

# DRAFT

Board of Adjustment

City of Pembroke Pines  
Pembroke Pines, FL

May 6, 2021

The virtual / regular meeting of the **BOARD OF ADJUSTMENT** was called to order by Chairman James Ryan on Thursday, May 6, 2021 at 6:31 P.M., in the City Commission Chambers, Charles F. Dodge City Center, 601 City Center Way, Pembroke Pines, Florida, 33025. The Board of Adjustment is holding a “virtual” meeting using communications media technology (“CMT”), The City Commission passed Emergency Ordinance No. 1952, pertaining to conducting local government meetings while under the public health emergency related to the Novel Coronavirus Disease 2019 (Covid-19). In accordance with this emergency ordinance, and due to prohibition on public access to City Hall because of the risk to public health, the City is holding the meeting virtually.

**PRESENT:** Chairman Ryan, Member Goggin; Alternate Members Almeria and Siddiqui (all present in the chambers)

**ABSENT:** Vice Chair Rodriguez-Soto

**ALSO PRESENT:** Dean Piper, Zoning Administrator, Michael Stamm, Planning and Development, Quentin Morgan, Assistant City Attorney (via WebEx), 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 April 1, 2021 meeting as received passed unanimously.

## **EXCUSED ABSENCES:**

A motion by Member Goggin, seconded by Alternate Member Siddiqui, to excuse the absence of Vice Chair Rodriguez-Soto passed unanimously.

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## **LEGAL INSTRUCTION:**

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 (all via WebEx) were sworn under oath to give testimony in the relevant causes by the Assistant City Attorney at the beginning of the meeting via WebEx.]

## **NEW BUSINESS:**

### **VARIANCES:**

**VARIANCE FILE NUMBER:        ZV(R) 2020-37**

### **PETITIONER:**

Mohammad Yousuf

### **ADDRESS:**

#### **SUBJECT PROPERTY:**

11901 NW 15 Street  
Pembroke Pines, FL 33026

### **LEGAL DESCRIPTION:**

Lot 14, Block 63, PEMBROKE LAKES SECTION 6, according to the Plat thereof as recorded in Plat Book 94, Page 3, of the Public Record of Broward County, Florida.

### **VARIANCE REQUESTED:**

Petitioner is requesting a variance to allow a 53% total front lot coverage for single-family property instead of the required 35% total front lot coverage for single-family property with a proposed concrete driveway and walkway.

### **REFERENCE:**

§ 52.26 DRIVEWAYS ACROSS SWALE AREAS.

(H) No driveway may:

(1) Exceed a 35% of the total front lot coverage in a single-family residential home.

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Steven Pennock, engineer, spoke to the variance request for the petitioner. He stated that the petitioner has a medical health issue and needs the larger driveway in order to walk with walker and eventually use a wheelchair to enter/exit vehicle. Mr. Pennock stated the driveway had not been installed yet.

The member of the board who spoke to the variance request was Chairman Ryan.

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.

A motion by Member Goggin, seconded by Alternate Member Siddiqui, to grant variance request ZV(R) 2020-37, to allow a 53% total front lot coverage for single-family property instead of the required 35% total front lot coverage for single-family property with a proposed concrete driveway and walkway, under Sec. 32.034 2 (c), passed unanimously.

**VARIANCE FILE NUMBER:      ZV(R) 2021-12**

**PETITIONER:**  
Joseph Geide

**ADDRESS:**  
**SUBJECT PROPERTY:**  
21740 NW 8 Court  
Pembroke Pines, FL 33029

**LEGAL DESCRIPTION:**  
Lot 18, Block 2, of the HERITAGE CITY SEC 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:**  
Petitioner is requesting a variance to allow a 0' side yard setback instead of the 4' side yard setback for the required stoop/stairs.

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## REFERENCE:

§ 155.109(G)(1) MOBILE HOME DWELLING (R-1T) DISTRICTS.

(G) Yards. (1) Side yards. Every plot shall be provided with side yards not less than four feet in width; except that a roofed carport, without enclosure or side walls, may be located not closer than two feet to any interior side plot line. The side of an open carport erected as an addition to a mobile home shall not be deemed to be enclosed by an exterior wall of the mobile home, or by an exterior wall of a storage room.

Joseph Geide, petitioner, spoke to the variance request. He stated the reason for the request, that the stairs, which are the minimum required and standard to the mobile home, would still go into the setback when installed. The stairs are needed as a second exit from the mobile home.

The members of the board who spoke to the variance request were Chairman Ryan 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.

A motion by Member Goggin, seconded by Alternate Member Siddiqui, to grant variance request ZV(R) 2021-12, to allow a 0' side yard setback instead of the 4' side yard setback for the required stoop/stairs, under Sec. 32.034 2 (c), passed unanimously.

**VARIANCE FILE NUMBER: ZV(R) 2021-13**

## PETITIONER:

Walter and Ismary Anon

## ADDRESS:

### SUBJECT PROPERTY:

20336 SW 54 Place  
Pembroke Pines, FL 33332

## LEGAL DESCRIPTION:

Lot 68, of the "THE TRAILS PLAT", according to the Plat thereof, as recorded in Plat Book 143, Page 35B of the Public Records of Broward County, Florida.

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## **VARIANCE REQUESTED:**

Petitioner is requesting a variance to allow a 25' side lot setback instead of the required 50' side lot setback for a proposed barn / stable.

## **REFERENCE:**

§ 155.105 ESTATE (E-1) DISTRICTS.

(B) Uses permitted. No building, structure, or part thereof, shall be erected, altered, or used, or land or water used, in whole or in part for other than one of the following uses:

(2) Uses accessory to any of the above uses, when located on the same plot and not involving the conduct of any business, trade, occupation, or profession, including:

(d) Keeping of horses and cows, not exceeding four in total number for a plot of minimum permitted size: where the plot exceeds 35,000 square feet in area, one additional horse may be kept for each acre of plot area in excess of 35,000 square feet. The permitted animals shall be kept in an area which is located at least 50 feet from any street line. Any roofed structure for shelter of these animals shall be located at least 50 feet from any plot line.

William Barbaro, engineer, spoke for the petitioners to the variance request. He stated that shape of the lot and the existing canal would not allow for a large enough barn and also open area for horses owned by petitioners if the 50' set back had to be met. They are asking to go 25' into the setback to allow for a two horse barn. In this development, the barns are to be placed back from the street. The HOA has approved this requested orientation of the barn. Mr. Barbaro stated, and Dean Piper confirmed, that even changing the orientation of the barn would require other variance requests. The canal leaves more than 85' between the barn and the next neighbor. Mr. Barbaro also confirmed the petitioners have horses already, but do not have them on this property and that is why they want to put in a barn. Dean Piper confirmed to Alternate Member Siddiqui that the canal is owned by South Broward Drainage District.

The members of the board who spoke to the variance request were Chairman Ryan, Member Goggin, and Alternate Member Siddiqui.

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

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

A motion by Member Goggin, seconded by Member Siddiqui, to grant variance request ZV(R) 2021-13, to allow a 25' side lot setback instead of the required 50' side lot setback for a proposed barn / stable, under Sec. 32.034 2 (c), passed unanimously.

## **STAFF CONCERNS:**

Dean Piper stated there will be no meeting in June, as there are no applicants and that the next meeting will be on August 5, 2021.

## **ADJOURNMENT:**

A motion by Member Goggin, seconded by Alternate Member Siddiqui, to adjourn the meeting at 7:13 P.M., passed unanimously.

Respectfully submitted:

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Katherine Borgstrom  
Board Secretary

**Adjourned:** 7:13 P.M.

**Approved:**