

**RESOLUTION NO. 24-16**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, GRANTING THE REQUEST FOR VARIANCE PETITION #V4-1-24, ATTACHED HERETO AS EXHIBIT “A” AND INCORPORATED HEREIN, SUBMITTED BY JENNIFER ROGENSKI, FOR THE PROPERTY GENERALLY LOCATED AT 9425 S.W. 53<sup>rd</sup> STREET IN COOPER CITY, FLORIDA; GRANTING A VARIANCE FROM SECTION 25-5(E)(1)(a) OF THE CITY’S CODE OF ORDINANCES TO ALLOW FOR A NINE (9) FOOT WIDE RESIDENTIAL PARKING SPACE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Jennifer Rogenski (the “Applicant”), filed an application for a variance (#V4-1-24) seeking a variance from Section 25-5(E)(1)(a) of the City’s Code of Ordinances to allow for a nine (9) foot wide residential parking space as opposed to the code-required twelve (12) foot parking space on the property generally located at 9425 S.W. 53 Street in Cooper City (the “Property”); and

**WHEREAS**, a Public Hearing on this request was held by the Planning & Zoning Board on May 20, 2024, after due notice of publication; and

**WHEREAS**, the Planning & Zoning Board has submitted to the City Commission their recommendation, a copy of which is included in the Staff Report attached hereto as Exhibit “B,” and recommends approval of the requested variance; and

**WHEREAS**, public notice was provided in accordance with law; and

**WHEREAS**, the City Commission has reviewed the Applicant’s request and considered the recommendation of the Planning and Zoning Board and finds that granting

the Applicant's request for a variance is in the best interests of the citizens and residents of the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:**

**Section 1:**     **Recitals Adopted.** That each of the above stated recitals is hereby adopted and confirmed. All exhibits to this resolution are incorporated herein and expressly made a part hereof.

**Section 2:**     **Approval.** That the Applicant's request (#V4-1-24) is hereby approved and in accordance with Section 23-153 of the Code of Ordinances of the City of Cooper City a variance is granted from Section 25-5(E)(1)(a) of the City's Code of Ordinances to allow for the construction of a nine (9) foot wide residential parking space on the property generally located at 9425 S.W. 53<sup>rd</sup> Street.

**Section 3:**     Issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

**Section 4.**     **Conflicts.** All resolutions inconsistent or in conflict herewith shall be and are hereby repealed insofar as there is conflict or inconsistency.

**Section 5.**     **Severability.** If any section, sentence, clause, or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction,

then said holding shall in no way affect the validity of the remaining portions of this resolution.

**Section 6.** **Effective Date.** This Resolution shall become effective upon its passage and adoption by the City Commission.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
GREG ROSS  
Mayor

ATTEST:

\_\_\_\_\_  
TEDRA ALLEN  
City Clerk

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
OFFICE OF THE CITY ATTORNEY

**ROLL CALL**  
Mayor Ross \_\_\_\_\_  
Commissioner Green \_\_\_\_\_  
Commissioner Shrouder \_\_\_\_\_  
Commissioner Katzman \_\_\_\_\_  
Commissioner Mallozzi \_\_\_\_\_