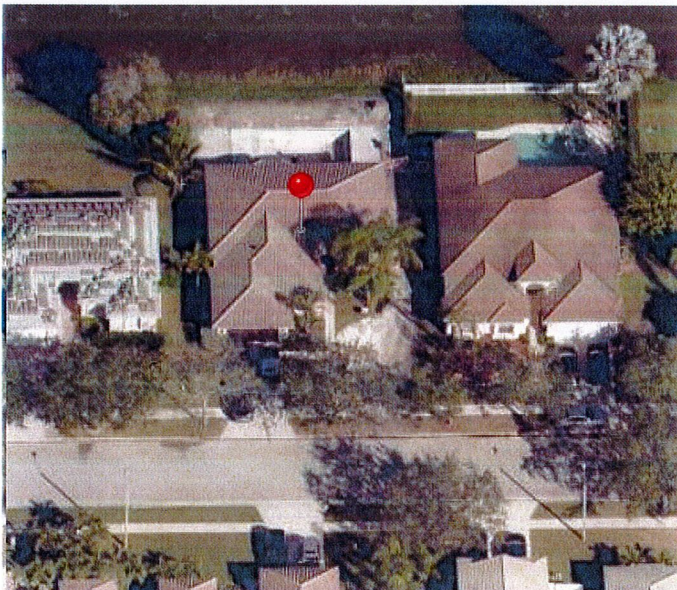


# Vicinity Map

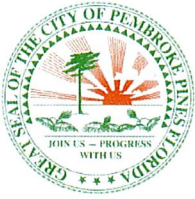
City of Pembroke Pines • Planning and Economic Development Department

ZV (R)2023-0001 - 0002  
Zoning Variances

KELLER, PATRICK K & DEBORAH  
18791 NW 23 ST PEMBROKE PINES FL 33029









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

Summary

<b>Agenda Date:</b>	March 2, 2023	<b>Application ID:</b>	ZV(R) 2023-0001 & 0002
<b>Project:</b>	Walkway	<b>Project Number:</b>	N/A
<b>Project Planner:</b>	Christian Zamora, Senior Planner		
<b>Owner:</b>	Patrick & Deborah Keller	<b>Agent:</b>	N/A
<b>Location:</b>	18791 NW 23 Street, Pembroke Pines, FL 33029		
<b>Existing Zoning:</b>	PUD (SF-2, Single-Family Conventional)	<b>Existing Land Use:</b>	Residential
<b>Reference Applications:</b>	Building permit No. RX22-03058 (Issued 07/07/2022)		
<b>Variance Summary</b>			
<b>Application</b>	<b>Code Section</b>	<b>Required/Allowed</b>	<b>Request</b>
ZV(R) 2023-0001	Table 155.620: Accessory Structure: Walkway (Single Family Lots)	Five Feet side setback (eastern property line)	Zero Feet side setback (eastern property line)
ZV(R) 2023-0002	Table 155.620: Accessory Structure: Walkway (Single Family Lots)	Five Feet side setback (western property line)	Zero Feet side setback (western property line)
<b>Final:</b>	<input type="checkbox"/> Planning & Zoning Board <input checked="" type="checkbox"/> Board of Adjustment		
<b>Reviewed for the Agenda:</b>	Director:  Zoning Administrator: 		

## PROJECT DESCRIPTION / BACKGROUND:

Patrick & Deborah Keller, owners, have submitted two Zoning Variance requests to legalize existing walkways on the property. Per the provided survey, the existing location of the built items are to the east and west side yards of the home's building.

- ZV(R) 2023-0001 is to allow zero feet (0') side setback along the eastern property line instead of the required five feet (5') for a built walkway.
- ZV(R) 2023-0001 is to allow zero feet (0') side setback along the western property line instead of the required five feet (5') for a built walkway.

On July 7, 2022, the city issued a building permit (RX22-03058) to replace existing concrete driveway and front walkway with pavers. The approved construction plan included: existing driveway and walkway replacement and, a new walkway leading to the west side of the home's building (west side yard).

On September 7, 2022, during required building permit inspections, the engineering division detected the construction exceeded the work in the approved plans, as result, the inspection was failed. No further inspections have taken place since.

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 petitioners have included a letter of architectural approval from the Keystone Lake HOA.

## VARIANCE REQUEST DETAILS:

**ZV(R) 2023-0001:** to allow zero feet (0') side setback along the eastern property line instead of the required five feet (5') for a built walkway.

**ZV(R)2023-0002:** to allow zero feet (0') side setback along the western property line instead of the required five feet (5') for a built walkway

### Code References:

Table 155.620 Accessory Building and Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
<b>Walkway (Single Family Lots)</b>	N/A	<b>2 feet</b>	5 feet	5 feet	N/A	3 feet in width	<b>Lots with side yards 7 ½ feet or less, only one walkway is permitted.</b>

## 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

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  
Approved Permit Layout  
Field Images  
Proposed Plan





# 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: 12/20/22

# Plans for DRC            Planner: CTC

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: CTC Project #: PRJ 20            -            Application #: 2012/2022-0001; 0002  
Date Submitted: 1/9/23 Posted Signs Required: (1) Fees: \$ 600.00



**SECTION 1-PROJECT INFORMATION:**Project Name: Unsafe Conditions West Side of HouseProject Address: 18791 NW 23 StreetLocation / Shopping Center: N/AAcreage of Property: 8,937 SF Building Square Feet: 2,344Flexibility Zone: N/A Folio Number(s): 513912132230Plat Name: Big Sky Traffic Analysis Zone (TAZ): N/ALegal Description: BIG SKY PLAT 158-11B POR TR A OF SAID PLAT DESC ASCOMM SW COR TR A, E 2504.52, N 252.50 TO POB, N 65.20, W 110 TO POB AKA:LOT 223 KEYSTONE LAKE

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
N/A					
N/A					
N/A					
N/A					
N/A					



## SECTION 2 - APPLICANT / OWNER / AGENT INFORMATION

Owner's Name: Patrick Keller and Deborah Keller

Owner's Address: 18791 NW 23 Street

Owner's Email Address: patanddeb4@bellsouth.net

Owner's Phone: 9546837357 Owner's Fax: N/A

Agent: N/A

Contact Person: N/A

Agent's Address: N/A

Agent's Email Address: N/A

Agent's Phone: N/A Agent's Fax: N/A

*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: Residential

Land Use / Density: Single Family

Use: 01-01

Plat Name: Big Sky

Plat Restrictive Note: N/A

### PROPOSED

Zoning: Residential

Land Use / Density: Single Family

Use: 01-01

Plat Name: Big Sky

Plat Restrictive Note: N/A

### ADJACENT ZONING

North: Residential

South: Residential

East: Residential

West: Residential

### ADJACENT LAND USE PLAN

North: Residential

South: Residential

East: Residential

West: Residential

*-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: N/A

Code Section: N/A

Required: N/A

Request: West side paver installation with no restrictions

Details of Variance, Zoning Appeal, Interpretation Request:

If approved, this variance would allow a steady and secure entry and exit to our outside

A/C unit, irrigation and pool pump control panels, and a place to put our city issued

garbage containers. The West side of our home is dangerous and useless because

of standing water and the affects of mud and muck, which cases unstable footing and

trip hazards while trying to walk. Having these pavers on both sides of our house

would improve every day living conditions and give a safe and secure walking

environment.

**SECTION 5 - LAND USE PLAN AMENDMENT APPLICATION ONLY**

☐ City Amendment Only

☐ City and County Amendment

Existing City Land Use: N/A

Requested City Land Use: N/A

Existing County Land Use: N/A

Requested County Land Use: N/A



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

All work completed by a licensed and insured contractor and would ensure that the pavers are level and any water runoff would be to the north and south of our house and not be directed to our neighbors on the west side. The materials used would be 2 1/2" inch thick pavers with porous sand which would allow drainage through the edges of the pavers themselves.

Thank you in advance for considering our request.

**Waiver of Florida Statutes Section 166.033, Development Permits and Orders**

Applicant: Patrick Keller and Deborah Keller

Authorized Representative: N/A

Application Number: \_\_\_\_\_

Application Request: Paver installation with no restrictions

I, Patrick & Deborah Keller (print Applicant/Authorized Representative name), on behalf  
of Patrick & Deborah Keller (Applicant), hereby waive the deadlines and/or  
procedural requirements of Florida Statute Section 166.033 as the provisions of said statute apply to the  
above referenced application, including, but not limited to the following:

- a. 30-day requirement for Applicant Response to Staff determination of incompleteness as described in DRC Comments and/or Letter to Applicant;
- b. 30-day Staff review of Applicant Response to DRC Comments and/ or Letter to Applicant;
- c. Limitation of three (3) Staff Requests for Additional Information;
- d. Requirement of Final Determination on Applicant's application approving, denying, or approving with conditions within 120 or 180 days of the determination of incompleteness, as applicable.

 12/28/22  
Signature of Applicant or Applicant's Date  
Authorized Representative

Patrick & Deborah Keller

Print Name of Applicant/Authorized Representative



## 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.

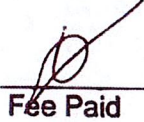


Signature of Owner

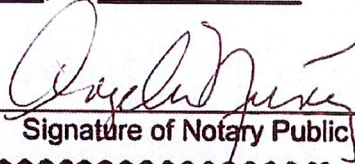
Date

12/28/22

Sworn and Subscribed before me this 28th day  
of December, 2022



Fee Paid



Signature of Notary Public

02/18/2024

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.

Signature of Agent

Date

Sworn and Subscribed before me this \_\_\_\_\_ day

of \_\_\_\_\_, 20\_\_\_\_\_

Fee Paid

Signature of Notary Public

My Commission Expires

**Keystone Lake Homeowners Association  
c/o Pointe Management Group, Inc.  
3600 S Congress Ave Suite C  
Boynton Beach, FL 33426  
Tel# 561-274-3031  
Fax# 561-274-3065**

**ARCHITECTURAL APPROVAL REQUEST**

May 24<sup>th</sup>, 2022

Patrick Keller  
18791 NW 23<sup>rd</sup> St  
Pembroke Pines, FL 33029

RE: APPROVAL TO INSTALL PAVERS

Dear Homeowner;

Your request to install pavers to driveway and walkway as per your ARC submitted, was approved.

Please be sure to check with the City of Pembroke Pines for permitting.

We suggest that you use licensed and insured contractors for the project to be done.

Good Luck with your project.

Sincerely,

*Eric Estebanez*

Eric Estebanez, Property Manager for the  
Board of Directors Keystone Lake HOA









East Side Yard





West Side Yard



**Permission Request to the City of Pembroke Pines**

**Homeowner's Name:** Patrick Keller

**Reference:** 8' wide path of small and medium size pavers for the West side of 18791 NW 23<sup>rd</sup> Street (Front wall to back wall of house).

**Neighbor's Name:** Joseph Gallagher at 18805 NW 23<sup>rd</sup> Street. Phone 954-433-8538

I hereby give my permission to Patrick Keller at the above reference address to have pavers on the west side of the Keller's property. There are no issues with water retention or flooding due to the pavers on my property. And the Keller's residence has a PVC fence bordering my property.

Signature Joseph T. Gallagher

Date 8-11-2022