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Board of Adjustment

**City of Pembroke Pines
Pembroke Pines, FL**

November 2, 2017

The regular meeting of the BOARD OF ADJUSTMENT was called to order by Chairman Ryan on Thursday, November 2, 2017 at 6:32 P.M., in the City Commission Chambers, City Center, 601 City Center Way, Pembroke Pines, Florida, 33025.

PRESENT: Chairman Ryan, Vice Chairman Rodriguez-Soto, Member Parlavecchio; Alternate Member Siddiqui

ABSENT: Members Goggin and Hendry; Alternate Member Almeria

ALSO PRESENT: Assistant City Attorney Brian Sherman (via phone), Dean Piper, Zoning Administrator, and Board Secretary Katherine Borgstrom

Board Secretary called roll and declared a quorum present.

APPROVAL OF THE MINUTES:

On a motion by Vice Chairman Rodriguez-Soto, seconded by Alternate Member Siddiqui, to approve the minutes of the October 5, 2017 meeting, the following vote was recorded:

AYE: Chairman Ryan, Vice Chairman Rodriguez-Soto, Member Parlavecchio;
Alternate Member Siddiqui

NAY: None

Motion Passed

LEGAL INSTRUCTION:

Assistant City Attorney Brian Sherman 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

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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 Borgstrom.]

NEW BUSINESS:

VARIANCE: ZV(R) 2017-06

PETITIONER:

German Sarabia & Stephanie Sommers

ADDRESS:

SUBJECT PROPERTY:

1700 NW 109 Avenue
Pembroke Pines, FL 33026

LEGAL DESCRIPTION:

Lot 6, Block 18, of the PEMBROKE LAKES SECTION 2 PLAT, according to the plat thereof as recorded in Plat Book, 81 Page 48B, of the Public Records of Broward County, Florida.

VARIANCE REQUESTED:

Petitioner is requesting a variance to allow a 5' front yard setback instead of the required 25' front yard setback for a carport shade covered structure.

REFERENCE:

§ 155.106 ONE-FAMILY DWELLING (R-1A THROUGH R-1C) DISTRICTS.

The following regulations shall apply in all R-1A, R-1B, and R-1C Districts:

(E) Yards. (1) Front yard. (a) Residential uses. Every plot used for a one-family dwelling shall have a front yard not less than 25 feet in depth, unless a greater depth is required under Article V, Yard Space Districts.*

German Sarabia and Stephanie Sommer, petitioners, spoke to the variance request. Petitioner has medical issue walking and has to park vehicle outside of garage. Petitioner slips on parking surface, which they have tried to make non-slip with no success. The overhead canopy keeps the surface dry to help prevent future falls.

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Board Members who spoke to the request were Chairman Ryan, Vice Chairman Rodriguez-Soto, Member Parlavecchio and Alternate Member Siddiqui. Concerns of board centered on canopy being put up without a permit, parking area provided by garage, what prevention steps are taken during high wind event such as a hurricane, if supports would also be uprooted during hurricane and the aesthetics for the neighborhood. Petitioner stated was not aware a permit was required, the vehicle is too high to fit into the garage, during the recent hurricane warning, the canopy was removed and supports are firmly grounded, and that the look of the canopy does not hurt the neighborhood appearance. Petitioner stated they have tried several products to make the surface non-slip, but nothing has provided protection for extended time period. Petitioner stated there is no formal HOA for the neighborhood, so no need for approval. Member Parlavecchio suggested granting the variance with the inclusion of the reverter clause.

Members of the public who spoke to the variance request: Mr. Simms, neighbor who lives directly across from petitioner. Stated he views the canopy daily due to the location of his home and the look of the canopy does not hurt the view. Mr. Simms in fact praised the petitioners for their work in making the entire property more valuable due to their hard work in cleaning up the property from the prior owner. Mr. Glen Cozz, neighbor, also spoke in favor of the variance being granted. There was no one from the public that spoke in non-support of the variance.

On a motion by Vice Chairman Rodriguez-Soto, seconded by Alternate Member Siddiqui, to approve ZV(R) 2017-0, to allow a 5' front yard setback instead of the required 25' front yard setback for a carport shade covered structure, subject to the

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condition that the variance will not run with the land and property shall revert to its original condition upon the change of ownership of the property of the property is no longer occupied by German Sarabia and Stephanie Sommers, under Sec. 32.034 (2) (C), the following vote was recorded:

AYE: Vice Chairman Rodriguez-Soto, Member Parlavecchio, Alternate Member
Siddiqui

NAY: Chairman Ryan

Motion Passed.

VARIANCE FILE NUMBER: ZV(R) 2017-07

PETITIONER:

Domingo & Adelaida Spadaro

ADDRESS:

SUBJECT PROPERTY:

19413 SW 68 Street
Pembroke Pines, FL 33332

LEGAL DESCRIPTION:

Lot 6, Block A, Laguna Isles; 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.

VARIANCE REQUESTED:

Petitioner is requesting a variance to allow a 14.72' rear yard setback instead of the required 15' rear yard setback for a roofed patio.

REFERENCE:

Big Sky North Residential Planned Unit Development Guidelines (PUD)

No one appeared to speak on behalf of petitioners. Dean Piper spoke to the request. It is a surveying issue, change of just a few inches. He stated there is a twenty

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foot setback after the property line to the lake that is HOA property. HOA has no problems with request.

Board Members who spoke to the variance request were Chairman Ryan and Vice Chairman Rodriguez-Soto.

No one from the public spoke to the request.

On a motion by Member Parlavecchio, seconded by Vice Chairman Rodriguez-Soto, to approve ZV(R) 2017-07 as submitted, to allow a 14.72' rear yard setback instead of the required 15' rear yard setback for a roofed patio, under Sec. 32.034 (2) (C), the following vote was recorded:

AYE: Chairman Ryan, Vice Chairman Rodriguez-Soto, Member Parlavecchio,
Alternate Member Siddiqui

NAY: None

Motion Passed.

EXCUSED ABSENCES:

On a motion by Member Parlavecchio, seconded by Vice Chairman Rodriguez-Soto, to excuse the absence of Members Goggin and Hendry and Alternate Member Almeria from the November meeting, the following vote was recorded:

AYE: Chairman Ryan, Vice Chairman Rodriguez-Soto, Member Parlavecchio;
Alternate Member Siddiqui

NAY: None

Motion Passed

NEW BUSINESS:

There was no new business.

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ADJOURNMENT:

On a motion by Member Parlavecchio, seconded by Vice Chairman Rodriguez-Soto, to adjourn the meeting, the following vote was recorded:

AYE: Chairman Ryan, Vice Chairman Rodriguez-Soto, Member Parlavecchio;
Alternate Member Siddiqui

NAY: None

Motion Passed

Respectfully submitted:

CITY OF PEMBROKE PINES
BOARD OF ADJUSTMENT

Katherine Borgstrom
Board Secretary

Adjourned: 7:23 P.M.
Approved: