

**CITY OF HOLLYWOOD, FLORIDA
DEPARTMENT OF DEVELOPMENT SERVICES
DIVISION OF PLANNING AND URBAN DESIGN**

DATE: August 12, 2025 **FILE:** 25-SV-57

TO: Planning and Development Board

VIA: Anand Balram, Planning Manager

FROM: Carmen Diaz, Planner III

SUBJECT: Westover Hollywood LLC. c/o Animesh Ravani requests a Special Exception to reinstate a non-conforming auto use pursuant to Section 3.12.A; and a Variance to Section 7.6 of the Zoning and Land Development Regulations to reduce the required stacking parking spaces for a drive-thru use in the South Mixed-Use District (SM-U) (Take 5).

REQUEST

Special Exception to reinstate a non-conforming auto use pursuant to Section 3.12.A; and a Variance to Section 7.6 of the Zoning and Land Development Regulations to reduce the required stacking parking spaces for a drive-thru use in the South Mixed-Use District (SM-U) (Take 5).

RECOMMENDATION

Variance: Approval
Special Exception: Approval if the Variance is approved.

BACKGROUND

This site has been in business for different auto uses prior to the adoption of current zoning regulations that reclassified the district as South Mixed-Use District, where new auto uses were eliminated north of Washington Street.

This area of the City was rezoned in 2017 which created legal non-conformities for many property owners. As a result, for the exiting owner to make improvements to his existing use, a special exception is required as the use of auto uses is no longer permitted north of Washington Street. Prior to the rezoning the property was zoned 'US441 / SR7 CCD Commercial Corridor District'. The business is operating today as legal non-conforming, and the footprint is not proposed to be changed. The property is located on the border of a higher intensity Medium-High Intensity Commercial District (C-4). Staff finds the request generally consistent as no expansion of the building footprint are triggered and the

intensity of the use is not expanding; rather the Applicant is simply seeking an approval to comply with state laws in order to continue business operations in a safe manner.

REQUEST

The Applicant requests a Special Exception to reinstate a nonconforming auto use within an existing legal non-conforming building. The property has a Land Use of Transit Oriented Corridor (TOC) and a Zoning designation of South Mixed-Use District (SM-U). In conjunction to this request, the Applicant is also requesting a variance to reduce the number of outbound stacking parking spaces.

Under Section 3.12 from the Zoning and Land Development Regulations, legalization of a nonconforming use may be permitted through a Special Exception.:

A. Nonconforming use. The lawful nonconforming use of a building may be continued, although such use does not conform to the regulations of the applicable zoning district within which the building is located. Any such use may be changed to a use of the same or more restrictive nature as determined by the Director of the Department of Planning and extended throughout the building, provided no structural alterations, except those required by law, are made therein and the cubical contents of the building are not enlarged. If such nonconforming use is discontinued for a period of three months or more, any further use of said building shall be in conformity with the regulations of the applicable zoning district unless otherwise approved by the Planning and Development Board pursuant to division G. of this section within 24 months of the abandonment. A lawful nonconforming use is reestablished by the approval of a Special Exception by the Planning and Development Board.

The applicant is not proposing any expansion of the building footprint. However, the Applicant proposes interior, exterior building alterations and site improvements that are intended solely to enhance the building's appearance, improve functionality, and ensure compliance with current building and safety codes. These improvements include landscape buffers, more vegetation, building façade improvements, accessibility upgrades and interior reconfiguration of the building areas. These changes will revitalize the structure without altering nature, scope, or intensity of the nonconforming use.

Another request is a Variance to reduce the number of outbound stacking parking spaces for a proposed oil change drive-thru use. The Zoning and Land Development Regulations do not specify the use of oil change drive-thru, but a similar use applied to this use is the automatic car wash stacking spaces. This use requires six in-bound parking spaces and four outbound stacking parking spaces. The design complies with the inbound stacking spaces but will not provide any outbound stacking spaces. Staff are in support of this request because the use of oil change does not require outbound stacking spaces. Once the oil change service is provided, the service is complete, and the driver can leave the premises.

Owner/Applicant:	Westover Hollywood LLC. c/o Animesh Ravani
Address/Location:	6190 Hollywood Boulevard
Net Area of Property:	14,730 sq. ft. (0.33 acres)
Land Use:	Transit Oriented Corridor (TOC)
Zoning:	South Mixed-Use District (SM-U)
Existing Use of Land:	Transit Oriented Corridor

ADJACENT LAND USE

North: Transit Oriented Corridor (TOC)
South: Transit Oriented Corridor (TOC)
East: Transit Oriented Corridor (TOC)
West: Transit Oriented Corridor (TOC)

ADJACENT ZONING

North: South Mixed-Use District (SM-U)
South: South Mixed-Use District (SM-U)
East: South Mixed-Use District (SM-U)
West: South Mixed-Use District (SM-U)

APPLICABLE CRITERIA

Analysis of Criteria and Findings for a Variance as stated in the City of Hollywood Zoning and Land Development Regulations, Article 5.3.F

CRITERIA 1: That the requested Variance maintains the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the city; and

ANALYSIS: The requested variance maintains the basic intent and purpose of the subject regulations. The Applicant is providing the required six in-bound stacking spaces before entering the building for oil service. Section 7.6 of the Zoning and Land Development Regulations requires four out-bound stacking spaces for car wash businesses. The applicant asserts that no outbound stacking spaces are required. Once the service is provided and finished, the driver clears the bay and proceeds to leave the site. Therefore, it is not necessary an outbound stacking space for this particular use.

FINDING: Consistent

CRITERIA 2: That the requested Variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community; and

ANALYSIS: The site is surrounded by commercial buildings, and the proposed use aligns with the existing uses in the area. The auto use of this property has been in place for several years. The Applicant is complying with the required inbound stacking spaces, an escape lane and parking spaces are sufficient to handle the proposed use. As previously explained, outbound stacking spaces are not necessary. The variance will not be detrimental to the community.

FINDING: Consistent

CRITERIA 3: That the requested Variance is consistent with and in furtherance of the

Goals, Objectives and Policies of the adopted Comprehensive Plan, as amended from time to time, the applicable Neighborhood Plan and all other similar plans adopted by the city; and

ANALYSIS: The goal of the Land Use Element in the Comprehensive Plan is to *promote a distribution of land uses to enhance and improve the residential, business, resort and natural communities while allowing landowners to maximize the use of their property*. The variance to waive the required outbound stacking spaces allows for the applicant to reasonably maximize the use of the property, given the spatial limitations of the parcel dimensions, while facilitating the building renovation that maintains consistency with the surrounding neighborhood.

FINDING: Consistent

CRITERIA 4: That the need for the requested Variance is not economically based or self-imposed; or

ANALYSIS: The need for a variance is not self-imposed. The proposed oil change drive-thru is not contemplated in the City Zoning and Land Development Regulations. The Applicant has stated that outbound stacking spaces will not be necessary. Additionally, the lot is small and the location of the existing building impacts where the stacking spaces could be located.

FINDING: Consistent

CRITERIA 5: That the variance is necessary to comply with State or Federal Law and is the minimum Variance necessary to comply with the applicable law.

ANALYSIS: Not applicable

Analysis of Criteria and Findings for a Special Exception as stated in the City of Hollywood Zoning and Land Development Regulations, Article 3.12

CRITERIA 1: The approval of the application is necessary for the preservation and enjoyment of substantial property rights of the applicant.

ANALYSIS: As previously mentioned, in order for the Applicant to continue business operations the request for Special Exception is required to reestablish a non-conforming use of auto use.

FINDING: Consistent.

CRITERIA 2: The approval will not, under any circumstances of the particular case, be detrimental to the health, safety and general welfare of persons working or residing within the vicinity.

ANALYSIS: The request is not detrimental to the health, safety, and general welfare of persons working or residing within the vicinity. In fact, the request will enhance the operations by providing site improvements such as required parking spaces, landscape buffers, and others, in order to operate in a safe manner and meet state laws. The interior, exterior alterations and site improvements are also beneficial for the community.

FINDING: Consistent.

CRITERIA 3: The approval will not be detrimental or injurious to property and improvements in the vicinity or to the general welfare of the city.

ANALYSIS: The request is to allow the continuance of a non-conforming use. The building footprint will not change. The approval will accommodate much needed space in order for the business to continue operations in a safer environment; it will not be detrimental or injurious to the property.

FINDING: Consistent.

CRITERIA 4: The approval will, to the maximum extent possible, bring the building and the site upon which it is located into compliance with city regulations

ANALYSIS: Currently the building is legal non-conforming, and the Applicant is requesting to legalize a non-conforming use. As mentioned, the Applicant will do interior and exterior building alterations and site improvements. The building footprint is not expanding; rather the Applicant is simply seeking an approval that complies with City and state regulations in order to continue business operations in a safe manner.

FINDING: Consistent.

ATTACHMENTS

Attachment A: Application Package

Attachment B: Land Use and Zoning Map

Attachment C: Public Participation Meeting