

CITY OF HOLLYWOOD
DEVELOPMENT REVIEW BOARD

RESOLUTION NO. 04-DV-79

A RESOLUTION OF THE CITY OF HOLLYWOOD DEVELOPMENT REVIEW BOARD APPROVING THE REQUEST FOR A VARIANCE AND GRANTING DESIGN REVIEW APPROVAL FOR THE CONSTRUCTION OF MIXED USE DEVELOPMENT CONSISTING OF 89 CONDOMINIUMS AND APPROXIMATELY 4,400 SQUARE FEET OF COMMERCIAL SPACE TO BE LOCATED AT 410 NORTH FEDERAL HIGHWAY, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", PURSUANT TO THE PROVISIONS OF THE CITY OF HOLLYWOOD ZONING AND LAND DEVELOPMENT REGULATIONS.

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

WHEREAS, the Board is duly empowered to grant variances and design review approval in accordance with the guidelines and procedures found in Section 5.3 of the City's Zoning and Land Development Regulations; and

WHEREAS, Taylor Hollywood, LLC (the "Applicant"), in File Number 04-DV-79, applied for a variance and design review approval for the construction of 89 condominium units and 4,400 square feet of commercial space to be located at 410 North Federal Highway, more particularly described in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, the Development Review Board reviews and considers all applications/petitions for variances and design review approval, excluding certain exceptions not applicable herein; and

WHEREAS, the Board met and held an advertised public hearing to consider the Applicant's requests on July 13, 2006; and

WHEREAS, the Board reviewed the application for the variance and design review approval for the construction of a 89 condominiums and commercial space, reviewed the evidence submitted and testimony received at the public hearing, and the Board applied the criteria for granting the variances and design review approval as set forth in the City of Hollywood Zoning and Land Development Regulations at Section 5.3, 4.3(F)(1), and made the following findings:

1. As to the variance to waive the required twenty-five (25) foot landscape set back from all external/internal streets, the Board makes the following findings based on the criteria listed in Section 5.3 F of the Zoning and Land Development Regulations:

- a) 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.
- b) That the requested variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community.
- c) 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.
- d) That the requested variance is the minimum variance reasonably necessary.

2. As to the design review approval, the Board makes the following findings based on the criteria set forth in Section 5.3 I. 6. of the Zoning and Land Development Regulations:

- a) The design of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, landscaping structures, signs and lighting and screening devices is consistent with the City's Design Review Manual.
- b) The dimensions of all buildings, structures, setbacks, parking spaces, height, lot coverage and any other information is consistent with the City's Design Review Manual.
- c) The color, design, selection of landscape materials and architectural elements of exterior building surfaces are consistent with the City's Design Review Manual.
- d) The design of the proposed development indicates a sensitivity to and is compatible with the natural environment. Particular attention must be paid to conserving clusters or groupings of naturally occurring trees and vegetation.
- e) The design and layout of the site provide an efficient arrangement of buildings. Particular attention shall be given to safety, crime prevention, pedestrian sight lines and view corridors.

- f) The design of pedestrian improvements within the site ensure that all parking spaces are conveniently arranged in terms of their relationship to the proposed structure, entrances, and exits.
- g) The design of all lighting fixtures ensures safe movement of persons, vehicles and reflection on public property for security purposes and minimizes glare and reflection of adjacent properties.
- h) Landscape and paving materials ensure that a complimentary relationship with the overall project will result from these improvements.
- i) Buffering materials ensure that headlights of vehicles, noise, and light from structures are adequately shielded from public view and pedestrian areas.
- j) The overall project complies with the architectural design standards listed in duly adopted Neighborhood Plans that apply to or affect the subject property or in the Comprehensive Plan should they exist.
- k) The design reduces crime and the fear of crime through the use of Crime Prevention through Environmental Design Guidelines and Strategies.

NOW, THEREFORE, BE IT RESOLVED BY THE DEVELOPMENT REVIEW BOARD OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: 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 criteria listed herein for granting variances, the variance to waive the required twenty-five (25) foot landscape setback from all external/internal streets is hereby granted.

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(DEVELOPMENT REVIEW BOARD RESOLUTION NO. 04-DV-79)

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 review criteria, the design review approval is hereby granted based on the plans submitted by the Applicants and reviewed by the Board with the following conditions: i) Design Review is subject to any changes the City Commission may deem necessary; and ii) The Applicant will work with Staff to reduce lighting levels along the north property line to provide a maximum of 0.5 foot –candles; and iii) The Applicant will work with the CRA regarding the lighting on the eastern portion of the property (Federal Highway) to provide for a consistent development plan.

Section 3: That the Office of Planning is hereby directed to forward a copy of this resolution to the applicant and the owner of the property with respect to which the request was made. This Resolution granting the variance 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.

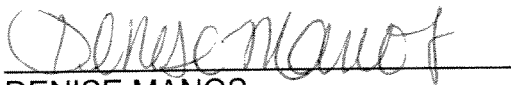
PASSED AND ADOPTED THIS 13th DAY OF JULY, 2006.

RENDERED THIS 23rd DAY OF August, 2006.


PETER HERNANDEZ
CHAIR


ROBERT ISHMAN
SECRETARY

APPROVED AS TO FORM & LEGALITY
for the use and reliance of the Development
Review Board of the City of Hollywood, Florida only


DENISE MANOS
BOARD ATTORNEY

(DEVELOPMENT REVIEW BOARD RESOLUTION NO. 04-DV-79)

LEGAL DESCRIPTION

Lots 9, 10, 11, 12, 13, 14, and 15 less road right-of-way, Block 44, "Hollywood", according to the Plat thereof, as recorded in Plat Book 1, Page 21, of the Public Records of Broward County, Florida.

Exhibit "A"