

JANUARY 6, 2022

The regular meeting of the BOARD OF ADJUSTMENT was called to order by Chairman Rodriguez-Soto on Thursday, January 6, 2022 at 6:30 P.M., in the Charles F. Dodge City Center, City Commission Chambers, 601 City Center Way, Pembroke Pines, Florida, 33025.

PRESENT: Chair Rodriguez-Soto, Members Brito and Goggin; Alternates Member Almeria and Siddiqui

ABSENT: None

ALSO PRESENT: Dean Piper, Zoning Administrator, 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 Goggin, seconded by Alternate Member Siddiqui, to approve the minutes of the December 4, 2021 meeting, passed unanimously.

EXCUSED ABSENCES:

There were no excused absences.

LEGAL INSTRUCTIONS:

Assistant City Attorney Quinten Morgan swore in Member Carlos Brito. He then 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 NUMBER: **ZV(R) 2021-42**

PETITIONER:

Denzil Herrera

ADDRESS:

SUBJECT PROPERTY:

9530 NW 10 Street
Pembroke Pines, FL 33024

LEGAL DESCRIPTION:

Lot 6, Block 6, of the WESTVIEW SECTION 3 PART 2 PLAT, according to the Plat thereof as recorded in Plat Book 95, Page 1B, of the Public Record of Broward County, Florida.

VARIANCE REQUESTED:

Petitioner is requesting a variance to allow a 55% front lot coverage for a Driveway, Typical Lot property for an existing driveway instead of the allowed 35% total front lot coverage.

REFERENCE:

Table 155.620 Accessory Building Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Driveway, Typical Lot	Primary Building	5 feet	5 feet	5 feet	N/A	35% front lot coverage 40 % width of lot	N/A

Chair Rodriguez-Soto read the request into the record.

Denzil Herrera, petitioner, spoke to the variance request. He stated the variance request was for a circular drive to allow four vehicles to be parked in front of home and off the street. He confirmed the work had already been done without a permit.

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

The member of staff who spoke to the variance request was Dean Piper.

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

On a motion by Member Goggin, seconded by Alternate Member Siddiqui, to grant variance request ZV(R) 2021-42, under Sec. 155.301(O)(1)(c), to allow a 55% front lot coverage

for a Driveway, Typical Lot property for an existing driveway, the following vote was recorded:

AYE: Members Brito and Goggin; Alternate Members Almeria and Siddiqui

NAY: Chair Rodriguez-Soto

Motion Passed

VARIANCE FILE NUMBERS: ZV(R) 2021-43 & 44

PETITIONER:

Jasmin Gomez-Silva

ADDRESS:

SUBJECT PROPERTY:

20801 NW 14 Street
Pembroke Pines, FL 33029

LEGAL DESCRIPTION:

Lot 149, Hidden Lake at Chapel Trail, A portion of the CHAPEL TRAIL 2 PLAT, according to the Plat thereof as recorded in Plat Book 112, Page 16B, of the Public Record of Broward County, Florida.

VARIANCES REQUESTED:

Petitioner is requesting variances to allow:

ZV(R) 2021-43 a 10'-8" street side yard setback instead of the required 15'-00" street side yard setback for a proposed pool;

ZV(R) 2021-44 a 5' rear yard setback instead of the required 15' rear yard setback for an existing hard roofed covered screen enclosure.

REFERENCES:

ZV(R) 2021-43 Code Section: 155.620

Table 155.620 Accessory Building and Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Pool	Primary Building	5 feet to waterline	15 feet to waterline	5 feet to waterline	N/A	N/A	N/A

ZV(R) 2021-44 Chapel Trail Planned Unit Development (PUD) Guidelines; Single Family Cluster Homes, Section SF-5

Chair Rodriguez-Soto read the requests into the record.

Jasmin Gomez-Silva, petitioner, spoke to the variance requests. He stated that the

request is to go into the setback with the pool so that the pool would not be as close to the home and foundation. He confirmed the lot is a corner lot, there is not room in the back yard for the pool, so they are seeking to place the pool on the side of the home and there is a six foot pvc fencing for privacy.

The members of the board who spoke to the variance requests were Chair Rodriguez-Soto, Member Goggin, Alternate Members Almeria and Siddiqui.

The member of staff who spoke to the variance requests was Dean Piper

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

On a motion by Member Goggin, seconded by Alternate Member Siddiqui, to grant variance request ZV(R) 2021-43, under Sec. 155.301(O)(1)(c), to allow a 10'-8" street side yard setback instead of the required 15'-00" street side yard setback for a proposed pool, the following vote was recorded:

AYE: Chairman Rodriguez-Soto, Members Brito and Goggin; Alternate Member Siddiqui

NAY: Alternate Member Siddiqui

Motion Passed

A motion by Member Goggin, seconded by Alternate Member Siddiqui, to grant variance request ZV(R) 2021-44, under Sec. 155.301(O)(1)(c), to allow a 5' rear yard setback instead of the required 15' rear yard setback for an existing hard roofed covered screen enclosure passed unanimously.

VARIANCE FILE NUMBER: ZV(R) 2021-45

PETITIONER:

Peter and Marilou VanGee

ADDRESS:

SUBJECT PROPERTY:

20851 NW 14 Street
Pembroke Pines, FL 33029

LEGAL DESCRIPTION:

Lot 152, Hidden Lake at Chapel Trail, A.K.A. A portion of "Parcel G" of the CHAPEL TRAIL II PLAT, according to the Plat thereof as recorded in Plat Book 112, Page 16B, of the Public Record of Broward County, Florida.

VARIANCE REQUESTED:

Petitioner is requesting a variance to allow a 47% total front lot coverage instead of the required 35% total front lot coverage for a proposed driveway.

REFERENCE:

Table 155.620 Accessory Building 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.

Peter and Marilou VanGee, petitioners, came forward to speak to the variance request.

Marilou VanGee stated the request is to allow for an area in front of the house to be converted to a concrete slab, as no plants will grow in the area due to the shade of trees on lot. She is seeking to make the front of the home more appealing.

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

The member of staff who spoke to the variance request was Dean Piper

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

On a motion by Member Goggin, seconded by Alternate Member Siddiqui, to grant variance request ZV(R) 2021-45, under Sec. 155.301(O)(1)(c), to allow , the following vote was recorded:

AYE: Alternate Member Siddiqui

NAY: Chairman Rodriguez-Soto, Members Brito and Goggin; Alternate Member Almeria

Motion Failed

VARIANCE FILE NUMBER: ZV(R) 2021-46

PETITIONER:
Sebastian Burbano

ADDRESS:
SUBJECT PROPERTY:
8210 Pasadena Boulevard
Pembroke Pines, FL 33024

LEGAL DESCRIPTION:
Lot 47, Block 1, of the PASADENA LAKES PLAT, according to the Plat thereof as recorded in Plat Book 65, Page 1B, of the Public Record of Broward County, Florida.

VARIANCE REQUESTED:
Petitioner is requesting a variance to allow a 3.93' street side yard setback for a constructed trellis / gazebo instead of the required 15'-00" street side yard setback.

REFERENCE:

Table 155.620 Accessory Building and Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Open Sided Structure (Free Standing)	Primary Building	5 feet	15 feet	5 feet	Primary building or 24 feet, whichever is less	200 square feet	When located in A or R-E it may exceed 200 square feet and shall meet the setbacks of the primary building

Chair Rodriguez-Soto read the request into the record.

Sebastian Burbano, petitioner, spoke to the variance request. He stated the work has already been completed and it was done without a permit.

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

The member of staff who spoke to the variance request was Dean Piper who confirmed the petitioner is going to cut back some of the pavers of the patio to bring it into code compliance. This variance is only for the pergola.

Jack McClusky from the public asked to speak to the variance request.

On a motion by Member Goggin, seconded by Member Brito, to grant variance request ZV(R) 2021-46, under Sec. 155.301(O)(1)(c), to allow a 3.93' street side yard setback for a constructed trellis / gazebo instead of the required 15'-00" street side yard setback, the following vote was recorded:

AYE: Members Brito and Goggin; Alternate Members Almeria and Siddiqui

NAY: Chair Rodriguez-Soto

Motion Passed

VARIANCE FILE NUMBER: ZV(R) 2021-47

PETITIONER:

Anna Borowik & Stanislaw Wiszkowski

ADDRESS:

SUBJECT PROPERTY:

21661 NW 8 Court
Pembroke Pines, FL 33029

LEGAL DESCRIPTION:

Lot 13, Block 1, of the HERITAGE CITY SECTION 1 PLAT, according to the Plat thereof as recorded in Plat Book 76, Page 45B, of the Public Record of Broward County, Florida.

VARIANCE REQUESTED:

ZV(R) 2021-47 allow a 16.0' x 19.2' driveway instead of the required 16.0' x 20.0' driveway for a Residential Mobile Home Unit.

REFERENCE:

Code Section 155.423

(D) Additional Criteria. Limitations and special requirements.6. Driveways. Mobile home communities established pursuant to this section shall include a minimum of two car stacking driveways with the following dimensions:(b) Minimum of 16 feet wide and 20 feet long.

Anna Borowik & Stanislaw Wiszkowski, petitioners came forward to speak to the variance request. Dean Piper offered to explain for them. They had a permit to place a mobil home two years ago and the final survey was done. The contractor placed the structure 10 inches within the setback. This request is seeking to give the variance to make the placement legal.

Members of the board who spoke were Chair Rodriguez-Soto and Member Goggin.

Member of Staff who spoke to the variance was Dean Piper.

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

A motion by Alternate Member Almeria, seconded by Member Goggin, to grant variance request ZV(R) 2021-47, under Sec. 155.301(O)(1)(c), to allow a 16.0' x 19.2' driveway instead of the required 16.0' x 20.0' driveway for a Residential Mobile Home Unit passed unanimously.

VARIANCE FILE NUMBERS: ZV(R) 2021-48 & 49

PETITIONER:

Carlos Ramos & Esther Pena

ADDRESS:

SUBJECT PROPERTY:

6146 SW 191 Avenue
Pembroke Pines, FL 33332

LEGAL DESCRIPTION:

Lot 100, Block E, Laguna Isles, A.K.A. A portion of Parcel "A" 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:

ZV(R) 2021-48 to allow a 75% total front lot coverage for a Typical Single Family Residential Lot instead of the allowed 35% total front lot coverage for an existing driveway.

ZV(R) 2021-49 to allow a 64% total width instead of the allowed 40% for total driveway width for an existing driveway.

REFERENCES:

Table 155.620 Accessory Building 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 % width of lot	[1] 10 foot minimum width
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Chair Rodriguez-Soto read the requests into the record.

Carlos Ramos & Esther Pena, petitioners, came forward to speak to the variance requests. Carlos Ramos asked if they could use a translator. Martin Medina, is their neighbor and he translated their statements. He stated the work has been done, without permit, and the work was done so that there would be a larger drive for Ester Pena to park her vehicle, which is handicapped equipped and to allow her a flat surface to work on toward the residence.

The members of the board who spoke to the variance requests were Chair Rodriguez-Soto, Members Brito and Goggin, Alternate Members Almeria and Siddiqui.

The member of staff who spoke to the variance requests was Dean Piper

Mr. Medina from the public asked to speak to the variance requests as their neighbor and supporter.

A motion by Member Goggin, seconded by Member Brito, to table variance request ZV(R) 2021-48 and variance request ZV(R) 2021-49 to the February 3, 2022 meeting passed unanimously.

STAFF CONCERNS:

There were no staff concern.

ADJOURNMENT:

A motion by Member Goggin, seconded by Alternate Member Siddiqui, to adjourn the meeting at 8:32 P.M. passed unanimously.

Respectfully submitted:

Katherine Borgstrom

Katherine Borgstrom
Board Secretary

Adjourned: 8:32 P.M.
Approved: 02/03/2022