

# Vicinity Map

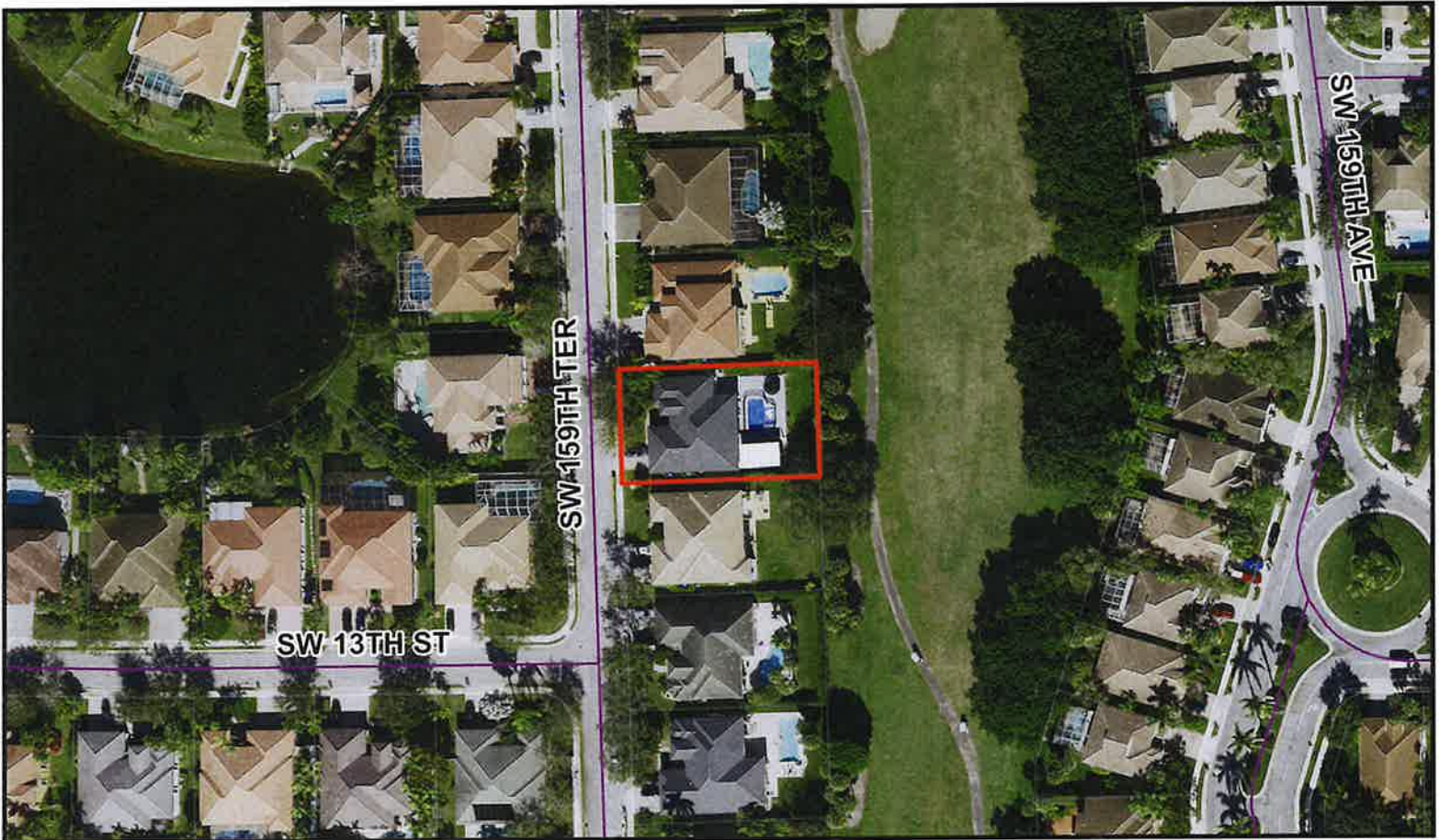
City of Pembroke Pines • Planning and Economic Development Department

ZV(R)2024-0094  
Zoning Variance

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



NOT TO SCALE





**City of Pembroke Pines**  
**Planning & Economic Development Department**  
**601 City Center Way 3<sup>rd</sup> Floor**  
**Pembroke Pines FL, 33025**

<b>Agenda Date:</b>	January 16, 2025	<b>Application No.</b>	ZV(R)2024-0094		
<b>Project:</b>	Proposed Circular Driveway	<b>Pre-Application No.</b>	PRE2024-0080		
<b>Project Planner:</b>	Christian Zamora, Senior Planner				
<b>Owner:</b>	Gregory Guerra & Andrea Montejo	<b>Agent:</b>	N/A		
<b>Location:</b>	1249 SW 159 Terrace, Pembroke Pines, FL 33027	<b>Property Id No.</b>	514020060570	<b>Commission District No.</b>	4
<b>Existing Zoning:</b>	PUD (SF-2, Single-Family Conventional)	<b>Existing Land Use:</b>	Residential		
<b>Reference Applications:</b>	Driveway Permit Application No. RX24-10671 (Applied 9/10/2024); ZV(R)2022-0029: 220 SF Open sided structure, freestanding (Approved 5-0, 12/1/2022)				
<b>Variance Summary</b>					
<b>Application</b>	<b>Code Section</b>	<b>Required/Allowed</b>		<b>Request</b>	
ZV(R)2024-0094	Table 155.620: Accessory Structures: Driveway, Circular, Typical lot.	40% Front Lot Coverage (Total)		50% Front Lot Coverage (Total)	
<b>Final:</b>	<input type="checkbox"/> Planning & Zoning Board		<input checked="" type="checkbox"/> Board of Adjustment		
<b>Reviewed for the Agenda:</b>	Director:		Assistant Director:		

**PROJECT DESCRIPTION/BACKGROUND:**

Andrea Montejo, owner, submitted a residential zoning variance request to propose a circular driveway for the single-family residence located at 1249 SW 159 Terrace in the Pembroke Shores neighborhood, which is zoned Planned Unit Development (PUD). The property follows the guidelines for single-family conventional with lots larger than 8,800 SF (SF-1) The PUD does not address driveways, front lot coverage; as result, the provisions of the City’s Land Development Code (LDC) apply.

On September 10, 2024, the owner submitted Building Permit Application No. RX24-10671 to build a circular driveway at the property, but the permit cannot be issued as the proposed work exceeds the limitations of the City’s LDC. Per the plan, the owner is requesting:

- **ZV(R)2024-0094:** to allow 50% front lot coverage (total) instead of the allowed 40% front lot coverage (total) for a proposed circular driveway on a residential single-family property, typical lot.

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

The subject property is in Pembroke Shores. The owner provided a copy of the Homeowners Association (HOA) Letter, dated September 18, 2024.

**VARIANCE REQUEST DETAILS:**

**ZV(R)2024-0094)** is to allow 50% front lot coverage (total) instead of the required 40% front lot coverage (total) for a proposed circular driveway on a residential single-family property, typical lot.

Code Reference:

**ZV(R)2024-0094)**

Table 155.620 Accessory Building and Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
<b>Driveway, Circular</b>	0 feet	5 feet	15 feet 155.600(B)	N/A	N/A	<b>40% front lot coverage</b>  40 % width of lot	[1] Shall include 5 foot radius between driveway and lot line. [2] 10 foot minimum width

**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  
Proposed Circular Driveway Plan Layout  
HOA Letter (11/28/2024)



# 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: 11/13/2024  
# Plans for DRC — Planner: C-2

PRJ2024-0119

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.

<i>Staff Use Only</i>			
Project Planner:	<u>C-2</u>	Project #: PRJ 20 <u>—</u>	Application #: <u>2024-0094</u>
Date Submitted:	<u>12/4/24</u>	Posted Signs Required: <u>(1)</u>	Fees: \$ <u>571.00</u>

**SECTION 1-PROJECT INFORMATION:**

Project Name: Residential Driveway

Project Address: 1249 SW 159 Terrace

Location / Shopping Center: \_\_\_\_\_

Acreage of Property: 0.25 Building Square Feet: 2,981

Flexibility Zone: \_\_\_\_\_ Folio Number(s): 5140 20 06 0570

Plat Name: \_\_\_\_\_ Traffic Analysis Zone (TAZ): 836

Legal Description: PASADENA AT PEMBROKE SHORES 159-45 B LOT 57 BLK 1

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
12/01/2022	ZV(R)2022-0029:	220 sq. ft. open sided gazebo instead of the allowed 200 sq. ft;	Approved	5-0	

**SECTION 2 - APPLICANT / OWNER / AGENT INFORMATION**

Owner's Name: Andrea Montejo & Gregory Guerra

Owner's Address: 1249 SW 159 Terrace

Owner's Email Address: andreamontejog@gmail.com ; j.gregjgg@gmail.com.

Owner's Phone: 786-562-9268 Owner's Fax: \_\_\_\_\_

Agent: Andrea Montejo

Contact Person: Andrea Montejo

Agent's Address: 1249 SW 159 Terrace

Agent's Email Address: andreamontejog@gmail.com

Agent's Phone: 786-562-9268 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**

**PROPOSED**

Zoning: \_\_\_\_\_

Zoning: \_\_\_\_\_

Land Use / Density: \_\_\_\_\_

Land Use / Density: \_\_\_\_\_

Use: \_\_\_\_\_

Use: \_\_\_\_\_

Plat Name: \_\_\_\_\_

Plat Name: \_\_\_\_\_

Plat Restrictive Note: \_\_\_\_\_

Plat Restrictive Note: \_\_\_\_\_

**ADJACENT ZONING**

**ADJACENT LAND USE PLAN**

North: \_\_\_\_\_

North: \_\_\_\_\_

South: \_\_\_\_\_

South: \_\_\_\_\_

East: \_\_\_\_\_

East: \_\_\_\_\_

West: \_\_\_\_\_

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: RX24-10671

Code Section: 155.60

Required: 40% FLA; 40% of lot width

Request: 55% FLA; 40% of lot's width

**Details of Variance, Zoning Appeal, Interpretation Request:**

To request the city of Pembroke Pines Zoning Department to grant a variance for my property to exceed the 40% city rule. This is a circular driveway buildout, the extension will keep vehicles off the road, which are a blockage for emergency and service vehicles. This modification is not in violation of Chapter NFPA I, Fire code (18.2.5.1.1) since there is no community guest parking area.

**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)**

The need for the driveway replacement is not just for an aesthetic reason, but also to avoid being in violation of Chapter 18 of NFPA 1, Fire Code 18.2.5.1.1. There is also a need to replace the current pavers due to damage of tree roots and 20 years + of wear and tear. The extended driveway will alleviate the lack of parking in the home as there are 4 vehicles in the home and only a 2 car garage/driveway which obligates the homeowner to park at least 1 vehicle on the street which blocks the general traffic flow and that of service and emergency vehicles.

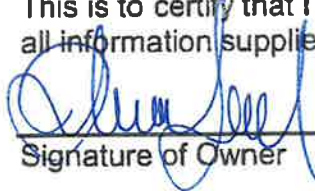
The property is on a main road in the community (159th Terrace) which has a significant traffic of vehicles, delivery trucks, landscaping and other service vehicles that pass by my property numerous times every day. The road is fairly narrow which complicates traffic when vehicles are parked on the street.

The new circular driveway layout will provide a safe and convenient option for parking our vehicles and guests to allow for easier vehicle access and turnaround, minimizing the need street parking. The new circular design will include 2 entry and exit points to allow for continuous traffic flow without the need to back out onto the street, increasing safety. Once completed, the circular driveway will significantly increase parking capacity, enhance convenience for residents and visitors, and elevate the property value of the home and any future sales which will also directly benefit the City of Pembroke Pines with increased tax revenues. Other homes in the neighborhood have also adopted the circular driveway format which confirms that it is an accepted aesthetic feature in the community.

**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.



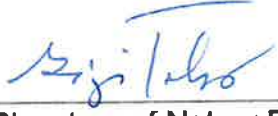
11/5/2024

Signature of Owner

Date

Sworn and Subscribed before me this 5<sup>th</sup> day

of November, 20 24





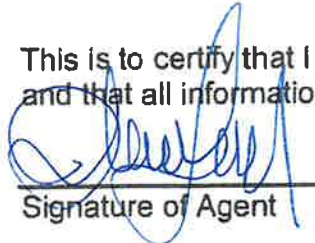
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Signature of Notary Public

My Commission Expires

**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.



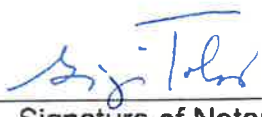
11/5/2024

Signature of Agent

Date

Sworn and Subscribed before me this 5<sup>th</sup> day

of November, 20 24





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Signature of Notary Public

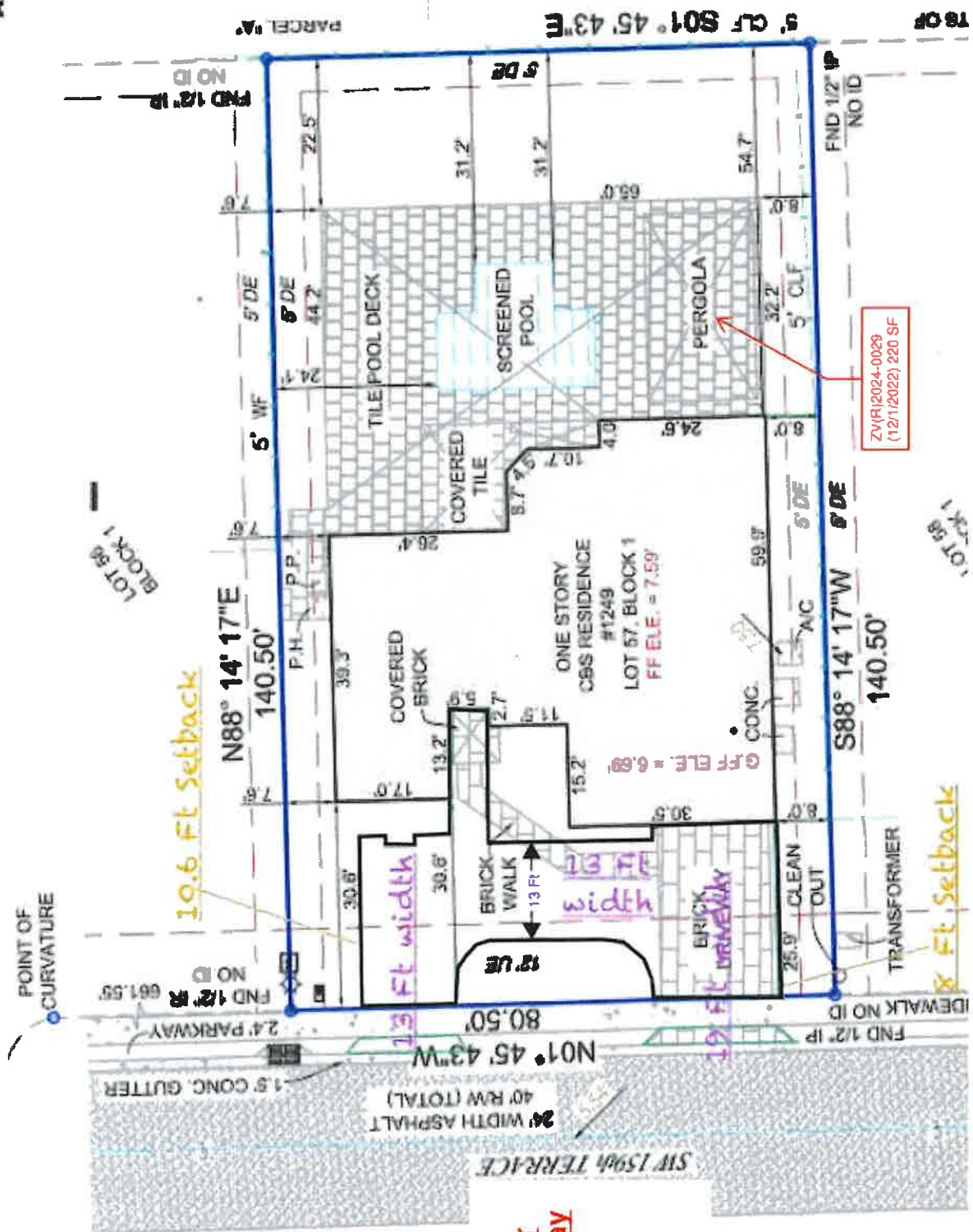
My Commission Expires

Proposed Circular Driveway: 1249 SW 159 TER PEMBROKE PINES, FL 33027

GREGORY GUERRA &  
ANDREA MONTEJO

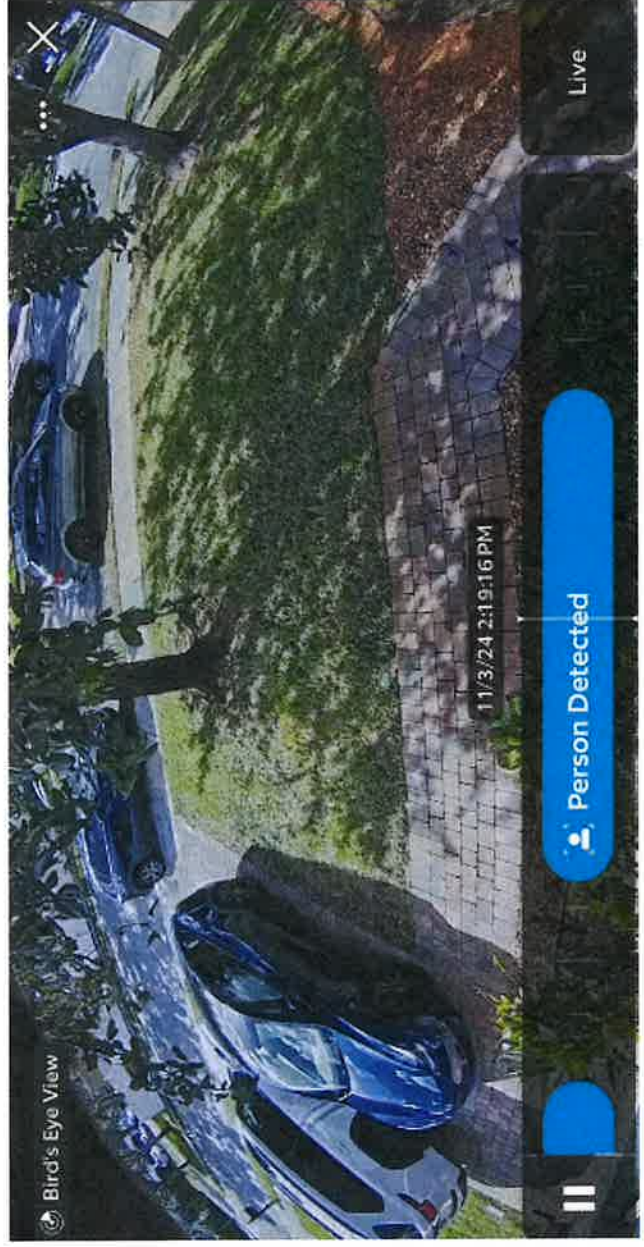
1238.5 Total SQ  
FT installed  
with in Front  
Property lot  
calculations

Front Property.  
Lot Area of  
2477.02 SQ FT



Paver  
Circular  
Driveway







**Pembroke Shores Community Association, Inc.**

c/o Akam  
1815 Griffin Road #101  
Dania Beach FL 33004  
[www.akam.com](http://www.akam.com)

Date: September 28, 2024

Project Ref: [95534481] 1249 SW 159th Ter

Gregory Guerra & Andrea Montejo  
1249 SW 159th Ter  
Pembroke Pines FL 33027

Dear **Gregory Guerra & Andrea Montejo**,

I am pleased to inform you that the Pembroke Shores Community Association, Inc. Architectural Committee has approved your application for the listed project item(s):

**Driveway**

The approval 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.

Please retain this letter for your files.

Sincerely,  
AKAM Management Team for  
Pembroke Shores Community Association, Inc.