

March 3, 2022

The regular meeting of the BOARD OF ADJUSTMENT was called to order by Chairman Rodriguez-Soto on Thursday, March 3, 2022 at 6:36 P.M., in the City Commission Chambers, Charles F. Dodge City Center, 601 City Center Way, Pembroke Pines, Florida, 33025.

PRESENT: Chairman Rodriguez-Soto, Alternate Members Almeria and Siddiqui

ABSENT: Vice Chair Goggin and Member Brito

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 Alternate Member Almeria, seconded by Alternate Member Siddiqui, to approve the minutes of the February 3, 2022 meeting passed unanimously.

EXCUSED ABSENCES:

A motion by Alternate Member Almeria, seconded by Alternate Member Siddiqui, to excuse the absence of Vice Chair Goggin and Member Brito 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. The petitioners were informed that there are only three board members present and that it takes three aye votes for a variance to be approved. In that

In February 2021, the previous property owners, obtained Building Permit #1980456-0 to construct a driveway and patio/pool deck. A copy of the survey showing the permitted work meeting all required setbacks is attached. This permit received all required inspections and was closed in April 2021.

Santiago Exposito and Regino Gonzalez purchased the property in October 2021. A copy of the survey provided to them at time of closing, dated August 27, 2021, showed that the patio had been extended to the south side property line, beyond the location permitted. The requested variance would legalize the existing conditions on site.

There is no Homeowner's Association in this neighborhood; however, the property owners have supplied with letters of no objection from the adjacent property owners.

VARIANCE REQUEST DETAILS:

ZV(R) 2022-03: to allow an existing concrete sidewalk to have a 0' side yard setback instead of required 5' side yard setback.

Code Reference: Table 155.620: Accessory Building and Structures:
Type, Deck or Patio, Setback, Side, 5 feet

Santiago Exposito, the petitioner, spoke to the variance request. Petitioner chose not to table his petition to the next meeting. Santiago Exposito stated he had purchased the home in late 2021 and was not aware of the violation. When petitioner was provided survey upon closing on the property purchase, it was discovered that the prior owner had gone into the setback after the approval of the permitted area.

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

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

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

A motion by Alternate Member Almeria, seconded by Alternate Member Siddiqui, to grant

variance request ZV(R) 2022-03, under Sec. 155.301(O)(1)(c), to allow a 0' side yard setback for an existing concrete sidewalk, passed unanimously.

STAFF CONCERNS:

There were no staff concerns.

ADJOURNMENT:

A motion by Alternate Member Almeria, seconded by Alternate Member Siddiqui, to adjourn the meeting at 7:03 P.M., passed unanimously.

Respectfully submitted:

Katherine Borgstrom

Katherine Borgstrom
Board Secretary

Adjourned: 7:03 P.M.

Approved: 4/7/2022