

DRAFT

Board of Adjustment

City of Pembroke Pines
Pembroke Pines, FL

NOVEMBER 4, 2021

The regular meeting of the BOARD OF ADJUSTMENT was called to order by Member Goggin on Thursday, November 4, 2021 at 6:30 P.M., in the City Commission Chambers, Charles F. Dodge City Center, 601 City Center Way, Pembroke Pines, Florida, 33025.

PRESENT: Chairman Ryan (6:45 PM), Vice Chairman Rodriguez-Soto (7:45 PM)
Member Goggin; Alternate Members Almeria and Siddiqui

ABSENT: None

ALSO PRESENT: Dean Piper, Zoning Administrator, Christian Zamora, Planner/Zoning Specialist, Quentin Morgan, Assistant City Attorney, and Board Secretary Katherine Borgstrom

[Secretary's note: Both Chair and Vice Chair had advised they would be late. As Member Goggin is only regular member present, he will serve as Chair until the arrival of either the Chair or the Vice Chair.]

Board Secretary Borgstrom called roll and declared a quorum present.

SELECTION OF CHAIRMAN AND VICE CHAIRMAN:

Moved by consensus to end of meeting.

APPROVAL OF THE MINUTES:

A motion by Alternate Member Siddiqui, seconded by Alternate Member Almeria, to approve the minutes of the October 7, 2021 meeting as received passed unanimously.

EXCUSED ABSENCES:

There were no requests for excused absences.

LEGAL INSTRUCTIONS:

Assistant City Attorney Quinten Morgan 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

DRAFT

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 the Assistant City Attorney.]

[Secretary's Note: Due to lateness of both the Chair and Vice Chair, the first two petitioners were offered to either wait until one of the late parties arrived, or to defer to the December meeting, due to the fact that the request needs three Aye votes in order to pass. At first call Petitioner Carlos Rios asked to wait until there were four members on the board present to present his request. He presented his request when Chair Ryan had arrived. Jose & Evelyn Santa Barbara, second petitioners choose to proceed with the three board members present. Chair Ryan arrived for the third petitioner, Juan Hincapié. Petitioner Rios presented his request after Petitioner Hincapié.]

OLD BUSINESS:

VARIANCES:

VARIANCE FILE NUMBERS: **ZV(R) 2021-17 - 21**

PETITIONER:

Carlos Rios

ADDRESS:

SUBJECT PROPERTY:

201 SW 65 Avenue
Pembroke Pines, FL 33023

LEGAL DESCRIPTION:

Lot 1, Block 24, of the BOULEVARD HEIGHTS SEC TEN PLAT, according to the Plat thereof as recorded in Plat Book 51, Page 15B, of the Public Record of Broward County, Florida.

VARIANCES REQUESTED:

Petitioner is requesting variances to allow:

ZV(R) 2021-17) a 2.10' rear yard setback for an existing shed instead of the required 5' rear yard setback;

ZV(R) 2021-18) a 6.4' street side yard setback for an existing gazebo instead of the required 15' street side yard setback;

ZV(R) 2021-19) a 0' street side yard setback for an existing composite deck instead of the required 5' street side yard setback;

ZV(R) 2021-20) a 0' rear yard setback for an existing gazebo and composite deck instead of the required 5' rear yard setback;

ZV(R) 2021-21) a 360 sq. ft. existing open sided gazebo instead of the required 200 sq. ft. open sided structure.

DRAFT

REFERENCES: ZV(R) 2021-17 - 21)

Table 155.620 Accessory Building and Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Shed	Primary Building	5 feet	15 feet	5 feet	Primary 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
Open Sided Structure (Free Standing)	Primary Building	5 feet	15 feet	5 feet	Primary building or 24 feet, whichever is less	200 square feet	When located in A or R-E it may exceed 200 square feet and shall meet the setbacks of the primary building
Deck or Patio*	Primary Building	5 feet	5 feet	5 feet	N/A	N/A	N/A

Chair Ryan read the request into the record.

Carlos Rios, petitioner, spoke to the request. He has replaced two storage units for a gazebo and patio, then put in a new storage unit. He stated the electrical and utilities have all been approved.

Chair Ryan – on 2021-17, the existing shed is 2.9 into the setback - can it be moved to be at the five feet? Petitioner stated it is already built, that he didn't know he needed a permit and that he put the shed in the same place where the old shed had been. After he was sighted by code enforcement, he got an architect and is working to get everything up to code to resolve this.

Other board members who spoke to the request were Member Goggin and Alternate Member Almeria. Dean Piper confirmed the previous owner had put in the two metal sheds and

DRAFT

the petitioner had replaced the sheds with the gazebo, and it was done without permitting. Petitioner has received approval for all the electrical and plumbing but needs these variances to be approved in order to finalize the code violation. Dean Piper confirmed there are no utilities in the rear yard and that the utility companies (FPL and Comcast) had signed off on the installation, as they may be in the rear of the property. Dean Piper also confirmed all the sewer and water are on the left side of the house. Petitioner stated he did the work without permits and this is a large, corner lot. Dean Piper confirmed the shed meets size but is in the setback, that the gazebo is 160 square feet over the allowed size and that if they came within the setback, the shed structure would be allowed; tonight the board is dealing only with location and size of only dealing with at this meeting. The petitioner stated the floor in the structures is dirt and there is no flooding in the backyard when it rains heavily.

The member of staff who spoke to the variance requests was Dean Piper.

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

A motion by Member Goggin, seconded by Alternate Member Almeria, to grant variance request ZV(R) 2021-17, to allow a 2.10' rear yard setback for an existing shed instead of the required 5' rear yard setback, under Sec. 155.301(O)(1)(c), failed unanimously.

A motion by Member Goggin, seconded by Alternate Member Almeria, to grant variance request ZV(R) 2021-18, to allow a 6.4' street side yard setback for an existing gazebo instead of the required 15' street side yard setback, under Sec. 155.301(O)(1)(c), failed unanimously.

A motion by Member Goggin, seconded by Alternate Member Almeria, to grant variance request ZV(R) 2021-19, to allow a 0' street side yard setback for an existing composite deck instead of the required 5' street side yard setback, under Sec. 155.301(O)(1)(c), failed unanimously.

A motion by Member Goggin, seconded by Alternate Member Almeria, to grant variance

DRAFT

request ZV(R) 2021-20, to allow a 0' rear yard setback for an existing gazebo and composite deck instead of the required 5' rear yard setback, under Sec. 155.301(O)(1)(c), failed unanimously.

A motion by Member Goggin, seconded by Alternate Member Almeria, to grant variance request ZV(R) 2021-21, to allow a 360 sq. ft. existing open sided gazebo instead of the required 200 sq. ft. open sided structure, under Sec. 155.301(O)(1)(c), failed unanimously.

VARIANCE FILE NUMBER: ZV(R) 2021-25

PETITIONER:

Jose & Evelyn Santa Barbara

ADDRESS:

SUBJECT PROPERTY:

2178 NW 138 Terrace
Pembroke Pines, FL 33028

LEGAL DESCRIPTION:

Lot 22, Block 4, of the PEMBROKE FALLS-PHASE 4A PLAT according to the Plat thereof as recorded in Plat Book 163, Page 35B, of the Public Record of Broward County, Florida.

VARIANCE REQUESTED:

Petitioner is requesting a variance to allow a 300 sq. ft. open sided structure instead of the required 200 sq. ft. open sided structure for a proposed gazebo.

REFERENCE:

Table 155.620 Accessory Building and Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Open Sided Structure (Free Standing)	Primary Building	5 feet	15 feet	5 feet	Primary building or 24 feet, whichever is less	200 square feet	When located in A or R-E it may exceed 200 square feet and shall meet the setbacks of the primary building

Member Goggin read the request into the record.

DRAFT

Jose and Evelyn Santa Barbara, petitioners, spoke to the variance request. This is a corner lot and they want to build a gazebo that would be 15 x 20. City code allows 10 x 20 on a regular sized rectangle lot. Their lot is pie shaped and they have no neighbors behind their home.

Members of the board who spoke were Member Goggin and Alternate Member Siddiqui. Dean Piper confirmed their home backs to the easement and has a lake on one side, with only one neighbor on the other side. The neighbor has a seven foot privacy wall between the properties. Dean Piper did confirm that the gazebo meets all the setbacks and is clear of all easement and utilities. Petitioner was asked to confirm the structure will be open sided, not enclosed and he did.

The member of staff who spoke to the variance requests was Dean Piper.

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

A motion by Alternate Member Siddiqui, seconded by Alternate Member Almeria, to grant variance request ZV(R) 2021-25, to allow a 300 sq. ft. open sided structure instead of the required 200 sq. ft. open sided structure for a proposed gazebo, under Sec. 155.301(O)(1)(c), passed unanimously.

VARIANCE FILE NUMBER: ZV(R) 2021-26

PETITIONER:

Juan Hincapie

ADDRESS:

SUBJECT PROPERTY:

11031 NW 18 Place
Pembroke Pines, FL 33026

LEGAL DESCRIPTION:

Lot 26, Block 22, of the PEMBROKE LAKES SECTION 2 PLAT according to the Plat thereof as recorded in Plat Book 81, Page 48B, of the Public Record of Broward County, Florida.

VARIANCE REQUESTED:

DRAFT

Petitioner is requesting a variance to allow a 48% total front lot coverage instead of the required 35% total front lot coverage for a proposed driveway.

REFERENCE:

Table 155.620 Accessory Building Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Driveway, Typical Lot	0 feet	5 feet	15 feet 155.600(B)	N/A	N/A	35% front lot coverage 40 % width of lot	[1] 10 foot minimum width

Member Goggin read the request into the record.

Juan Hincapie, petitioner, spoke to request. The home is on a cul-de-sac and he is looking to widen drive so that visitors will not park in the street, which would create a blockage to other vehicles and emergency vehicles. The lot is pie shaped, very narrow in front, so the code measurements for lot front yard measurements are for larger yards than a pie shaped lot. Petitioner also stated neighbors have no objections.

Members of the Board who spoke to the request were Member Goggin, Chair Ryan, and Alternate Member Siddiqui. Dean Piper did confirm that there is a very old and large tree is the center island in front of the petitioner's lot and that it is in the public right of way. Petitioner confirmed that the drive will be stamped concrete and that there is no HOA for their area. Dean Piper stated the driveway is within the setbacks and this is cleaning up one set back, as the petitioner is bringing one area back so that it is not within the setback.

A speaker from audience came forward to speak to the request. Frieda Varon, 11021 NW 18th Place. She lives next door to the petitioner. She stated no vehicles can get around the cul-de-sac if cars are parked on street in front of any of their properties. She stated the petitioner is making the area more beautiful, the petitioner does not affect her property and she is not against the variance.

The member of staff who spoke to the variance requests was Dean Piper.

DRAFT

A motion by Alternate Member Siddiqui, seconded by Member Goggin, to grant variance request ZV(R) 2021-26, to allow a 48% total front lot coverage instead of the required 35% total front lot coverage for a proposed driveway, under Sec. 155.301(O)(1)(c), passed unanimously.

VARIANCE FILE NUMBER: **ZV(R) 2021-27**

PETITIONER:

Ramon Torres

ADDRESS:

SUBJECT PROPERTY:

6715 SW 195 Avenue
Pembroke Pines, FL 33332

LEGAL DESCRIPTION:

Lot 48, Block B, Laguna Isles, of the BIG SKY NORTH RESIDENTIAL PLAT according to the Plat thereof as recorded in Plat Book 168, Page 24B, of the Public Record of Broward County, Florida.

VARIANCE REQUESTED:

Petitioner is requesting a variance to allow a 5' rear yard setback for a proposed pool cabana instead of the required 15' rear yard setback.

REFERENCE:

Laguna Isles (Big Sky North) Planned Unit Development Guidelines
PUDZONE SF-3

Chairman Ryan read the request into the record.

Ramon Torres, petitioner, spoke to the request. They are seeking to build a cabana. In order to get the size and meet requirements, they have to attach it to the house and in order to do that, the building has to be set to the left side of the yard, as the only entrance to the back of the home is in the center of the home and they cannot block that entrance. The building will be attached to the house perpendicular to the house to not block the light from the only sliding door.

Dean Piper confirmed the pool meets all requirements and that there is a buffer berm at the rear of the property that is at least 50 feet from the road and 15 feet high. Petitioner stated there are no drainage problems and that the roof line will not stick out over the setback. Dean

DRAFT

Piper confirmed that the structure will be an open structure – not walled in to make living space.

The members of the board who spoke to the variance requests were Chair Ryan, Member Goggin and Alternate Member Siddiqui.

The member of staff who spoke to the variance requests was Dean Piper

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

A motion by Alternate Member Almeria, seconded by Member Goggin, to grant variance request ZV(R) 2021-27, to allow a 5' rear yard setback for a proposed pool cabana instead of the required 15' rear yard setback, under Sec. 155.301(O)(1)(c), passed unanimously.

NEW BUSINESS: **VARIANCES:**

VARIANCE FILE NUMBERS: **ZV(R) 2021-28 - 30**

PETITIONER:
Carlos Rodriguez

ADDRESS:
SUBJECT PROPERTY:
7131 SW 6 Street
Pembroke Pines, FL 33023

LEGAL DESCRIPTION:
Lot 27, Block 6, of the BOULEVARD PARK PLAT, according to the Plat thereof as recorded in Plat Book 51, Page 33B, of the Public Record of Broward County, Florida.

VARIANCES REQUESTED:
Petitioner is requesting variances to allow:
ZV(R) 2021-28 a 60% total front lot coverage instead of the required 35% total front lot coverage for existing driveways;
ZV(R) 2021-29 a 56% width of lot instead of the 40% required width of lot for existing driveways;
ZV(R) 2021-30 a 9' minimum width instead of the required 10' minimum width for an existing driveway.

REFERENCES:
ZV(R) 2021-28, 29, 30)

Table 155.620 Accessory Building 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	35% front lot coverage	[1] 10 foot minimum

DRAFT

Lot						40 % width of lot	width
-----	--	--	--	--	--	-------------------	-------

Chairman Ryan read the request into the record.

Carlos Rodriquez, petitioner, spoke to the request. Dean Piper clarified that when Mr. Rodriquez purchased the home in early 2021, he was not made aware that there were existing code enforcement violations proceeding against the former owner, who installed the driveway. When the purchase went through, Code re-issued violations against Mr. Rodriquez and he is seeking to clean up the violations with the variances. The code violations had not proceeded far enough to show on the title and lien search. Dean Piper also clarified that with this type of driveway design, large pavers with grass between, creating a checkerboard effect, that the grass area of the driveway is not figured into the size and there is no reduction of the coverage size due to the grass within the driveway. Petitioner stated the grass “inserts” do allow for drainage. Dean Piper also pointed out that one of the variances will actually clean up one of the violations by making the driveway smaller in width.

The members of the board who spoke to the variance requests were Chair Ryan, Member Goggin, and Alternate Member Siddiqui.

The member of staff who spoke to the variance requests was Dean Piper.

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

A motion by Member Goggin, seconded by Alternate Member Siddiqui, to grant variance request ZV(R) 2021-28, to allow a 60% total front lot coverage instead of the required 35% total front lot coverage for existing driveways, under Sec. 155.301(O)(1)(a), passed unanimously.

A motion by Member Goggin, seconded by Alternate Member Siddiqui, to grant variance request ZV(R) 2021-29, to allow a 56% width of lot instead of the 40% required width of lot for existing driveways, under Sec. 155.301(O)(1)(a), passed unanimously.

DRAFT

A motion by Member Goggin, seconded by Alternate Member Siddiqui, to grant variance request ZV(R) 2021-30, to allow a 9' minimum width instead of the required 10' minimum width for an existing driveway, under Sec. 155.301(O)(1)(a), passed unanimously.

VARIANCE FILE NUMBER: **ZV(R) 2021-31**

PETITIONER:

Robert Reilly

ADDRESS:

SUBJECT PROPERTY:

11000 NW 22 Street
Pembroke Pines, FL 33026

LEGAL DESCRIPTION:

Lot 5, Block 24, of the PEMBROKE LAKES SEC 2 PLAT, according to the Plat thereof as recorded in Plat Book 81, Page 48B, of the Public Record of Broward County, Florida.

VARIANCE REQUESTED:

Petitioner is requesting a variance to allow a three (3) foot eastern side yard setback for an existing concrete slab instead of the required 5' side yard setback.

REFERENCE:

Table 155.620 Accessory Building Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Deck or Patio	Primary Building	5 feet	5 feet	5 feet	N/A	N/A	N/A

Chairman Ryan noted that this item was incorrectly noticed and therefore no action will be taken at this evenings meeting.

A motion by Member Goggin, seconded by Alternate Member Siddiqui, to defer ZV(R) 2021-31 to the December 2, 2021 meeting passed unanimously.

VARIANCE FILE NUMBERS: **ZV(R) 2021-32 - 36**

PETITIONER:

Robert Romano

ADDRESS:

SUBJECT PROPERTY:

1100 SW 189 Avenue
Pembroke Pines, FL 33029

DRAFT

LEGAL DESCRIPTION:

Lot 57, Pod F (Encantada), AKA: A portion of Parcel "A" of the VULCAN MATERIALS COMPANY PLAT NO 2 PLAT, according to the Plat thereof as recorded in Plat Book 159, Page 36B, of the Public Record of Broward County, Florida.

VARIANCES REQUESTED:

Petitioner is requesting variances to allow:

ZV(R) 2021-32) a 43% lot coverage for house and existing hard roofed covered patio instead of the required 40% lot coverage;

ZV(R) 2021-33) a 6'-10" rear yard setback for existing hard roofed covered patio instead of required 15' rear yard setback;

ZV(R) 2021-34) a 0' north side setback for an existing deck instead of the required 5' side setback;

ZV(R) 2021-35) a 0' rear setback for an existing deck instead of the required 5' rear setback;

ZV(R) 2021-36) a 0' south side setback for an existing deck instead of the required 5' side setback;

REFERENCES:

ZV(R) 2021-32 - 33)

Table 155.421.3 Residential Single-Family (R-1C)		
Standard	Residential	Non-Residential
Maximum Lot Coverage	40%	40%
Rear Setback	15 feet	25 feet

ZV(R) 2021-34 - 36)

Table 155.620 Accessory Building and Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Deck or Patio*	Primary Building	5 feet	5 feet	5 feet	N/A	N/A	N/A

Chairman Ryan read the request into the record.

Robert Romano, petitioner, spoke to the request. He is seeking variance because he built, without permit, a hard roof over his patio. Petitioner stated he has sever skin damage and the children have eczema. Petition stated the flat work had all be permitted in 2008 but due to the recession he was not able to do the roof and is also asking for the larger size so that the roof matches the symmetry of the house. Dean Piper confirmed that if there was no hard roof on the patio, it would fall within setback. Petitioner stated the deck was built above the ground so that rain water would run off and through the spaces between the deck boards. Petitioner stated he

DRAFT

is the high point of the neighborhood and that the neighbor to the rear of the home is the only neighbor that can see the deck. Dean Piper confirmed there are no utilities in the rear yard or easements, they all run in the front of the home.

Resident from the audience came forward to speak. Jusro Priero, 1050 SW 189 Avenue. He is the next door neighbor to property. Mr. Priero stated that his sewer is in the back and that petitioner's yard is higher than his, so the rain water flows into Mr. Priero's yard. Mr. Priero stated the area right at the edge of the roof allows rain to pour onto his property and the water does not drain. The HOA did try to help with the situation by putting in a drain but it does not drain off all the water. Jusro Prieto, Jr. (son) stated he lives two blocks away in the same community and he recognizes that the entire community has drainage problems.

Petitioner also said no one has ever complained to him about the drainage. That the neighbor has a lot of plantings in that corner and a huge tree, which the petitioner claims neighbor has clogged the drainage on his own property. Petitioner displayed some photos of the drainage in his own yard and the neighbor. Petitioner confirmed there rain gutters that come off the four corners of the house. Petitioner is willing to add a gutter and turn toward the yard to contain the water in his yard.

Resident from the audience came forward to speak – Rob Rattro, 1100 SW 189th Avenue. He lives two houses away from petitioner. His concern is the structure being within the 5 foot setback. He acknowledged the drainage pattern concerns, stating some drainage culverts need to be cleaned and the need to have an engineer to certify the drainage is running the way it was supposed to, but he is concerned the two neighbors work out the problem so there are no bad feelings.

The members of the board who spoke to the variance requests were Chair Ryan, Member Goggin, and Alternate Member Siddiqui.

DRAFT

The member of staff who spoke to the variance requests was Dean Piper

On a motion by Member Goggin, seconded by Alternate Member Siddiqui, to grant variance request ZV(R) 2021-32, to allow a 43% lot coverage for house and existing hard roofed covered patio instead of the required 40% lot coverage, under Sec. 155.301(O)(1)(c), the following vote was recorded:

AYE: Chair Ryan, Vice Chair Rodriguez-Soto, and Alternate Member Almeria

NAY: Member Goggin and Alternate Member Siddiqui

Motion passed

On a motion by Member Goggin, seconded by Alternate Member Siddiqui, to grant variance request ZV(R) 2021-33, to allow a 6'-10" rear yard setback for existing hard roofed covered patio instead of required 15' rear yard setback, under Sec. 155.301(O)(1)(c), the following vote was recorded:

AYE: Vice Chair Rodriguez-Soto, Alternate Member Siddiqui, Alternate Member Almeria.

NAY: Member Goggin, Chair Ryan

Motion passed

On a motion by Member Goggin, seconded by Alternate Member Siddiqui, to grant variance request ZV(R) 2021-34, to allow a 0' north side setback for an existing deck instead of the required 5' side setback, under Sec. 155.301(O)(1)(c), the following vote was recorded:

AYE: Vice Chair Rodriguez-Soto, Alternate Member Siddiqui

NAY: Chair Ryan, Member Goggin, Alternate Member Almeria

Motion failed

After the vote on ZV(R) 2021-34, Alternate Member Siddiqui asked for a reconsideration of the variance, as he preferred to change his vote.

DRAFT

A motion by Member Goggin, seconded by Alternate Member Siddiqui, to reconsider ZV(R) 2021-34 pass unanimously.

On a reconsideration motion by Member Goggin, seconded by Alternate Member Siddiqui, to grant variance request ZV(R) 2021-34, to allow a 0' north side setback for an existing deck instead of the required 5' side setback, under Sec. 155.301(O)(1)(c), the following vote was recorded:

AYE: None

NAY: Chair Ryan, Vice Chair Rodriguez-Soto, Member Goggin, Alternate Member Siddiqui and Alternate Member Almeria

Motion failed

A motion by Member Goggin, seconded by Alternate Member Siddiqui, to grant variance request ZV(R) 2021-35, to allow a 0' rear setback for an existing deck instead of the required 5' rear setback, under Sec. 155.301(O)(1)(c), failed unanimously.

A motion by Member Goggin, seconded by Alternate Member Siddiqui, to grant variance request ZV(R) 2021-36, to allow a 0' south side setback for an existing deck instead of the required 5' side setback, under Sec. 155.301(O)(1)(c), failed unanimously.

VARIANCE FILE NUMBER: **ZV(R) 2021-37**

PETITIONER:
Richard Fuster

ADDRESS:
SUBJECT PROPERTY:
9820 NW 3 Street
Pembroke Pines, FL 33024

LEGAL DESCRIPTION:
Lot 48, Block 4, of the WESTVIEW SEC 2 PART 2 PLAT, according to the Plat thereof as recorded in Plat Book 91, Page 7B, of the Public Record of Broward County, Florida.

VARIANCE REQUESTED:

DRAFT

Petitioner is requesting a variance to allow a 0' southwestern side yard setback instead of the required 5' southwestern side yard setback for an existing driveway.

REFERENCE:

Table 155.620 Accessory Building Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Driveway, Typical Lot	0 feet	5 feet	15 feet 155.600(B)	N/A	N/A	35% front lot coverage 40 % width of lot	[1] 10 foot minimum width

Chairman Ryan read the request into the record.

Richard Fuster, petitioner, spoke to request. He is seeking to replace the driveway that was existing before he purchased the home. Dean Piper confirmed the lot is pie shaped, which causes the current code measurement for front lot coverage to not apply. From old ariel photos the driveway has been that size since 1975 at least. Petitioner has no rear neighbors and has not done the work. He will be using pavers for the new work. Dean Piper confirmed the code when the driveway was built allowed for the build but now the code setbacks are larger and thus puts the driveway into non-compliance with code, petitioner is seeking variance to replace it exactly the size it is.

The member of the board who spoke to the variance request was Chair Ryan.

The member of staff who spoke to the variance requests was Dean Piper

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

A motion by Member Goggin, seconded by Alternate Member Siddiqui, to grant variance request ZV(R) 2021-37, to allow a 0' southwestern side yard setback instead of the required 5' southwestern side yard setback for an existing driveway, under Sec. 155.301(O)(1)(c), passed unanimously.

SELECTION OF CHAIRMAN AND VICE CHAIRMAN:

The floor was opened for nominations of Chair by the Board Secretary.

DRAFT

Member Rodriguez-Soto nominated himself for Chair, seconded by Alternate Member Siddiqui. Member Ryan nominated himself for Chair, seconded by Alternate Member Almeria. Member Goggin nominated himself for Chair, seconded by Member Ryan.

The Secretary asked for a show of hands and the following vote was recorded:

All for Member Rodriguez-Soto – 2

All for Member Ryan – 2

All for Member Goggin – 1

Which left a tie between Member Rodriguez-Soto and Member Ryan.

The Secretary again asked for a show of hands and the following vote was recorded:

For Member Rodriguez-Soto – 3

For Member Ryan – 2

Member Rodriguez-Soto will be Chair.

The Secretary turned the meeting over to the new Chair, who called for nominations for Vice Chair.

Member Goggin nominated Member Ryan, seconded by Alternate Member Siddiqui. Member Ryan nominated Member Goggin, seconded by Alternate Member Siddiqui.

The Secretary asked for a show of hands and the following vote was recorded:

For Member Ryan – 3

For Member Goggin – 2

Member Ryan will serve as Vice Chair.

STAFF CONCERNS:

There were no Staff concerns

DRAFT

ADJOURNMENT:

Chair Rodriguez-Soto adjourned the meeting at 8:48 PM.

Respectfully submitted:

Katherine Borgstrom
Board Secretary

Adjourned: 8:48 P.M.

Approved: