Line, Maximum Dimensions, 35% front lot coverage

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

**ZV(R) 2023-0055 & 0057)**

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

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

Glen Chang, petitioner, spoke to the variance request. He stated that no landscaping work has been done yet, they are still in permitting stage. They need the larger driveway as their grown children cars and live at home. Many of the homes in the community have this same type of driveway. Petitioner stated from questions that he did not build the pool, research shows the pool and deck were properly permitted, but the extension of the deck was done by Mr. Chang without permit. Members' concerns were on drainage and very small amount of green space. Petitioner was asked if he could reduce the size of the requests? He stated he is willing. Members discussed if they could table to a time certain and attorney advised they could.

The members of the board who spoke to the variance request were Chair Rodriguez-Soto, Vice Chair Goggin, Members Crawl, Brito, and Abbondandolo.

The member of staff who spoke to the variance request was Christian Zamora.

No one from the public asked to speak to the variance request.

A motion by Vice Chair Goggin, seconded by Member Brito, to table to a time certain, being the next Board of Adjustment Meeting, the following variance requests ZV(R)2023-0053 – 0057, passed unanimously.

**VARIANCE FILE NUMBERS: ZV(R)2023-0058 - 0059**

**PETITIONER:**

Ricardo Nova

**ADDRESS:**

**SUBJECT PROPERTY:**

1101 NW 79 Way  
Pembroke Pines, FL 33024

**LEGAL DESCRIPTION:**

Lot 12, Block 17, of the BOULEVARD HEIGHTS SECTION 8 PLAT, according to the Plat thereof as recorded in Plat Book 57, Page 9B, of the Public Record of Broward County, Florida.

**VARIANCES REQUESTED:**

Petitioner is requesting variances to allow:

**ZV(R)2023-0058)** a 55% total front lot coverage instead of the required 35% total front lot coverage for an existing driveway.

**ZV(R)2023-0059)** a four feet – 10 inch (4'-10") side setback (northern) instead of the required five feet (5') side setback for an existing driveway.

**REFERENCES:**

**ZV(R)2023-0058 & 0059)**

Table 155.620 Accessory Building and Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Driveway, Typical Lot	0 feet	5 feet	15 feet 155.600(B)	N/A	N/A	35% front lot coverage  40 % width of lot	[1] 10 foot minimum width

Chairman Rodriguez-Soto read the request into the record.

**PROJECT DESCRIPTION / BACKGROUND:**

Ricardo Nova, owner, submitted two residential zoning variance requests for an existing driveway and a 22.0' x 10.05' patio at the single-family residence located at 1101 NW 79 Way in the Boulevard Heights neighborhood, which is zoned R-1C (Residential Single-Family).

On November, 2021, the City's Code Compliance Division initiated Code Compliance procedures (Case No. 68396) for work performed without building permits.

In December 13, 2021, the property owner submitted a building permit application (BUL-263484) to legalize the completed work. The permit application and documents revealed that the

existing driveway and patio exceed the limitations of the City's Land Development Code (LDC); therefore, the applicant is requesting the following:

- ZV(R) 2023-0058 is to allow 55% front lot coverage (total) instead of the allowed 35% front lot coverage (total) for an existing driveway in a typical lot.
- ZV(R) 2023-0059 is to allow four feet, 10 inches (4' - 10") side setback instead of the required five feet (5') side setback along a portion of the northern property line for an existing driveway and patio in a typical lot.

Per staff findings of city records, a building permit (No. 42311442) was issued in the year 2003 for the driveway and 22.0' x 10.05' patio for the property; however, the approved permit included five feet (5') side setback (northern property line). The existing driveway and patio did not match and there is no building permit for the detected alteration. Hence, the provisions of the City's LDC are applicable (City Code 155.627).

The applicant is aware that Board consideration of residential variance requests does not preclude the property owner from obtaining all necessary development related approvals or permits.

The property is not located within a homeowner's association.

#### **VARIANCE REQUEST DETAILS:**

**ZV(R) 2023-0058:** is to allow 55% front lot coverage (total) instead of the allowed 35% front lot coverage (total) for an existing driveway in a typical lot.

**ZV(R) 2023-0059:** is to allow four feet, 10 inches (4' – 10") side setback (northern property line) instead of the required five feet (5') setback for an existing driveway and patio in a typical lot.

#### *Code References:*

#### **Table 155.620 Accessory Building and Structures**

#### **ZV(R) 2023-0058)**

Type, Driveway and patio, Typical Lot, Maximum Dimensions, 35% front lot coverage

#### **ZV(R) 2023-0059)**

Type, Driveway and patio, Typical Lot, Setback, Side, 5 feet

Ricardo Nova, petitioner, spoke to the variance request. He stated he had paid a contractor to pull permits and start the work but contractor did not and will not return his money. The driveway

was in code in 2003 but the additional work has not been permitted. Petitioner moved into home in 2015 and there is evidence that he has always pulled permits for work in the past. The driveway will be pavers. Petitioner states there is no flooding or drainage problems on the property.

The members of the board who spoke to the variance request were Chair Rodriguez-Soto and Vice Chair Goggin.

The member of staff who spoke to the variance request was Christian Zamora.

No one from the public asked to speak to the variance request.

A motion by Vice Chair Goggin, seconded by Member Crawl, to grant variance request ZV(R)2023-0058, under Sec. 155.301(O)(1)(c), allow a 55% total front lot coverage instead of the required 35% total front lot coverage for an existing driveway pass unanimously.

A motion by Vice Chair Goggin, seconded by Member Crawl, to grant variance request ZV(R)2023-0059, under Sec. 155.301(O)(1)(c), allow a four feet – 10 inch (4'-10") side setback (northern) instead of the required five feet (5') side setback for an existing driveway passed unanimously.

**VARIANCE FILE NUMBERS: ZV(R)2023-0060 & 0061**

**PETITIONER:**  
Davina Rosario

**ADDRESS:**  
**SUBJECT PROPERTY:**  
16318 NW 17 Court  
Pembroke Pines, FL 33028

**LEGAL DESCRIPTION:**  
Lot 409, of the PARKSIDE AT SPRING VALLEY PLAT, according to the Plat thereof as recorded in Plat Book 158, Page 13B, of the Public Record of Broward County, Florida.

**VARIANCES REQUESTED:**  
Petitioner is requesting variances to allow:  
**ZV(R)2023-0060**) a 50% total front zero lot line coverage instead of the required 40% total front lot coverage for an existing driveway  
**ZV(R)2023-0061**) allow a 45% width of lot on a zero-lot line instead of the 40% required width of lot for an existing driveway.

**REFERENCES:  
ZV(R)2023-0060 - 0061)**

Table 155.620 Accessory Building and Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Driveway, Zero Lot Line	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

**PROJECT DESCRIPTION / BACKGROUND:**

Divina Rosario, owner, submitted two residential zoning variance requests to legalize an existing driveway and walkway for the single-family residence located at 16318 NW 17 Court in Parkside at Spring Valley neighborhood which is zoned R-1Z (Residential Single-Family Zero Lot Line).

On December 6, 2022, the City’s Code Compliance Division initiated Code Compliance procedures (Case No. 221202833) for work performed without building permits.

In April 11, 2023, the owner submitted a building permit application (No. RX23-05041) to build a driveway and patio at the property; however, per owner’s provided plan, the existing driveway exceeds the provisions of the City’s Land Development Code (LDC)

The applicant is requesting:

- ZV(R) 2023-0044 is to allow 55% front lot coverage (total) instead of the allowed 40% front lot coverage (total) in a zero-lot.
- ZV(R) 2023-0045 is to allow 45% of lot’s width instead of the allowed 40% of lot’s width for an existing driveway 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 Parkside at Spring Valley neighborhood. The applicant has provided a copy of the Homeowner Association (HOA) approval.

**VARIANCE REQUEST DETAILS:**

**ZV(R)2023-0060**) a 50% total front zero lot line coverage instead of the required 40% total front lot coverage for an existing driveway.

**ZV(R)2023-0061**) a 45% width of lot on a zero-lot line instead of the 40% required width of lot for an existing driveway.

*Code References:*

**ZV(R)2023-0060 & 61)**

Table 155.620 Accessory Building and Structures

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

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

Divina Rosario, petitioner, spoke to the variance request. He stated she hired a contractor to replace driveway, he took money and will not answer her calls now and he did not pull permits. Work was done and it exceeds the code limitations for size. If cars are parked on street HOA give fines and there are many other homes in the community with the same size of driveway.

The member of the board who spoke to the variance request was Chair Rodriguez-Soto.

The member of staff who spoke to the variance request was Christian Zamora.

Jose Beltre, neighbor, spoke from the public to the variance request. He stated that many homes have the same driveway and he is supporting the petitioner.

A motion by Vice Chair Goggin, seconded by Member Brito, to grant variance request ZV(R)2023-0060, under Sec. 155.301(O)(1)(c), allow a 50% total front zero lot line coverage instead of the required 40% total front lot coverage for an existing driveway passed unanimously.

A motion by Vice Chair Goggin, seconded by Member Brito, to grant variance request

ZV(R)2023-0061, under Sec. 155.301(O)(1)(c), allow a 45% width of lot on a zero-lot line instead of the 40% required width of lot for an existing driveway passed unanimously.

**VARIANCE FILE NUMBERS: ZV(R)2023-0062 & 0063**

**PETITIONER:**

Susy Corona

**ADDRESS:**

**SUBJECT PROPERTY:**

11601 NW 15 Court  
Pembroke Pines, FL 33026

**LEGAL DESCRIPTION:**

Lot 18, Block 57, of the PEMBROKE LAKES SECTION 6 PLAT, according to the Plat thereof as recorded in Plat Book 94, Page 3B, of the Public Record of Broward County, Florida.

**VARIANCES REQUESTED:**

Petitioner is requesting variances to:

**ZV(R)2023-0062** allow a one foot (1') side setback along the eastern property line instead of the required five feet (5') for an existing deck or patio.

**ZV(R)2023-0063** allow a three feet (3') side setback along the western property line instead of the required five feet (5') for an existing deck or patio

**ZV(R)2023-0062 & 0063)**

Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Deck or Patio	Primary Building	5 feet	15 feet	5 feet	N/A	N/A	N/A.

**PROJECT DESCRIPTION / BACKGROUND:**

Susy Corona, owner, has submitted two residential Zoning Variance requests for an existing concrete deck or patio at the single-family residence at 11601 NW 15<sup>th</sup> Court in Pembroke Lakes, which is zoned Residential Multi-Family (R-MF). Per the provided survey, the location of the existing items are on the east and west side yards of the house.

On February 3, 2023, the City's Code Compliance Division initiated Code Compliance procedures (Case No. 230200575) for work performed without building permits.

Ms. Corona has is requesting the following variances to legalize the existing deck or patio on the east and west sides of her house:

- ZV(R)2023-0062 is to allow a one feet (1') side setback along the eastern property line instead of the required five feet (5') for an existing deck or patio.
- ZV(R)2023-0063 is to allow a three feet (3') side setback along the western property line instead of the required five feet (5') for an existing deck or patio.

Per staff findings of City records, in 2018, Building Permit #1860879-0 (copy in folder) replaced an asphalt driveway with pavers within the existing shape and dimensions of the asphalt driveway. This permit was closed out with a passed Final Inspection on September 20, 2018.

The applicant is aware that Board consideration of a residential variance request does not preclude the property owner from obtaining all necessary development related approvals or permits.

There is no active Homeowner's Association.

**VARIANCE REQUEST DETAILS:**

**ZV(R)2023-0062:** to allow a one feet (1') side setback along the eastern property line instead of the required five feet (5') for an existing deck or patio.

**ZV(R)2023-0063:** to allow a three feet (3') side setback along the western property line instead of the required five feet (5') for an existing deck or patio.

*Code References:*

**Table 155.620 Accessory Building and Structures**

ZV(R)2023-0062 & 0063))

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

Susy Corona, petitioner, spoke to the variance request. She stated the driveway was completed by prior owner and the side pavers sunk, allow water to go into the garage. Replaced with concrete, same footprint as pavers and it has solved the drainage issue.

The members of the board who spoke to the variance request were Chair Rodriguez-Soto and Vice Chair Goggin.

The member of staff who spoke to the variance request was Christian Zamora.

No one from the public asked to speak to the variance request.

A motion by Vice Chair Goggin, seconded by Member Brito, to grant variance request ZV(R)2023-0062, under Sec. 155.301(O)(1)(c), allow a one foot (1') side setback along the eastern property line instead of the required five feet (5') for an existing deck or patio passed unanimously.

A motion by Vice Chair Goggin, seconded by Member Brito, to grant variance request ZV(R)2023-0063, under Sec. 155.301(O)(1)(c), allow a three feet (3') side setback along the western property line instead of the required five feet (5') for an existing deck or patio passed unanimously.

**STAFF CONCERNS:**

Reminder that there is no July meeting and that all board members need to fill out and submit Form 1 to the County.

**ADJOURNMENT:**

On a motion by Vice Chair Goggin, seconded by Member Abbondandolo, to adjourn the meeting at 9:30 P.M., passed unanimously.

Respectfully submitted:

Katherine Borgstrom

Katherine Borgstrom  
Board Secretary

Adjourned: 9:30 P.M.  
Approved:8/3/2023