October 3, 2013

The regular meeting of the BOARD OF ADJUSTMENT was called to order by Chairman Ryan on Thursday, October 3, 2013 at 6:35 P.M., in the City Commission Chambers, Pembroke Pines Municipal Center, and 10100 Pines Boulevard, Pembroke Pines, Florida.

Present to wit: Chairman Ryan, Vice Chairman Rodriguez-Soto, Members Goggin and Hendry
Absent: Member Monroig, 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.

[Secretary's Note: Interested parties were sworn under oath to give testimony in the relevant causes by Board Secretary.]

ELECTION OF CHAIRMAN AND VICE CHAIRMAN

Chairman Ryan turned the meeting over to the secretary to take nominations for Chairman for 2013-2014.

On a motion by Vice Chairman Rodriguez-Soto, seconded by Member Goggin, to nominate James Ryan to serve as Chairman for the 2013-2014 Board Year, the following vote was recorded:

AYE: Members Ryan, Rodriguez-Soto, Goggin and Hendry

NAY: None

Motion Passed

The Secretary passed the meeting back to the Chairman who asked for nominations for Vice Chairman for 2013-2014.

On a motion by Member Goggin, seconded by Member Hendry, to nominate Israel Rodriguez-Soto to serve as Vice Chairman for the 2013-2014 Board Year, the following vote was recorded:

AYE: Chairman Ryan, Members Rodriguez-Soto, Goggin and Hendry

NAY: None

Motion Passed

APPROVAL OF MINUTES

On a motion by Member Goggin, seconded by Vice Chairman Rodriguez-Soto, to approve the minutes of the August 29, 2013 meeting as received, the following vote was recorded:

AYE: Chairman Ryan, Vice Chairman Rodriguez-Soto, Members Goggin and Hendry

NAY: None

Motion Passed

NEW BUSINESS:
VARIANCES:

VARIANCE FILE NUMBER: ZV(R) 2013-10

PETITIONER:
Juan P Reynosa

ADDRESS:
1101 NW 83 Way
Pembroke Pines, FL 33024

SUBJECT PROPERTY:
1101 NW 83 Way
Pembroke Pines, FL 33024

LEGAL DESCRIPTION:

Lot 36, Block 4, of the BOULEVARD HEIGHTS SECTION 9 Plat according to the Plat thereof as recorded in Plat Book 61 Page 47b, of the Public Records of Broward County, Florida.

VARIANCES REQUESTED:
Petitioner is requesting a variance to allow a 5' foot front yard setback instead of the required twenty five (25) foot front yard setback for a pool and deck.

REFERENCE:
§ 155.049 ACCESSORY USES AND STRUCTURES; SPECIAL PROVISIONS FOR CERTAIN SCREENED ENCLOSURES WITH COVERED ROOFS.
(A) In residential districts, all accessory buildings and uses shall not be located in any required yard other than a rear yard, except that fallout shelters conforming to recommended standards of the U.S. Office of Civil Defense and Mobilization may be located in required front and street side yards if they conform to § 155.047(K).

Petitioner Juan Reynoso spoke to the variance request. Dean Piper explained that the variance is necessary due to the placement of the front door of the home compared to the main street. Mr. Piper explained there is a fence around the area where the pool will be placed already that is permitted.

Members of the Board who spoke to the request were Chairman Ryan, Vice Chairman Rodriguez-Soto and Member Goggin.

No members of public came forward to speak to the request.

On a motion by Member Hendry, seconded by Vice Chairman Rodriguez-Soto, to approve ZV 2013-10 to allow a 5' foot front yard setback instead of the required twenty five (25) foot front yard setback for a pool and deck, under Sec. 32.034 (2) (b), the following vote was recorded:

AYE: Chairman Ryan, Vice Chairman Rodriguez-Soto, Members Goggin and Hendry

NAY: None

Motion Passed

VARIANCE FILE NUMBER: ZV(R) 2013-11

PETITIONER:
Margaret Cabeza

ADDRESS:

1050 NW 189 Avenue
Pembroke Pines, FL 33029

SUBJECT PROPERTY:
1050 NW 189 Avenue
Pembroke Pines, FL 33029

LEGAL DESCRIPTION:
Lot 113 of the AMERTRAIL PARCEL "A" AT CHAPEL TRAIL Plat according to the Plat thereof as recorded in Plat Book 112 Page 16, of the Public Records of Broward County, Florida.

VARIANCE REQUESTED:
Petitioner is requesting a variance to allow a 10' foot rear yard setback instead of the required fifteen (15) foot rear yard setback for a roofed screen enclosure.

REFERENCE:
Chapel Trail Planned Unit Development (PUD) Guidelines

Petitioner Margaret Cabez spoke to the variance request. She stated that due to ill health, she needs to be able to sit outside under covering so that she is not in air conditioning all the time and that the current footage limits do not allow for a covering that will shield her from the elements. She stated she does have letters of no objection from her neighbors but she has not sought approval from the HOA. Mr. Piper confirmed that the HOA approval is not required to get a variance and permit but a HOA could deny and stop the building process even with a variance from the City. Mr. Piper confirmed there are no utility easements in the rear of the home.

Board members that spoke to the request were Chairman Ryan, Vice Chairman Rodriguez-Soto and Members Hendry and Goggin.

No members of public came forward to speak to the request.

On a motion by Member Hendry, seconded by Member Goggin, to approve ZV (R) 2013-11, to allow a 10' foot rear yard setback instead of the required fifteen (15) foot rear yard setback for a roofed screen enclosure, under Sec. 32.034 (2) (b), the following vote was recorded:

AYE: Chairman Ryan, Vice Chairman Rodriguez-Soto, Members Goggin and Hendry

NAY: None

Motion Passed

Elgefa Martin, from the audience, came forward to ask about the process to put a pool on her property. Dean Piper asked that she call him during business hours and he would discuss it with her.

EXCUSED ABSENCES:

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

AYE: Chairman Ryan, Vice Chairman Rodriguez-Soto, Members Goggin and Hendry

NAY: None

Motion Passed

ADJOURNMENT:

On a motion by Member Goggin, seconded by Member Hendry, to adjourn the meeting at 7:06 P.M., the following vote was recorded:

AYE: Chairman Ryan, Vice Chairman Rodriguez-Soto, Members Goggin and Hendry

NAY: None

Motion Passed

Respectfully submitted:

CITY OF PEMBROKE PINES
BOARD OF ADJUSTMENT

Katherine Borgstrom

Katherine Borgstrom
Board Secretary