

RESOLUTION NO. _____

(04-CRR-101c)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, CONSIDERING A COMMISSION REQUEST FOR REVIEW OF DESIGN MODIFICATIONS FOR A PREVIOUSLY APPROVED 34 UNIT TOWNHOME DEVELOPMENT (HOLLYWOOD LANDINGS TOWNHOMES) LOCATED AT 1840 NORTH 27TH COURT, PURSUANT TO THE PROVISIONS OF THE CITY OF HOLLYWOOD ZONING AND LAND DEVELOPMENT REGULATIONS. (04-CRR-101C)

WHEREAS, the Planning and Development Board (the "Board") is charged with, among other things, the responsibility of considering requests for special exceptions, variances, site plans and design review approval; and

WHEREAS, the Board is duly empowered to grant variances, special exceptions and design approvals in accordance with the guidelines and procedures found in Section 5.3 of the City's Zoning and Land Development Regulations and site plan approval pursuant to Article 6 of the Zoning and Land Development Regulations; and

WHEREAS, on October 16, 2008, the Development Review Board passed and adopted Resolution No. 04-DPV-101a which granted four (4) variances, design and site plan approvals for the Hollywood Landings Townhome Project consisting of 34 townhomes (the "Project") to be located at 1840 North 27th Court, Hollywood, Florida, as more particularly described in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, on May 17, 2010, Lago Hollywood, LLC, (the "Applicant") was granted a 24 month extension for the Project by the Development Review Board pursuant to Resolution No. 04-DPV-101b; and

WHEREAS, on August 6, 2012, pursuant to House Bill 503, Section 24 Law of Florida, the Project was given a two (2) year extension to apply for building permits by May 17, 2014; and

WHEREAS, on February 13, 2014, the Applicant, requested design modifications only to the previously approved project which would change the design from Mediterranean Revival to Modern, and would reduce the height from three stories (38 feet) to two stories (21 feet) thereby eliminating a previously approved variance; and

WHEREAS, on February 13, 2014, pursuant to Resolution No. 04-DPV-101c, the Planning and Development Board granted the Applicant's request for design modification for the Project consisting of a 34 two-story modern townhomes; and;

WHEREAS, between February 20-26, 2014, in accordance with Article 5, Section 5.6 of the City's Zoning and Land Development Regulations, Commissioner Biederman along with Commissioner Hernandez and Commissioner Callari requested in writing a review of the application relating to the Design modifications approved by the Planning and Development Board; and

WHEREAS, the Director, Assistant Director, Planning Manager and Planning and Development Services Administrator of the Department of Planning and Development Services ("Staff"), following an analysis of the application and its associated documents have determined that the proposed request for Design modifications for 34 townhomes does meet the criteria set forth in Section 5.3.I.4. of the Zoning and Land Development Regulations and have therefore recommended that it be approved; and

WHEREAS, on March 5, 2014, City Commission met and held a duly noticed advertised public de novo hearing to consider the Applicant's request for Design based upon the following criteria pursuant to Section 5.3.I.4. of the Zoning and Land Development Regulations:

- (1) Architectural and Design components. Architecture refers to the architectural elements of exterior building surfaces. Architectural details should be commensurate with the building mass. The use of traditional materials for new architectural details is recommended. Design of the building(s) shall consider aesthetics and functionality, including the relationship of the pedestrian with the built environment.
- (2) Compatibility. The relationship between existing architectural styles and proposed construction, including how each building along the street relates to the whole and the pattern created with adjacent structures and the surrounding neighborhood. Buildings should contain architectural details that are characteristic of the surrounding neighborhood.
- (3) Scale/Massing. Buildings shall be proportionate in scale, with a height which is consistent with the surrounding structures. Building mass shall reflect a simple composition of basic architectural details in relation to its length, width, height, lot coverage, and setting of the structure in context with adjacent buildings. Architectural details include, but are not limited to, banding, molding, and fenestration.
- (4) Landscaping. Landscaped areas should contain a variety of native and other compatible plant types and forms, and be carefully integrated with existing buildings and paved areas. Existing mature trees and other significant plants on the site should be preserved.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the above recitals are true and correct and are incorporated herein as if set forth in full herein.

Section 2: That, following review of the Staff Summary Report, the Applicant's application and supporting documents and materials, all submitted written and oral testimony received during the public hearing from all parties and speakers, and the consideration of the Design criteria set forth herein for approving/denying Design and Design Modification, the City Commission finds that the necessary criteria have/have not been met, and the Design Modification is hereby **approved and Resolution No. 04-DPV-101 is hereby amended as it relates to the Design of the project/or is hereby denied.**

Section 3: That, if the Design Modification is approved, the Applicant shall have up to 24 months from the date of the Design Modification approval to apply for all necessary building permits required to proceed with construction. Failure to submit an application within the require time period shall render all approvals null and void.

Section 4: That the Department of Planning and Development Services is hereby directed to forward a copy of this Resolution to the Applicant/Owner of the property with respect to which the request was made. This Resolution will be delivered to the City Clerk to be recorded in the Public Records of Broward County, as provided by the applicable provisions of Article 5 in the Zoning and Land Development Regulations. A copy shall be furnished to any enforcement official.

Section 5: That this resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED This _____ day of _____, 2014.

RENDERED THIS _____ day of _____, 2014.

PETER BOBER, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC, CITY CLERK

APPROVED AS TO FORM AND LEGALITY
for the use and reliance of the
City of Hollywood, Florida, only.

JEFFREY P. SHEFFEL, CITY ATTORNEY

LEGAL DESCRIPTION – EXHIBIT “A”

The Southwest one-quarter (1/4) of the Southeast one-quarter (1/4) of the Northwest one-quarter (1/4) of Section 9, Township 51 South, Range 42 East, lying Easterly of the C-10 Drainage Canal, less the East 260.38 feet, less the North 175.00 feet and less the South 30.00 feet thereof for road right-of-way, also less the following described parcel:

Beginning at a point, which is the intersection of the South line of the North one-half (1/2) of Section 9, and the East right-of-way of the C-10 Drainage Canal; thence Northeasterly along said East right-of-way line of the C-10 Drainage Canal, a distance of 330.00 feet to a point; thence Easterly and parallel with the said South line of the North one-half (1/2) of Section 9, a distance of 100.00 feet; thence Southwesterly along a line parallel with the East right-of-way line of the said C-10 Drainage Canal, a distance of 330.00 feet to a point, said point being on the South line of the North one-half (1/2) of said Section 9; thence Westerly along said South line, a distance of 100.00 feet to the Point of Beginning.

TOGETHER WITH:

That part of the North 97.50 feet of the Southwest one-quarter (1/4) of the Southeast one-quarter (1/4) of the Northwest one-quarter (1/4), lying East of C-10 Canal, less the East 260.38 feet thereof in Section 9, Township 51 South, Range 42 East.

AND

That part of the South 75.00 feet of the North 175.00 feet of the Southwest one-quarter (1/4) of the Southeast one-quarter (1/4) of the Northwest one-quarter (1/4) lying East of Canal C-10, less the East 260.38 feet thereof in Section 9, Township 51 South, Range 42 East, including an easement for private roadway over the West 20 feet of the East 260.38 feet of the Southwest one-quarter (1/4) of the Southeast one-quarter (1/4) of the Northwest one-quarter (1/4) of said Section 9, and the South 25 feet of that part of the North 100.00 feet of the Southwest one-quarter (1/4) of the Southeast one-quarter (1/4) of the Northwest one-quarter (1/4) lying Easterly of the C-10 Drainage Canal, less the East 260.38 feet thereof, in Section 9, Township 51 South, Range 42 East, including an easement for private roadway over the West 20 feet of the East 260.38 feet of the southwest one-quarter (1/4) of the Southeast one-quarter (1/4) of the Northwest one-quarter (1/4) of said Section 9.

AND

The South 70.00 feet of the North 440.00 feet of the West 130.19 feet of the East 260.38 feet of the Southwest one-quarter (1/4) of the Southeast one-quarter (1/4) of the North-west one-quarter (1/4) of Section 9, Township 51 South, Range 42 East.

AND

The South 69.42 feet of the North 509.42 feet of the West 130.19 feet of the East 260.38 feet of the Southwest one-quarter (1/4) of the Southeast one-quarter (1/4) of the Northwest one-quarter (1/4) of Section 9, Township 51 South, Range 42 East.

AND

The West 67.19 feet of the East 260.38 feet of the North 130.00 feet of the South 160.00 feet of the Southwest one-quarter (1/4) of the Southeast one-quarter (1/4) of the Northwest one-quarter (1/4) of Section 9, Township 51 South, Range 42 East. Said lands situate, lying and being in the City of Hollywood, Broward County, Florida, containing 148,529 square feet, (3.41 acres) more or less.