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Board of Adjustment

**City of Pembroke Pines
Pembroke Pines, FL**

October 1, 2020

The regular meeting of the **BOARD OF ADJUSTMENT** was called to order by Chairman James Ryan on Thursday, October 1, 2020 at 6:32 P.M., in the City Commission Chambers, Charles F. Dodge City Center, 601 City Center Way, Pembroke Pines, Florida, 33025. The Board of Adjustment is holding a “virtual” meeting using communications media technology (“CMT”), Governor Ron Desantis issued Executive Order No. 20-69, dated March 20, 2020, pertaining to conducting local government meetings while under the public health emergency related to the Novel Coronavirus Disease 2019 (Covid-19). In accordance with this order, and due to prohibition on public access to City Hall because of the risk to public health, the City is holding the meeting virtually.

PRESENT: Chairman Ryan, Vice Chairman Rodriguez-Soto, Members Hendry and Goggin; Alternate Member Almeria (all via WebEx)

ABSENT: Alternate Member Siddiqui

ALSO PRESENT: Dean Piper, Zoning Administrator, Michael Stamm, Planning and Development, Quentin Morgan, Assistant City Attorney (via WebEx) and Board Secretary Katherine Borgstrom

Board Secretary called roll and declared a quorum present.

APPROVAL OF THE MINUTES:

A motion by Member Goggin, seconded by Alternate Member Almeria, to approve the minutes of the September 2, 2020 meeting as received passed unanimously.

DRAFT

EXCUSED ABSENCES:

A motion by Member Goggin, seconded by Member Hendry to excuse the absence of Alternate Member Siddiqui passed unanimously.

LEGAL INSTRUCTION:

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. 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 (all via WebEx) were sworn under oath to give testimony in the relevant causes by the Assistant City Attorney as each appeared for their variance item via WebEx.]

OLD BUSINESS:

VARIANCE FILE NUMBERS: **ZV(R) 2020-15 & 16**

PETITIONER:

Elliot Eichel

ADDRESS:

SUBJECT PROPERTY:

1991 NW 178 Terrace
Pembroke Pines, FL 33029

LEGAL DESCRIPTION:

LOT 9, of the SILVER LAKES AT PEMBROKE PINES RESIDENTIAL PARCEL E PLAT, according to the Plat thereof as recorded in Plat Book 151, Page 18B, of the Public Record of Broward County, Florida.

DRAFT

VARIANCES REQUESTED:

Petitioner is requesting variances to allow:

ZV(R) 2020-15) an existing accessory structure BBQ pit two (2) feet from the side property line instead of the required minimum seven (7) feet from the side property line.

ZV(R) 2020-16) an existing pavers/slab zero (0) feet from the side property line instead of the required minimum seven (7) feet from the side property line.

REFERENCES:

Silver Lakes Planned Unit Development (PUD) Guidelines

Petitioner Elliot Eichel spoke to the variance requests. He stated he built an outdoor bar-b-que without a permit. He built it on a paver patio that existed on the property before he purchased the home. The placement of the bar-b-que put the structure two and a half feet into the set back. The paver patio is also in the set back, so he is also asking for a variance for the patio. He stated he has done other work on the home, and each time had obtained a permit, but he was unaware he needed a permit for the bar-b-que. He does have HOA approval for the structure.

Members who spoke to the variances were Chairman Ryan, Vice Chairman Rodriguez-Soto, and Member Goggin. Question concerning if the aroma and/or smoke from the bar-b-que had been a problem with the neighbor, petitioner answered it has not and the neighbors do sometimes eat with this family. Also, concerning the drainage and if any utility easements were in this area; the petitioner stated there has been no drainage problem, with his or the neighbor's yard. Dean Piper stated there are no utilities in this area of the yard.

No one from the public came forward to speak to the variance request.

A motion by Member Goggin, seconded by Member Hendry, to approve ZV(R) 2020-15, to allow an existing accessory structure BBQ pit two (2) feet from the side property line instead of the required minimum seven (7) feet from the side property line,

DRAFT

under Sec. 32.034 2 (c), passed unanimously.

A motion by Member Goggin, seconded by Member Hendry, to approve ZV(R) 2020-16, to allow an existing pavers/slab zero (0) feet from the side property line instead of the required minimum seven (7) feet from the side property line, under Sec. 32.034 2 (c), passed unanimously.

ADJOURNMENT:

A motion by Member Hendry, seconded by Member Goggin adjourn the meeting at 6:53 P.M., passed unanimously.

Respectfully submitted:

Katherine Borgstrom
Board Secretary

Adjourned: 6:53 P.M.

Approved: