

**2021-2022 ANNUAL REPORT TO THE CITY COMMISSION**

<b>NAME OF BOARD:</b>	<b>BOARD OF ADJUSTMENT</b>
<b>CHAIRMAN:</b>	<b>ISRAEL RODRIGUEZ-SOTO</b>
<b>VICE-CHAIRMAN:</b>	<b>ROBERT GOGGIN</b>
<b>REPORTING TERM:</b>	<b>MARCH 2022 – MARCH 2023</b>
<b>DATE SUBMITTED:</b>	<b>JUNE 7, 2023</b>

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**33.503 ANNUAL REVIEW:**

On or before June 1<sup>st</sup> of each year, the respective Advisory Board or Committee shall forward to the City Commission a summary of the Advisory Board’s or Committee’s accomplishments during the prior year, along with any recommendations or suggestions to the City Commission regarding any improvements to City operations, ordinances, or policies, they see fit to transmit based on their work and observations over that year.

- I. SUMMARY OF ACCOMPLISHMENTS DURING THE REPORTING TERM:**  
See attached document showing actions taken on Residential Zoning Variances in 2022-2023
  
- II. RECOMMENDATIONS OR SUGGESTIONS TO THE CITY COMMISSION REGARDING:**

The Board recommends:

- 1. That appeals to City Commission be granted only by a 5 to 0 vote. The Board discussed the fact that if said Board heard and denied a Variance by a vote of 5 to 0, on appeal the City Commission would grant said Variance 5 to 0.

The City Commission appears to automatically overturn the Board of Adjustment’s denial. What the Commission does not seem to realize is that their action will automatically go with the property, in perpetuity, and now remains a “forever” contradiction to our City Ordinances. The Board of Adjustment spends several hours dealing the applicant and their variance attempting to bring the property to a minimum approval or at least a “conditional” variance as required by City Ordinance 32.034.

- 2. The Board of Adjustment respectfully requests that if and when a “conditional variance” is granted, Code should inspect the property for compliance within thirty (30) day. Conditional Variances issued when renovations are made without permits, or when renovations were made by previous owners, should be only as long as the “hardship” exists

and property should be returned to prior condition complying with City Ordinances upon cessation of said “hardship”. In any event, the property should be put into “compliance” upon change in ownership of property regardless of any “variance” issued.

3. The Board recommends that Homeowner Association rules and regulations governing our western developments be adopted via City Ordinances to apply to our eastern areas of the City not governed by a mandatory Homeowner’s Association – that is parking of commercial vehicles, boats, trailers, mobile homes, campers; erection of temporary structures; prohibition of clothes line drying; radio and TV antenna, etc.

**II. SUPPORTING OR BACKUP DATA, MATERIAL, OR OTHER CLARIFYING DOCUMENTS, IF APPLICABLE.**

- (i) Document showing actions taken on Zoning Variances and Appeals in 2022-2023.
- (ii) 2021-2022 Attendance Record of BOA Board Members.

**IV. ADDITIONAL COMMENTS**

Motion approved to present 2022-2023 Annual Report to the City Commission with supporting documents and Attendance Record was made at BOA meeting of May 4, 2023.

Israel Rodriguez-Soto  
Chair

						Board of Adjustment Decisions 2021-2022					
Zoning Variance #	Meeting Date	Petitioner	Subject Property		Folio #	Request	Decision	Approved	Failed	City Commission Action on Appeal	
ZV(R) 2020-38	03/04/21	Araujo, Alber	10660	NW 20th Street, 33026	<a href="#">514107023080</a>	To allow 65% total front yard coverage instead of the allowed 35% with a proposed driveway/walk-way	Deferred to 4/1/21 meeting (5-0) to provide alternative of less lot coverage				
ZV(R) 2020-39	03/04/21	Cabak, Michael	1051	NW 185th Avenue, 330239	<a href="#">513913062130</a>	To allow 43.3% total width of driveway instead of the allowed 40% with a proposed driveway	Approved (5-0)			1	
ZV(R) 2020-40	03/04/21	Cabak, Michael	1051	NW 185th Avenue, 330239	<a href="#">513913062130</a>	To allow 50% total front yard coverage instead of the allowed 35% with a proposed driveway/walk-way	Approved (5-0)			1	
ZV(R) 2021-01	03/04/21	Aguirre, Maria/Borge, Karen	16406	NW 24th Street, 33028	<a href="#">514008100790</a>	To allow a 5' rear yard setback with a hard roofed open sided patio instead of required 15'	Approved (4-1)			1	
ZV(R) 2021-02	03/04/21	Aguirre, Maria/Borge, Karen	16406	NW 24th Street, 33028	<a href="#">514008100790</a>	To allow a 3' side yard setback with a hard roofed open sided patio without a privacy wall instead of the required 5'	Approved (4-1)			1	
ZV(R) 2021-03	03/04/21	Aguirre, Maria/Borge, Karen	16406	NW 24th Street, 33028	<a href="#">514008100790</a>	To allow 49% total lot coverage instead of the allowed 45%	Approved (4-1)			1	
ZV(R) 2021-08	03/04/21	Mendez, Carlos	8510	NW 24th Court, 33024	<a href="#">514109120590</a>	To allow a 6' rear yard setback with an existing hard roofed open sided patio instead of the required 15'	Approved (5-0)			1	
ZV(R) 2019-08	04/04/19	Petit, Richard	8840	NW 7 Street, 33024	<a href="#">514116130270</a>	To allow a 0' side yard setback instead of the required 5' side yard setback for an existing concrete slab	Approved (4-0)			1	
ZV(R) 2020-38	04/01/21	Araujo, Alber	10660	NW 20th Street, 33026	<a href="#">514107023080</a>	To allow 65% total front yard lot coverage instead of the allowed 35% with a proposed driveway/walk-way	Approved (4-0) for 54% front yard lot coverage			1	
ZV(R) 2021-04	04/01/21	Maruriello, Mario	9012	NW 10th Street, 33024	<a href="#">514108050450</a>	To allow 54% width of front yard for driveway instead of the required 40%	Approved (5-0)			1	
ZV(R) 2021-05	04/01/21	Maruriello, Mario	9012	NW 10th Street, 33024	<a href="#">514108050450</a>	To allow a 0' east side yard setback instead of the required 5' setback for an existing	Approved (5-0)			1	
ZV(R) 2021-06	04/01/21	Maruriello, Mario	9012	NW 10th Street, 33024	<a href="#">514108050450</a>	the required 5' setback for an existing driveway	Approved (5-0)			1	
ZV(R) 2021-07	04/01/21	Maruriello, Mario	9012	NW 10th Street, 33024	<a href="#">514108050450</a>	To allow an 86% total front yard lot coverage instead of the required 35% for an existing driveway	Approved (4-1) for 78% front yard lot coverage			1	
ZV(R) 2021-09	04/01/21	Kon, Edward	736	SW 117th Avenue, 33025	<a href="#">514013180520</a>	To allow 48% width of front yard for driveway instead of allowed 40%	Approved (5-0)			1	
ZV(R) 2021-10	04/01/21	Kon, Edward	736	SW 117th Avenue, 33025	<a href="#">514013180520</a>	To allow 62% total front yard lot coverage instead 35%	Approved (5-0)			1	
ZV(R) 2021-11	04/01/21	Garcia, Ulises & Carol	19347	NW 13th Street, 33029	<a href="#">513912020760</a>	To allow a 2' rear yard setback to water feature instead of the required 5' rear yard setback	Approved (5-0)			1	
Zoning Variance #	Meeting Date	Petitioner	Subject Property		Folio #	Request	Decision	Approved	Failed	City Commission Action on Appeal	

ZV(R) 2020-37	05/06/21	Yousuf, Mohammad	11901	NW 15th Street, 33026	<a href="#">514012052410</a>	To allow 53% total front yard lot coverage instead of the allowed 35%	Approved (4-0)	1		
ZV(R) 2021-12	05/06/21	Geide, Joseph	21740	NW 8th Court, 33029	<a href="#">513915020560</a>	To allow a 0' side yard setback instead of the required 4' side yard setback for required stairs/stoop out of door	Approved (4-0)	1		
ZV(R) 2021-13	05/06/21	Anon, Wlaler & Ismary	20336	SW 54th Place, 33332	<a href="#">503935090680</a>	To allow a 25' side yard setback for a barn/stable instead of the required 50' side yard setback	Approved (4-0)	1		
	06/03/21	No Meeting due to no items								
	08/05/21	No Meeting due to no items								
	09/02/21	All Items Deferred to 10/7/21 Meeting Due to SunSentinel's Legal Ad Error								
ZV(R) 2021-14	09/02/21	Taveras, Fanny	48458	NW 9th Court, 33029	<a href="#">513913060910</a>	To allow a XXX square foot trellis/gazebo instead of the allowed maximum 200 square foot trellis/gazebo	Item Pulled - New dimensions provided that do not require a variance for size and no roof on trellis/gazebo/ pergola			
ZV(R) 2021-15	10/07/21	Marin, Aleida	8500	Taft Street, 33024	<a href="#">514109050360</a>	To allow 44% total front yard lot coverage instead of the allowed 35%	Denied (2-1); Appeal to City Commission approved (5-0) on 11/17/2021	1		Approved
ZV(R) 2021-16	10/07/21	Carter, Natalie	1400	NW 154th Lane, 33028	<a href="#">514009180011</a>	To allow a hard roofed screen enclosure instead of the Towngate PUD Guidelines allowed screened roof screen enclosure	Denied (2-1); Appeal to City Commission approved (5-0) on 11/17/2021	1		Approved
ZV(R) 2021-17	10/07/21	Rios, Carlos	201	SW 65th Avenue, 33023	<a href="#">514114104570</a>	To allow a 2'-10" rear yard setback for an existing shed instead of the allowed 5' setback	Deferred (3-0) to November 4, 2021 meeting			
ZV(R) 2021-18	10/07/21	Rios, Carlos	201	SW 65th Avenue, 33023	<a href="#">514114104570</a>	To allow a 6.4' street side yard setback for an existing gazebo instead of the allowed 15' street side yard setback	Deferred (3-0) to November 4, 2021 meeting			
ZV(R) 2021-19	10/07/21	Rios, Carlos	201	SW 65th Avenue, 33023	<a href="#">514114104570</a>	To allow a 0' street side yard setback for an existing wooden deck instead of the allowed 5' street side yard setback	Deferred (3-0) to November 4, 2021 meeting			
ZV(R) 2021-20	10/07/21	Rios, Carlos	201	SW 65th Avenue, 33023	<a href="#">514114104570</a>	To allow a 0' rear yard setback for an existing wooden deck and gazebo instead of the allowed 5' rear yard setback	Deferred (3-0) to November 4, 2021 meeting			
ZV(R) 2021-21	10/07/21	Rios, Carlos	201	SW 65th Avenue, 33023	<a href="#">514114104570</a>	To allow a 360 sq. ft. existing gazebo instead of the allowed 200 sq. ft. open sided structure	Deferred (3-0) to November 4, 2021 meeting			
ZV(R) 2021-22	10/07/21	Hernandez, Lorraine	14249	NW 18th Manor, 33028	<a href="#">514010071590</a>	To allow a 4' rear setback to screen enclosure instead of the required 5' and 5' rear setback to existing pool beam (as permitted) instead of the required 7'	Approved (3-0)	1		
ZV(R) 2021-23	10/07/21	Jagdeosingh, Adrian & Kerry	19972	SW 5th Court, 33029	<a href="#">513914101050</a>	To allow 40% front lot coverage for a proposed driveway and walkway instead of the allowed 35%	Denied (2-1); Appeal to City Commission approved (5-0) on 11/17/2021	1		Approved
<b>Zoning Variance #</b>	<b>Meeting Date</b>	<b>Petitioner</b>		<b>Subject Property</b>	<b>Folio #</b>	<b>Request</b>	<b>Decision</b>	<b>Approved</b>	<b>Failed</b>	<b>City Commission Action on Appeal</b>
ZV(R) 2021-24	10/07/21	Jagdeosingh, Adrian & Kerry	19972	SW 5th Court, 33029	<a href="#">513914101050</a>	To allow 42% width of lot for a proposed driveway instead of the allowed 40%	Denied (2-1); Appeal to City Commission approved (5-0) on 11/17/2021	1		Approved

ZV(R) 2021-25	10/07/21	Santa Barbara, Jose & Evelyn	2178	NW 138th Terrace, 33028	<a href="#">514010040220</a>	To allow a proposed 300 sq. ft. gazebo instead of the allowed 200 sq. ft. open sided structure	Moved to November 4, 2021 meeting as no quoram to defer - One member left feeling ill			
ZV(R) 2021-26	10/07/21	Hincapie, Juan	11031	NW 18th Place, 33026	<a href="#">514107032210</a>	To Allow 48% front lot coverage instead of allowed 35%	Moved to November 4, 2021 meeting as no quoram to defer - One member left feeling ill			
ZV(R) 2021-27	10/07/21	Torres, Ramon	6715	SW 195th Terrace, 33332	<a href="#">513901100870</a>	To allow a 5' rear yard setback with an attached pool cabana instead of the required 15' rear yard setback	Moved to November 4, 2021 meeting as no quoram to defer - One member left feeling ill			
ZV(R) 2021-17	11/04/21	Rios, Carlos	201	SW 65th Avenue, 33023	<a href="#">514114104570</a>	To allow a 2'-10" rear yard setback for an existing shed instead of the allowed 5' setback	Failed (2-2)			1
ZV(R) 2021-18	11/04/21	Rios, Carlos	201	SW 65th Avenue, 33023	<a href="#">514114104570</a>	To allow a 6.4' street side yard setback for an existing gazebo instead of the allowed 15' street side yard setback	Failed (0-4)			1
ZV(R) 2021-19	11/04/21	Rios, Carlos	201	SW 65th Avenue, 33023	<a href="#">514114104570</a>	To allow a 0' street side yard setback for an existing wooden deck instead of the allowed 5' street side yard setback	Failed (0-4)			1
ZV(R) 2021-20	11/04/21	Rios, Carlos	201	SW 65th Avenue, 33023	<a href="#">514114104570</a>	To allow a 0' rear yard setback for an existing wooden deck and gazebo instead of the allowed 5' rear yard setback	Failed (0-4)			1
ZV(R) 2021-21	11/04/21	Rios, Carlos	201	SW 65th Avenue, 33023	<a href="#">514114104570</a>	To allow a 360 sq. ft. existing gazebo instead of the allowed 200 sq. ft. open sided structure	Failed (0-4)			1
ZV(R) 2021-25	11/04/21	Santa Barbara, Jose & Evelyn	2178	NW 138th Terrace, 33028	<a href="#">514010040220</a>	To allow a proposed 300 sq. ft. gazebo instead of the allowed 200 sq. ft. open sided structure	Approved (3-0)			1
ZV(R) 2021-26	11/04/21	Hincapie, Juan	11031	NW 18th Place, 33026	<a href="#">514107032210</a>	To Allow 48% front lot coverage instead of allowed 35%	Approved (4-0)			1
ZV(R) 2021-27	11/04/21	Torres, Ramon	6715	SW 195th Terrace, 33332	<a href="#">513901100870</a>	To allow a 5' rear yard setback with an attached pool cabana instead of the required 15' rear yard setback	Approved (4-0)			1
ZV(R) 2021-28	11/04/21	Rodriguez, Carlos	7131	SW 6th Street, 33023	<a href="#">514114111030</a>	To allow 60% front lot coverage for existing driveways instead of allowed 35%	Approved (3-1)			1
ZV(R) 2021-29	11/04/21	Rodriguez, Carlos	7131	SW 6th Street, 33023	<a href="#">514114111030</a>	To allow 56% width of lot for existing driveways instead of allowed 40%	Approved (3-1)			1
ZV(R) 2021-30	11/04/21	Rodriguez, Carlos	7131	SW 6th Street, 33023	<a href="#">514114111030</a>	To allow a 9' wide driveway instead of minimum 10'	Approved (3-1)			1
ZV(R) 2021-31	11/04/21	Reilly, Robert	11000	NW 22nd Street, 33026	<a href="#">514107032670</a>	To allow a 3' side yard setback for existing concrete slab instead of the required 5'	Deferred to 12/2/2021 meeting due to incorrect advertising			
ZV(R) 2021-32	11/04/21	Romano, Robert	1100	SW 189th Avenue, 33029	<a href="#">513924035640</a>	To Allow 43% lot coverage for house and existing hard roofed covered patio instead of allowed 40%	Approved (3-2)			1
<b>Zoning Variance #</b>	<b>Meeting Date</b>	<b>Petitioner</b>	<b>Subject Property</b>		<b>Folio #</b>	<b>Request</b>	<b>Decision</b>	<b>Approved</b>	<b>Failed</b>	<b>City Commission Action on Appeal</b>
ZV(R) 2021-33	11/04/21	Romano, Robert	1100	SW 189th Avenue, 33029	<a href="#">513924035640</a>	To allow 6'-10" rear yard setback to existing hard roofed covered patio instead of required 15'	Approved (3-2)			1
ZV(R) 2021-34	11/04/21	Romano, Robert	1100	SW 189th Avenue, 33029	<a href="#">513924035640</a>	To allow 0' north side yard setback for existing wood deck instead of required 5'	Failed (2-3); Reconsidered - Failed (0-5)			1
ZV(R) 2021-35	11/04/21	Romano, Robert	1100	SW 189th Avenue, 33029	<a href="#">513924035640</a>	To allow 0' rear yard setback for existing wood deck instead of required 5'	Failed (0-5)			1

ZV(R) 2021-36	11/04/21	Romano, Robert	1100	SW 189th Avenue, 33029	<a href="#">513924035640</a>	To allow 0' south side yard setback for existing wood deck instead of required 5'	Failed (0-5)		1	
ZV(R) 2021-37	11/04/21	Fuster, Richard	9820	NW 3rd Street, 33026	<a href="#">514117071000</a>	To allow a 0' side yard setback for driveway instead of required 5'	Approved (5-0)	1		
ZV(R) 2021-31	12/02/21	Reilly, Robert	11000	NW 22nd Street, 33026	<a href="#">514107032670</a>	To allow a 3' side yard setback for existing concrete slab instead of the required 5'	Failed (1-2)		1	
ZV(R) 2021-38	12/02/21	Raskin, Yosef	7575	NW 19th Drive, 33024	<a href="#">514110181950</a>	To allow 2' rear yard setback to pool deck instead of required 5'	Approved (3-0)	1		
ZV(R) 2021-39	12/02/21	Raskin, Yosef	7575	NW 19th Drive, 33024	<a href="#">514110181950</a>	To allow 3' rear yard setback to pool edge of water instead of required 7'	Approved (3-0)	1		
ZV(R) 2021-40	12/02/21	Armenteros, Alejandro	639	SW 168th Lane, 33027	<a href="#">514017081000</a>	To allow a 11.4' rear yard setback for an aluminum hard roof covered open-sided patio instead of the required 15'	Approved (3-0)	1		
ZV(R) 2021-41	01/06/22	De la Cruz, Barbara	6741	SW 13th Street, 33023	<a href="#">514123130220</a>	To allow a <del>XXX</del> square foot tikki hut instead of the allowed maximum 200 square foot open-sided structure	Variance Number Voided and now 4 variances ZV(R) 2022-05 through 08			
ZV(R) 2021-42	01/06/22	Herrera, Denzil	9530	NW 10th Street, 33024	<a href="#">514108071650</a>	To allow 55% Front Lot Coverage instead of allowed 35% Front Lot Coverage	Approved (4-1)	1		
ZV(R) 2021-43	01/06/22	Gomez-Silva, Jasmin	20801	NW 14th Street, 33029	<a href="#">513910021490</a>	To allow a 10'-8" street side setback to waterline instead of required 15' street side setback	Approved (4-1)	1		
ZV(R) 2021-44	01/06/22	Gomez-Silva, Jasmin	20801	NW 14th Street, 33029	<a href="#">513910021490</a>	To allow a 5' rear setback to attached hard roofed screen enclosure instead of required 15' rear setback	Approved (5-0)	1		
ZV(R) 2021-45	01/06/22	Vangee, Marilou	20851	NW 14th Street, 33029	<a href="#">513910021520</a>	To allow 48% Front lot coverage instead of allowed 35%	Failed (1-4)		1	
ZV(R) 2021-46	01/06/22	Burbano, Sebastian	8210	Pasadena Blvd., 33024	<a href="#">514109110510</a>	To allow a 3.93' street side yard setback for a gazebo instead of the required 15' street side yard setback	Approved (4-1)	1		
ZV(R) 2021-47	01/06/22	Borowik, Anna	21661	NW 8th Court, 33029	<a href="#">513915020130</a>	To allow a 16' x 19.2' driveway instead of the required 16' x 20' driveway	Approved (5-0)	1		
ZV(R) 2021-48	01/06/22	Ramos, Carlos	6146	SW 191 Avenue, 33332	<a href="#">513901102370</a>	To allow 75% front lot coverage instead of the allowed 35% front lot coverage	Deferred to 2/3/2022 meeting (5-0)			
ZV(R) 2021-49	01/06/22	Ramos, Carlos	6146	SW 191 Avenue, 33332	<a href="#">513901102370</a>	To allow 64% width of lot instead of the allowed maximum 40% width of lot	Deferred to 2/3/2022 meeting (5-0)			
ZV(R) 2021-48	02/03/22	Ramos, Carlos	6146	SW 191 Avenue, 33332	<a href="#">513901102370</a>	To allow 75% front lot coverage instead of the allowed 35% front lot coverage	Deferred from 1/6/2022 meeting (5-0); Failed (0-5)		1	
ZV(R) 2021-49	02/03/22	Ramos, Carlos	6146	SW 191 Avenue, 33332	<a href="#">513901102370</a>	To allow 64% width of lot instead of the allowed maximum 40% width of lot	Deferred from 1/6/2022 meeting (5-0); Failed (0-5)		1	
<b>Zoning Variance #</b>	<b>Meeting Date</b>	<b>Petitioner</b>	<b>Subject Property</b>		<b>Folio #</b>	<b>Request</b>	<b>Decision</b>	<b>Approved</b>	<b>Failed</b>	<b>City Commission Action on Appeal</b>
ZV(R) 2021-50	02/03/22	Palenque	651	SW 67th Avenue, 33023	<a href="#">514114105360</a>	To allow 46% Front Lot Coverage instead of allowed 35%	Approved (3-2)	1		
ZV(R) 2021-51	02/03/22	Palenque	651	SW 67th Avenue, 33023	<a href="#">514114105360</a>	To allow 47% Width of Lot instead of allowed 40%	Approved (3-2)	1		
ZV(R) 2021-52	02/03/22	Sadiku, Steven	565	SW 113th Lane, 33025	<a href="#">514024141280</a>	To allow 63% Front Lot Coverage instead of allowed 35%	Approved (5-0)	1		
ZV(R) 2021-53	02/03/22	Sadiku, Steven	565	SW 113th Lane, 33025	<a href="#">514024141280</a>	To allow a 28' wide driveway instead of allowed 18' (Raintree PUD)	Approved (5-0)	1		
ZV(R) 2022-01	02/03/22	Renth, Jessica	10801	NW 18th Street, 33026	<a href="#">514107031870</a>	To allow 10' Street Side Setback instead of required 15'	Approved (5-0)	1		

ZV(R) 2022-02	02/03/22	Renth, Jessica	10801	NW 18th Street, 33026	<a href="#">514107031870</a>	To allow a 400 sq. ft. Open Sided Structure (Free Standing) Gazebo instead of the allowed 200 sq. ft. Open Sided Structure (Free Standing)	Approved (5-0)	1		
ZV(R) 2022-03	03/03/22	Exposito, Santiago & Gonzalez, Regino	601	SW 67th Terrace, 33023	<a href="#">514114130400</a>	To allow a 0' side setback for existing patio/pool deck instead of required 5' side setback	Approved (3-0)	1		
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