

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

COMMISSION ORDER NUMBER: 2025-001

DATE AND AGENDA December 18, 2024

BOARD ACTION: APPROVED

APPLICANTS: Carlos Leyva; Karla Leyva

FILE NUMBER: ZV(R) 2024-0076

PETITION FOR: Request to Appeal the Board of Adjustment decision pertaining to a residential zoning variance for the property located at 11920 Taft Street, owned by Carlos Leyva and Karla Leyva:

- ZV(R) 2024-0076: to allow twenty-foot (20') encroachment into the required twenty-five-foot (25') front setback for an existing twenty-foot by twenty foot (20' x 20') awning carport.

LOCATION: 11920 Taft Street, Pembroke Pines, FL 33026

LEGAL DESCRIPTION: LOT 3, BLOCK 64, PEMBROKE LAKES SECTION SIX, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 94, PAGE(S) 3, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

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

1. On November 7, 2024, the City of Pembroke Pines Board of Adjustment considered Application Nos. ZV(R) 2024-0076, 0077, 0078, and 0079, filed by Carlos Leyva and Karla Leyva for the property located at 11920 Taft Street, Pembroke Pines, Florida 33026 (the "Applications").
2. Carlos Leyva and Karla Leyva were represented by their legal counsel, E. Scott Golden, at the November 7, 2024 Board of Adjustment Hearing.
3. 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)2024-0077, ZV(R)2024-0078, and ZV(R)2024-0079.

4. The Board of Adjustment voted to deny Application No. ZV(R)2024-0076.
5. 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.
6. Board of Adjustment Meeting Minutes for November 7, 2024 Board of Adjustment meeting, **Exhibit "2"**, are on file in the City Clerk's Office and by this reference are incorporated herein and made a part hereof.
7. Petitioner request and Justification Letter, entitled "Amended Notice of Appeal" and dated November 13, 2024, **Exhibit "3"**, is on file in the City Clerk's Office and by this reference is incorporated herein and made a part hereof.
8. 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.
9. Notice of Violation and Summons to Appear, **Exhibit "5"**, is on file in the City clerk's Office and by this reference is incorporated herein and made a part hereof.
10. Carlos Leyva and Karla Leyva were represented by their legal counsel, E. Scott Golden, at the December 18, 2024 Commission meeting.
11. There was no public comment regarding this matter at the December 18, 2024 Commission meeting.
12. 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) 2024-0076: to allow twenty-foot (20') encroachment into the required twenty-five-foot (25') front setback for an existing twenty-foot by twenty foot (20' x 20') awning carport at the Property located at 11920 Taft Street, Pembroke Pines, Florida 33027.

Furthermore, the Petitioner voluntarily agrees that the awning carport shall be entirely removed from the Property by Petitioner upon the earlier of December 18, 2027 or sale of the Property.

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: E. Scott Golden, Esq., on behalf of
Carlos Leyva and Karla Leyva, as Appellants
Golden Law
3107 Stirling Road, Suite 201
Fort Lauderdale, FL 33312
954-764-6766

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 18 day of December, 2024 in Pembroke Pines, Florida.

CITY OF PEMBROKE PINES, FLORIDA

BY:


MAYOR ANGELO CASTILLO



APPROVED AS TO FORM:


OFFICE OF THE CITY ATTORNEY