

# DRAFT

**Board of Adjustment**

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

**March 2, 2017**

The regular meeting of the BOARD OF ADJUSTMENT was called to order by Chairman Ryan on Thursday, March 2, 2017 at 6:31 P.M., in the City Commission Chambers, Pembroke Pines Municipal Center, 10100 Pines Boulevard, Pembroke Pines, Florida.

**PRESENT:** Chairman Ryan, Vice Chairman Rodriguez-Soto, Members Goggin and Parlavecchio; Alternate Member Siddiqui

**ABSENT:** Member Hendry, Alternate Member Almeria

**ALSO PRESENT:** Assistant City Attorney Brian Sherman, 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 Member Goggin, seconded by Vice Chairman Rodriguez-Soto , to approve the minutes of the January 5, 2017 meeting, the following vote was recorded:

AYE: Chairman Ryan, Vice Chairman Rodriguez-Soto, Members Goggin and 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

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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 were sworn under oath to give testimony in the relevant causes by Assistant City Attorney Sherman.]

## **NEW BUSINESS:**

### **VARIANCES:**

**VARIANCE FILE NUMBER:**      **ZV(R) 2017-01**

### **PETITIONER:**

Jeffrey J. Rogers

### **ADDRESS:**

### **SUBJECT PROPERTY:**

10040 SW 12 Street  
Pembroke Pines, FL 33025

### **LEGAL DESCRIPTION:**

Lot 6, Block 5; of the LAKESIDE SOUTH PLAT, according to the plat thereof as recorded in Plat Book, 124 Page 45 B, of the Public Records of Broward County, Florida.

### **VARIANCE REQUESTED:**

Petitioner is requesting a variance to allow a 3.2' side yard setback instead of the required 5' side yard setback for a covered screen enclosure.

### **REFERENCE:**

§ 155.049 ACCESSORY USES AND STRUCTURES; SPECIAL PROVISIONS FOR CERTAIN SCREENED ENCLOSURES WITH COVERED ROOFS.

(B) In residential districts, all accessory buildings and uses in a rear yard shall be located at least five feet from any plot line, at least 15 feet from any street line, and at least ten feet from any main building or other accessory building. For water front lots located within developments approved under the design criteria of (RS-7) single family zoning districts, accessory structures shall be allowed to extend to the zero setback side property line. These accessory structures shall include, but not be limited to, concrete slabs, paver decks, wood decks, pools and pool decks, and screen enclosures.

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Jeffrey Rogers, petitioner spoke to the request. He had a variance approved in September but when the work was to be done the measurements were incorrect, so now there is a need to have variance for the difference.

Dean Piper explained. There was a variance for a 3.5 setback granted in September, but now the variance needs to be for a 3.2 setback after work was started. Measurements made after the fact caused him to have to come back for new variance.

Petitioner stated he has stopped the work until he could get the new variance.

Members of the board of spoke were Chairman Ryan and Member Goggin, who asked about the easement and Dean Piper responded it is a zero lot line.

No one from the public spoke to the request.

On a motion by Member Goggin, seconded by Vice Chairman Rodriguez-Soto, to approve ZV(R) 2017-01, as submitted, to allow a 3.2' side yard setback instead of the required 5' side yard setback for a covered screen enclosure, under Sec. 32.034 (2) (C), the following vote was recorded:

AYE: Chairman Ryan, Vice Chairman Rodriguez-Soto, Members Goggin and Parlavecchio; Alternate Member Almeria

NAY: None

Motion Passed.

## **EXCUSED ABSENCES:**

On a motion by Member Goggin, seconded by Member Parlavecchio, to excuse the absence of Member Hendry and Alternate Almeria from the March meeting, the following vote was recorded:

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

NAY: None

Motion Passed

## **NEW BUSINESS:**

Members discussed items to be included in the Annual Board Report to the City Commission on June 7, 2017. After much discussion, Chairman Ryan stated there would be no additional comments added to the report and received consensus approval from the board members to prepare the report, as this will likely be the last meeting of the Board of Adjustment before the June Commission meeting.

## **ADJOURNMENT:**

Chairman Ryan adjourned the meeting at 7:07 P.M.

Respectfully submitted:

CITY OF PEMBROKE PINES  
BOARD OF ADJUSTMENT

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Katherine Borgstrom  
Board Secretary

**Adjourned:** 7:07 P.M.  
**Approved:**