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Board of Adjustment

City of Pembroke Pines  
Pembroke Pines, FL

**DECEMBER 5, 2024**

The regular meeting of the BOARD OF ADJUSTMENT was called to order by Vice Chair Crawl on Thursday, December 5, 2024, at 6:31 P.M., in the City Commission Chambers, Charles F. Dodge City Center, 601 City Center Way, Pembroke Pines, Florida, 33025.

**PRESENT:** Vice Chair Crawl, Members Abbondandolo, Brito; and Pitts; Alternate Member Jones

**ABSENT:** Chair Rodriguez-Soto and Alternate Member Almeria

**ALSO PRESENT:** Christian Zamora, Senior Planner; Julia Aldridge, Planner / Zoning Technician; Quentin Morgan, Assistant City Attorney, and Board Secretary Katherine Borgstrom

Board Secretary Borgstrom called roll and declared a quorum present.

**EXCUSED ABSENCES:**

A motion by Member Abbondandolo, seconded by Member Pitts, to excuse Chair Rodriguez-Soto and Alternate Member Almeria from the December meeting passed unanimously.

**APPROVAL OF THE MINUTES:**

A motion by Alternate Member Jones, seconded by Member Pitts, to approve the minutes of the November 7, 2024 meeting passed unanimously.

**NEW BUSINESS:**

**VARIANCES:**

**VARIANCE FILE NUMBERS: ZV(R)2024-0054 – 0059**

[Secretary's note: By consensus, the board moved this application to the last of the requests. Petitioner gave approval to wait.]

Vice Chair Crawl; entered the request into the record.

**PETITIONER:**

Jose Luis Casas & Ursulina Schwartz

**ADDRESS:**

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**SUBJECT PROPERTY:**

13351 NW 11 Street  
Pembroke Pines, FL 33028

**LEGAL DESCRIPTION:**

Lot 77, Block 13, of the PEMBROKE FALLS PHASE 2 PLAT, according to the Plat thereof as recorded in Plat Book 161, Page 12B, of the Public Record of Broward County, Florida.

**VARIANCES REQUESTED:**

Petitioner is requesting variances to allow:

**ZV(R)2024-0054)** a 0', augmenting to a 4'-10" northern side setback instead of the required 5' side setback for an existing walkway and patio.

**ZV(R)2024-0055)** a 1'-5", augmenting to 2' southern side setback instead of the required 5' side setback for the existing driveway, walkway, and patio / deck.

**ZV(R)2024-0056)** a second shed instead of the required one.

**ZV(R)2024-0057)** a second free standing open sided structure instead of the required one shed.

**ZV(R)2024-0058)** a 338 Square-Foot instead of the required 200 Square-Foot for the existing first open sided structure, freestanding.

**ZV(R)2024-0059).** a 441 Square-Foot instead of the required 200 Square-Foot for the existing second open sided structure, freestanding.

**REFERENCES:**

**ZV(R)2024-0054 & 0055, 0058 & 0059)**

Table 155.620 Accessory Building and Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
<b>Driveway, Typical Lot</b>	0 feet	<b>5 feet</b>	15 feet 155.600(B)	N/A	N/A	40% front lot coverage  40 % width of lot	[1] 10 foot minimum width
<b>Shed</b>	Primary Building	<b>5 feet</b>	15 feet	5 feet	Primary building or 24 feet, whichever is less	[1] 100 square feet  [2] 200 square feet if located in A or R-E.	[2] If over 200 square feet it shall meet primary building setbacks
<b>Deck or Patio*</b>	Primary Building	<b>5 feet</b>	5 feet	5 feet	N/A	N/A	N/A

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<b>Walkway (Single Family Lots)</b>	N/A	2 feet	5 feet	5 feet	N/A	3 feet in width	<b>If over 3 feet in width a 5 foot setback is required</b>
<b>Open Sided Structure (Free Standing)</b>	Primary Building	5 feet	5 feet	5 feet	Primary building or 24 feet, whichever is less	<b>200 square feet</b>	When locate in A or R-E it may exceed 200 square feet and shall meet the setbacks of the Primary building

**ZV(R)2024-0056 & 0057)**

**155.620 GENERAL – ACCESSORY BUILDINGS AND STRUCTURES**

**(C) General Standards accessory buildings and structures:**

1. Unless otherwise noted herein, a residential lot may have one of each of the following accessory buildings and structures:

- (a) Shed
- (c) Free standing open sided structures

**PROJECT DESCRIPTION / BACKGROUND:**

Jose Casas, owner, has submitted seven residential zoning variance requests to legalize driveway, patios, storage sheds, and open sided structures (freestanding), all existing on the property located at 13351 NW 18 Street. The property is part of the Pembroke Falls Planned Unit Development (PUD) and follows the guidelines for single-family homes with lots larger than 11,250 square feet. The PUD guidelines do not address front lot coverage, patios, open sided structure (freestanding); therefore, the provisions of the City’s Land Development Code (LDC) are applicable.

On June 6, 2022, the City’s Code Compliance Division cited the property for work performed without building permits (Case No. 220600494).

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On February 13, 2023, the owner submitted a building permit application (No. RX23-02050) to build a driveway, patio/walkway at the property; however, the permit cannot be approved as the existing driveway, patio/walkway exceed the limitations and requirements of the City's LDC. The applicant is requesting the following:

- **ZV(R)2024-0053:** to allow 61% front lot coverage (total) instead of the required 40% front lot coverage (total) for an existing driveway and walkway in a residential single-family, typical lot. **(APPROVED, 155.301 (O)(1)(c) 4-0)**
- **ZV(R)2024-0054:** to allow zero-foot (0'), augmenting to four-foot, ten-inch (4' - 10") side setback along a segment of the northern property line instead of the required five-foot (5') for an existing walkway and patio. **(TABLED)**
- **ZV(R)2024-0055:** to allow one-foot, five-inch (1' -5"), augmenting to two-foot (2') side setback along a segment of the southern property line instead of the required five-foot (5') side setback for an existing driveway, walkway and patio. **(TABLED)**
- **ZV(R)2024-0056:** to allow two existing storage sheds instead of the one allowed. **(TABLED)**
- **ZV(R)2024-0057:** to allow two existing open sided structures, freestanding instead of the one allowed. **(TABLED)**
- **ZV(R)2024-0058:** to allow 338 Square-Foot instead of the allowed 200 Square-Foot for the existing first open sided structure, freestanding. **(TABLED)**
- **ZV(R)2024-0059:** to allow 441 Square-Foot instead of the allowed 200 Square-Foot for the existing second open sided structure, freestanding. **(TABLED)**

The above variance requests were heard by the Board on September 5, 2024, meeting.

The applicant was directed to reconsider the requests and to provide an alternative plan to reduce the impact of the unpermitted work at the property.

Planning and Economic Development Staff assisted the applicant to identify potential modifications that could be made to meet the regulations of the City's Land Development Code. The petitioner is presenting an "AS BUILT" survey showing the existing conditions at the property. No modification plan is provided.

The applicant is still requesting the following:

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- **ZV(R)2024-0054:** to allow zero-foot (0'), augmenting to four-foot, ten-inch (4' - 10") side setback along a segment of the northern property line instead of the required five-foot (5') for an existing walkway and patio.
- **ZV(R)2024-0055:** to allow one-foot, five-inch (1' -5"), augmenting to two-foot (2') side setback along a segment of the southern property line instead of the required five-foot (5') side setback for an existing driveway, walkway and patio.
- **ZV(R)2024-0056:** to allow two existing storage sheds instead of the one allowed.
- **ZV(R)2024-0057:** to allow two existing open sided structures, freestanding instead of the one allowed.
- **ZV(R)2024-0058:** to allow 338 Square-Foot instead of the allowed 200 Square-Foot for the existing first open sided structure, freestanding.
- **ZV(R)2024-0059:** to allow 441 Square-Foot instead of the allowed 200 Square-Foot for the existing second open sided structure, freestanding.

Per staff review of the city's archives, no building permits can be found for the detected work on the property. Nevertheless, per Broward County Property Appraiser Imagery, it appears the items have existed at the property since at least 2020.

The applicant is aware that Board consideration of a residential variance request does not preclude the property owner from obtaining all necessary development related approvals or permits.

The subject property is in Pembroke Falls. The applicant has provided a copy of the Homeowner's Association Letter, dated April 30, 2024.

## **VARIANCE REQUEST DETAILS:**

**ZV(R)2024-0054** is to allow zero-foot (0'), augmenting to four-foot, ten-inch (4' - 10") side setback along a segment of the northern property line instead of the required five-foot (5') for an existing walkway and patio.

**ZV(R)2024-0055** to allow one-foot, five-inch (1' -5"), augmenting to two-foot (2') side setback along a segment of the southern property line instead of the required five-foot (5') side setback for an existing driveway, walkway and patio.

**ZV(R)2024-0056** is to allow two existing storage sheds instead of the one allowed.

**ZV(R)2024-0057** is to allow two existing open sided structures, freestanding instead of the one allowed.

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**ZV(R)2024-0058)** is to allow 338 Square-Foot instead of the required 200 Square-Foot for the existing first open sided structure, freestanding.

**ZV(R)2024-0059)** is to allow 441 Square-Foot instead of the required 200 Square-Foot for the existing second open sided structure, freestanding.

Code References:

**ZV(R)2024-0054 & 0055, 0058 & 0059)**

<b>Table 155.620 Accessory Building and Structures</b>							
<b>Type</b>	<b>Setback</b>				<b>Maximum Height</b>	<b>Maximum Dimensions</b>	<b>Additional Regulations</b>
	<b>Front</b>	<b>Side</b>	<b>Street Side</b>	<b>Rear</b>			
<b>Driveway, Typical Lot</b>	0 feet	<b>5 feet</b>	15 feet 155.600(B)	N/A	N/A	40% front lot coverage  40 % width of lot	[1] 10 foot minimum width
<b>Shed</b>	Primary Building	<b>5 feet</b>	15 feet	5 feet	Primary building or 24 feet, whichever is less	[1] 100 square feet  [2] 200 square feet if located in A or R-E.	[2] If over 200 square feet it shall meet primary building setbacks
<b>Deck or Patio*</b>	Primary Building	<b>5 feet</b>	5 feet	5 feet	N/A	N/A	N/A
<b>Walkway (Single Family Lots)</b>	N/A	2 feet	5 feet	5 feet	N/A	3 feet in width	<b>If over 3 feet in width a 5 foot setback is required</b>
<b>Open Sided Structure (Free Standing)</b>	Primary Building	5 feet	5 feet	5 feet	Primary building or 24 feet, whichever is less	<b>200 square feet</b>	When locate in A or R-E it may exceed 200 square feet and shall meet the setbacks of the Primary building

**ZV(R)2024-0056 & 0057)**

**155.620 GENERAL – ACCESSORY BUILDINGS AND STRUCTURES**

(C) General Standards accessory buildings and structures:

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1. Unless otherwise noted herein, a residential lot may have one of each of the following accessory buildings and structures:

- (a) Shed
- (c) Free standing open sided structures

Jose Casas, petitioner, spoke to the variance request. He stated that the number of sheds has been mis-characterized – that the one on the side of the house is a closet, only 2' by 6' and he is willing to remove it. He also stated he will remove one of the tiki huts if the board does not approve both, but continued to state they are needed for his wife's health condition. Petitioner stated there are no standing water or drainage issues on the property. Petitioner states neither of the tiki huts can be seen from the street or side yard of the property. Board members stated there is a large amount of trees for shade already on the property. Petitioner stated he does not understand why he cannot be allowed the two tiki huts, since his property is larger than any other property around him and they have been there thirteen years already.

The members of the board who spoke to the variance request were Vice Chair Crawl, Member Abbondandolo, Alternate Member Jones.

The member of staff who spoke to the variance request was Christian Zamora, who answered when asked, if he had met with petitioner again, that yes, he had and the petitioner had chosen not to make any reductions before coming to the board with these requests.

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

A motion by Member Pitts, seconded by Member Abbondandolo, to grant variance request ZV(R)2024-0054, under Sec. 155.301(O)(1)(c), allow zero-foot (0'), augmenting to four-foot, ten-inch (4' - 10") side setback along a segment of the northern property line instead of the required five-foot (5') for an existing walkway and patio passed unanimously.

A motion by Member Pitts, seconded by Member Abbondandolo, to grant variance request ZV(R)2024-0055, under Sec. 155.301(O)(1)(c), allow one-foot, five-inch (1' - 5"), augmenting to

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two-foot (2') side setback along a segment of the southern property line instead of the require five-foot (5') side setback for an existing driveway, walkway and patio passed unanimously.

On a motion by Member Abbondandolo, seconded by Member Brito, to grant variance request ZV(R)2024-0056, under Sec. 155.301(O)(1)(c), allow two existing open sided structures, freestanding instead of the one allowed, the following vote was recorded:

AYE: Members Abbondandolo and Brito

NAY: Vice Chair Crawl and Member Pitts, Alternate Member Jones

Motion Failed

On a motion by Member Abbondandolo, seconded by Member Brito, to grant variance request ZV(R)2024-0057, under Sec. 155.301(O)(1)(c), to allow two existing open sided structures, freestanding instead of the one allowed, the following vote was recorded:

AYE: None

NAY: Vice Chair Crawl, Members Abbondandolo, Brito and Pitts, Alternate Member Jones

Motion Failed

On a motion by Member Abbondandolo, seconded by Member Brito, to grant variance request ZV(R)2024-0058, under Sec. 155.301(O)(1)(c), allow 338 Square-Foot instead of the allowed 200 Square-Foot for the existing first open sided structure, freestanding, the following vote was recorded:

AYE: Member Abbondandolo

NAY: Vice Chair Crawl, Member Brito and Pitts, Alternate Member Jones

Motion Failed

On a motion by Member Abbondandolo, seconded by Member Brito, to grant variance request ZV(R)2024-0059, under Sec. 155.301(O)(1)(c), allow 441 Square-Foot instead of the allowed 200 Square-Foot for the existing second open sided structure, freestanding, the following



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vote was recorded:

AYE: Vice Chair Crawl, Members Brito and Pitts

NAY: Member Abbondandolo, Alternate Member Jones

Motion Passed

## VARIANCE FILE NUMBERS: ZV(R)2024-0082 - 0085

Vice Chair Crawl entered the request into the record.

### PETITIONER:

Max Probst & Yahaira Manon

### ADDRESS:

#### SUBJECT PROPERTY:

2220 NW 93 Way  
Pembroke Pines, FL 33024

### LEGAL DESCRIPTION:

Lot 70, Block 1, of the RAINBOW LAKES PLAT, according to the Plat thereof as recorded in Plat Book 77, Page 28B, of the Public Record of Broward County, Florida.

### VARIANCES REQUESTED:

Petitioner is requesting variances to allow:

**ZV(R)2024-0082**) a 57% total front lot coverage instead of the required 40% total front lot coverage for an existing driveway.

**ZV(R)2024-0083**) a 0' northern side setback instead of the required 5' side setback for an existing driveway.

**ZV(R)2024-0084**) a 0' northern side setback instead of the required 5' side setback for the existing patio / deck.

**ZV(R)2024-0085**) a four-foot (4') southern side setback for existing 9' x 10' storage shed on existing concrete path.

### REFERENCES:

**ZV(R)2024-0082 - 0085)**

Table 155.620 Accessory Building and Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Driveway, Typical	0 feet	5 feet	15 feet 155.600(B)	N/A	N/A	40% front lot coverage	[1] 10 foot minimum

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<b>Lot</b>						40 % width of lot	width
<b>Shed</b>	Primary building	<b>5 feet</b>	15 feet	5 feet	Primary building or 24 feet, whichever is less	[1] 100 square feet [2] 200 square feet if located in A or R-E.	[2] if over 200 square feet it shall meet primary building setbacks
<b>Deck or Patio</b>	Primary Building	<b>5 feet</b>	5 feet	5 feet	N/A	N/A	N/A

**PROJECT DESCRIPTION / BACKGROUND:**

Yahaira Manon, owner, submitted four residential zoning variance requests to legalize existing construction at the property located at 2220 NW 93 Way in the Rainbow Lakes Neighborhood which is zoned Residential Single-Family (R-1C).

On October 10, 2023, the City’s Code Compliance cited the property (Case No. 231003975) for work performed without building permits.

In March 18, 2024, the owner submitted a building permit application (No. RX24-02852) to construct a driveway at the property; but, the building permit cannot be approved as the existing driveway exceeds the limitations of the City’s Land Development Code (LDC).

As a result, of the existing work at the property, the applicant is requesting:

- **ZV(R)2024-0082:** to allow 57% Front Lot Coverage (total) instead of the allowed 40% Front Lot Coverage (total) for an existing driveway in a single-family residential, typical lot.
- **ZV(R)2024-0083:** to allow zero-foot (0’) side setback along a segment of the northern property line for an existing driveway in a single-family residential, typical lot.

After reviewing the applicant’s initial request and, per the property survey, it was detected an existing patio and a storage shed on an existing concrete path. The existing structures encroach into the required five-foot side setback; as a result of the changes done at the property, the petitioner would like to include the following requests:

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- **ZV(R)2024-0084:** to allow zero-foot (0') side setback along a segment of the northern property line instead of the required five-foot (5') side setback for an existing patio.
- **ZV(R)2024-0085:** to allow four-foot (4') side setback along a segment of the southern property line instead of the required five-foot (5') side setback for an existing 9' x 10' storage shed on an existing concrete path.

Per staff review of the city's archives, no building permits can be found for the work detected via code case violation. However, copies of historical surveys utilized for building permits have been gathered, confirming the driveway, concrete path and shed had existed in a similar form at location (see surveys, attached) Per Broward County Property Appraiser Imagery, the patio (northern side) appeared at location since at least in December 2023.

Planning and Economic Development staff have assisted the applicant to identify potential modifications to the existing non-permitted work that could be done to meet the regulations of the City's Land Development Code. The petitioner is presenting an "As Built" survey showing the existing conditions at the property.

The applicant is aware that Board consideration of residential variance requests does not preclude the property owner from obtaining all necessary development related approvals or permits.

The property is in the Rainbow Lakes neighborhood, there is no HOA.

## **VARIANCE REQUEST DETAILS:**

**ZV(R)2024-0082** is to allow 57% Front Lot Coverage (total) instead of the allowed 40% Front Lot Coverage (total) for an existing driveway in a single-family residential, typical lot.

**ZV(R)2024-0083** is to allow zero-foot (0') side setback along a segment of the northern property line for an existing driveway in a single-family residential, typical lot.

**ZV(R)2024-0084** is to allow zero-foot (0') side setback along a segment of the northern property line instead of the required five-foot (5') side setback for an existing patio.

**ZV(R)2024-0085** is to allow four-foot (4') side setback along a segment of the southern property line instead of the required five-foot (5') side setback for an existing 9' x 10' storage shed on an existing concrete path.

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Code References:  
**ZV(R)2024-0082 - 0085)**

<b>Table 155.620 Accessory Building and Structures</b>							
<b>Type</b>	<b>Setback</b>				Maximum Height	<b>Maximum Dimensions</b>	Additional Regulations
	Front	<b>Side</b>	Street Side	Rear			
<b>Driveway, Typical Lot</b>	0 feet	<b>5 feet</b>	15 feet 155.600(B)	N/A	N/A	<b>40% front lot coverage</b>  40 % width of lot	[1] 10 foot minimum width
<b>Shed</b>	Primary building	<b>5 feet</b>	15 feet	5 feet	Primary building or 24 feet, whichever is less	[1] 100 square feet  [2] 200 square feet if located in A or R-E.	[2] if over 200 square feet it shall meet primary building setbacks
<b>Deck or Patio</b>	Primary Building	<b>5 feet</b>	5 feet	5 feet	N/A	N/A	N/A

Yahaira Manon, petitioner, spoke to the variance request. She stated the driveway was asphalt originally, they changed to concrete, with drainage openings between slabs, and that they used the same exact size as the original driveway. Christian Zamora noted the patio and shed appear as early as December 2023 in ariels. Petitioner has owned the property since 2016, driveway expansion was done before she purchased the property. Petitioner confirmed contractor was hired, believed he had pulled permits. Also confirmed there has never been any standing water or drainage issue with property or neighbors.

The members of the board who spoke to the variance request were Vice Chair Crawl, Members Abbondandolo, Pitts and Alternate Member Jones.

The member of staff who spoke to the variance request was Christian Zamora.

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

[Secretary’s note: Member Brito arrived at 7:15 PM, as the board was about to vote on the

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variance requests, thus he did not participate in the vote.]

On a motion by Member Abbondandolo, seconded by Alternate Member Jones, to grant variance request ZV(R)2024-0082, under Sec. 155.301(O)(1)(c), to allow 57% Front Lot Coverage (total) instead of the allowed 40% Front Lot Coverage (total) for an existing driveway in a single-family residential, typical lot, the following vote was recorded:

AYE: Vice Chairman Crawl, Members Abbondandolo and Pitts

NAY: Alternate Member Jones

Motion Passed

On a motion by Member Pitts, seconded by Member Abbondandolo, to grant variance request ZV(R)2024-0083, under Sec. 155.301(O)(1)(c), to allow zero-foot (0') side setback along a segment of the northern property line for an existing driveway in a single-family residential, typical lot, the following vote was recorded:

AYE: Vice Chairman Crawl, Member Abbondandolo

NAY: Member Pitts, Alternate Member Jones

Motion Failed

A motion by Member Pitts, seconded by Member Abbondandolo, to grant variance request ZV(R)2024-0084, under Sec. 155.301(O)(1)(c), to allow zero-foot (0') side setback along a segment of the northern property line instead of the required five-foot (5') side setback for an existing patio passed unanimously.

A motion by Member Pitts, seconded by Alternate Member Jones, to grant variance request ZV(R)2024-0085, under Sec. 155.301(O)(1)(c), to allow four-foot (4') side setback along a segment of the southern property line instead of the required five-foot (5') side setback for an existing 9' x 10' storage shed on an existing concrete path passed unanimously.

**VARIANCE FILE NUMBERS: ZV(R)2024-0086 - 0090**

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Vice Chair Crawl entered the request into the record.

**PETITIONER:**

Reinaldo & Gloria Morales

**ADDRESS:**

**SUBJECT PROPERTY:**

8861 NW 7 Street  
Pembroke Pines, FL 33024

**LEGAL DESCRIPTION:**

Lot 14, Block 3, of the WESTVIEW SECTION 1 PART 1 PLAT, according to the Plat thereof as recorded in Plat Book 94, Page 50B, of the Public Record of Broward County, Florida.

**VARIANCES REQUESTED:**

Petitioner is requesting variances to allow:

**ZV(R)2024-0086**) a one-foot six-inch (1'-6") side setback along the eastern property line instead of the required two-foot (2') side setback for an existing three-foot (3') wide walkway.

**ZV(R)2024-0087**) a four-foot (4') side setback along the eastern property line instead of the required five-foot (5') side setback for an existing 8' x 12' shed

**ZV(R)2024-0088**) a two-foot (2') rear setback for existing 10' x 18' gazebo on existing pool deck instead of the required five-foot (5') rear setback.

**ZV(R)2024-0089**) a two-foot (2') street side setback instead of the required five-foot (5') street side setback for the existing pool deck.

**ZV(R)2024-0090**) a two-foot (2') street side setback instead of the required five-foot (5') side setback for the existing 13' X 29' patio.

**REFERENCES:**

**ZV(R)2024-0086 - 0090)**

Table 155.620 Accessory Building and Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Walkway (Single Family Lots)	N/A	2 feet	5 feet	5 feet	N/A	3 feet in width	If over 3 feet in width a 5 foot side setback is required
Shed	Primary Building	5 feet	15 feet	5 feet	Primary building	[1] 100 square feet	[2] If over 200 square

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					or 24 feet, whichever is less	[2] 200 square feet if located in A or R-E.	feet it shall meet primary building setbacks
<b>Deck of Patio</b>	Primary Building	5 feet	<b>5 feet</b>	5 feet	N/A	N/A	N/A

**PROJECT DESCRIPTION / BACKGROUND:**

Reinaldo Morales, owner, has submitted five residential zoning variance requests to legalize existing construction at the property located at 8861 NW 7 Street in the Westview neighborhood, zoned residential single-family (R-1C).

On March 7, 2024, the Code Compliance Division cited the property (Code Case No. 230301010) for work performed without building permits.

As of result of the existing work at the property, the applicant would like to request:

- **ZV(R)2024-0086:** to allow one-foot, six-inch (1’ – 6”) side setback along a segment of the eastern property line for existing three-foot (3’) wide walkway instead of the required two-foot (2’) side setback.
- **ZV(R)2024-0087:** to allow four-foot (4’) side setback along a segment of the eastern property line for an existing 8’ x 12 storage shed instead of the required five-foot (5’) side setback.
- **ZV(R)2024-0088:** is to allow two-foot (2’) rear setback for existing 10’ x 18’ gazebo on existing pool deck instead of the required five-foot (5’) rear setback.
- **ZV(R)2024-0089:** to allow two-foot (2’) street side setback for existing pool deck instead of the required five-foot (5’) street side setback.
- **ZV(R)2024-0090:** is to allow two-foot (2’) street side setback for existing 13’ x 29’ patio instead of the required five-foot (5’) street side setback.

Per staff review of the city’s archives, no building permits can be found for the work detected via the code compliance case; however, Broward County Property Appraiser Imagery confirms walkway, shed, patio and pool deck, as altered, have existed at the property since at least December 2018. Also, staff have gathered and included copies of historical surveys for further reference (see survey for pool permit, driveway)

The applicant is aware that Board consideration of a residential variance request does not

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preclude the property owner from obtaining all necessary development related approvals or permits.

The subject property is in Tanglewood Lakes Neighborhood. The applicant confirmed there are no HOA(s) in the community where the property is located.

**VARIANCE REQUEST DETAILS:**

**ZV(R)2024-0086** is to allow one-foot, six-inch (1’ – 6”) side setback along a segment of the eastern property line for existing three-foot (3’) wide walkway instead of the required two-foot (2’) side setback.

**ZV(R)2024-0087** is to allow four-foot (4’) side setback along a segment of the eastern property line for an existing 8’ x 12 storage shed instead of the required five-foot (5’) side setback.

**ZV(R)2024-0088** is to allow two-foot (2’) rear setback for existing 10’ x 18’ gazebo on existing pool deck instead of the required five-foot (5’) rear setback.

**ZV(R)2024-0089** is to allow two-foot (2’) street side setback for existing pool deck instead of the required five-foot (5’) street side setback.

**ZV(R)2024-0090** is to allow two-foot (2’) street side setback for existing 13’ x 29’ patio instead of the required five-foot (5’) street side setback.

Code References:  
ZV(R)2024-0086 - 0090)

<b>Table 155.620 Accessory Building and Structures</b>							
<b>Type</b>	<b>Setback</b>				<b>Maximum Height</b>	<b>Maximum Dimensions</b>	<b>Additional Regulations</b>
	<b>Front</b>	<b>Side</b>	<b>Street Side</b>	<b>Rear</b>			
<b>Walkway (Single Family Lots)</b>	N/A	<b>2 feet</b>	5 feet	5 feet	N/A	3 feet in width	If over 3 feet in width a 5 foot side setback is required
<b>Shed</b>	Primary Building	<b>5 feet</b>	15 feet	5 feet	Primary building or 24 feet, whichever is less	[1] 100 square feet [2] 200 square feet if located in A or R-E.	[2] If over 200 square feet it shall meet primary building setbacks
<b>Deck of Patio</b>	Primary Building	5 feet	<b>5 feet</b>	5 feet	N/A	N/A	N/A



# DRAFT

Reinaldo and Gloria Morales, petitioners, spoke to the variance request. They stated they hired a contractor, who did not pull permits and have lived in home since 2011. Christian Zamora stated the work has existed since 2019 via ariels. They stated it would be a financial burden to change all of the work. The walkway had been pavers, but they were unsteady, so they replaced with concrete. Christian Zamora also stated some of the work altering the property was done before the Morales purchased the home and that the old code was 15 feet street set back, but now it is five. Petitioners confirmed there is no standing water, even after hurricane and water does not drain on to the driveway or street.

The members of the board who spoke to the variance request were Vice Chair Crawl, Members Pitts and Abbondandolo, Alternate Member Jones.

The member of staff who spoke to the variance request was Christian Zamora.

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

A motion by Member Pitts, seconded by Member Abbondandolo, to grant variance request ZV(R)2024-0086, under Sec. 155.301(O)(1)(c), to allow one-foot, six-inch (1' – 6") side setback along a segment of the eastern property line for existing three-foot (3') wide walkway instead of the required two-foot (2') side setback passed unanimously.

A motion by Member Pitts, seconded by Member Abbondandolo, to grant variance request ZV(R)2024-0087, under Sec. 155.301(O)(1)(c), to allow four-foot (4') side setback along a segment of the eastern property line for an existing 8' x 12 storage shed instead of the required five-foot (5') side setback passed unanimously.

On a motion by Member Pitts, seconded by Member Abbondandolo, to grant variance request ZV(R)2024-0088, under Sec. 155.301(O)(1)(c), to allow two-foot (2') rear setback for existing 10' x 18' gazebo on existing pool deck instead of the required five-foot (5') rear setback

# DRAFT

passed unanimously.

On a motion by Member Pitts, seconded by Member Abbondandolo, to grant variance request ZV(R)2024-0089, under Sec. 155.301(O)(1)(c), to allow two-foot (2') street side setback for existing pool deck instead of the required five-foot (5') street side setback passed unanimously.

A motion by Member Pitts, seconded by Alternate Member Jones, to grant variance request ZV(R)2024-0090, under Sec. 155.301(O)(1)(c), to allow two-foot (2') street side setback for existing 13' x 29' patio instead of the required five-foot (5') street side setback passed unanimously.

## **ITEMS AT THE REQUEST OF THE BOARD:**

There were no items.

## **ITEMS AT THE REQUEST OF STAFF:**

Members were reminded that the January 2025 meeting will be on January 16, 2025

## **ADJOURNMENT:**

On a motion by Member Abbondandolo, seconded by Member Pitts, to adjourn the meeting at 7:59 P.M. passed unanimously.

Respectfully submitted:

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Katherine Borgstrom  
Board Secretary

Adjourned: 7:59 P.M.  
Approved: