

OCTOBER 5, 2023

The regular meeting of the BOARD OF ADJUSTMENT was called to order by Chairman Rodriguez-Soto on Thursday, October 5, 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, Members Abbondandolo, Brito and Crawl; Alternate Member Almeria

ABSENT: Alternate Member Siddiqui

ALSO PRESENT: Christian Zamora, Senior Planner, Quentin Morgan, Assistant City Attorney, and Board Secretary Katherine Borgstrom

Board Secretary Borgstrom called roll and declared a quorum present.

ORGANIZATION / SUNSHINE LAW REFRESHER:

Assistant City Attorney Quentin Morgan gave a brief Florida Sunshine Law refresher.

SELECTION OF CHAIRMAN AND VICE CHAIRMAN:

The floor was opened for nominations of Chair by the Assistant City Attorney.

Member Rodriguez-Soto nominated himself for Chair and Member Goggin nominated himself for Chair. The recorded vote was four votes for Member Rodriguez-Soto and one vote for Member Goggin. Member Rodriguez-Soto is elected as Chair.

The Chair then called for nominations for Vice Chair.

Member Goggin nominated himself, there were no other nominations, and the vote was unanimous.

APPROVAL OF THE MINUTES:

A motion by Vice Chair Goggin, seconded by Member Abbondandolo, to approve the minutes of the September 7, 2023 meeting passed unanimously.

EXCUSED ABSENCES:

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

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.]

OLD BUSINESS:

VARIANCES:

VARIANCE FILE NUMBERS: ZV(R)2023-0073 - 0076

PETITIONER:

Martha Camba

ADDRESS:

SUBJECT PROPERTY:

11440 NW 23 Street
Pembroke Pines, FL 33026

LEGAL DESCRIPTION:

Lot 14, Block 45, of the PEMBROKE LAKES SECTION 4 PLAT, according to the Plat thereof as recorded in Plat Book 91, Page 8B, of the Public Record of Broward County, Florida.

VARIANCES REQUESTED:

Petitioner is requesting variances to allow:

ZV(R) 2023-0073) a 67% total front lot coverage instead of the required 35% total front lot coverage for an existing circular driveway.

ZV(R) 2023-0074) a 48% width of lot instead of the allowed 40% width of lot for a existing circular driveway.

ZV(R) 2023-0075) a one foot, ten inches (1’ – 10”) side setback along a portion of the eastern property line instead of the required five feet (5’) side setback for an existing patio.

ZV(R) 2023-0076) a three feet, two inches (3’ – 2”) side setback along a portion of the eastern

property line instead of the required seven and a half feet (7.5') side setback for an existing attached covered patio.

REFERENCES:

ZV(R)2023-0073 - 0074)

Table 155.620 Accessory Building and Structures							
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)2023-0075)

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

ZV(R)2023-0076)

Table 155.421.3: Residential Single-Family (R-1C)	
Standard	Residential
Side Setback	7.5 feet

PROJECT DESCRIPTION / BACKGROUND:

Martha Camba, owner, submitted four residential zoning variance requests to legalize an existing circular driveway and attached covered patio for the single-family residence located at 11440 NW 23 Street in the Pembroke Lakes neighborhood.

On May 14, 2021, the City’s Code Compliance Division cited the property owner (Case No. 127688) for a circular driveway, covered patio and fence built without building permits.

On October 12, 2021 the owner submitted a building permit application (BUL-259398) to legalize the constructed driveway. The building permit was approved, and the permit issued; however, building inspections failed as the approved plans did not match the conditions on the

field (refer to building permit report, approved layout, attached) The owner submitted a survey showing the unpermitted work, the document revealed the existing circular driveway exceeded the size approved in the building permit issued on February 2, 2023.

- ~~**ZV(R) 2023-0073:** to allow a 67% front lot coverage (total) instead of the allowed 35% front lot coverage (total) for an existing circular driveway in a typical single-family residential lot.~~
- ~~**ZV(R) 2023-0074:** to allow a 48% of lot's width instead of the allowed 40% width of lot for an existing circular driveway at a typical single-family residential lot.~~

The above requests for the driveway at the property were heard by the Board on August 3, 2023 Meeting where the owner was directed to reconsider their request and to possibly provide an alternative plan to reduce further the amount of paving in the front of the house. Per the updated plan, the applicant now is requesting:

- **ZV(R) 2023-0073:** to allow a 58% front lot coverage (total) instead of the allowed 35% front lot coverage (total) for an existing circular driveway in a typical single-family residential lot.
- **ZV(R) 2023-0074:** to allow a 42% of lot's width instead of the allowed 40% width of lot for an existing circular driveway at a typical single-family residential lot.

Also, the survey document depicts an existing fifty feet, 3 inch (50' – 3") by eight feet, eleven inches (8' – 11") concrete patio located along the east side of the home building, located closer than required five feet (5.0') side setback. Per staff research and Broward County Property Appraiser Imagery, it was found the sixty feet by nine feet (60'- 9') attached covered patio is extending closer than the required seven and a half (7' - 6 ") side setback along a portion of the eastern property line.

Specifically, the owner is requesting the following:

- **ZV(R) 2023-0075:** to allow one foot, ten inches (1' – 10") side setback along a portion of the eastern property line instead of the required five feet (5') side setback for an existing patio.

- **ZV(R) 2023-0076:** to allow three feet, two inches (3' – 2") side setback along a portion of the eastern property line instead of the required seven and a half feet (7' – 6") side setback for an existing attached covered patio in a typical single-family residential 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. This request does not include any landscape exemptions.

The subject property is in the Pembroke Lakes neighborhood. Per City's registered Homeowner's Association, there is no registered HOA.

VARIANCE REQUEST DETAILS:

ZV(R) 2023-0073) is to allow a 67% front lot coverage (total) instead of the allowed 35% total front lot coverage for an existing circular driveway in a typical single-family residential lot.

ZV(R) 2023-0074) is to allow a 48% width of lot instead of the allowed 40% width of lot for an existing circular driveway at a typical single-family residential lot.

ZV(R) 2023-0075) is to allow one foot, ten inches (1' – 10") side setback along a portion of the eastern property line instead of the required five feet (5') side setback for an existing patio.

ZV(R) 2023-0076) is to allow three feet, two inches (3' – 2") side setback along a portion of the eastern property line instead of the required seven and a half feet (7' – 6") side setback for an existing attached covered patio.

Code References:

ZV(R) 2023-0073)

Table 155.620 Accessory Building and Structures
Type, Driveway, Circular, Maximum Dimensions, 35% front lot coverage

ZV(R) 2023-0074)

Table 155.620 Accessory Building and Structures
Type, Driveway, Circular, Maximum Dimensions, 40 % width of lot

ZV(R) 2023-0075)

Table 155.620 Accessory Building and Structures
Type, Deck or patio, Setback, Side, 5 feet

ZV(R) 2023-0076)

Table 155.421.3 Residential Single Family (R-1C)
Standard, Residential, Side Setback, 7.5 feet

Martha Camba, petitioner, spoke to the variance request. She stated the variances have been reduced in size. Upon questioning, petitioner stated the water from the roof gutters runs to

the back of the property, where there is a lake, and that there is no standing water after a heavy rain. Mr. Zamora confirmed that there are no drainage easements on the sides of the home. Due to the change in setback requests, ZVR 2023-0074 no longer needs approval, as it does not apply.

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

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)2023-0073, under Sec. 155.301(O)(1)(c), allow a 58% total front lot coverage instead of the required 35% total front lot coverage for an existing circular driveway passed unanimously.

(No approval of ZV(R)2023-0074 was necessary, due to changes in request by petitioner.)

A motion by Vice Chair Goggin, seconded by Member Abbondandolo, to grant variance request ZV(R)2023-0075, under Sec. 155.301(O)(1)(c), allow a one foot, ten inches (1' – 10") side setback along a portion of the eastern property line instead of the required five feet (5') side setback for an existing patio passed unanimously.

A motion by Vice Chair Goggin, seconded by Member Brito, to grant variance request ZV(R)2023-0076, under Sec. 155.301(O)(1)(c), allow a three feet, two inches (3' – 2") side setback along a portion of the eastern property line instead of the required seven and a half feet (7.5') side setback for an existing attached covered patio passed unanimously.

VARIANCE FILE NUMBERS: ZV(R)2023-0086 & 0087

PETITIONER:

Albert & Stacey Abello

ADDRESS:

SUBJECT PROPERTY:

662 SW 159 Drive
Pembroke Pines, FL 33027

LEGAL DESCRIPTION:

Lot 12, Block 10, of the PASADENA AT PEMBROKE SHORES PLAT, according to the Plat thereof as recorded in Plat Book 159, Page 45B, of the Public Record of Broward County, Florida.

VARIANCES REQUESTED:

Petitioner is requesting variances to allow:

ZV(R) 2023-0086) a 56% total front lot coverage instead of the required 35% total front lot coverage for an existing circular driveway.

ZV(R) 2023-0087) a 52% width of lot instead of the allowed 40% width of lot for a existing circular driveway.

REFERENCES:

ZV(R)2023-0086 - 0087)

Table 155.620 Accessory Building and Structures							
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

PROJECT DESCRIPTION / BACKGROUND:

Albert Abello, property owner, has submitted two residential zoning variance requests for a proposed circular driveway at the property located at 662 SW 159 Drive. The property is part of the Pembroke Shores Planned Unit Development (PUD) and follows the guidelines for single-family homes with a lot larger than 8,800 square feet. The PUD guidelines do not address driveways, front lot coverage; therefore, the provisions of the City’s Land Development Code (LDC) are applicable.

On March 8, 2023, the owner submitted a building permit application (No. RX23-03239) to build a circular driveway on the property; however, the permit cannot be issued as the proposal exceeds the limitations of the City's LDC. The applicant is requesting the following:

- ZV(R) 2023-0086 is to allow 56% of front lot coverage instead of the allowed 35% front lot coverage for a proposed circular driveway in a typical single-family residential lot.
- ZV(R) 2023-0087 is to allow 52% of lot's width instead of the allowed 40% of lot's width for a proposed circular driveway in a typical single-family residential lot.

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 petitioner has not provided HOA Approval.

ZV(R) 2023-0086) to allow 56% of front lot coverage instead of the allowed 35% front lot coverage for a proposed circular driveway in a typical single-family residential lot.

ZV(R)2023-0087) is to allow 52% of lot's width instead of the allowed 40% of lot's width for a proposed circular driveway in a typical single-family residential lot.

Code References:

ZV(R) 2023-0086)

Table 155.620 Accessory Building and Structures

Type, Driveway, Circular, Maximum Dimensions, 35% front lot coverage

ZV(R) 2023-0087)

Type, Driveway, Circular, Maximum Dimensions, 40 % width of lot

Albert Abello, petitioner, spoke to the variance request. Christian Zamora stated that the prior requests have been reduced significantly. These will repair existing driveway to the same dimension and add a 12 ft wide by 30 ft long circular driveway. He also stated that the petitioner is working with engineering concerning engineering standards; also, a tree replacement via the Landscape Division.

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

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 Member Abbondandolo, seconded by Vice Chair Goggin, to grant variance request ZV(R)2023-0086, 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 circular driveway passed unanimously.

A motion by Member Abbondandolo, seconded by Vice Chair Goggin, to grant variance request ZV(R)2023-0087, under Sec. 155.301(O)(1)(c), to allow a 52% width of lot instead of the allowed 40% width of lot for an existing circular driveway passed unanimously.

NEW BUSINESS:
VARIANCES:

VARIANCE FILE NUMBERS: ZV(R)2023-0081 - 0083

PETITIONER:

James Hort

ADDRESS:

SUBJECT PROPERTY:

1420 NW 86 Terrace
Pembroke Pines, FL 33024

LEGAL DESCRIPTION:

Lot 17, Block 26, of the BOULEVARD HEIGHTS SECTION 9 5TH ADDITION PLAT, according to the Plat thereof as recorded in Plat Book 62, Page 15B, of the Public Record of Broward County, Florida.

VARIANCES REQUESTED:

Petitioner is requesting variances to allow:

ZV(R)2023-0081) a 74% total front lot coverage instead of the required 35% total front lot coverage for an existing driveway.

ZV(R)2023-0082) a 55% total width of lot instead of the allowed 40% width of lot for an existing driveway.

ZV(R)2023-0083) a 1'- 6" (northern) side setback instead of the required 5' side setback for an existing shed.

**REFERENCES:
ZV(R)2023-0081 & 0082)**

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)2023-0083)

Table 155.620 Accessory Building and Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Shed	Primary Building	5 feet	15 feet	5 feet	Primary building or 24 feet, whichever is less	[1] 100 square feet [2] 200 square feet if located in A or R-E.	[2] If over 200 square feet it shall meet primary building setbacks

PROJECT DESCRIPTION / BACKGROUND:

James Hort, owner, submitted three residential zoning variance requests for an existing driveway and a 12' x 9' shed, both existing in the property at the single-family residence located at 1420 NW 86 Terrace in the Boulevard Heights neighborhood, which is zoned Residential Single-Family (R-1C).

On December 19, 2022, the City's Code Compliance Division cited the owner (Case No. 221203027) for work performed without building permits.

In April 5, 2022, the property owner submitted a building permit application (RX22-00645) to legalize the completed driveway work. The permit application and documents revealed that

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

- ZV(R) 2023-0081 is to allow 77% front lot coverage (total) instead of the allowed 35% front lot coverage (total) for an existing driveway in a typical lot.
- ZV(R) 2023-0082 is to allow 55% width of lot instead of the allowed 40% width of lot for an existing driveway in a typical lot.

Per staff review and aerial photography from the Broward County Property Appraiser, the existing 12' x 9' shed had existed in the property since at least 2013. Staff revised historical building permit records but were unable to retrieve a permit for the existing driveway and 12' x 9' shed. Therefore, the applicant is asking:

- ZV(R) 2023-0083 is to allow a foot, six inches (1' - 6") side setback along a segment of the northern property line instead of the required five feet (5') setback for an existing 12' x 9' shed in a typical lot.

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) 2023-0081 is to allow 77% front lot coverage (total) instead of the allowed 35% front lot coverage (total) for an existing driveway in a typical lot.

ZV(R) 2023-0082 is to allow 55% width of lot instead of the allowed 40% of width of lot for an existing driveway in a typical lot.

ZV(R) 2023-0083: is to allow a foot, six inches (1'-6") side setback (eastern property line) instead of the required five feet (5') setback for an existing 12'x9' shed in a typical lot.

Code References:

Table 155.620 Accessory Building and Structures

ZV(R)2023-0081 & 0082)

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

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

ZV(R)2023-0083)

Type, Shed, Setback, Side, 5 feet

James Hort, petitioner, spoke to the variance request. He stated there is a work vehicle

and two other vehicles than necessitate the request to enlarge the driveway. He stated drainage is right at the side of the property and there is no flooding in the front after a heavy rain. He took out the asphalt drive and replaced it with the concrete one. Mr. Zamora confirmed there is no sewer on the front of the house, it is in the swale. Upon questioning, petitioner stated drainage goes to the lake in the back, there is no flooding.

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

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

Carlos Montinceno, neighbor, Sandra Ortiz, wife of petitioner, and Robert Perez, neighbor from the public asked to speak to the variance request. All three support the requests and state there is no drainage or flooding problems.

A motion by Vice Chair Goggin, seconded by Member Crawl, to table ZV(R)2023-0081, ZV(R)2023-0082, and ZV(R)2023-0083 to the next meeting in order for petitioner to reduce the request size passed unanimously.

VARIANCE FILE NUMBERS: ZV(R)2023-0098 & 0099

PETITIONER:

Manny & Yoirlen Fernandez

ADDRESS:

SUBJECT PROPERTY:

19162 NW 23 Court
Pembroke Pines, FL 33029

LEGAL DESCRIPTION:

Lot 138, 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)2023-0098) a 47% total front lot coverage instead of the required 35% total front lot coverage for an existing driveway.

ZV(R)2023-0099) a 41% total width of lot instead of the allowed 40% width of lot for an existing driveway.

REFERENCES:

ZV(R)2023-0098 & 0099)

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

PROJECT DESCRIPTION / BACKGROUND:

Manny Fernandez, owner, have submitted two residential zoning variance requests for a driveway at the property located at 19162 NW 23 Court 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 front lot coverage nor driveway width. Therefore, the provisions of the City’s Land Development Code (LDC) apply.

On March 29, 2023, the city issued a building permit (RX23-02187) to enlarge the existing driveway with pavers. However, on April 17, 2023, during building permit inspections, the engineering division noted the construction in the field exceeded the approved work; subsequently, the inspection failed, and no further inspections have taken place since.

As result of the deviation in the construction of the approved driveway, Mr. Fernandez is requesting:

- **ZV(R) 2023-0098** is to allow 47% front lot area (total) instead of the allowed 35% front lot coverage for an existing driveway in a typical lot.
- **ZV(R) 2023-0099** is to allow 41% of lot’s width instead of the allowed 40% of the lot’s width for an existing driveway in a typical 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 Keystone Lake Neighborhood. The applicant has provided a copy of the Homeowner Association (HOA) approval, dated February 13th, 2023.

VARIANCE REQUEST DETAILS:

ZV(R) 2023-0098 is to allow 47% front lot area (total) instead of the allowed 35% front lot coverage for an existing driveway in a typical lot.

ZV(R) 2023-0099 is to allow 41% of lot's width instead of the allowed 40% of the lot's width for an existing driveway in a typical lot.

Code References:

Table 155.620 Accessory Building and Structures

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

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

Manny Fernandez, petitioner, spoke to the variance request. He stated the need to expand the driveway is due to his wife's illness that makes it difficult for her to exit vehicle on the grass and they put a small walkway for the garbage can storage, to clean up that area. Mr. Zamora confirmed the driveway is pavers.

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

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)2023-0098, under Sec. 155.301(O)(1)(c), to allow a 47% total front lot coverage instead of the required 35% 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)2023-0099, under Sec. 155.301(O)(1)(c), to allow a 41% total width of lot instead of the allowed 40% width of lot for a existing driveway passed unanimously.

VARIANCE FILE NUMBERS: ZV(R)2023-0100 - 0101

PETITIONER:

Howard Diston

ADDRESS:

SUBJECT PROPERTY:

16227 NW 19 Street
Pembroke Pines, FL 33028

LEGAL DESCRIPTION:

Lot 357, 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)2023-0100) a 50% total front lot coverage instead of the required 40% total front lot coverage for an existing driveway on a zero lot line property.

ZV(R)2023-0101) a 53% width of lot instead of the allowed 40% width of lot for an existing driveway on a zero lot line property.

REFERENCES:

ZV(R)2023-0089)

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	5 feet	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:

Howard Diston, owner, submitted two residential zoning variance requests to legalize an existing driveway for the single-family residence located at 16227 NW 19 Street in Parkside at Spring Valley neighborhood which is zoned R-1Z (Residential Single-Family Zero Lot Line).

On June 6, 2023, the City's Code Compliance Division initiated Code Compliance procedures (Case No. 230602728) for work performed without building permits.

In July, 17, 2023, the owner submitted a building permit application (No. RX23-08818) to build a driveway 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)2023-0100** is to allow 50% front lot coverage (total) instead of the allowed 40% front lot coverage (total) in a zero-lot.
- **ZV(R)2023-0101** is to allow 53% width of lot 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 in the Spring Valley Neighborhood. The applicant has provided a copy of the Homeowner Association (HOA) approval, dated August 15, 2023.

VARIANCE REQUEST DETAILS:

ZV(R)2023-0100 is to allow a 50% total front lot coverage instead of the required 40% total front lot coverage for an existing driveway on a zero lot line property.

ZV(R)2023-0101 is to allow a 53% width of lot instead of the allowed 40% width of lot for an existing driveway on a zero lot line property.

Code References:

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

Howard Diston, petitioner, spoke to the variance request. He stated the driveway was installed this way when he purchased the property. He attempted to pull permits for approval, the driveway is pavers and he has no idea who did the construction.

The members of the board who spoke to the variance request were Chair Rodriguez-Soto, Vice Chair Goggin and Member 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 Member Abbondandolo, seconded by Vice Chair Goggin, to grant variance request ZV(R)2023-0100, under Sec. 155.301(O)(1)(c), allow a 50% total front lot coverage instead of the required 40% total front lot coverage for an existing driveway on a zero lot line property passed unanimously.

An amendment to the motion by Member Crawl, seconded by Vice Chair Goggin, to change the motion to under Sec. 155.301(O)(1)(b) passed unanimously.

A motion by Member Abbondandolo, seconded by Vice Chair Goggin, to grant variance request ZV(R)2023-0101, under Sec. 155.301(O)(1)(c), allow a 53% width of lot instead of the allowed 40% width of lot for an existing driveway on a zero lot line property passed unanimously.

VARIANCE FILE NUMBER: ZV(R)2023-0102

PETITIONER:

Ever Lopez

ADDRESS:

SUBJECT PROPERTY:

101 SW 64 Avenue
Pembroke Pines, FL 33023

LEGAL DESCRIPTION:

Lot 1, Block 38, of the BOULEVARD HEIGHTS SEC TEN PLAT, according to the Plat thereof as recorded in Plat Book 51, Page 15B, of the Public Record of Broward County, Florida.

VARIANCE REQUESTED:

Petitioner is requesting a variance to allow a 22’–75” front setback instead of the required 25 feet total front setback for a two story addition.

REFERENCE:

155.421 RESIDENTIAL SINGLE-FAMILY (R-1A, R-1B, R-1C)	
Standard	Residential
Front Setback	25 feet

PROJECT DESCRIPTION / BACKGROUND:

Ever Lopez, owner, submitted a residential zoning variance request to build an addition on the property located at 101 SW 64 Avenue in the Pines Village Neighborhood. The property is zoned Residential Single-Family (R-1C).

In March 2, 2023, the owner submitted a building permit application (No. RA23-02837) to propose a seventeen foot, eight inch by twenty foot (17’ - 8” x 20’) home addition at the west side of the existing building structure; however, the building permit cannot be approved as the proposed addition encroaches into the required twenty five foot (25’) front setback (north side). The City’s Land Development (LDC), defines the front lot as *“The line dividing a lot from a street or base building line, whichever results in the lesser depth of the lot.”* Per the property’s survey and as defined in the LDC, the front lot is oriented to the north and not to the west where the main entrance of the home faces.

As result, the applicant is requesting:

- ZV(R)2023-0102: to allow 22.75’ front yard setback along a segment of the front property line (north side) for a proposed seventeen foot, eight inches by twenty foot (17’-8” x 20’) home addition instead of the required 25’ front setback.

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

The property is located in the Pines Village neighborhood, there no HOA.

VARIANCE REQUEST DETAILS:

- **ZV(R) 2023-0102** is to allow 22.75' front yard setback along a segment of the front property line (north side) for a proposed seventeen foot, eight inch by twenty foot (17'-8" x 20') home addition instead of the required 25.00' front setback.

Code References:

ZV(R) 2023-0102:

Table 155.421.3: Residential Single-Family (R-1C)

Standard, Residential, Front Setback, 25 feet

Ever Lopez, petitioner, spoke to the variance request. He stated the original garage is now a family room and they want to put a second story over that part of the building. This will make it encroach into the north side of the lot. This is located in Pines Village. The location of the plumbing/sewar was discussed.

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

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)2023-22'-75" front setback instead of the required 25 feet total front setback for a two story addition passed unanimously.

STAFF CONCERNS:

There were no staff concerns.

ADJOURNMENT:

Chair Rodriguez-Soto adjourned the meeting at 8:27 P.M.

Respectfully submitted:

Katherine Borgstrom

Katherine Borgstrom
Board Secretary

Adjourned: 8:27 P.M.
Approved: 11/2/2023