

Planning and Development Board

Tuesday, February 13, 2024

6:00 PM

City of Hollywood



Hollywood City Hall
2600 Hollywood Blvd
Hollywood, FL 33020
<http://www.hollywoodfl.org>

Room 219

Thank you for demonstrating an interest in the City of Hollywood Planning and Development Board Meeting. The public may view the meeting either in person, virtually <http://hollywoodfl.org/calendar> or on channel 78 for Comcast, channel 99 for AT&T U-Verse.

Any member of the public wishing to speak on an agenda item, which calls for public comment, may do so either in person or virtually:

In-person:

On the day of the meeting a comment card shall be completely filled out. Comment cards will be available at the start of the meeting and must be received by the Board's Clerk prior to the close of public comment for each item. If commenting on multiple items, a comment card shall be completed for each individual item.

Virtually:

Virtual comment is offered as a courtesy. The City is not responsible for technical difficulties that may periodically arise. Pre-registration shall be **REQUIRED**.

To register use the Board Meeting Registration and Public Comment Form. If commenting on multiple items, the form shall be completed for each individual item. Should an item require consideration by multiple Boards, individual forms shall be submitted for each Board. The form may be found at the following link and shall be submitted by 6:00 PM the day before the meeting:

<https://www.hollywoodfl.org/1248/Public-CommentRegistration-and-Submittal>

Due to the quasi-judicial nature of items, written comments **CANNOT** be read into the record. Public comment shall be limited to three minutes speaking time maximum. All comments received during the submission period will become part of the public record. Comments left on voicemail machines, emailed, posted to the City's social media accounts or submitted for virtual comment after 6:00 PM on the day prior to the meeting shall not be accepted.

Persons with disabilities who require reasonable accommodations to participate in City programs and/or services may call Clarissa Ip, ADA Coordinator/City Engineer, five business days in advance at 954-921-3915 (voice) or email: cip@hollywoodfl.org. For the hearing and speech impaired at 800-955-8771 (V-TDD).

For additional information or for assistance, please contact Planning and Urban Design Division, at 954-921-3471 option 3 or via email at planningdivision@hollywoodfl.org.

Persons attending meetings shall remain seated at all times unless called upon to speak, will not callout comments during the meeting or make inappropriate hand or facial gestures.

Please silence all cell phones prior to entering the meeting.

A. Administration

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Previous Meeting Minutes

Attachments: [2024_0123 Minutes_PDB.pdf](#)

4. Additions, Deletions, Withdrawals, and Continuances
5. City Attorney Announcements

Attachments: [Witness List P-23-24.pdf](#)
[Quasi-Judicial Hearing Procedures.pdf](#)

B. Applications

ITEM # 1 BELOW IS CONSIDERED QUASI-JUDICIAL

[1. 2024_0213](#)

FILE NO.: 23-V-96
APPLICANT: Catherine Spear, Revokable Trust/Jeffrey Spear
LOCATION: 4600 North Ocean Drive
REQUEST: Variance request to increase the maximum allowable curb cut from 18 feet to 23 feet

Attachments: [2396 PDB Memo 2024_0213.pdf](#)
[Attachment I_Initial Application Package_2024_0123.pdf](#)

C. Old Business

D. New Business

1. Review of projects before the Technical Advisory Committee
2. Summary of the City Commission Actions

E. Adjournment

Legal descriptions for each of the above petitions is on file in the Department of Development Services.

Any person wishing to appeal any decision made by this Commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is made.

Two or more members of the same city board, commission, or committee, who are not of this Commission, may attend this meeting and may, at that time, discuss matters on which foreseeable action may later be taken by their board, commission or committee.

Persons with disabilities who require reasonable accommodations to participate in City programs and/or services may call Clarissa Ip, ADA Coordinator/City Engineer, five business days in advance at 954-921-3915 (voice) or email: cip@hollywoodfl.org. If an individual is hearing or speech impaired, please call 1-800-955-8771 (V-TDD).



City of Hollywood

Staff Summary

Hollywood City Hall
2600 Hollywood Blvd
Hollywood, FL 33020
<http://www.hollywoodfl.org>

Agenda Date: 2/13/2024

Agenda Number:

To: Planning and Development Board

Title:

**SUMMARY OF THE MINUTES
PLANNING AND DEVELOPMENT BOARD**

CITY OF HOLLYWOOD
2600 HOLLYWOOD BOULEVARD
HOLLYWOOD, FLORIDA 33020

A. ADMINISTRATIONS

1. Pledge of Allegiance
2. Roll Call

The meeting of the Planning and Development Board was called to order by Diana Pittarelli on Tuesday, **January 23, 2024, at 6:03 P.M.** in Room 219, 2600 Hollywood Blvd., Hollywood, Florida, with the following members present:

Diana Pittarelli
Kenneth Crawford
Joseph Stadlen
Richard Blattner

Steven Morales
Andrew Yanowitz
David McLeod
Tara Jafarmadar

Robert Vargas

Development Services, Division of Planning and Urban Design Staff present:

Andria Wingett	Director of Development Services
Anand Balram	Planning Manager
Cameron Palmer	Principal Planner
Carmen Diaz	Planning Administrator
Tasheema Lewis	Associate Planner
Laura Gomez	Associate Planner
Shellie Thompson	Assistant Planner
Shira Ridley-Risk	Administrative Specialist II

Also Present:

Deena Gray	Senior Assistant City Attorney
Richard Doody	Staff Attorney
Azita Behmardi	Deputy Director of Development Services

3. Approval of the Meeting Minutes.
December 12, 2023 – approved.

MOTION WAS MADE BY JOSEPH STADLEN AND SECONDED BY KENNETH CRAWFORD TO APPROVE THE DECEMBER 12, 2023, MEETING MINUTES. MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

4. Additions, Deletions, Withdrawals, and Continuances.
None.

5. City Attorney Announcements
Deena Gray informed the Board that these items are ruled by Quasi-Legislative Proceedings.

B. APPLICATIONS

ITEMS # 1-3 BELOW MAY BE CONSIDERED QUASI-JUDICIAL AND MAY BE SUBJECT TO THE CRR REGULATION

1. **FILE NO.:** 23-V-96
APPLICANT: Catherine Spear, Revokable Trust/Jeffrey Spear.
LOCATION: 4600 N Ocean Drive
REQUEST: Variance request to increase the maximum allowable curb cut from 18 feet to 23 feet.

Diana Pittarelli read the Application.

Diana Pittarelli asked Staff, the Applicant, and members of the public, if they wished to waive Quasi-Judicial Proceedings. Quasi-Judicial Proceedings were waived.

Mark Siever is the owner's Architect who was present.

Tasheema Lewis, Associate Planner, delivered the presentation and answered questions from the Board.

MOTION WAS MADE BY KENNETH CRAWFORD AND SECONDED BY STEVEN MORALES FOR A CONTINUANCE OF THE ITEM, DATE AND TIME CERTAIN TO THE FEBURARY 13, 2024 PDB MEETING. THE MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

2. **FILE NO.:** 22-DP-77
APPLICANT: Quintana, Angel and Villa, Reynald/Joseph B. Kaller/Menachem Trietel
LOCATION: 2328 Jackson Street
REQUEST: Design and Site Plan review for a 33-unit residential rental development (2328 Jackson Street Apartments) Quintana, Angel & Villa, Reynald/Joseph B. Kaller/Menachem Trietel.

Diana Pittarelli read the Application.

Diana Pittarelli asked Staff, the Applicant, and members of the public, if they wished to waive Quasi-Judicial Proceedings. Quasi-Judicial Proceedings were waived.

Tasheema Lewis, Associate Planner, delivered the presentation and answered questions from the Board.

Joseph Kaller, the Architect, was present and answered questions from the Board.

Diana Pittarelli opened the meeting to public comments. No Public Comments were made. Diana Pittarelli closed the public comment portion.

Board discussion ensued.

MOTION WAS MADE BY KENNETH CRAWFORD AND SECONDED BY JOSEPH STADLEN TO APPROVE THE DESIGN AND SITE PLAN. MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

3. **FILE NO.:** 23-DP-59
APPLICANT: City Hollywood – Elise Iglesias (DCM staff)
LOCATION: 1645 Polk Street
REQUEST: Design and Site Plan for a new clubhouse and an addition to an existing maintenance building (Hollywood Beach Golf Course and Clubhouse/Community Center).

Diana Pittarelli read the Application.

Diana Pittarelli asked Staff, the Applicant, and members of the public, if they wished to waive Quasi-Judicial Proceedings. Quasi-Judicial Proceedings were waived.

Carmen Diaz, Planning Administrator, delivered the presentation and answered questions from the Board.

Elisa Iglesias, from DCM, David Vasquez from Parks and Recreation, and Scott Bakos, the architect were present and answered questions from the Board.

Diana Pittarelli opened the meeting to public comments. Terry Cantrell and Ann Ralsky made comments of the item. Diana Pittarelli closed the public comment portion.

Board discussion ensued.

MOTION WAS MADE BY STEVEN MORALES AND SECONDED BY TARA JAFARMADAR TO APPROVE THE DESIGN WITH THE CONDITION THAT CONSIDERATION BE MADE TO REVISE THE DESIGN TO CONSIDER (1) THE UNIFICATION OF THE ROOF DESIGN; (2) ADJUSTMENT OF THE SCALE OF THE TOWER; (3) ADDING FENESTRATION; AND (4) UNIFICATION OF THE OVERALL DESIGN.

MOTION WAS MADE BY JOSEPH STADLEN AND SECONDED BY KENNETH CRAWFORD TO APPROVE THE SITE PLAN. MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

4. **FILE NO.:** 23-DPV-02
APPLICANT: 2026 Fletcher LLC and Bromeliad Estates LLC
LOCATION: 2022-2026 Fletcher Street
REQUEST: Variance, Design and Site Plan review for a 42-unit residential development.

Diana Pittarelli read the Application.

Diana Pittarelli asked Staff, the Applicant, and members of the public, if they wished to waive Quasi-Judicial Proceedings. Quasi-Judicial Proceedings were waived.

Carmen Diaz, Planning Administrator, delivered the presentation and answered questions from the Board.

Luis LaRosa, representing the Applicant, was present and answered questions from the Board.

Diana Pittarelli opened the meeting to public comments. No Public Comments were made. Diana Pittarelli closed the public comment portion.

Board discussion ensued.

MOTION WAS MADE BY JOSEPH STADLEN AND SECONDED BY STEVEN MORALES FOR APPROVAL OF VARIANCE. MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

MOTION WAS MADE BY JOSEPH STADLEN AND SECONDED BY ROBERT VARGAS FOR APPROVAL OF DESIGN. MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

MOTION WAS MADE BY JOSEPH STADLEN AND SECONDED BY KENNETH CRAWFORD FOR APPROVAL OF SITE PLAN WITH CONDITIONS INCLUDING A UNITY OF TITLE AND A HOLD HARMLESS AGREEMENT. MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

5. **FILE NO.:** 23-DP-49
APPLICANT: HFL Landings Owner LLC
LOCATION: 3451-3690 S. Ocean Drive
REQUEST: Design and Site OLD BUSINESS

Diana Pittarelli read the Application.

Diana Pittarelli asked Staff, the Applicant, and members of the public, if they wished to waive Quasi-Judicial Proceedings. Quasi-Judicial Proceedings were waived.

Cameron Palmer, Principal Planner, delivered the presentation and answered questions from the Board.

Attorney Pedro Gassant, representing the Applicant was present and answered questions from the Board.

Diana Pittarelli opened the meeting to public comments. Jorge Camejo made comments regarding the item. Diana Pittarelli closed the public comment portion.

Board Discussion ensued.

MOTION WAS MADE BY JOSEPH STADLEN AND SECONDED BY KENNETH CRAWFORD FOR APPROVAL OF THE DESIGN. MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

MOTION WAS MADE BY JOSEPH STADLEN AND SECONDED BY KENNETH CRAWFORD FOR APPROVAL OF SITE PLAN WITH CONDITIONS THAT THE CITY, THE CRA AND THE APPLICANT TO CONTINUE TO WORK TOGETHER TOWARDS REQUESTING RELIEF FROM THE FDOT STORAGE LANE REQUIREMENT PERTAINING TO THIS DEVELOPMENT.

Azita Behmardi, Deputy Director of Development Services, was present and advised that the City's Engineering Division has reached out to FDOT on this matter and is awaiting a response.

C. OLD BUSINESS

None.

D. NEW BUSINESS

Anand Balram mentioned the TAC items discussed on December 18th and 22nd.

E. ADJOURNMENT

The meeting was adjourned at **8:06 P.M.**

DRAFT



City of Hollywood

Staff Summary

Hollywood City Hall
2600 Hollywood Blvd
Hollywood, FL 33020
<http://www.hollywoodfl.org>

Agenda Date: 2/13/2024

Agenda Number:

To: Planning and Development Board

Title:

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

DATE: November 14, 2023

MEMO NO.: P-23-24

TO: City Clerk

FROM: Andria Wingett, Director of Development Services

SUBJECT: Witness List for Quasi-Judicial Items (Revised)

EXPLANATION:

Following is a list of Technical Advisory Committee members which may serve as witnesses for all **Planning and Development Board, Historic Preservation Board, and City Commission Quasi-Judicial items**. Resumes and credentials on file with the Office of Human Resources. The City may add additional witness for specific items as necessary in conformance with Quasi-Judicial procedures.

Donna Biederman	Community Development Coordinator
Liliana Beltran	Housing Inspector
Raelin Storey	Assistant City Manager
Andria Wingett	Director, Development Services
Azita Behmardi	Deputy Director, Development Services
Clarissa Ip	City Engineer
Rick Mitinger	Transportation Engineer
Lisa Bernstein	External Traffic Consultant
Ralph Aronberg	External Traffic Expert, Aronberg and Associates Consultants Engineers Inc.
Carina Harvey	District Access Management Manager, FDOT Consultant
Favio Perez	Landscape Plans Examiner
Russell Long	Chief Building Official
Daniel Quintana	Assistant Building Official
Timothy Jones	Chief Structural Inspector
Rolando Rodriguez	Building Compliance Officer
Jovan Douglas	Parking Division Director
Elaine Franklin	Environmental Sustainability Coordinator
Feng Jiang	Assistant Director of Public Utilities
Alicia Vereas-Feria	Engineer, Public Utilities
Chris Clinton	Fire Marshal / Division Chief
Marcy Hofle	Deputy Fire Marshal / Battalion Chief
Maribel Medina	Fire Prevention Officer III
Meghan Grimsley	Fire Prevention Officer III
Ryan Ostrowsky	Police Sargent
Christine Adamcik	Crime Prevention Specialist
Doreen Avitabile	Crime Prevention Specialist

Annalie Holmes	Assistant Director, Public Works
David Vazquez	Assistant Director, Parks, Recreation, and Cultural Arts
Anand Balram	Planning Manager
Cameron Palmer	Principal Planner
Carmen Diaz	Planning Administrator
Tasheema Lewis	Associate Planner
Jorge Camejo	Executive Director, CRA
Susan Goldberg	Deputy Director, CRA
Francisco Diaz-Mendez	Project Manager, CRA
Herbert Conde-Parlato	Economic Development Manager
Joseph Kroll	Director, Public Works

**QUASI-JUDICIAL HEARING PROCEDURES
AND RULES FOR EX-PARTE COMMUNICATIONS**

I. Scope and Applicability. These procedures shall apply to all quasi-judicial hearings held by the City Commission or by any Board or Committee (hereinafter referred to as "Boards") which holds quasi-judicial hearings. The City Attorney shall determine which matters are quasi-judicial in nature and shall direct the City Clerk or Board liaison to designate specially such matters on the agenda.

II. Proceedings. Mayor, Vice Mayor or other presiding officer (hereafter, the "Presiding Officer") shall conduct the proceedings and maintain order. The City Attorney or legal advisor shall represent the City Commission or Board, rule on all evidentiary and procedural issues and objections, and advise the City Commission or Board as to the applicable law and necessary factual findings. Hearings shall be conducted informally, but with decorum. Formal rules of procedure shall not apply except as set forth herein; however, fundamental due process shall be accorded.

III. Unauthorized Communications. In all quasi-judicial hearings, all rulings must be based only upon the evidence presented at the hearing. In accordance with Section 286.0115(1), Florida Statutes, ex parte communications with City Commissioners or Board members in quasi-judicial matters is permissible and the adherence to the following procedures shall remove the presumption of prejudice arising from ex parte communications with City Commissioners or Board members:

1. The substance of any ex parte communication with a City Commissioner or Board member which relates to a quasi-judicial action pending before the Commission or Board is not presumed prejudicial to the action if the subject of the communication and the identity of the person, group, or entity with whom the communication took place is disclosed and made a part of the record before the final action on the matter.

2. A City Commissioner or Board member may read a written communication from any person. However, a written communication that relates to a quasi-judicial action pending before the Commission or Board shall not be presumed prejudicial to the action, and such written communication shall be made a part of the record before final action on the matter.

3. City Commissioners or Board members may conduct investigations and site visits and may receive expert opinions regarding quasi-judicial action pending before them. Such activities shall not be presumed prejudicial to the action if the existence of the investigation, site visit, or expert opinion is made a part of the record before final action on the matter.

4. Disclosure made pursuant to subparagraphs 1, 2 and 3 must be made before or during the public meeting at which a vote is taken on such matters, so that persons who have opinions contrary to those expressed in the ex parte communication are give a reasonable opportunity to refute or respond to the communication.

IV. Witnesses and Supporting Materials. At least eight City business days before a quasi-judicial hearing.

A. Staff shall prepare a report, recommendation and supporting materials, a copy of which shall be available to the applicant, appellant and to the public at the City Clerk's Office. Included in the supporting materials will be copies of all exhibits and documents upon which staff's recommendation is based.

B. The Applicant and the Appellant, if applicable, shall submit a detailed outline of the argument in support of their application, copies of all exhibits which will be presented at hearing and the names and addresses of all witnesses who will be called to testify in support of the application (including resumes for any witness the party intends to qualify as an expert).

C. The eight City business day deadline is necessary to ensure the Commission or Board members are given sufficient opportunity to review the written submissions prior to the hearing, and shall be strictly observed. Should the eight-day City business day deadline be missed by either staff or the Applicant, the item may be continued at the discretion of the City Commission or Board to the next available agenda.

V. Party Intervenors.

The City Attorney may allow a person to intervene as a Party Intervenor if they meet the following requirements:

A. The person must have an interest in the application, which is different than the public at large.

B. At least ~~eight~~ three days prior to the hearing, the person shall submit a written request to intervene including: a detailed outline of their interest in the application and argument in favor or against it, copies of all exhibits which will be presented at the hearing and the names and addresses of all witnesses who will be called to testify on their behalf (including resumes for any witness the person intends to qualify as an expert).

VI. Conduct of Hearing.

A. The Presiding Officer shall call the proceeding to order and announce that the hearing has begun.

B. The Presiding Officer, City Attorney or legal advisor shall inquire whether all parties, members of the public and Commission or Board members agree to waiving the quasi-judicial hearing.

C. When the quasi-judicial hearing is not waived, the City Attorney, legal advisor or Presiding Officer shall explain the rules concerning procedure, testimony, and admission of evidence.

D. When the quasi-judicial hearing is not waived, the City Clerk or staff liaison shall swear in all witnesses who are to testify at the hearing.

E. The order of proof shall be as follows:

1. A representative of the City's staff (or outside counsel) shall briefly describe the Applicant's request, introduce and review all relevant exhibits and evidence, report staff's recommendation, and present any testimony in support of staff's recommendation. Staff shall have a maximum of 30 minutes to make their full presentation, including opening statement and all direct presentation by witnesses, but excluding any cross-examination or questions from the Commission or a Board member.

2. The Appellant, if applicable, (or his/her representative or counsel) shall present evidence and testimony in support of the application. Appellant shall have a maximum of 30 minutes to make its full presentation, including opening statement and all direct presentation by witnesses, but excluding any cross-examination or questions from the Commission or a Board member.

3. Any Party Intervenor (or his/her representative or counsel) shall present evidence and testimony in support of or opposed to the application. A Party Intervenor shall have a maximum of 30 minutes to make his/her full presentation, including opening statement and all direct presentation by witnesses, but excluding any cross-examination or questions from the Commission or a Board Member.

4. The Applicant (or his/her representative or counsel) shall present evidence and testimony in support of the application. Applicant shall have a maximum of 30 minutes to make his/her full presentation, including opening statement and all direct presentation by witnesses, but excluding any cross-examination or questions from the Commission or a Board member.

5. Any other persons present who wish to submit relevant information to the City Commission or Board shall speak next for a maximum of three minutes each (excluding any cross-examination or questions from the Commission or a Board member). Members of the public will be permitted to present their non-expert opinions, but the Commission or board will be expressly advised that public sentiment is not relevant to the decision, which must be based only upon competent and substantial evidence.

6. The Appellant will be permitted to make final comments, if any (maximum of five minutes).

7. The Applicant will be permitted to make final comments, if any (maximum of five minutes).

8. The Party Intervenor will be permitted to make final comments, if any (maximum of five minutes).

9. The City's staff will make final comments, if any (maximum of five minutes).

10. At the discretion of the Presiding Officer, the Applicant may be permitted to respond to the final Party Intervenor and staff comments and recommendations (maximum of three minutes).

G. The City Attorney or legal advisor will advise the City Commission or Board as to the applicable law and the factual findings that must be made to approve or deny the application.

H. The City Commission or Board will conduct open deliberation of the application. The Presiding Officer shall have the discretion to reopen the proceeding for additional testimony or argument by the parties when an outcome substantially different than either the granting or denial of the application is being considered. After deliberations, a vote shall be taken to approve, approve with conditions or deny the application.

VII. Examination by Commissioners and City Attorney or Legal Advisor.

Commissioners, Board members and the City Attorney or Legal Advisor may ask questions of persons presenting testimony or evidence at any time during the proceedings until commencement of deliberation.

VIII. Cross-Examination of Witnesses. After each witness testifies, the City staff representative, the Applicant's representative, Appellant's representative, and/or the Party Intervenor's representative shall be permitted to question the witness, but such cross-examination shall be limited to matters about which the witness testified and shall be limited to five minutes per side. Members of the public will not be permitted to cross-examine witnesses. Cross-examination shall be permitted only as would be permitted in a Florida court of law.

IX. Rules of Evidence.

A. All evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in a court of law in Florida. Irrelevant, immaterial, harassing, defamatory or unduly repetitive evidence shall be excluded.

B. Hearsay evidence may be used for the purposes of supplementing or explaining other evidence, but it shall not be sufficient by itself to support a finding unless it would be admissible over objection in a civil action.

C. Documentary evidence may be presented in the form of a copy or the original. Upon request, parties shall be given an opportunity to compare the copy with the original.

X. Statements of Counsel. Statements of counsel, or any non-attorney representative, shall only be considered as argument and not testimony unless counsel or the representative is sworn in and the testimony is based on actual personal knowledge of the matters which are the subject of the statements.

XI. Continuances and Deferrals. The City Commission or Board shall consider requests for continuances made by City staff, the Applicant, the Appellant or a Party Intervenor and may grant continuances in its sole discretion. If, in the opinion of the City Commission or Board, any testimony or documentary evidence or information presented at the hearing justifies allowing additional research or review in order to properly determine the issue presented, then the City Commission or Board may continue the matter to a time certain to allow for such research or review.

XII. Transcription of hearing.

A. The City Clerk or staff liaison shall preserve the official transcript of the hearing through tape recording and/or video recording.

B. The Applicant, Appellant or Party Intervenor may arrange, at its own expense, for a court reporter to transcribe the hearing.

C. The Applicant, Appellant or Party Intervenor may request that all or a part of the transcript of a hearing be transcribed into verbatim, written form. In such case, the Applicant, Appellant or Party Intervenor requesting the transcript shall be responsible for the cost of production of the transcription and the transcription shall become the official transcript.

XIII. Maintenance of Evidence and Other Documents. The Office of the City Clerk or staff liaison shall retain all of the evidence and documents presented at the hearing unless any such evidence is too large to be stored by the City Clerk or staff liaison. In that event, such evidence will be stored in the Community Planning and Development Department.

XIV. False Testimony. Any willful false swearing on the part of any witness or person giving evidence before the Commission or Board as to any material fact in the proceedings shall be deemed to be perjury and shall be punished in the manner prescribed by law for such offense.

XV. Failure of Applicant to Appear. If the Applicant, the Appellant or Party Intervenor or their representative fails to appear at the time fixed for the hearing, and such absence is not excused by the Commission or Board, the Commission or Board may proceed to hear the evidence and render a decision thereon *in absentia*.

XVI. Subpoena Power. The Applicant, the Appellant or Party Intervenor or City's staff shall be entitled to compel the attendance of witnesses through the use of subpoenas. All such subpoenas shall be issued by the City Clerk at the request of the Applicant, Appellant or City's staff.



City of Hollywood

Hollywood City Hall
2600 Hollywood Blvd
Hollywood, FL 33020
<http://www.hollywoodfl.org>

Staff Summary

File Number: 1. 2024_0213

Agenda Date: 2/13/2024 **Agenda Number:**

To: Planning and Development Board

Title: FILE NO.: 23-V-96
APPLICANT: Catherine Spear, Revokable Trust/Jeffrey Spear
LOCATION: 4600 North Ocean Drive
REQUEST: Variance request to increase the maximum allowable curb cut from 18 feet to 23 feet

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

DATE: February 13, 2024 **MEMO NO.:** P-24-03
TO: Planning and Development Board
VIA: Anand Balram, Planning Manager
FROM: Tasheema Lewis, Associate Planner
SUBJECT: Variance request to increase the maximum allowable curb cut from 18 feet to 23 feet

EXPLANATION:

Catherine Spear, Revokable Trust/Jeffrey Spear requests a variance to increase the maximum allowable curb cut from 36% to 46% (18 feet to 23 feet) of a 50-foot-wide single-family lot located at 4600 North Ocean Drive, project No. 23-V-96, within the North Beach Development District-Development Zone (NBDD-DZ) Zoning District.

After Staff presented the item at the January 23, 2024 Planning and Development Board (PDB) meeting, the Applicant requested a continuance, time and date certain, to February 13, 2024. The Board granted the continuance to allow the Applicant additional time to work with Staff on the alternative design presented for consideration, or redesign and present an alternative proposal.

Attachments: Initial Application Package

ATTACHMENT I

Initial Application Package

GENERAL APPLICATION

APPLICATION DATE: _____

2600 Hollywood Blvd
 Room 315
 Hollywood, FL 33022
 Tel: (954) 921-3471
 Email: Development@
 Hollywoodfl.org

SUBMISSION REQUIREMENTS:

- One set of digitally signed & sealed plans (i.e. Architect or Engineer)
- One electronic **combined** PDF submission (max. 25mb)
- Completed Application Checklist
- Application fee (per review)

NOTE:

- This application must be **completed in full** and submitted with all documents to be placed on a Board or Committee's agenda.
- The applicant is responsible for obtaining the appropriate checklist for each type of application.
- Applicant(s) or their authorized legal agent must be present at all Board or Committee meetings.

**CLICK HERE FOR
 FORMS, CHECKLISTS, &
 MEETING DATES**

APPLICATION TYPE (CHECK ONE):

- Technical Advisory Committee
- City Commission

Variance/Special Exception Requested

- Administrative Approvals
- Historic Preservation Board
- Planning and Development Board

PROPERTY INFORMATION

Location Address: 4600 N. Ocean Dr.
 Lot(s): 36 Block(s): 177 Subdivision: Hollywood Central Beach
 Folio Number(s): 5142 01 02 4210

Zoning Classification: _____ Land Use Classification: _____
 Existing Property Use: Single Family Sq Ft/Number of Units: 4000/1
 Is the request the result of a violation notice? () Yes () No If yes, attach a copy of violation.
 Has this property been presented to the City before? If yes, check all that apply and provide File/Resolution/Ordinance No.: _____

DEVELOPMENT PROPOSAL

Explanation of Request: widen the driveway to match the width of the garage and increase the front wall to 6'
 Phased Project: Yes No Number of Phases: _____

Project	Proposal
Units/rooms (# of units)	(Area: S.F.)
Proposed Non-Residential Uses	S.F.
Open Space (% and SQ.FT.)	(Area: S.F.)
Parking (# of spaces)	(Area: S.F.)
Height (# of stories)	<u>3</u> (FT.)
Gross Floor Area (SQ. FT)	

Name of Current Property Owner: Catherine Spear, Revocable Trust
 Address of Property Owner: 383 Franklin St, Hollywood 33019
 Telephone: _____ Email Address: Trina.Spear@gmail.com

Applicant Jeffrey Spear Consultant Representative | Tenant (check one)
 Address: 383 Franklin St Telephone: 954-868-5337
 Email Address: jeff@thespeargroup.com
 Email Address #2: _____

Date of Purchase: 9/8/20 Is there an option to purchase the Property? Yes () No
 If Yes, Attach Copy of the Contract.

Noticing Agent (FTAC & Board submissions only): _____
 E-mail Address: _____

PLANNING DIVISION



File No. (Internal use only): _____


2600 Hollywood Boulevard Room 315
Hollywood, FL 33022

GENERAL APPLICATION

CERTIFICATION OF COMPLIANCE WITH APPLICABLE REGULATIONS

The applicant/owner(s) signature certifies that he/she has been made aware of the criteria, regulations and guidelines applicable to the request. This information can be obtained in Room 315 of City Hall or on our website at www.hollywoodfl.org. The owner(s) further certifies that when required by applicable law, including but not limited to the City's Zoning and Land Development Regulations, they will post the site with a sign as approved by the Division of Planning & Urban Design. The owner(s) will photograph the sign the day of posting and submit photographs to the Office of Planning and Development Services as required by applicable law. Failure to post the sign will result in violation of State and Municipal Notification Requirements and Laws.

(I)(We) certify that (I) (we) understand and will comply with the provisions and regulations of the City's Zoning and Land Development Regulations, Design Guidelines, Design Guidelines for Historic Properties and City's Comprehensive Plan as they apply to this project. (I)(We) further certify that the above statements and drawings made on any paper or plans submitted herewith are true to the best of (my)(our) knowledge. (I)(We) understand that the application and attachments become part of the official public records of the City and are not returnable.

Signature of Current Owner:  Date: 11/8/23
PRINT NAME: Catherine Spear Date: 11/8/23

Signature of Consultant/Representative: _____ Date: _____
PRINT NAME: _____ Date: _____

Signature of Tenant: _____ Date: _____
PRINT NAME: _____ Date: _____


Current Owner Power of Attorney

I am the current owner of the described real property and that I am aware of the nature and effect the request for _____ Variances _____ to my property, which is hereby made by me or I am hereby authorizing _____ Jeffrey Spear _____ to be my legal representative before the Planning and Development (Board and/or Committee) relative to all matters concerning this application.

Sworn to and subscribed before me
this 8th day of November, 2023

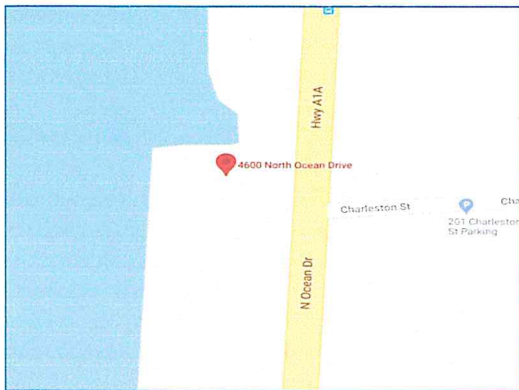





Signature of Current Owner
Catherine Spear
Print Name

Notary Public
State of ~~Florida~~ New York, County: New York

My Commission Expires: 04/14/27 (Check One) Personally known to me; OR Produced Identification FL DL



LOCATION MAP N.T.S.



PROPERTY FRONT VIEW

CERTIFIED TO:

CATHERINE SPEAR REVOCABLE TRUST
 TRI-COUNTY FLORIDA TITLE COMPANY, INC.
 OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
 MORGAN STANLEY PRIVATE BANK, NA
 ITS SUCCESSORS AND/OR ASSIGNS AS THEIR
 INTEREST MAY APPEAR.

FLOOD INFORMATION:

Community Number: CITY OF HOLLYWOOD 125113
Panel Number: 12011C0586H
Suffix: H
Date of Firm Index: 8/18/2014
Flood Zone: AE
Base Flood Elevation: 5.0
Date of Survey: 9/17/2020

LEGAL DESCRIPTION: LOT 36, BLOCK 177, OF HOLLYWOOD CENTRAL BEACH, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE 20, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

Surveyor's Legend

PROPERTY LINE	STRUCTURE	TREE	TREE
CONC. BLOCK WALL	CHAIN-LINK or WIRE FENCE	P.P. POWER POLE	POWER POLE
WOOD FENCE	IRON FENCE	C.B. CATCH BASIN	CATCH BASIN
EASEMENT	CENTER LINE	C.U.E. COUNTY UTILITY ESMT.	COUNTY UTILITY ESMT.
WOOD DECK	CONCRETE	I.E./E.E. INGRESS / EGRESS ESMT.	INGRESS / EGRESS ESMT.
ASPHALT	BRICK/TILE	U.E. UTILITY EASEMENT	UTILITY EASEMENT
WATER	COVERED AREA	FND. OR F FOUND IRON PIPE/	FOUND IRON PIPE/
APPROXIMATE EDGE OF WATER		PIN AS NOTED ON PLAT	PIN AS NOTED ON PLAT
COVERED AREA		LICENSE # - BUSINESS	LICENSE # - BUSINESS
		LICENSE # - SURVEYOR	LICENSE # - SURVEYOR
		CALCULATED POINT	CALCULATED POINT
		SET MONUMENT	SET MONUMENT
		CONTROL POINT	CONTROL POINT
		CONCRETE MONUMENT	CONCRETE MONUMENT
		ELEVATION	ELEVATION
		POINT OF TANGENCY	POINT OF TANGENCY
		POINT OF CURVATURE	POINT OF CURVATURE
		PERMANENT REFERENCE MONUMENT	PERMANENT REFERENCE MONUMENT
		POINT OF COMPOUND CURVATURE	POINT OF COMPOUND CURVATURE
		POINT OF REVERSE CURVATURE	POINT OF REVERSE CURVATURE
		POINT OF BEGINNING	POINT OF BEGINNING
		POINT OF COMMENCEMENT	POINT OF COMMENCEMENT
		PERMANENT CONTROL POINT	PERMANENT CONTROL POINT
		FIELD MEASURED	FIELD MEASURED
		PLATTED MEASUREMENT	PLATTED MEASUREMENT
		DEED	DEED
		CALCULATED	CALCULATED
		L.M.E. LAKE or LANDSCAPE MAINT. ESMT.	LAKE or LANDSCAPE MAINT. ESMT.
		R.O.E. ROOF OVERHANG EASEMENT	ROOF OVERHANG EASEMENT
		P.P. POOL PUMP	POOL PUMP
		PL PLANTER OR PROPERTY LINE	PLANTER OR PROPERTY LINE
		I.D. IDENTIFICATION	IDENTIFICATION
		B.C. BLOCK CORNER	BLOCK CORNER
		B.R. BEARING REFERENCE	BEARING REFERENCE
		Δ CENTRAL ANGLE or DELTA	CENTRAL ANGLE or DELTA
		R RECORD OR RADIUS	RECORD OR RADIUS
		RAD. RADIAL	RADIAL
		N.R. NON RADIAL	NON RADIAL
		TYP. TYPICAL	TYPICAL
		I.R. IRON ROD	IRON ROD
		I.P. IRON PIPE	IRON PIPE
		N&D NAIL & DISK	NAIL & DISK
		PK NAIL PARKER-KALON NAIL	PARKER-KALON NAIL
		D.H. DRILL HOLE	DRILL HOLE
		W WELL	WELL
		F FIRE HYDRANT	FIRE HYDRANT
		M.H. MAN HOLE	MAN HOLE
		O.H.L. OVERHEAD LINES	OVERHEAD LINES
		TX TRANSFORMER	TRANSFORMER
		CATV CABLE TV RISER	CABLE TV RISER
		W.M. WATER METER	WATER METER
		P/E POOL EQUIPMENT	POOL EQUIPMENT
		CCNC CONCRETE SLAB	CONCRETE SLAB
		ESMT. EASEMENT	EASEMENT
		D.E. DRAINAGE EASEMENT	DRAINAGE EASEMENT
		L.B.E. LANDSCAPE BUFFER ESMT.	LANDSCAPE BUFFER ESMT.
		L.A.E. LIMITED ACCESS EASEMENT	LIMITED ACCESS EASEMENT
		TEL. TELEPHONE FACILITIES	TELEPHONE FACILITIES
		U.P. UTILITY POLE	UTILITY POLE
		E.U.B. ELECTRIC UTILITY BOX	ELECTRIC UTILITY BOX
		SEP. SEPTIC TANK	SEPTIC TANK
		D.F. DRAIN FIELD	DRAIN FIELD
		AC AIR CONDITIONER	AIR CONDITIONER
		CSW CONC SIDEWALK	CONC SIDEWALK
		DWY DRIVEWAY	DRIVEWAY
		SCR. SCREEN	SCREEN
		GAR. GARAGE	GARAGE
		ENCL. ENCLOSURE	ENCLOSURE
		N.T.S. NOT TO SCALE	NOT TO SCALE
		F.F. FINISHED FLOOR	FINISHED FLOOR
		T.O.B. TOP OF BANK	TOP OF BANK
		E.O.W. EDGE OF WATER	EDGE OF WATER
		E/P OR E.O.P. EDGE OF PAVEMENT	EDGE OF PAVEMENT
		C.V.G. CONCRETE VALLEY GUITER	CONCRETE VALLEY GUITER
		B.S.L. BUILDING SETBACK LINE	BUILDING SETBACK LINE
		S.T.L. SURVEY THE LINE	SURVEY THE LINE
		C.L. CENTER LINE	CENTER LINE
		R/W RIGHT OF WAY	RIGHT OF WAY
		R.O.E. PUBLIC UTILITY EASEMENT	PUBLIC UTILITY EASEMENT
		C.M.E. CANAL MAINTENANCE EASEMENT	CANAL MAINTENANCE EASEMENT
		A.E. ANCHOR EASEMENT	ANCHOR EASEMENT

GENERAL NOTES:

- LEGAL DESCRIPTION PROVIDED BY OTHERS.
- EXAMINATION OF THE ABSTRACT OF TITLE WILL HAVE TO BE MADE TO DETERMINE RECORDED INSTRUMENTS, IF ANY, AFFECTING PROPERTY.
- THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENT OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
- THE PURPOSE OF THIS SURVEY IS FOR USE IN OBTAINING TITLE INSURANCE AND FINANCING AND SHOULD NOT BE USED FOR CONSTRUCTION, PERMITTING DESIGN, OR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF ONLINE LAND SURVEYORS INC.
- UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- ONLY VISIBLE AND ABOVE GROUND ENCROACHMENTS LOCATED.
- FENCE OWNERSHIP NOT DETERMINED.
- WALL TIES ARE TO THE FACE OF THE WALL.
- BEARINGS ARE BASE ON AN ASSUMED MERIDIAN.
- BOUNDARY SURVEY MEANS A DRAWING AND/OR GRAPHIC REPRESENTATION OF THE SURVEY WORK PERFORMED IN THE FIELD, COULD BE DRAWN AT A SHOWN SCALE AND/OR NOT TO SCALE.
- NO IDENTIFICATION FOUND ON PROPERTY CORNERS UNLESS NOTED.
- NOT VALID UNLESS SEALED WITH THE SIGNING SURVEYORS EMBOSSED OR ELECTRONIC SEAL.
- DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN.
- ELEVATIONS IF SHOWN ARE BASED UPON N.G.V.D. 1929 UNLESS OTHERWISE NOTED.
- THIS IS A BOUNDARY SURVEY UNLESS OTHERWISE NOTED.
- THIS BOUNDARY SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED HEREON, THE CERTIFICATIONS DO NOT EXTEND TO ANY UNNAMED PARTIES.



Florida Land Title Association

Affiliate Member

Printing to Scale:

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- Select "Choose paper source by PDF page size"

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Copies: 1 Collate

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Auto-Rotate and Center

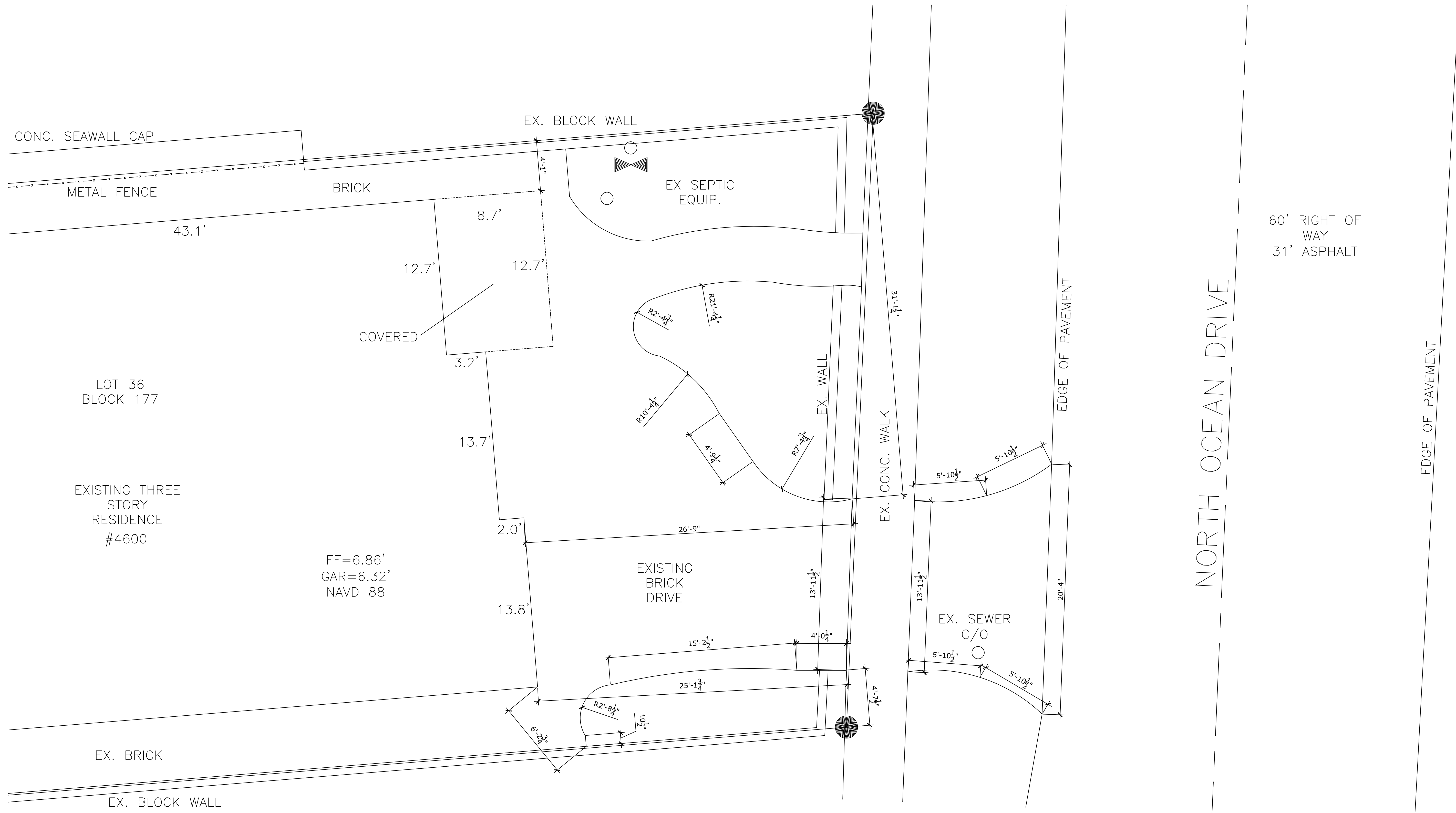
Choose paper source by PDF page size

Use custom paper size when needed

FIELD WORK:	9/3/2020
DRAWN BY:	V.P.
CHECKED BY:	M.E.
FINAL REVISION:	09/17/2020
COMPLETED:	9/17/2020
SCALE:	1" = 20'
SURVEY CODE:	O-63651



15271 NW 60 AVE, Suite 206
 Miami Lakes, FL 33014
 Phone: (305) 910-0123
 Fax: (305) 675-0999
 www.OnlineLandSurveyors.Com



LOT 36
BLOCK 177

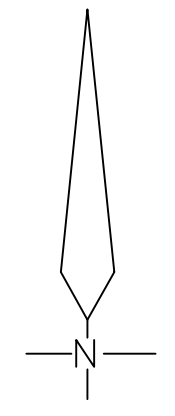
EXISTING THREE
STORY
RESIDENCE
#4600

FF=6.86'
GAR=6.32'
NAVD 88

EX. BRICK

EX. BLOCK WALL

EXISTING DRIVEWAY
1/4" = 1' SCALE



SUMMIT
DESIGN & FORENSICS, INC.
725 SE PORT SAINT LUCIE BLVD.
SUITE 203
PORT SAINT LUCIE FL 34984
(772) 285-0572
BRIAN J. MASKOL
FL PE #66080

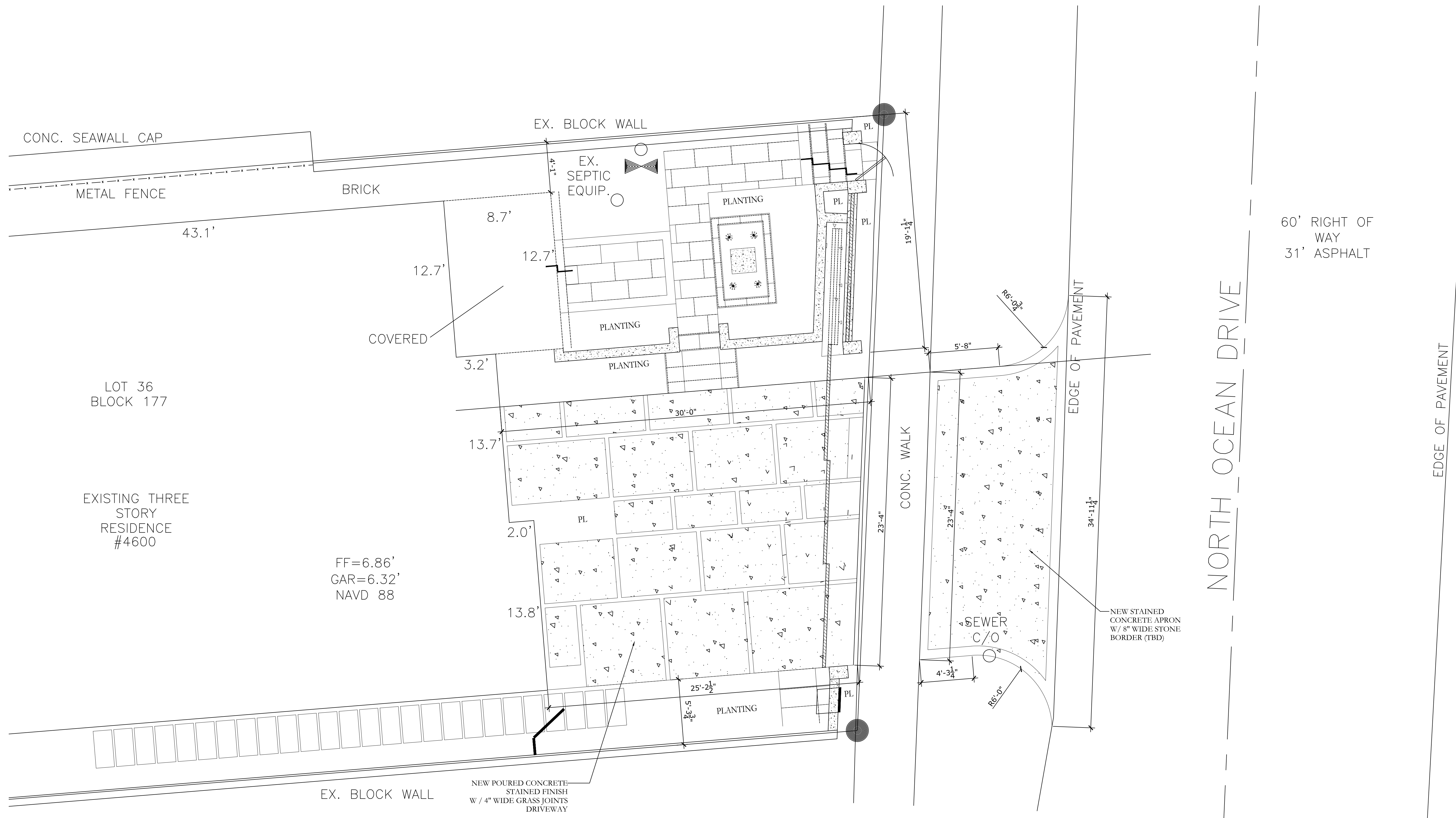
REVISION	DATE	DESCRIPTION
15	11/21/23	DRIVEWAY VARIANCE

SPEAR RESIDENCE
4600 NORTH OCEAN DRIVE
HOLLYWOOD, FL
EXISTING DRIVEWAY

DESIGNED	DATE
GMW	08-20-21
DRAWN	DATE
GMW	08-20-21
CHECKED	

JOB NO.
2021-266

D-1

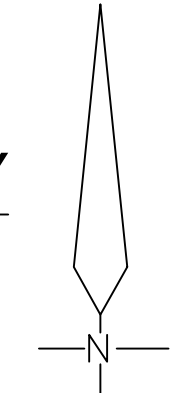


60' RIGHT OF WAY
31' ASPHALT

NORTH OCEAN DRIVE

EDGE OF PAVEMENT

PROPOSED DRIVEWAY
1/4" = 1' SCALE



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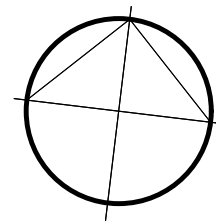
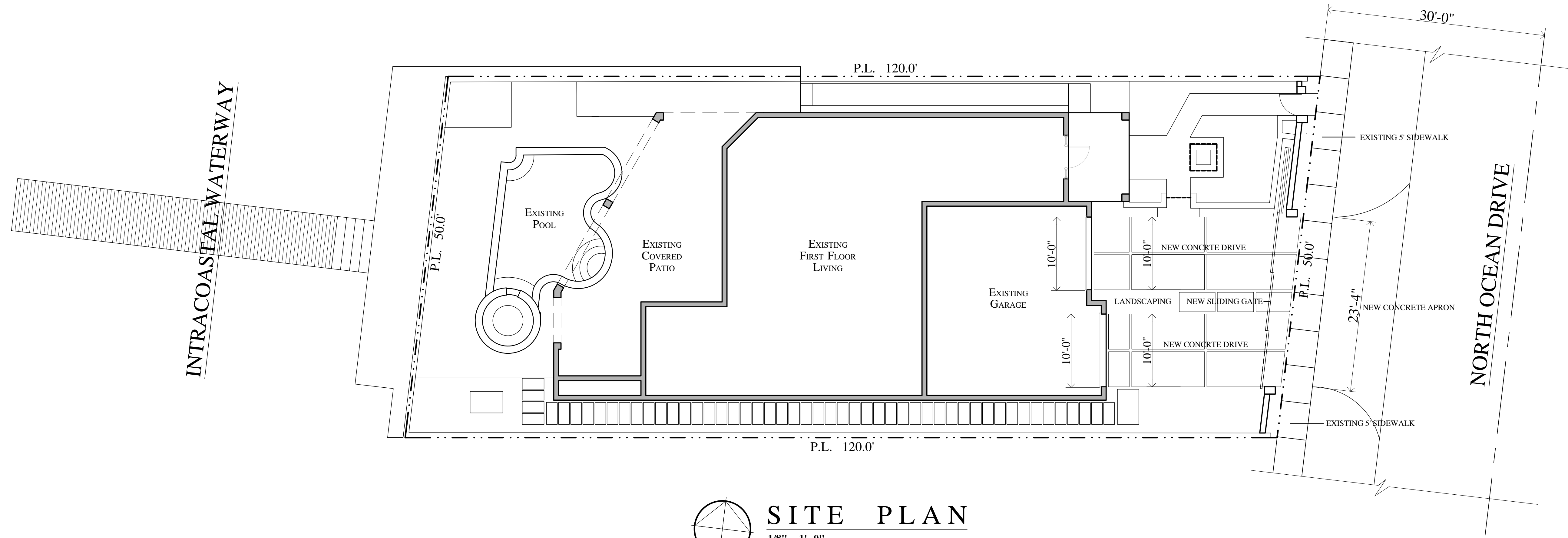
REVISION	DATE	DESCRIPTION
15	11/21/23	DRIVEWAY VARIANCE

SPEAR RESIDENCE
4600 NORTH OCEAN DRIVE
HOLLYWOOD, FL
PROPOSED DRIVEWAY

DESIGNED	DATE
GMW	08-20-21
DRAWN	DATE
GMW	08-20-21
CHECKED	

JOB NO.
2021-266

D-2



SITE PLAN

1/8" = 1'- 0"

LEGAL:
 LOT 36, BLOCK 177 OF "HOLLYWOOD CENTRAL BEACH"
 ACCORDING TO THE PLAT THEREOF AS RECORDED IN
 PLAT BOOK 4, PAGE 20 OF THE PUBLIC RECORDS OF
 BROWARD COUNTY FLORIDA

SEVER DESIGN
 ARCHITECTS

Mark Sever Architect

5580 N.E. 28th Ave Fort Lauderdale, Florida 33308
 (954) 270-4062 Fax (954) 765-6513 EMail: SeverArch@aol.com



Florida License No.
 AR 0011828

COMM: 24000 DRAWN BY:

DATE: 1.8.24 CHECKED BY: MS

SHEET:

of

EXISTING RESIDENCE
NEW CONCRETE DRIVEWAY
 4600 N. OCEAN DRIVE - HOLLYWOOD, FLORIDA

SEVER DESIGN

ARCHITECTS

Good afternoon Jeff,

The matter of the fence height variance is no longer a contention. The variance was previously granted for 6 feet. The variance that will go before the Planning and Development Board on 1/23/2024 will be only for the curb cut. The only other thing I need from you is to provide a Variance Statement for the curb cut using the following criteria:

(H) *Variances.*

(1) When literal or strict enforcement of the conditions set forth in this section would cause an unusual, exceptional, unnecessary or undue hardship or injustice, either the Planning and Development Board or Historic Preservation Board may vary or modify the conditions set forth herein.

(2) Variances to this section shall not be granted unless a written application for a variance has been submitted to the Office of Planning demonstrating:

- (a) That special conditions and circumstances exist which are peculiar to the land involved and which are not applicable to other lands;
The existing location of the (2) 10' wide single car garage doors has a 3'-4" wide separation between the (2) garage doors. This will not allow cars that enter and exit the property to drive straight in and out of the (2) single garage doors. The proposed curb cut needs to provide easy access for the cars entering and exiting the busy DOT highway. There is only one neighbor on the south side that has (2) separate 10' wide driveways for a duplex building
- (b) That a literal interpretation of the conditions set forth in this section would deprive the applicant of rights commonly enjoyed by other properties;
This section would restrict the safe access to the (2) separate garages and the ability to park (2) separate cars side by side on the driveway.
- (c) That the special conditions and circumstances do not result from actions of the applicant; and
The existing residence was recently purchased for the purpose of remodeling. This existing residence was originally designed and permitted with this driveway layout. As the new owners of this residence we did not create this situation.
- (c) That the granting of the variances requested will not confer on the applicant any special privilege that is denied by this section to other lands. No pre-existing conditions on neighboring land which are contrary to this section shall be considered grounds for the issuance of a variance
Minimum (2) parking spaces will be needed for the owners of the property including minimum (1) quest parking space. Considering the existing layout of the two single car garage doors and the needed single quest parking space, this proposed variance request becomes a serious safety issue for the cars entering and exiting this property located on a busy DOT highway.



RECESSED WALL
MOUNTED MAIL BOX

GATE WALLS TO MATCH
EXISTING COLOR OF HOME

MOTORIZED GATE POWDER
COAT DARK GRAY

GATE WALLS TO MATCH
EXISTING COLOR OF HOME

PEDESTRIAN ENTRY GATE
POWER COAT DARK GRAY

HORIZONTAL FENCING
POWDER COAT DARK GRAY

LOT 35
BLOCK 177

LOT 36
BLOCK 177

LOT 37
BLOCK 177

REVISION	DATE	DESCRIPTION
15	12/15/23	GATE & SITE WALL VARIANCE

SPEAR RESIDENCE
4600 NORTH OCEAN DRIVE
HOLLYWOOD, FL
**PROPOSED GATE & SITE
WALL**

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725 SE PORT SAINT LUCIE BLVD.
SUITE 203
PORT SAINT LUCIE FL 34984
(772) 285-0572
BRIAN J. MASKOL
FL PE #66080

	DATE
DESIGNED GMW	08-20-21
DRAWN GMW	08-20-21
CHECKED	

JOB NO.
2021-266

D-3



**PROPOSED DRIVEWAY
FENCING**

1/4" = 1' SCALE

REVISION	DATE	DESCRIPTION
15	12/15/23	GATE & SITE WALL VARIANCE

SPEAR RESIDENCE
4600 NORTH OCEAN DRIVE
HOLLYWOOD, FL
**PROPOSED GATE & SITE
WALL**

SUMMIT
DESIGN & FORENSICS, INC.

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PORT SAINT LUCIE FL 34984
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BRIAN J. MASKOL
FL PE #66080

	DATE
DESIGNED GMW	08-20-21
DRAWN GMW	08-20-21
CHECKED	

JOB NO.
2021-266

D-4









