

**COMMISSION ORDER OF THE
CITY OF PEMBROKE PINES, FLORIDA
CITY COMMISSION**

COMMISSION ORDER NUMBER: 2025-002

DATE AND AGENDA February 19, 2025

BOARD ACTION: APPROVED

APPLICANTS: Max Probst; Yahaira Manon

FILE NUMBER: ZV(R) 2024-0083

PETITION FOR: Request to Appeal the Board of Adjustment decision pertaining to a residential zoning variance for the property located at 2220 NW 93 Way, owned by Max Probst and Yahaira Manon:

- 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.

LOCATION: 2220 NW 93 Way, Pembroke Pines, FL 33024

LEGAL DESCRIPTION: LOT 70, OF BLOCK 1, OF RAINBOW LAKES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 77, AT PAGE 28, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORID.

FINDINGS OF FACT: The City Commission after having heard and considered the following matters hereby makes the following findings of fact:

1. On December 5, 2024, the City of Pembroke Pines Board of Adjustment considered Application Nos. ZV(R) 2024-0082, 0083, 0084, and 0085, filed by Max Probst and Yahaira Manon for the property located at 2220 NW 93 Way, Pembroke Pines, FL 33024 (the "Applications").
2. Upon consideration of the Applications, testimony that was presented on the record, and deliberation between the Board of Adjustment members, the Board of Adjustment voted to approve Application Nos. ZV(R) 2024-0082, ZV(R) 2024-0084, and ZV(R) 2024-0085.
3. The Board of Adjustment voted to deny Application No. ZV(R) 2024-0083.

4. Zoning Variance Application, **Exhibit "1"**, is on file in the City Clerk's Office and by this reference is incorporated herein and made a part hereof.
5. Board of Adjustment Meeting transcript for the December 5, 2024 Board of Adjustment meeting, **Exhibit "2"**, is on file in the City Clerk's Office and by this reference are incorporated herein and made a part hereof.
6. Petitioner request and justification letter, entitled "Request for Appeal – BOA Decision for Zoning Variance ZV(R)2024-0083" and dated December 10, 2024, **Exhibit "3"**, is on file in the City Clerk's Office and by this reference is incorporated herein and made a part hereof.
7. Vicinity Map, **Exhibit "4"**, is on file in the City Clerk's Office and by this reference is incorporated herein and made a part hereof.
8. There was no public comment regarding this matter at the February 19, 2025 Commission meeting.
9. In accordance with City Code of Ordinances §155.311, members of the City Commission reviewed the written record on appeal, including Exhibits 1-5 as referenced herein, for competent and substantial evidence and no new evidence was presented.

CONCLUSION AND ORDER:

After consideration and review of the City's records and arguments presented as reflected above in the FINDINGS OF FACT, the City Commission hereby GRANTS Petitioner's appeal of the decision of the Board of Adjustment and APPROVES, the following variance request:

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.

NOTICES: All notices or other communications required by one party to another shall be given in writing by personal delivery or by regular U.S. mail or sent by telex, facsimile or similar method of electronic communication addressed to such other party or delivered to such other party as follows:

CITY: Charles F. Dodge, City Manager
601 City Center Way
Pembroke Pines, FL 33025
Telephone No. (954) 431-4884
Facsimile No. (954) 437-1149

Copy To: Samuel S. Goren, City Attorney
Goren, Cherof, Doody & Ezrol, P.A.
3099 East Commercial Blvd., Suite 200

Fort Lauderdale, Florida 33308
Telephone No. (954) 771-4500
Facsimile No. (954) 771-4923

APPELLANTS: Max Probst and Yahaira Manon
2220 NW 93 Way
Pembroke Pines, FL 33024

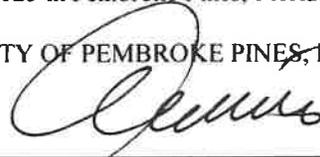
Issuance of this development order by the City of Pembroke Pines does not create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the City of Pembroke Pines for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. All other applicable state or federal permits must be obtained before commencement of the development.

DONE AND ORDERED on this 19 day of February, 2025 in Pembroke Pines, Florida.


ATTEST:
Debra Roberts
DEBRA L. ROBERTS, CITY CLERK

CITY OF PEMBROKE PINES, FLORIDA

BY:



MAYOR ANGELO CASTILLO

APPROVED AS TO FORM:


OFFICE OF THE CITY ATTORNEY
Brian Skerian