

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

DATE: November 10, 2025 **FILE:** 25-FV-24

TO: Planning and Development Board

VIA: Anand Balram, Assistant Director/ Chief Planner

FROM: Carmen Diaz, Planner III

SUBJECT: Robert L. Ordway Living Trust and Robert L. Ordway Trustee request Variance to the Zoning and Land Development Regulations including Section 4.6.C(b)(5) to reduce the required parking spaces; Variance to Section 4.22.I.2. to reduce the required landscape buffer for at-grade parking; and Variance to Section 4.23.B.6. to reduce the required walkway setback to the property line; and a request for one (1) Flexibility Unit within the Beach Resort Commercial District (BRT-25-C).

REQUEST

Variance 1: Variance to Section 4.6.C(b)(5) of the ZLDR to reduce the required parking spaces from five to two parking spaces.

Variance 2: Variance to Section 4.22.(I)(2) reduce the required landscape buffer for at-grade parking from 10'-0" to 5'-0".

Variance 3: Variance to Section 4.23.B.6 to reduce the required walkway setback from 3'-0" to 0'.

STAFF RECOMMENDATION

Variance 1: Approval

Variance 2: Approval

Variance 3: Approval

Residential Flex Unit: Acting as the Local Planning Agency, forward a recommendation of ***approval***.

BACKGROUND

The subject property is located at 300 Arizona Street and currently consists of two existing two-story multi-family buildings, totaling approximately 2,488 square feet. The property lies within the BRT-25-C (Beach Resort Commercial District), where residential uses are not permitted by right.

The corner building, constructed circa 1928, is listed in the Historic Florida Master File and was originally built as a single-family residence in the vernacular architectural style. A two-story addition was later constructed on the south side facing Surf Road, characterized by a more modest design and a flat roof. Over time, several unpermitted alterations to both structures took place, resulting in unlawful non-conforming residential units. As a result of the nature of the modifications, the legal nonconforming status was materially abandoned and therefore traditional re-instatement of a non-conforming use is not possible. Nevertheless, in an effort to bring the property into compliance with the current zoning regulations, the Applicant is working with city staff to convert the existing non-conforming residential units into a mixed-use building with lodging and residential uses.

The concept of "Flexibility Zones" and "Flexibility Rules" was originally established by the Broward County Land Use Plan in 1977 to provide municipalities with the ability to adjust land uses at the local level without requiring direct County Commission approval. This mechanism was intended to support efficient municipal-level planning and responsiveness to local development needs. Accordingly, the City's Comprehensive Plan continues to support municipal-level land use adjustments through the application of flex units, using them as a tool to secure strong community benefits and strategic development outcomes. Pursuant to Article 5, Section 5.3(D), requests to allocate flexibility units are heard by the Planning and Development Board.

The Broward County Land Use Plan establishes a set of "Rules of Flexibility" that govern adjustments to residential density and non-residential intensity. These rules are intended to provide local governments with the ability to make minor modifications to their adopted land use plans without requiring corresponding amendments to the County Land Use Plan, thereby maintaining consistency between municipal and county planning frameworks.

In May 2023, the Broward County Planning Council formally approved the City's request to consolidate the seventeen existing flexibility zones into a single Unified Flexibility Zone. The City's Unified Flexibility Zone boundaries align with the municipal boundaries and eligible lands are those designated as "Residential" or "Commerce" in the BrowardNext Future Land Use Plan. At the time of writing, the City has 3,881 flexibility units which consists of all currently available Flexibility Units, Reserve Units, and Affordable Units within the City.

REQUEST

The subject property is zoned Beach Resort Commercial District (BRT-25-C), within which residential uses are not permitted. To bring the site into compliance with the applicable zoning and land use designations, the Applicant is requesting approval of a flex unit to allow the retention of one (1) residential unit on the property. The remaining units will be converted to motel units, a use permitted by right within the BRT-25-C district. The proposal includes a total of four (4) motel units, consistent with the allowable density for the site.

In conjunction with the flex unit request, the Applicant is also seeking approval of three variances related to site development standards in the BRT-25-C (Beach Resort Commercial) zoning district, include:

1. Reduction of the required number of parking spaces;
2. Reduction of the required landscape buffer for at-grade parking; and
3. Reduction of the required setback for a walkway.

Variance 1: Under the BRT-25-C zoning regulations, the required parking for motel/hotel use is one space per unit. Based on this standard, the proposed project requires a total of five parking spaces: four for the motel units and one for the residential unit. While the zoning code provides a parking exemption for smaller lots, specifically those measuring 80 feet by 40 feet or less, the subject property measures 90 feet by 48 feet, slightly exceeding this threshold and therefore not qualifying for the exemption. The Applicant is requesting a variance to reduce the required number of parking spaces from five to two. The proposed parking layout includes one ADA-compliant space and one standard space. The design complies with current code requirements regarding parking space dimensions and drive aisle widths.

Variance 2: The ZLDRs require landscape buffers for at-grade parking. While the redesigned layout meets the code requirements for side and rear landscape buffers, the site cannot accommodate the full front landscape buffer due to the site's limited dimensions. Accordingly, the request is to reduce the required 10-foot front setback to 5 feet.

Variance 3: The ZLDRs require setback for walkways from the side lot lines. The Applicant proposes a reduction from the required 3 feet to 0 feet along the south side of the building to allow for a direct, unobstructed connection between the ADA parking space and the ground-floor unit.

The Applicant is requesting a recommendation from the Planning and Development Board with regards to the allocation of one (1) residential flex unit to allow the continued use of an existing residential unit on the property. The site is zoned BRT-25-C (Beach Resort Commercial District) with a General Business land use designation, which does not permit residential uses by right. The requested flex unit allocation would authorize the retention of the existing non-conforming residential use, subject to review and approval by the City Commission. Staff support the requested variances. The structure is existing, and the Applicant has demonstrated good-faith efforts to comply with current development standards to the greatest extent feasible, given the site's physical constraints.

These requests are intended to facilitate the adaptive reuse and redevelopment of the property in a manner that aligns with the zoning district's intent while addressing the site's physical and design constraints.

The applicant is not proposing any expansion of the building footprint. However, the Applicant proposes interior and exterior building alterations and site improvements that are intended solely to enhance the building's appearance 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 units to improve layout and functionality. These changes will revitalize the structure without altering nature, scope, or intensity of the nonconforming use. Through these proposed changes, the Applicant is reducing the degree of nonconformity on the site.

Owner/Applicant:	Robert L. Ordway Living Trust and Robert L. Trustee
Address/Location:	300 Arizona Street
Net Area of Property:	4,222 sq. ft. (0.09 acres)
Land Use:	General Business (GBUS)
Zoning:	Beach Resort Commercial District (BRT-25-C)
Existing Use of Land:	Multifamily Residential

ADJACENT LAND USE

North:	General Business (GBUS)
South:	General Business (GBUS)
East:	General Business (GBUS)
West:	General Business (GBUS)

ADJACENT ZONING

North:	Beach Resort Commercial District (BRT-25-C)
South:	Beach Resort Commercial District (BRT-25-C)
East:	Boardwalk Historic District Commercial (BWK-25-HD-C)
West:	Beach Resort Commercial District (BRT-25-C)

CONSISTENCY WITH THE CITY-WIDE MASTER PLAN

The site is located within Sub-Area 4, Central Beach, which is bounded by Harrison Street to the south and Sherman Street to the north on the barrier island. The City-Wide Master Plan is a compilation of policy priorities and recommendations designed to improve the appearance, appeal, and economic tax base of the City. It establishes a format for future direction and vision for the City.

The City-Wide Master Plan recognizes the need for a mix of uses along the corridors. The proposed project is consistent with the City-Wide Master Plan based upon the following:

Guiding Principle: *Promote the highest and best use of land in each sector of the City without compromising the goals of the surrounding community.*

Guiding Principle: *Attract and retain businesses that will increase economic opportunities for the City while enhancing the quality of life for residents.*

Policy 4.5: *Promote the development of desired commercial uses in defined sector and pockets along the Boardwalk and Ocean Drive.*

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.(1)

VARIANCE 1: To reduce the required number of parking spaces from five to two parking spaces, pursuant to Section 4.6.C(b)(5)

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. Under the BRT-25-C zoning regulations, the required parking for motel/hotel use is one space per unit. Based on this standard, the proposed project requires a total of five parking spaces: four for the motel units and one for the residential unit. While the zoning code provides a parking exemption for smaller lots, specifically those measuring 80 feet by 40 feet or less, the subject property measures 90 feet by 48 feet, slightly exceeding this threshold and therefore not qualifying for the exemption. The Applicant is requesting a variance to reduce the required number of parking spaces from five to two. The proposed parking layout includes one ADA-compliant space and one standard space. The design complies with current code requirements regarding parking space dimensions and drive aisle widths.

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 subject property is in an area characterized by small lots and older development patterns. Many surrounding buildings were constructed without providing any off-street parking or with parking layouts that do not meet current code requirements. In many cases, the size of the lot or the extent of existing building coverage makes it physically challenging to retrofit compliant parking. The Applicant notes that, if the subject lot were only a few feet smaller, specifically under 40 feet by 80 feet, they would qualify for a zoning code exemption that waives parking requirements for up to four motel units. However, the lot measures 90 feet by 48 feet, slightly exceeding the exemption threshold. Granting the requested parking variance will not be detrimental to the surrounding community, as the context already reflects limited on-site parking and similar constraints.

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 three parking 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 the requested variance is not self-imposed, nor is it sought for reasons of economic convenience. The Applicant is proposing to remodel and adaptively reuse an existing building with no increase in square footage for a commercial use that is expressly permitted within the BRT-25-C zoning district. The site's existing building footprint and lot configuration were established prior to the adoption of the current zoning code in December 2007 and therefore do not conform to present-day dimension and parking standards.

It is important to recognize that the 2007 zoning overhaul sought to encourage corridor redevelopment, including residential uses and local, and regional businesses, in a manner that is similar in scale, massing and articulating with the existing historic character and existing tourist-oriented businesses and facilities. The subject property predates these regulatory changes, and as such, strict compliance with current standards would impose a disproportionate hardship inconsistent with the adaptive reuse objectives envisioned by the code itself.

The Applicant has made reasonable and good-faith efforts to bring the site into substantial compliance with the current code while maintaining the existing building's form and function. The requested variance is therefore necessary to allow a viable reuse of the property in a manner that upholds the intent and character of the BRT-25-C district, rather than to secure any special privilege or financial gain.

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

VARIANCE 2: **Reduce the required landscape buffer for at-grade parking from 10'-0" to 5'-0", pursuant to Section 4.22.(1)(2)**

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 applicable zoning regulations. The Applicant has redesigned the parking layout to comply

with current code requirements for parking space dimensions and drive aisle widths. In addition, the proposed layout meets the required landscape buffer and setback standards for at-grade parking along the south and west sides of the property. The variance request is limited to the front landscape buffer, where site constraints necessitate a reduction from the required 10 feet to 5 feet. Despite this reduction, the overall design reflects a good-faith effort to align with the intent of the landscape buffer requirements.

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 subject property is located in an area characterized by small lots and older development patterns, where many existing properties were developed prior to current zoning and land development regulations. Recognizing these constraints, the Applicant has worked collaboratively with staff to redesign the site and provide one ADA-compliant parking space and one standard parking space. The requested variance to reduce the front landscape buffer for at-grade parking from 10 feet to 5 feet is minimal and necessary due to the limited lot dimensions

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 reduce the required landscape buffer for at-grade parking at the front of the property 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 the requested variance is not self-imposed. The existing building is being remodeled and adapted to a commercial use that is permitted within the BRT-25-C zoning district. The Applicant is working within the constraints of an existing structure and lot configuration that predate current zoning and land development regulations. The Applicant has made every reasonable effort to

comply with current code requirements to the greatest extent possible, given the limitations of the site.

It is important to recognize that the 2007 zoning overhaul sought to encourage redevelopment, including residential uses and local, regional and tourist-oriented businesses, in a manner that is similar in scale, massing and articulation with the existing historic character and existing tourist-oriented businesses and facilities. The subject property predates these regulatory changes, and as such, strict compliance with current standards would impose a disproportionate hardship inconsistent with the adaptive reuse objectives envisioned by the code itself.

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

VARIANCE 3: **Reduce the required walkway setback from 3'-0" to 0', pursuant to Section 4.23.B.6**

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 applicable zoning regulations. The Applicant provides one ADA-compliant parking space to serve the motel's use, consistent with both zoning code and accessibility requirements. This parking space is directly connected to an ADA-accessible motel unit located on the ground floor of the building. To facilitate this accessible connection, a walkway is proposed along the south side of the building. However, the walkway cannot meet the required 3-foot setback due to site constraints, and a 0-foot setback is proposed. This variance is necessary to satisfy ADA requirements and provide an accessible route between the designated parking space and the ADA motel unit. The proposed configuration supports the purpose of the zoning code by ensuring accessibility while making reasonable accommodation within the limits of the existing site.

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 subject property is located in a beachside area where lots are generally small, and existing buildings occupy most of the site. The requested variance, from a 3-foot setback to 0 feet, is for an accessible walkway along the interior south side of the lot. Given its location, the walkway will not be visible from the

right-of-way and will have no negative visual or physical impact on the surrounding area. The variance is minor in nature and will not be detrimental to the community or the character of the neighborhood.

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 reduce the required landscape buffer for at-grade parking at the front of the property 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 the requested variance is not self-imposed and is not economically motivated. The existing building is being remodeled and adapted to a commercial motel use. The variance request to reduce the required walkway setback from three (3) feet to zero (0) feet along the south property line—arises from existing site conditions rather than from any action by the Applicant. The current building predates the setback regulation adopted in 1994 and therefore cannot reasonably accommodate the required separation without structural modification.

This variance is necessary to provide a direct and ADA-compliant pedestrian connection between the required accessible parking space and the ground-floor ADA unit. The request is based on accessibility requirements, not financial considerations, and represents a practical response to the physical constraints of the existing development.

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

ATTACHMENTS

Attachment A: Application Package

Attachment B: Land Use and Zoning Map