

# DRAFT

Board of Adjustment

City of Pembroke Pines  
Pembroke Pines, FL

**DECEMBER 1, 2022**

The regular meeting of the BOARD OF ADJUSTMENT was called to order by Chairman Rodriguez-Soto on Thursday, December 1, 2022 at 6:31 P.M., in the City Commission Chambers, Charles F. Dodge City Center, 601 City Center Way, Pembroke Pines, Florida, 33025.

**PRESENT:** Chairman Rodriguez-Soto, Vice Chairman Goggin, Member Abbondandolo;  
Alternate Member Siddiqui

**ABSENT:** Members Brito and Crawl, Alternate Member Almeria

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

Board Secretary Borgstrom called roll and declared a quorum present.

## **APPROVAL OF THE MINUTES:**

A motion by Vice Chair Goggin, seconded by Alternate Member Siddiqui, to approve the minutes of the November 3, 2022 meeting passed unanimously.

## **EXCUSED ABSENCES:**

A motion by Vice Chair Goggin, seconded by Alternate Member Siddiqui, to excuse the absence of Members Crawl and Brito passed unanimously.

## **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 the conclusion of the hearing, the Board will consider testimony and evidence and enter an order.

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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.]

## **OLD BUSINESS:** **VARIANCES:**

**VARIANCE FILE NUMBER:**      **ZV(R) 2022-0027**

**PETITIONER:**  
Sean & Melissa Wollard

**ADDRESS:**  
**SUBJECT PROPERTY:**  
16316 NW 11 Street  
Pembroke Pines, FL 33028

**LEGAL DESCRIPTION:**  
Lot 144, Spring Valley, a portion of the WESTFORK I PLAT, according to the Plat thereof as recorded in Plat Book 150, Page 43B, of the Public Record of Broward County, Florida.

## **VARIANCE REQUESTED:**

Petitioner is requesting a variance to allow a 40% total front lot coverage for a Typical Single Family Residential Lot instead of the allowed 35% total front lot coverage for a proposed driveway.

## **REFERENCE:**

<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	5 feet	15 feet 155.600(B)	N/A	N/A	<b>35% front lot coverage</b>  40 % width of lot	[1] 10 foot minimum width

Chairman Rodriguez-Soto read the request into the record.

Sean Wollard, petitioner, spoke to the variance request. He stated they are seeking to

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increase the driveway to allow for three cars and it will not be a circular drive. The driveway will be pavers and is much like other expanded driveways in the community. He also explained that they cannot use the garage due to the height of their vehicles and to keep with City code, their boat is stored in the garage, so it is out of sight. Petitioner also stated they will be replacing the concrete portion of the existing driveway with the same pavers as the new portion.

The members of the board who spoke to the variance request were Chair Rodriguez-Soto and Vice Chair Goggin.

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

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

A motion by Member Abbondandolo, seconded by Vice Chair Goggin, to grant variance request ZV(R) 2022-27, under Sec. 155.301(O)(1)(c), to allow a 40% total front lot coverage for a Typical Single Family Residential Lot instead of the allowed 35% total front lot coverage for a proposed driveway passed unanimously.

## **NEW BUSINESS:** **VARIANCES:**

**VARIANCE FILE NUMBER:**      **ZV(R) 2022-0028**

**PETITIONER:**  
Robert Delfosse

**ADDRESS:**  
**SUBJECT PROPERTY:**  
2319 NW 190 Avenue  
Pembroke Pines, FL 33029

**LEGAL DESCRIPTION:**  
Lot 76, Keystone Lake, a portion of Tract "A" of the BIG SKY PLAT, according to the Plat thereof as recorded in Plat Book 158, Page 11B, of the Public Record of Broward County, Florida.

## **VARIANCE REQUESTED:**

Petitioner is requesting a variance to allow a 0' side setback, for an existing paver patio

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along the southern side of the property, instead of the required 5' side setback.

## REFERENCE:

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 Rodriguez-Soto read the request into the record.

Robert Delfosse, petitioner, spoke to the variance request. He stated that the grass and gravel areas on the side of his home could not be utilized due to poor drainage when just grass and dirt. On the south side of house there is utility equipment including a/c, and water system. All need to be accessible for repairs. He put in pavers to be able to have better access on that side, has gutters hooked into a french drain so the drainage is much better and there is no standing water. He understands he must still go through permitting process.

The members of the board who spoke to the variance request were Chair Rodriguez-Soto and Vice Chair Goggin.

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

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

A motion by Vice Chair Goggin, seconded by Member Abbondandolo, to grant variance request ZV(R) 2022-28, under Sec. 155.301(O)(1)(c), to allow a 0' side setback, for an existing paver patio along the southern side of the property, instead of the required 5' side setback passed unanimously.

**VARIANCE FILE NUMBER:      ZV(R) 2022-0029**

## PETITIONER:

Gregory Guerra

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**ADDRESS:****SUBJECT PROPERTY:**

1249 SW 159 Terrace  
Pembroke Pines, FL 33027

**LEGAL DESCRIPTION:**

Lot 57, Block 1, of the PASADENA AT PEMBROKE SHORES PLAT, according to the Plat thereof as recorded in Plat Book 159, Page 45B, of the Public Record of Broward County, Florida.

**VARIANCE REQUESTED:**

Petitioner is requesting a variance to allow a 220 square feet hard roofed open sided free standing patio instead of the allowed 200 square feet, open side, free standing accessory structure.

**REFERENCES:**

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

Chairman Rodriguez-Soto explained that this variance request has been pulled due to incorrect advertisement and will be re-advertised and come before board at a later date. There is no need for a motion, since staff pulled the item.

**VARIANCE FILE NUMBERS:**    **ZV(R) 2022-0030 - 0032**

**PETITIONER:**

Dana Kromke

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**ADDRESS:****SUBJECT PROPERTY:**

1200 NW 79 Terrace  
Pembroke Pines, FL 33024

**LEGAL DESCRIPTION:**

Lot 3, Block 17 of the BOULEVARD HEIGHTS SECTION 8 PLAT, according to the Plat thereof as recorded in Plat Book 57, Page 9B, of the Public Record of Broward County, Florida.

**VARIANCES REQUESTED:**

Petitioner is requesting variances to allow:

**ZV(R) 2022-0030)** a zero (0') side setback along the northern side yard instead of the required five feet side yard setback for and existing driveway/patio;

**ZV(R) 2022-0031)** a 49% total front lot coverage for a Typical Single Family Residential Lot instead of the allowed 35% total front lot coverage for an existing driveway;

**ZV(R) 2022-0032)** a 86% width of lot instead of the 40% required width of lot for an existing driveway.

**REFERENCES:**

Table 155.620 Accessory Building and Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Driveway, Circular*	0 feet	5 feet	15 feet	N/a	N/A	35% front lot coverage  40 % width of lot	Shall include 5 foot radius between driveway and lot line. [2] 10 foot minimum width

Chairman Rodriguez-Soto read the request into the record.

Dana Kromke, petitioner, spoke to the variance request. He stated that he purchased the home with all these existing features and structures. When he went to obtain a permit for a room addition to the back, they learned that the driveway and patio areas were out of code. He has made some

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reduction of areas (taken out a shed, removed four feet of the backyard driveway to bring up to code. The three variance requests are to legalize the remaining areas. Dean Piper concurred that the driveway and back patio were put in sometime before the home was purchased by the petitioner; probably existed before 1984 and no permit could be found. He also confirmed that the detached garage was permitted when it was built. Petitioner stated the driveway is stamped concrete.

The members of the board who spoke to the variance request were Chair Rodriguez-Soto, Vice Chair Goggin, Alternate Member Siddiqui.

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

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

A motion by Vice Chair Goggin, seconded by Alternate Member Siddiqui, to grant variance request ZV(R) 2022-30, under Sec. 155.301(O)(1)(b), to allow a zero (0') side setback along the northern side yard instead of the required five feet side yard setback for an existing driveway/patio passed unanimously.

A motion by Vice Chair Goggin, seconded by Member Abbondandolo, to grant variance request ZV(R) 2022-31, under Sec. 155.301(O)(1)(b), to allow a 49% total front lot coverage for a Typical Single Family Residential Lot instead of the allowed 35% total front lot coverage for an existing driveway passed unanimously.

A motion by Vice Chair Goggin, seconded by Alternate Member Siddiqui, to grant variance request ZV(R) 2022-32, under Sec. 155.301(O)(1)(b), to allow a 86% width of lot instead of the 40% required width of lot for an existing driveway passed unanimously.

## **STAFF CONCERNS:**

Members paid tribute to former Board of Adjustment Chair and Member Jim Ryan, who passed away on November 21, 2022.

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## **ADJOURNMENT:**

On a motion by Vice Chair Goggin, seconded by Alternate Member Siddiqui, to adjourn the meeting at 7:14 P.M., passed unanimously.

Respectfully submitted:

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Katherine Borgstrom  
Board Secretary

**Adjourned:** 7:14 P.M.  
**Approved:**