

**August 29, 2013**

The regular meeting of the BOARD OF ADJUSTMENT was called to order by Chairman Ryan on Thursday, August 29, 2013 at 6:35 P.M., in the City Commission Chambers, Pembroke Pines Municipal Center, 10100 Pines Boulevard, Pembroke Pines, Florida.

**Present to wit:** Chairman Ryan, Members Monroig and Goggin

**Absent:** Vice Chairman Rodriguez-Soto, Member Hendry, Alternate Members Amps and Siddiqui

**Also Present:** Assistant City Attorney Stacy Weinger, Dean Piper, Zoning Administrator, and Board Secretary Katherine Borgstrom.

Board Secretary declared a quorum present.

**LEGAL INSTRUCTION:**

Assistant City Attorney Stacy Weinger 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.

**[Board Secretary's Notes:**

1. Chairman Ryan informed the applicants that there are only three board members present this evening, which is a quorum, and that a vote to approve a request must obtain three affirmative votes. Also that once a request hearing has begun, the applicant cannot then ask for a deferral. Applicants would be given the opportunity to defer their application to the October 3, 2013 meeting.
2. Interested parties were sworn under oath to give testimony in the relevant causes by Board Secretary.]



were prepared using the video recording of the meeting. The Chairman noted that the meeting was being videotaped and that the testimony was being recorded on the video.]

Petitioner Robert Magnuson spoke to the variance request. He is requesting to be able to go into the rear setback and inside side yard setback. Pavers will encroach into the set back. Dean Piper clarified the setback encroachment and that hedges and plants could go to the property line.

Board member that spoke to the request was Chairman Ryan. Petitioner indicated pavers will be set in sand and that he has approval from the HOA Architectural Board.

No one from the public requested to speak to the variance.

On a motion by Member Monroig, seconded by Member Goggin, to approve ZV 2013-05 A & B to allow (A) a 10.25" rear yard setback instead of the required three (3) foot rear yard setback for a paver patio and (B) a two (2) foot interior side yard setback instead of the required five (5) foot interior side yard setback for a paver patio, under Sec. 32.034 (2) (c), the following vote was recorded:

AYE: Chairman Ryan, Members Monroig and Goggin

NAY: None

Motion Passed

**NEW BUSINESS:**

**VARIANCES:**

**VARIANCE FILE NUMBER:           ZV(R) 2013-08**

**PETITIONER:**

Helen Iturbides

**ADDRESS:**

350 NW 207 Way  
Pembroke Pines, FL 33029-3510

**SUBJECT PROPERTY:**

350 NW 207 Way  
Pembroke Pines, FL 33029-3510

**LEGAL DESCRIPTION:**

A portion of Parcel R1.2 of the CHAPEL TRAIL REPLAT SECTION ONE Plat according to the Plat thereof as recorded in Plat Book 133 Page 9B, of the Public Records of Broward County, Florida. AKA: Lot 56 Dimensions at Chapel Trail

**VARIANCE REQUESTED:**

Petitioner is requesting a variance to a 7.3' rear yard setback instead of the required fifteen (15) foot rear yard setback for a roofed patio.

**REFERENCE:**

Chapel Trail Planned Unit Development (PUD) Guidelines

Petitioner Mr. Iturbides spoke to the variance request. He is seeking to encroach into the rear yard setback by 7.9' because of the installation of a roofed patio. The petitioner has signed consent from next door neighbor. The petitioner has acknowledged there are no homes behind his home, as there is a larger open common area to the rear of the home.

Members who spoke to the request were Chairman Ryan and Member Goggin, asking if the petitioner will install the patio with a step down from the home entrance. Petitioner stated there is a catch basin drain at the rear of the property, so there is no anticipated drainage problem. Dean Piper clarified the rear common area behind the home.

No one from the audience came forward to speak to the variance.

On a motion by Member Goggin, seconded by Member Monroig, to approve ZV (R) 2013-08, to allow a 7.3' rear yard setback instead of the required fifteen (15) foot rear yard setback for a roofed patio, under Sec. 32.034 (2) (c), the following vote was recorded:

AYE: Chairman Ryan, Members Monroig and Goggin

NAY: None

Motion Passed

**VARIANCE FILE NUMBER: ZV(R) 2013-09 A & B**

**PETITIONER:**

Daniel & Consuelo Rodriguez

**ADDRESS:**

6115 SW 192 Avenue  
Pembroke Pines, FL 33332

**SUBJECT PROPERTY:**

6115 SW 192 Avenue  
Pembroke Pines, FL 33332

**LEGAL DESCRIPTION:**

A portion of Parcel A of the BIG SKY NORTH RESIDENTIAL Plat according to the Plat thereof as recorded in Plat Book 168 Page 24, of the Public Records of Broward County, Florida. AKA: Lot 123, Block F Laguna Isles.

**VARIANCES REQUESTED:**

Petitioner is requesting a variance to allow:

- A) a zero foot (0) rear yard setback instead of the required five (5) foot rear yard setback for a pool deck.
- B) a 2.67 foot rear yard setback instead of the required seven (7) foot rear yard setback for the pool waterline.

**REFERENCE:**

Big Sky North (Laguna Isles) Planned Unit Development (PUD) Guidelines

Petitioner Consuela Rodriguez spoke to the request. She stated that due to the easement restrictions of the PUD, they are not able to use the lake easement to be considered as easement if building to the property line. Dean Piper clarified the easement situation and that there is no drainage on the property.

Members of the board that spoke to the variance were Chairman Ryan and Member Goggin, asking for clarification of the easement behind the property.

No one from the audience came forward to speak to the variance.

On a motion by Member Monroig, seconded by Member Goggin, to approve ZV 2013-06 to allow (A) a zero foot (0) rear yard setback instead of the required five (5) foot rear yard setback for a pool deck and (B) a 2.67 foot rear yard setback instead of the required seven (7) foot rear yard setback for the pool waterline, under Sec. 32.034 (2) (c), the following vote was recorded:

AYE: Chairman Ryan, Members Monroig and Goggin

NAY: None

Motion Passed

**EXCUSED ABSENCES:**

On a motion by Member Goggin, seconded by Member Monroig, to excuse the absences of Vice Chairman Rodriguez-Soto, Member Hendry, Alternate Members Amps and Siddiqui, the following vote was recorded:

AYE: Chairman Ryan, Members Monroig and Goggin

NAY: None

Motion Passed

**ADJOURNMENT:**

On a motion by Member Goggin, seconded by Member Monroig, to adjourn the meeting at 7:19 P.M., the following vote was recorded:

AYE: Chairman Ryan, Members Monroig and Goggin

NAY: None

Motion Passed

Respectfully submitted:

CITY OF PEMBROKE PINES  
BOARD OF ADJUSTMENT

*Katherine Borgstrom*

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Katherine Borgstrom  
Board Secretary