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LEE H. SCHILLINGER

Admitted in Florida
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COMMERCIAL LITIGATION
SECURITIES LITIGATION
MUNICIPAL & ZONING
REAL ESTATE
FLORIDA SUPREME COURT
QUALIFIED ARBITRATOR

May 27, 2026

Zoning Appeals Board
City of Pompano Beach, Florida
100 W. Atlantic Boulevard
Pompano Beach, Florida 33060

Re: Revised Narrative supporting Application for Temporary Use Permit for 128 NW 14th Street, Pompano Beach, owner Aleksandr Kravets.
Application No. Temp-2026-11

Dear Honorable Board:

This firm represents Mr. Aleksandr Kravets with regard to his property located at 128 NW 14th Street, Pompano Beach ("Subject Property"). Mr. Kravets is requesting a Major Temporary Use Permit to enable him to maintain the present use, as auto storage, which he is planning to develop with an apartment building. The Temporary Use Permit is needed to maintain the present use while he is working to clear and remove an unauthorized, underground trespass and encroachment of a sewer line, presently serving neighboring residential apartment buildings, located at 1300 NW 2nd Avenue, formerly also known as 143 NW 13 Street, Pompano Beach.

There is no recorded easement for the underground sewage utility pipes, which Mr. Kravets discovered in or around July, 2025, while planting a mango orchard on the South side of his property. During the period of time required to clear the unauthorized and unidentified sewage infrastructure, Mr. Kravets began allowing the temporary storage of motor vehicles on the northern portion of his property. The unauthorized trespass of the sewage pipe is preventing Mr. Kravets' planned development of his property with a three story, twenty (20) unit apartment building (parking will constitute most of the ground floor). A rough lay-out is attached together with a survey of the property showing an overlay of the proposed apartment building, being the ultimate intended use.

There is an outstanding violation, which Mr. Kravets has been addressing.

Initially, the property was charged with the unapproved use for the outdoor storage on the vacant lot, case no. 25-09002823, and 25-09002838. Also a civil warning citation for the accumulation of trash/litter being stored at the vacant lot was issued in case number 26-09003443. The trash/litter has been cleared, and someone has been hired to continuously remove the trash which is apparently thrown onto the Subject Property from the Western property improved with apartments. We have attached a report received from Code Compliance Inspector Shavanti Mccutchen, dated May 7, 2026, (attached as Exhibit A), explaining the efforts made by Mr. Kravets to work with the City.

We have provided a survey performed as of August 15, 2025. This survey includes identification of the location of the unauthorized underground sewer line. (Exhibit B).

The aerial photograph of the Subject Property and surrounding area, attached as Exhibit C, shows that the Subject Property abuts a railroad siding on the south side. There is an industrial warehouse or factory use on both the eastern and western sides of the northern portion of the Subject Property. There are two or three story apartment buildings which abut the western side of the mango orchard on the southern portion of the property. We believe that the proposed Temporary Use meets the required standards:

- a. The requested Temporary Use Permit is on its face temporary in nature. Mr. Kravets has already started having plans developed by Austin Fox, AIA for construction of the proposed apartment building. He planted mango trees in the rear area (South portion) of the property. He cannot, however, obtain the necessary permits, break ground and initiate construction without disrupting the residents being served by the unauthorized, trespassing sanitary sewer infrastructure. A search has been made of the public records of the Clerk for Broward County, as well as of the environmental and building departments of both Broward County and the City of Pompano Beach. The searches reveal that that there is no recorded easement, permit request or approval, or other evidence that the sewer line was approved or constructed across the Subject Property. A review of the sewer lines in the area show that there is no sewer service constructed along NW 2nd Avenue near the serviced apartments when they were constructed. It is apparent that, instead of constructing the required sanitary sewer system in the area of NW 2nd Avenue, without required permit or authorization, the unauthorized underground sewer pipe was installed, without recorded easement rights, through the vacant land now owned by Mr. Kravets. The owners of that serviced property have been notified, but have not responded. A copy of the survey of the Subject Property, showing the location of the sewer line is attached. (see Exhibit B).
- b. Is in harmony with the spirit and intent of this Code.
The intent of Mr. Kravets' plan will improve the neighborhood with a three story apartment building, with parking on the ground level. This is consistent

with the plan to develop the area into residential multifamily. The existence of the existing unauthorized use of the Subject Property by the previously unknown sanitary sewer piping is temporarily preventing the planned construction. Accordingly, the intended result will be compliant with the code. The request will make use of the otherwise vacant land, which becomes an attractive nuisance by those seeking to drop their garbage and waste. The waste has been cleaned up, as demonstrated by the email from Code Compliance Inspector Shavanti McCutchen, attached as Exhibit A. Accordingly, the continued use of parking vehicles will be consistent with the existing industrial use of the neighboring warehouses and industrial buildings. The survey, with an overlay showing the proposed location of the parked vehicles is attached as Exhibit D.

- c. Is not detrimental to property or improvements in the surrounding area, or to the public health, safety, or general welfare.
The general area has been a mix of industrial, on either side and across the street from the Subject Property, with some multifamily to the west. The train siding located to the south is beyond the planted mango grove, which will grow and offer the view of trees in a grove as a buffer. Similarly, the planned apartments will be a benefit to the neighborhood. Retaining the existing parking of vehicles for the temporary present will be consistent with the existing industrial uses in the area. The Subject Property had been cited with a violation due to the garbage which the neighbors from the western apartments throw onto the vacant property, as well as from having no use made of the vacant land. There had been a boat stored as well as a tractor. The boat has been removed, as has the tractor trailer. The temporary parking of the vehicles on the property will be beneficial while Mr. Kravets works to eliminate the wrongful underground trespass of his property by the apartments' use of his property, rather than the appropriate construction of sewage infrastructure along NW 2nd Avenue, where it should have been constructed in the first place.
- d. Does not have substantial adverse effects or noise impacts on any adjoining permanent uses or nearby residential neighborhoods.
Retaining the present use of storing vehicles on the open lot is consistent with the neighboring industrial/warehouse properties. We have attached, as Exhibit D, the survey with the subject area marked in red, and a proposed layout of the parked vehicles. The residential neighborhoods actually are contiguous with the presently planted mango grove. In fact, it is the residential neighborhood that continues to throw its trash over the fence onto the Subject Property. That residential neighbors' trash was a cause of the initial code violation, which has been cleaned. Mr. Kravets pays someone to regularly clean the property. He has asked the manager of the residential property to stop throwing trash onto the subject property, but those requests have gone ignored by the residential property owner and manager. In fact, it is the residential neighbors' unauthorized underground trespass of its sewage

pipe, without an easement, that is the cause of the need for this Temporary Use Permit. Once that is corrected, there will be no further need for a temporary use permit, and the Subject Property will be developed with an apartment building.

- e. Is compatible with any principal uses on the site.
The site of the Subject Property is presently vacant land. The land to the South has been planted with mango trees so as to create a small orchard. The land to the north is and has been vacant land, partially paved and partially flat open area. The continued use of the Subject Property for parking vehicles is consistent with principal use of the property. Once the sewer line has been moved to make the Subject Property developable, the property will be developed with the apartment building presently being planned. Furthermore, although the Subject Property was the subject of a code violation for trash, parking a boat and parking, the trash has been removed, and is removed regularly (the tenants of the property at 1300 NW 2nd Avenue regularly throw open trash over the fence), the boat has been removed, and tractor trailers will not be stored on the Subject Property.
- f. Is located on a site containing sufficient land area to allow the temporary use and associated structures, and accommodate any associated parking and traffic movement, without disturbing environmentally sensitive lands.
The Subject Property is 1.086 acres. The Southernmost portion contains an easement for a railroad track across that portion of the Property. The portion of the Property immediately to the North has been planted with a mango orchard. The portion of the property to the Northern side of the parcel has been mostly paved and is properly useable for parking vehicles, without any disturbance to either the Property or any of the surrounding area. The proposed area for which this Major Temporary Use Permit is sought is depicted in red on Exhibit D hereto.
- g. Complies with all applicable use-specific standards in Section 155.4403.
The owner and operator of the lot containing a portable storage unit shall ensure that no hazardous substances, as defined in Section 95.08 of the city's Code of Ordinances, are stored within the unit. There will be no hazardous materials stored on the site.

Mr. Kravets has already initiated plans to develop his Subject Property with an apartment building, consistent with the applicable RM-20 zoning district. However, he is presently prevented from that construction by the existence of the unauthorized infrastructure presently servicing the neighboring apartment buildings.

This Temporary Use request is consistent and compatible with the area, which contains mixed uses of existing industrial use as well as multifamily residential. This is intended only temporarily, as Mr. Kravets is actively pursuing a remedy to permit his

planned construction. The existing code violations have all been removed, other than parking the vehicles, for which the Major Temporary Use Permit is being sought. It is Mr. Kravets intention to have this problem rectified and the property developed, as soon as it can feasibly be accomplished, without leaving all the residents of 1300 NW 2nd Avenue properties living in uninhabitable circumstances, and without denying Mr. Kravets use of his property.

Respectfully,

Lee H. Schillinger

Cc: Aleksandr Kravets
City Attorney
City Principal Planner

EXHIBIT

A



Fwd: 128 NW 14 ST CASE# 26-09003443 & CASE 25-09002838

1 message

Yummy Frozen Yogurt
To: Lee Schillinger

Thu, May 7, 2026 at 6:14 PM

Sent from my iPhone

Begin forwarded message:

From: Shavanti McCutchen <Shavanti.McCutchen@copbfl.com>
Date: May 7, 2026 at 6:02:19PM EDT
To: Yummy Frozen Yogurt <info@yummyfroyo.com>
Subject: 128 NW 14 ST CASE# 26-09003443 & CASE 25-09002838

Good Afternoon Mr. Aleksandr,

I wanted to follow up with you regarding the property at 128 NW 14 St.

The following case for 26-09003443 was cited for a civil warning citation for the accumulation of trash/litter being stored at the vacant lot. The lot was last reinspected on 3/18/2026 and all trash and litter was removed and the case was closed.

Currently, the existing violation for case 25-09002823 was cited for the unapproved use for the outdoor storage on the vacant lot-which this case is active and has been given time to correct the issue with the lot at this time.

As a reminder, the city has case 25-09002838 scheduled for the upcoming hearing on May, 20,2026 with a compliance date of May, 15, 2026. However, the city assistant attorney (Jill Ziluck) reviewed the case in its entirety and have asked me to extend and grant you more time.

Respectfully,



Shavanti McCutchen
Code Compliance Inspector
Shavanti.McCutchen@copbfl.com
954-786-4668
Pompanobeachfl.gov



EXHIBIT

B

EXHIBIT

C

[Search By Parcel ID](#)
[Search By Name](#)
[Search By Address](#)
[Help](#)
[About](#)

Martyr Kiar Broward County Property Appraiser Florida

Highways
 Major Roads
 Two-Fng See
 City Limits
 Zip Codes
 CPA Boundaries
 FEMA Flood Zones
 Opportunity Zones
 Census Tracts
 City Zoning Codes
 County Land Use
 Comm Appraisal Districts
 Resid Appraisal Districts
 Subdiv. Number
 Subdiv. Name
 House Number
 Street

Aerials 2026 ▼
 No Sales ▼
 Select Description ▼

Important Disclaimer



Selected Parcels Below

Map	Parcel	Name	Situs Address
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EXHIBIT

D

EXHIBIT

E



Property Address	128 NW 14 STREET, POMPANO BEACH FL 33060	ID #	4842 35 29 0386
Property Owner	KRAVETS, ALEKSANDR	Millage	1512
Mailing Address	231 189 ST AVENTURA FL 33160	Use	10-02
Abbr Legal Description	POMPANO TERRACE 10-11 B LOTS 9,10,11,19,20 & 21 BLK 12		

The just values displayed below were set in compliance with **Sec. 193.011, Fla. Stat.**, and include a reduction for costs of sale and other adjustments required by **Sec. 193.011(8)**.

* 2026 values are considered "working values" and are subject to change.

Property Assessment Values					
Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2026*	\$488,090	\$19,260	\$507,350	\$507,350	
2025	\$488,090		\$488,090	\$488,090	\$9,887.39
2024	\$488,090		\$488,090	\$488,090	\$9,956.41

2026* Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
Just Value	\$507,350	\$507,350	\$507,350	\$507,350
Portability	0	0	0	0
Assessed/SOH	\$507,350	\$507,350	\$507,350	\$507,350
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$507,350	\$507,350	\$507,350	\$507,350

Sales History			
Date	Type	Price	Book/Page or CIN
8/25/2025	DR*-T	\$100	120404825
7/14/2025	WD*-E	\$525,000	120330307
8/17/2023	WD-Q	\$550,000	119054047
2/8/2016	WD-E	\$72,500	113504324
11/3/2015	WD-D	\$6,000	113326131

Land Calculations		
Price	Factor	Type
\$12.00	40,674	SF
Adj. Bldg. S.F. (Card, Sketch)		

* Denotes Multi-Parcel Sale (See Deed)

Special Assessments								
Fire	Garb	Light	Drain	Impr	Safe	Storm	Misc2	Misc
15								
L								
1								