

Vicinity Map

City of Pembroke Pines • Planning and Economic Development Department

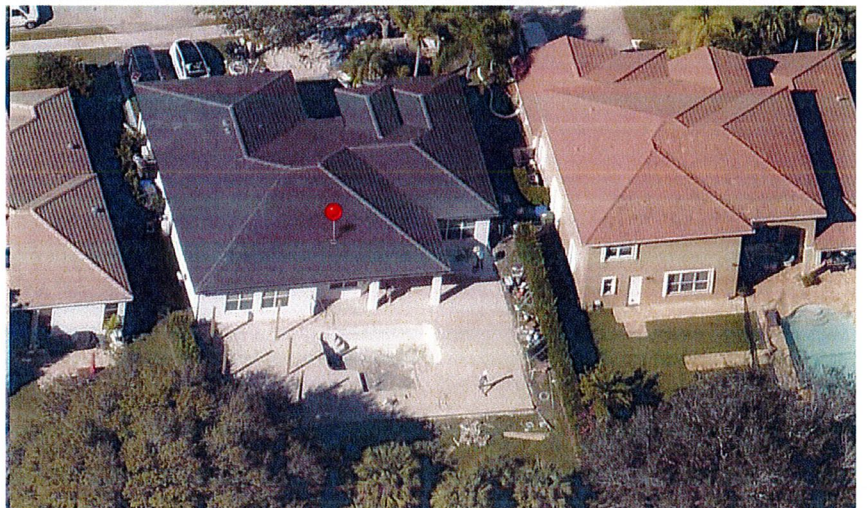
ZV(R) 2022 - 0029

Zoning Variance

MONTEJO, ANDREA GUERRA, GREGORY MY
1249 SW 159 TER PEMBROKE PINES FL 33027



NOT TO SCALE





City of Pembroke Pines
Planning & Economic Development Department
601 City Center Way 3rd Floor
Pembroke Pines FL, 33025

Summary

Agenda Date:	January 5, 2023	Application ID:	ZV(R) 2022-0029
Project:	Open Sided Structure (Free Standing)	Project Number:	N/A
Project Planner:	Christian Zamora, Senior Planner		
Owner:	Guerra, Gregory	Agent:	N/A
Location:	1249 SW 159 Terrace Pembroke Pines FL 33027		
Existing Zoning:	PUD (SF-2, Single-Family Conventional)	Existing Land Use:	Residential
Reference Applications:	Code Compliance Case # 220801164 (August 9, 2022)		
Variance Summary			
Application	Code Section	Required/Allowed	Request
ZV(R) 2022-0029	Table 155.620: Accessory Structure: Open Sided Structure (Freestanding)	200 Square Feet	310 Square Feet
Final:	<input type="checkbox"/> Planning & Zoning Board		<input checked="" type="checkbox"/> Board of Adjustment
Reviewed for the Agenda:	Director: <u>MS</u> Zoning Administrator: <u>AS</u>		

PROJECT DESCRIPTION / BACKGROUND:

Gregory Guerra, owner, has submitted a Residential Zoning Variance request to legalize a 14.1' x 22.0', 310 Square Feet (SF) freestanding open sided structure. Per the property's survey, the existing structure is in the south side in the rear of the property.

Zoning Variance request #ZV(R) 2022-0029 is to allow 310 Square Feet instead of the allowed 200 Square Feet for a freestanding open sided structure.

On August 9, 2021, the applicant was cited by the Code Compliance Division (case reference #220801164) for construction completed without proper approvals or permits.

The applicant is aware that Board consideration of a residential variance request does not preclude the property owner from obtaining all necessary development related approvals or permits.

The subject property is located in Pembroke Shores homeowners' association (HOA). The applicant has provided a HOA letter of approval.

VARIANCE REQUEST DETAILS:

ZV(R) 2022-0029 to allow 310 square feet for an open sided structure, freestanding, instead of the allowed 200 square feet.

City Code Reference: Table 155.620: Accessory Building and Structures

Table 155.620 Accessory Building and Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Open Side Structure (Free Standing)	Primary Building	5 feet	5 feet	5 feet	N/A	200 SF	N/A

VARIANCE DETERMINATION:

The Board of Adjustment shall not grant any single-family residential variances, permits, or make any decision, finding, and determination unless it first determines that:

Its decision and action taken is in harmony with the general purposes of the zoning ordinances of the city and is not contrary to the public interest, health, or welfare, taking into account the character and use of adjoining buildings and those in the vicinity, the number of persons residing or working in the buildings, and traffic conditions in the vicinity.

In the granting of single-family residential variances, the Board shall follow Section 155.301(O) Variance:

1. Purpose: To allow for the provision of relief from certain development standards of this LDC for one or more of the following reasons:

- a) There are special circumstances or conditions applying to the land or building for which the variance is sought, which circumstances are peculiar to the land or building and do not apply generally to land or buildings in the neighborhood, and that the strict application of the provisions of the zoning ordinances would result in an unnecessary hardship and deprive the applicant of the reasonable use of the land or building; or
- b) Any alleged hardship is not self-created by any person having an interest in the property nor is the result of a mere disregard for or in ignorance of the provisions of the zoning ordinances of the city; or
- c) Granting the variance is not incompatible with public policy, will not adversely affect any adjacent property owners, and that the circumstances which cause the special conditions are peculiar to the subject property.

Enclosed: Variance Request Application
Subject Site Aerial Photo
Property Survey
Proposed Plan
HOA Approval



City of Pembroke Pines Planning and Economic Development Department Unified Development Application

Planning and Economic Development
City Center - Third Floor
601 City Center Way
Pembroke Pines, FL 33025
Phone: (954) 392-2100
<http://www.ppines.com>

Prior to the submission of this application, the applicant must have a pre-application meeting with Planning Division staff to review the proposed project submittal and processing requirements.

Pre Application Meeting Date: 10/27/22

Plans for DRC Planner: C2

Indicate the type of application you are applying for:

- | | |
|---|--|
| <input type="checkbox"/> Appeal* | <input type="checkbox"/> Sign Plan |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Site Plan* |
| <input type="checkbox"/> Delegation Request | <input type="checkbox"/> Site Plan Amendment* |
| <input type="checkbox"/> DRI* | <input type="checkbox"/> Special Exception* |
| <input type="checkbox"/> DRI Amendment (NOPC)* | <input checked="" type="checkbox"/> Variance (Homeowner Residential) |
| <input type="checkbox"/> Flexibility Allocation | <input type="checkbox"/> Variance (Multifamily, Non-residential)* |
| <input type="checkbox"/> Interpretation* | <input type="checkbox"/> Zoning Change (Map or PUD)* |
| <input type="checkbox"/> Land Use Plan Map Amendment* | <input type="checkbox"/> Zoning Change (Text) |
| <input type="checkbox"/> Miscellaneous | <input type="checkbox"/> Zoning Exception* |
| <input type="checkbox"/> Plat* | <input type="checkbox"/> Deed Restriction |

INSTRUCTIONS:

- All questions must be completed on this application. If not applicable, mark N/A.
- Include all submittal requirements / attachments with this application.
- All applicable fees are due when the application is submitted (Fees adjusted annually).
- Include mailing labels of all property owners within a 500 feet radius of affected site with signed affidavit (Applications types marked with *).
- All plans must be submitted no later than noon on Thursday to be considered for Development Review Committee (DRC) review the following week.
- Adjacent Homeowners Associations need to be noticed after issuance of a project number and a minimum of 30 days before hearing. (Applications types marked with *).
- The applicant is responsible for addressing staff review comments in a timely manner. Any application which remains inactive for over 6 months will be removed from staff review. A new, updated, application will be required with applicable fees.
- Applicants presenting demonstration boards or architectural renderings to the City Commission must have an electronic copy (PDF) of each board submitted to Planning Division no later than the Monday preceding the meeting.

Staff Use Only

Project Planner: C2 Project #: PRJ 20 Application #: 2017/2022-0029
Date Submitted: 10/18/22 Posted Signs Required: (1) Fees: \$ 550.00

SECTION 1-PROJECT INFORMATION:

Project Name: Installed New Pergola

Project Address: 1249 Sw 159 Terr. Pembroke Pines, FL 33027

Location / Shopping Center: _____

Acreage of Property: _____ Building Square Feet: _____

Flexibility Zone: _____ Folio Number(s): _____

Plat Name: _____ Traffic Analysis Zone (TAZ): _____

Legal Description: Pasadena at Pembroke Shores 159-45B
Lot 57 BLK 1 Single Family Home

Has this project been previously submitted? Yes ☐ No ☐

Describe previous applications on property (Approved Variances, Deed Restrictions, etc...) Include previous application numbers and any conditions of approval.

Date	Application	Request	Action	Resolution / Ordinance #	Conditions of Approval

SECTION 2 - APPLICANT / OWNER / AGENT INFORMATION

Owner's Name: Gregory Guerra and Andrea Montego
Owner's Address: 1249 Sw 159 Terrace Pembroke Pines, FL 33027
Owner's Email Address: gregjgg@gmail.com
Owner's Phone: 954-673-3324 Owner's Fax: _____
Agent: H&L Permitting Solutions LLC
Contact Person: Marilyn Li
Agent's Address: P.O. Box 941692 Miami, FL 33194
Agent's Email Address: hlpermittingsolutions@gmail.com
Agent's Phone: 305-741-8243 Agent's Fax: _____

All staff comments will be sent directly to agent unless otherwise instructed in writing from the owner.

SECTION 3- LAND USE AND ZONING INFORMATION:

EXISTING

Zoning: _____
Land Use / Density: _____
Use: _____
Plat Name: _____
Plat Restrictive Note: _____

PROPOSED

Zoning: _____
Land Use / Density: _____
Use: _____
Plat Name: _____
Plat Restrictive Note: _____

ADJACENT ZONING

North: _____
South: _____
East: _____
West: _____

ADJACENT LAND USE PLAN

North: _____
South: _____
East: _____
West: _____

-This page is for Variance, Zoning Appeal, Interpretation and Land Use applications only-

SECTION 4 – VARIANCE • ZONING APPEAL • INTERPRETATION ONLY

Application Type (Circle One): Variance Zoning Appeal Interpretation

Related Applications: _____

Code Section: _____

Required: _____

Request: _____

Details of Variance, Zoning Appeal, Interpretation Request:

Permit # RX 22-06409

Requesting review and approval for the New
Pergola installed.

SECTION 5 - LAND USE PLAN AMENDMENT APPLICATION ONLY

☐ City Amendment Only

☐ City and County Amendment

Existing City Land Use: _____

Requested City Land Use: _____

Existing County Land Use: _____

Requested County Land Use: _____

SECTION 6 - DESCRIPTION OF PROJECT (attach additional pages if necessary)

Our intent of the pergola is to enjoy our family gatherings shade after using existing pool. Also improvement of the backyard it increases value to the property. We are very family orientated and love and enjoy our first time home. We are first time house buyers. The HOA did approve the pergola. We do not want to disturb our neighbors property. We are not in their property line. We do consider their opinion as well. We would be very happy if you allow us to stay with our new pergola. We also have our neighbors signature approving our new pergola.

SECTION 7- PROJECT AUTHORIZATION

OWNER CERTIFICATION

This is to certify that I am the owner of the property described in this application and that all information supplied herein is true and correct to the best of my knowledge.

Signature of Owner

Date

10/27/22

Sworn and Subscribed before me this 27 day

of Oct 20 22

Fee Paid

Signature of Notary Public

My Commission Expires

1/14/2023



AGENT CERTIFICATION

This is to certify that I am the agent of the property owner described in this application and that all information supplied herein is true and correct to the best of my knowledge.

Signature of Agent

Date

10/27/22

Sworn and Subscribed before me this 27 day

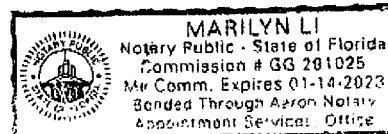
of Oct 20 22

Fee Paid

Signature of Notary Public

My Commission Expires

1/14/2023

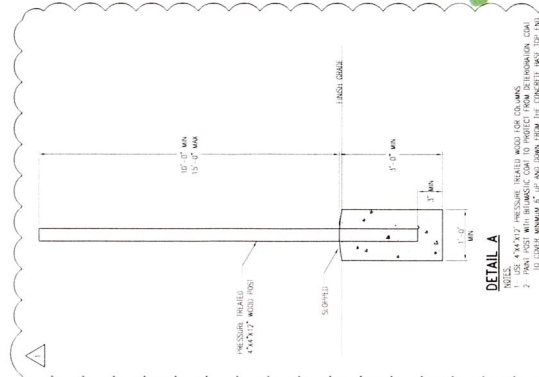


FOUNDATION DESIGN CALCULATIONS

SEE WIND LOAD CALCULATION REPORT
CALCULATIONS AS PER ASCE 7-16
WIND SPEED: 110 MPH
WIND DIRECTION: 0 DEGREE
WIND EXPOSURE: CATEGORY II
WIND PROFILE: 1000 FPS CONCRETE STRENGTH CLASS IN PLACE
WIND DIRECTION: 0 DEGREE
WIND SPEED: 110 MPH
WIND DIRECTION: 0 DEGREE
WIND PROFILE: 1000 FPS CONCRETE STRENGTH CLASS IN PLACE

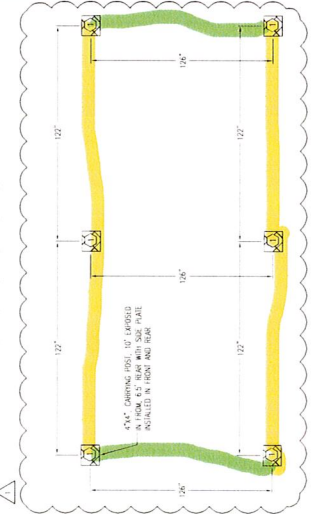
LOADS - PRODUCE BY WIND

SEE WIND LOAD CALCULATION REPORT
CALCULATIONS AS PER ASCE 7-16
WIND SPEED: 110 MPH
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WIND DIRECTION: 0 DEGREE
WIND PROFILE: 1000 FPS CONCRETE STRENGTH CLASS IN PLACE



DETAIL A

1. 4x6x1/2 PRESSURE TREATED WOOD POST
2. 1/2" GAP BETWEEN POST AND POLE
3. 1/2" GAP BETWEEN POST AND POLE

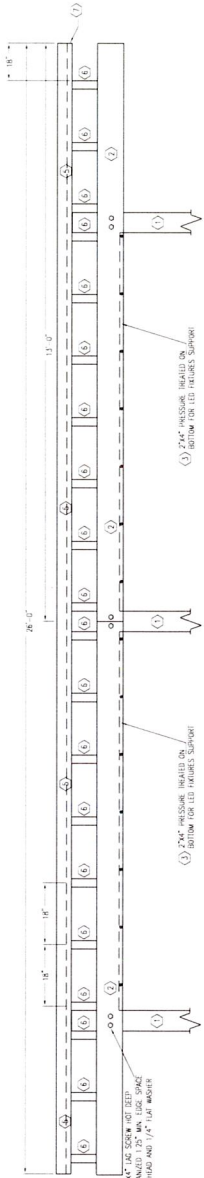


POST SPACING

1/2"

INSTALLATION NOTES

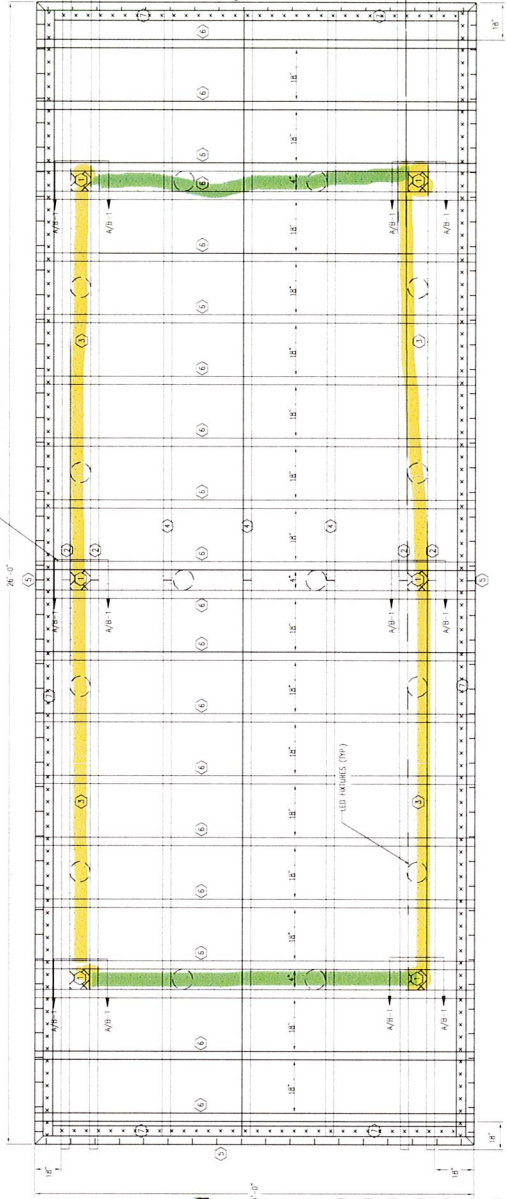
1. PERGOLA NOT TO EXCEED 15 FT ABOVE GROUND
2. PERGOLA TO BE INSTALLED ON CONCRETE FOUNDATION
3. PERGOLA TO BE INSTALLED ON CONCRETE FOUNDATION
4. PERGOLA TO BE INSTALLED ON CONCRETE FOUNDATION
5. PERGOLA TO BE INSTALLED ON CONCRETE FOUNDATION
6. PERGOLA TO BE INSTALLED ON CONCRETE FOUNDATION
7. PERGOLA TO BE INSTALLED ON CONCRETE FOUNDATION
8. PERGOLA TO BE INSTALLED ON CONCRETE FOUNDATION
9. PERGOLA TO BE INSTALLED ON CONCRETE FOUNDATION
10. PERGOLA TO BE INSTALLED ON CONCRETE FOUNDATION



ELEVATION VIEW

NOT TO SCALE

21.5 sq. ft. pole length



PLAN VIEW

NOT TO SCALE

21.11 sq. ft. pole length

14.1 sq. ft. pole width

1/4" x 14" x 1/2" (10')
FROM TOP LAPPED JOINT - 4.5' (1)

1. 4x6x1/2 PRESSURE TREATED WOOD POST
2. 1/2" GAP BETWEEN POST AND POLE
3. 1/2" GAP BETWEEN POST AND POLE
4. 1/2" GAP BETWEEN POST AND POLE
5. 1/2" GAP BETWEEN POST AND POLE
6. 1/2" GAP BETWEEN POST AND POLE
7. 1/2" GAP BETWEEN POST AND POLE
8. 1/2" GAP BETWEEN POST AND POLE
9. 1/2" GAP BETWEEN POST AND POLE
10. 1/2" GAP BETWEEN POST AND POLE

NOTES:
1. INSULATED PANEL, NOT SHOWN
2. ALL LUMBER TO BE PRESSURE TREATED (WET) FOR GROUND CONTACT AND OUTDOOR WEATHER

MARTIN SERVICES ENG.
14982 SW 70th ST
MIAMI, FL 33193
786-449-4243
M.E.P. ENGINEERING PLANS.

SHEET DESCRIPTION:
INSTALLATION DETAILS

SEAL:

PROJECT:
1249 SW 159th TERR., PEMBROKE
PINES, FL 33027

REVISIONS:
1. 1/2" GAP BETWEEN POST AND POLE

SHEET: B-2



Pembroke Shores Community Association, Inc.

c/o FirstService Residential

2950 North 28th Terrace

Hollywood FL 33020

Email: Pembroke.Shores@fsresidential.com

Date: April 04, 2022

Project Ref: [85246165] 1249 SW 159th Ter GTKWESTP002501

Andrea Montejo
1249 SW 159th Ter
Pembroke Pines FL 33027

Dear Andrea Montejo,

I am pleased to inform you that the Pembroke Shores Architectural Committee has approved your application **with the following stipulations:**

Please send an email to psca.violations@fsresidential.com with the start date and a copy of the permit for the Pergola installation. We will also need an approximate completion date for final inspection.

The approval for Pergola is contingent upon compliance with the specifications set forth in the approved application. If your change or addition requires a county, city or state permit, it is the responsibility of the homeowner to obtain this before starting construction. Copies of permits shall be provided, if requested, to the HOA manager.

Please retain this letter in your files. If you have any questions regarding this matter, please contact our office via e-mail at Pembroke.Shores@fsresidential.com.

Should you sell your home, this document needs to be transferred to the new owner. Thank you for your patience and cooperation during the approval process and good luck with your project.

On Behalf of the Architectural/ACC/DRC Committee.

Respectfully,

Community Association Manager
Pembroke Shores Community Association, Inc.

Neighbor Consent Form

Date: 10/20/2022

City of Pembroke Pines

Planning and Economics Development Department

City Center -Third Floor

601 City Center Way

Pembroke Pines, FL 33025

Phone: (954)392-2100

Dear Sir/Madam,

This is to advise DAVID GERARD BANO do not object to my neighbors
(Print Name)

Gregory Guerra and Andrea Montejo Property Address: 1249 SW 159 Terrace Pembroke Pines, FL 330327, requesting a variance for their new pergola install in their patio(yard). It is not disturbing my property 1250 SW 159TH TERRACE and its with in the property line.
PEMBROKE PINES FL 33027
(Neighbor's property address)

I have reviewed the proposal /plans as outlined by the applicant.

Name/s(Print) DAVID GERARD BANO

Signature/s

Property Address: 1250 SW 159TH TERRACE, PEMBROKE PINES FL 33027

Neighbor Consent Form

Date: 10/20/22

City of Pembroke Pines

Planning and Economics Development Department

City Center -Third Floor

601 City Center Way

Pembroke Pines, FL 33025

Phone: (954)392-2100

Dear Sir/Madam,

This is to advise Christine Humar do not object to my neighbors
(Print Name)

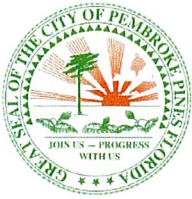
Gregory Guerra and Andrea Montejo Property Address: 1249 SW 159 Terrace Pembroke Pines,
FL 330327, requesting a variance for their new pergola install in their patio(yard). It is not
disturbing my property 1279 SW 159 Terr. and its with in the property line.
(Neighbor's property address)

I have reviewed the proposal /plans as outlined by the applicant.

Name/s(Print) Christine Humar


Signature/s Chumar

Property Address: 1279 SW 159 Terr.



City of Pembroke Pines
Planning & Economic Development Department
601 City Center Way 3rd Floor
Pembroke Pines FL, 33025

Summary

Agenda Date:	December 1, 2022	Application ID:	ZV(R) 2022-0029
Project:	Hard Roofed Open Patio (Free-standing)	Project Number:	N/A
Project Planner:	Christian Zamora, Senior Planner		
Owner:	Guerra, Gregory	Agent:	N/A
Location:	1249 SW 159 Terrace Pembroke Pines FL 33027		
Existing Zoning:	PUD (SF-2, Single-Family Conventional)	Existing Land Use:	Residential
Reference Applications:	Code Compliance Case # 220801164 (August 9, 2022) This Item has been pulled from agenda due to incorrect information. Once corrected, this will be heard at a future date.		
Variance Summary			
Application	Code Section	Required/Allowed	Request
ZV(R) 2022-0029	Table 155.620: Accessory Structure: Open Sided Structure (Freestanding)	200 Square Feet	220 Square Feet
Final:	<input type="checkbox"/> Planning & Zoning Board		<input checked="" type="checkbox"/> Board of Adjustment
Reviewed for the Agenda:	Director:  Zoning Administrator: 