

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

**DATE:** September 9, 2025 **FILE:** 22-V-49

**TO:** Historic Preservation Board

**VIA:** Anand Balram, Assistant Director/Chief Planner

**FROM:** Carmen Diaz, Planner III

**SUBJECT:** Variances to reduce deck and pool street-side setback requirements on a historic designated site, Pursuant to Section 4.23(B)(5) & (15) of the Zoning and Land Development Regulations in the FH-2 zoning district within the RAC at 404 N. 17<sup>th</sup> Avenue.

**REQUEST:**

Variance to reduce deck and pool street-side setback requirements on a historic designated site, Pursuant to Section 4.23(B)(5) & (15) of the Zoning and Land Development Regulations in the FH-2 zoning district within the RAC at 404 N. 17<sup>th</sup> Avenue.

**RECOMMENDATIONS:**

Variance 1: Approval  
Variance 2: Approval

**BACKGROUND**

In the summer of 1924, Harry B. Hutchinson, a former retail clothing merchant from Philadelphia, organized a mortgage and loan company and developed a prominent 55-room hotel in Central Hollywood: the Hutchinson Hotel.

Designed by architect John M. Peterman, the Hutchinson Hotel showcases the Mediterranean Revival architectural style, popular in early 20th-century coastal developments. Located at the corner of Taylor Street and 17th Avenue, the hotel occupied a prime site directly across from the Hollywood Country Club and Golf Course (now the Hollywood Beach Golf Club).

The three-story rectangular building features a distinct three-part plan, with a taller central section flanked by two-story wings. One of its most notable architectural features is the open eight-bay arched loggia on the east-facing ground floor, offering views of the golf course.

Despite changes in ownership over the decades, the Hutchinson Hotel has experienced minimal alterations and continues to retain the integrity of Peterman's original 1924 design. Recognizing its architectural and historical significance, the Hutchinson Hotel was officially designated a Historic Property

Overlay Site (HPOS) in May 2000, as documented in Zoning and Land Development Regulations Article 5.5.D.7.b.

## REQUEST

The applicant is requesting two variances related to the proposed construction of a deck and pool at the corner of Taylor Street and 17th Avenue:

Deck Setback Variance:

A request to reduce the required minimum 12-foot setback for a deck facing a side street to 4 feet.

Pool Setback Variance:

A request to reduce the required 15-foot setback for a pool from a side street to 8 feet.

These variances are requested to accommodate the proposed location of the deck and pool on the subject property.

The Hutchinson Hotel is located on a corner lot, and the existing historic structure occupies most of the site, leaving limited open space for new amenities. As part of a broader renovation effort that includes both interior and exterior improvements, the Applicant seeks to enhance the guest experience by adding a pool amenity.

The corner of Taylor Street and 17th Avenue represents the only viable open space on the property that can accommodate the proposed pool without disturbing the historic building footprint. The variance is therefore necessary to make reasonable use of the site while preserving the architectural and historical integrity of the Hutchinson Hotel.

The purpose of Sections 3.4.23 is to protect the character and urban fabric of the neighborhood. Granting this variance does not negatively impact the character of the neighborhood or hinder the intent of the regulation.

## SITE INFORMATION

<b>Owner/Applicant:</b>	404 N 17 AVE LLC
<b>Address/Location:</b>	404 N 17 <sup>th</sup> Avenue
<b>Size of Property:</b>	10,281 sq. ft. (0.24 net acre)
<b>Future Land Use:</b>	Regional Activity Center (RAC)
<b>Present Zoning:</b>	Federal Highway Medium-High Intensity Mixed-Use Zoning District (FH-2)
<b>Present Use of Land:</b>	Multifamily residential
<b>Year Built:</b>	1924

## ADJACENT LAND USE

<b>North:</b>	Regional Activity Center (RAC)
<b>South:</b>	Regional Activity Center (RAC)
<b>East:</b>	Open Space and Recreation (OSR)
<b>West:</b>	Regional Activity Center (RAC)

## ADJACENT ZONING

North: Federal Highway Medium-High Intensity Mixed-Use Zoning District (FH-2)  
South: Federal Highway Medium-High Intensity Mixed-Use Zoning District (FH-2)  
East: Government Use (GU)  
West: Federal Highway Medium-High Intensity Mixed-Use Zoning District (FH-2)

## CONSISTENCY WITH THE COMPREHENSIVE PLAN

Within the Comprehensive Plan, the primary goal of the Land Use Element is to *promote a distribution of land uses that will enhance and improve the residential, business, resort and natural communities while allowing the land owners to maximize the use of their property*. It also states:

***Objective 4:*** *Maintain and enhance neighborhoods, business, utilities, industrial and tourist areas that not blighted.*

The variance would allow the Applicant to provide an amenity that goes along with the proposed use and is consistent with the fabric of the surrounding neighborhood, while allowing the Applicant to maximize the use of their property.

## CONSISTENCY WITH THE CITY-WIDE MASTER PLAN

The City-Wide Master Plan (CWMP) places a priority on protecting, preserving and enhancing residential neighborhoods, stating:

***Policy 2.46:*** *Preserve stable neighborhoods and encourage rehabilitation initiatives that will revitalize and promote stability of neighborhoods.*

***Policy CW.15:*** *Place a priority on protecting, preserving and enhancing residential neighborhoods.*

As the proposed reduction of the pool setbacks allows for the use of the property adding a pool amenity that will complement the use of the building, the integrity of the neighborhood is not altered.

## APPLICABLE CRITERIA

**Analysis of criteria and finding for Variances** as stated in the City of Hollywood's Zoning and Land Development Regulations, Article 5.3.F

**Variance 1:** To reduce the required street side deck setback to 4 feet, whereas 12 feet is required pursuant to Section 4.23(B)(5) of the Zoning and Land Development Regulations

**Variance 2:** To reduce the required street side pool setback to 8 feet, whereas 15 feet is required pursuant to Section 4.23(B)(15) of the Zoning and Land Development Regulations

**CRITERION 1:** That the requested Variances maintain the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the city.

**ANALYSIS:** The intent of Sections 4.23(B)(5) & (15) are intended to preserve and protect the established character and urban fabric of the neighborhood. The subject property contains a historically designated structure that occupies the majority of the lot, significantly limiting areas available for new development. The only feasible location for the proposed pool is on the south side of the property, which fronts both Tyler Street and N. 17th Avenue. While the proposed design fully complies with the required side interior pool and deck setbacks, it is not possible to meet the setback requirements on the street-facing side due to site constraints imposed by the existing historic structure.

The proposed pool and surrounding deck are designed at grade level and are sensitively integrated into the site to minimize any visual or physical impact on the surrounding streetscape. The low profile of the installation, coupled with appropriate landscaping and screening, ensures that the project will not negatively affect the character or pedestrian experience of the neighborhood. Accordingly, the requested variance is consistent with the spirit and intent of the code, and it allows for reasonable use of the property while maintaining compatibility with the historic and urban context of the area.

**FINDING:** Variance 1: Consistent  
Variance 2: Consistent

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

**ANALYSIS:** The subject property is located within the Regional Activity Center (RAC) land use designation, which is characterized by a mix of multifamily residential and mixed-use zoning districts. This designation supports versatile and dynamic neighborhood development. The requested variance will allow the applicant to add a pool and deck amenity to the existing historically designated building. These proposed improvements do not alter or conflict with the underlying land use designation. Instead, it enhances the functionality and livability of the site while maintaining full compatibility with the surrounding land uses.

**FINDING:** Variance 1: Consistent  
Variance 2: Consistent

**CRITERION 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.

**ANALYSIS:** The Land Use Element of the Comprehensive Plan *promotes a distribution of land uses to enhance and improve the residential, business, resort and natural communities while allowing land owners to maximize the use of their property.* The variance would allow the Applicant to provide an amenity to the existing historic building. The pool and deck will have the required fence and landscape around. The requested variances are compatible with the adjacent residential and commercial buildings around the neighborhood.

**FINDING:** Variance 1: Consistent  
Variance 2: Consistent

**CRITERION 4:** That the need for requested Variance is not economically based or self-imposed.

**ANALYSIS:** The variance request is not the result of an economic hardship or self-imposed condition by the Applicant. While the desire to install a pool and deck may have recreational and economic benefits, the actual need for relief stems from the unique circumstances of the property itself. The subject site is occupied by a historically designated structure that consumes the majority of the lot area in its approved and established location. In order to uphold the objectives of the Comprehensive Plan with respect to the preservation of historic resources, the principal building should not be relocated or significantly altered to accommodate new accessory uses. Consequently, the placement of a pool and deck are inherently constrained by the footprint of the historic structure and the setbacks that were in effect at the time of its construction.

This condition is further compounded by the fact that the property is a corner lot with a street-side frontage. Were this a typical interior lot, the requested 8-foot pool setback and 4-foot deck setbacks would be permitted as of right (Section 4.23(B)(5) & (15) provides for a deck and pool setback of 3 feet and 6 feet, respectively). The only reason this request rises to the level of a formal variance is because of the additional setback obligations triggered by the lot's corner configuration, a circumstance beyond the control of the Applicant.

The proposed pool and deck location respects the historic character of the property and neighborhood, with full screening provided by fencing and landscaping despite no such requirement. The need for relief arises from the historic structure's placement and the corner-lot geometry, not from economic convenience. Approval of the variance upholds the Comprehensive Plan by preserving the historic resource while permitting reasonable, compatible use of the property.

**FINDING:** Variance 1: Consistent  
Variance 2: Consistent

**CRITERION 5:** That the Variance is necessary to comply with state or federal law and in the minimum Variance necessary to comply with the applicable law.

**ANALYSIS:** State or Federal law is not the impetus of the requested variance.

**FINDING:** Variance 1: Not applicable.  
Variance 2: Not applicable

#### **ATTACHMENTS**

ATTACHMENT A: Application Package

ATTACHMENT B: Aerial Map