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Board of Adjustment

City of Pembroke Pines
Pembroke Pines, FL

November 1, 2018

The regular meeting of the BOARD OF ADJUSTMENT was called to order by Chairman Ryan on Thursday, November 1, 2018 at 6:52 P.M., in the City Commission Chambers, City Center, 601 City Center Way, Pembroke Pines, Florida, 33025.

PRESENT: Chairman Ryan, Vice Chairman Rodriguez-Soto, Member Rauf

ABSENT: Members Goggin and Hendry, Alternate Members Siddiqui and Almeria

ALSO PRESENT: Assistant City Attorney Ian Singer, Dean Piper, and Board Secretary Katherine Borgstrom

Board Secretary called roll and declared a quorum present.

APPROVAL OF THE MINUTES:

A motion by Member Rauf, seconded by Vice Chairman Rodriguez-Soto, to approve the minutes of the October 4, 2018 meeting as received passed unanimously.

LEGAL INSTRUCTION:

Assistant City Ian Singer 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 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 the Board Secretary.]

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NEW BUSINESS:

VARIANCES:

VARIANCE FILE NUMBER: **ZV(R) 2018-21**

PETITIONER:

Chad and & Natasha Rynning

ADDRESS:

SUBJECT PROPERTY:

2280 NW 82 Way
Pembroke Pines, FL 33024

LEGAL DESCRIPTION:

LOT 10, BLOCK 5, of the "PASADENA LAKES" PLAT, according to the plat thereof as recorded in Plat Book 65, Page 1B, of the Public Records of Broward County, Florida.

VARIANCE REQUESTED:

Petitioner is requesting a variance to allow a 12' rear yard setback instead of the required 15' rear yard setback for an addition.

REFERENCE:

§ 155.106 ONE-FAMILY DWELLING (R-1A THROUGH R-1C) DISTRICTS
(E) Yards. (3) Rear yard. (a) Residential uses. Every plot used for a one-family dwelling shall have a rear yard not less than 15 feet in depth.

Chad Rynning, petitioner, spoke to the variance. He stated his property is unique shaped, making the property a type of pie shape and it is on a cul de sak. Petitioner is requesting to go three feet into the setback, to build an addition to the back of the home. The other half of the back yard has an existing pool, so this is only area to add space for his growing family. Petitioner did get HOA approval and has support of neighbors.

Members of the Board who spoke were Chairman Ryan, Vice Chairman Rodriguez-Soto and Member Rauf. Concerns focused on floor level of the addition and if there will be added windows or doors for accessing the outside of the home. The petitioner stated the floor level will come up to the level of the existing home, but no new

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windows or doors will be added, also that the roof line will continue with the existing roof. Run off water does flow to the side of the home.

Resident Jack McClusky spoke in favor of the petitioner's request.

A motion by Member Rauf, seconded by Vice Chairman Rodriguez-Soto, to approve ZV(R) 2018-21 , to allow a 12' rear yard setback instead of the required 15' rear yard setback for an addition under Sec. 32.034 (2) (C), passed unanimously.

VARIANCE FILE NUMBER: ZV(R) 2018-22

PETITIONER:

Michael Satz

ADDRESS:

SUBJECT PROPERTY:

2131 NW 98 Way
Pembroke Pines, FL 33024

LEGAL DESCRIPTION:

Lot 76, VICTORIA LAKES, AKA: A POR TR A DESC'D AS:COMM W 1/4 COR SEC 8;N 1032.22,E 123,E 948.77,N 457 TO POB;W 98,N 50, E 98,S 50 TO POB; of the "THE LAKES AT PEMBROKE PLAT" according to the plat thereof as recorded in Plat Book 142, Page17B, of the Public Records of Broward County, Florida.

VARIANCE REQUESTED:

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

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.

Petitioner Michael Satz spoke to the request. He purchased the home two years ago. When he went to get permits to make additional improvements to the home, he

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was told the existing patio was over the setback limit. This is a pre-existing condition that lien search did not come across. Petitioner has HOA approval and neighbors do not object to the patio variance. Petitioner stated the lot is a zero lot line, one side is adjacent to the HOA pool area and the other side abuts the fence of the neighbor.

Dean Piper stated a search for the patio to be permitted did not bring up a permit and as far back as 15 years ago the county photos show that the patio existed.

Members of the Board that spoke were Chairman Ryan, Vice Chairman Rodriguez-Soto and Member Rauf.

No one from the public came forward to speak.

A motion by Member Rauf, seconded by Vice Chairman Rodriguez-Soto, to approve ZV(R) 2018-22 , to allow a 0' rear yard setback instead of the required 5' rear yard setback for an existing deck under Sec. 32.034 (2) (C), passed unanimously.

EXCUSED ABSENCES:

A motion by Member Rauf, seconded by Vice Chairman Rodriguez-Soto, to excuse the absences of Members Goggin and Hendry and Alternate Members Siddiqui and Almeria for November 1, 2018, passed unanimously.

ADJOURNMENT:

Chairman adjourned the meeting at 7:33 PM.

Respectfully submitted:

CITY OF PEMBROKE PINES
BOARD OF ADJUSTMENT

Katherine Borgstrom
Board Secretary

Adjourned: 7:33 P.M.
Approved: