

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

**DATE:** November 12, 2024 **FILE:** 24-V-59

**TO:** Planning and Development Board

**VIA:** Anand Balram, Planning Manager

**FROM:** Joseph A. Colón, Planner II

**SUBJECT:** Variances to request relief from Article 4, Section 4.6.C.a.(4)(a) to add a second-story addition to an existing single-story hotel/motel creating an insufficient setback on Surf Road of 5 feet 8 inches, whereas 10 feet are required; and to permit an insufficient cross street (Monroe St.) setback of 3 feet 8 inches whereas the legal-nonconforming condition of 4 feet 9 inches is required. (308 Monroe St.).

**APPLICANT'S REQUEST**

*Variance:* To request relief from **Article 4, Section 4.6.C.a.(4)(a)** to add a second-story addition to an existing single-story hotel/motel with a reduced setback on Surf Road of 5 feet 8 inches; and a reduced setback on Monroe Street of 3 feet 8 inches.

**STAFF'S RECOMMENDATION**

Variance: Board to determine.

**BACKGROUND**

The subject property is located at 308 Monroe Street in Central Beach neighborhood of Hollywood Beach. The existing structure was built in 1954 as per Broward County Property Appraiser. The permit history for the property depicts inspections and permitted work done on the site from as early as 1977 to as recent as 2018, with original plans dating back to 1949. The site is occupied by an approximately 6,000 square foot building and 7 surface parking spaces. The site maintains a legal non-conforming vehicular parking condition with regards to the dimension and location of the parking spaces.

## REQUEST

Properties located within the BRT-25-R Beach Resort Residential District are regulated by the table provided in **Article 4, Section 4.6.C.a.(4)(a)** of the City's Zoning and Land Development Regulations (ZLDR). Building base setbacks include 20 feet from cross streets and 10 feet from Surf Road,.

### *Existing*

The Applicant is requesting two variances to permit the addition of a second-story addition to an existing single-story hotel/motel structure with legal nonconforming setback along Surf Road and Monroe Street (cross street). The use of the property conforms to the existing zoning district of the BRT-25-R, however it includes the following nonconforming conditions: 10 existing rooms resulting in 57 rooms per acre of density; a 3 feet 11 inch interior (west) setback; and a 4 feet 9 inch cross street setback (Monroe Street). The above conditions are deficient when compared to present day requirements for the zoning district including: a maximum density of 9 (8.79) rooms, 5 feet interior yard setback, and 20 feet cross street setback requirement. The site maintains the existing conditions as legal non-conforming pursuant to Article 3, Section 3.12.E.

### *Proposal*

The applicant's proposal would add an additional floor to the existing 10 room hotel/motel structure does not include an increase to the hotel room count. Rather, the proposal includes the renovation of one of the ground floor hotel rooms to have access to the newly added second floor. The addition would total 3,000 square feet (1,174 square feet of which is air conditioned) on the second floor, resulting in a total building height of 26 feet. The addition would result in the main structure's total size to grow to approximately 7,739 square feet. While staff notes the existing density is above what is permitted in the zone, the density is considered legal nonconforming as established by the archival microfilm data provided by the applicant, dated in 1949.

The proposed renovations include setbacks that are greater than the existing legal nonconforming setbacks on Surf Road of 5 feet 8 inches and Monroe Street(cross street) setback of 3 feet 8 inches. It is noted that as the applicant is not increasing the site density or changing the proposed uses, the parking supply (7 spaces) is maintained as a legal nonconforming element pursuant to Article 3, Section 3.12.E. A summary of the requested variances and deviations from the in-force requirements are outlined in Table 1 below:

**Table 1: Zoning Standard Deviations**

Regulation	Requirement	Existing	Proposed	Deviation <sup>2</sup>	Difference <sup>3</sup>	Compliant
Maximum Density	50 rooms/ac	57 rooms/ac	57 rooms/ac	+ 7 rooms per acre	0	Legal Non-Conformity <sup>5</sup>
Cross Streets (Monroe St.)	20 ft.	4 ft. 9 in.	3 ft. 8 in.	- 1 ft. 1 in.	- 1 ft. 1 in.	<b>Variance Required</b>
Surf Road	10 ft.	13 ft. 10 in.	5 ft. 8 in.	- 4 ft. 2 in.	- 8 ft. 2 in.	<b>Variance Required</b>
Interior (West)	5 ft.	3 ft. 11 in.	3 ft. 11 in.	-1 ft. 1 in.	0	Legal Non-Conformity <sup>5</sup>
Interior (South)		5 ft.	5 ft.	0 ft.	0	Compliant

All measurements, unless otherwise stated, are approximate.

**BOARD REVIEW**

Due to the aforementioned deviations with regards to setbacks, the requested variance is considered to be an “*expansion of a lawful nonconforming use within a building to utilize additional floor area within such building not otherwise permitted*” pursuant to Article 3, subsection 3.12(G) and shall be heard for a determination by the Planning Development Board.

**SITE INFORMATION**

**Owner/Applicant:** Isabel Llopart  
**Address/Location:** 308 Monroe St.  
**Folio Nos./Property ID:** 514213013430  
**Size of Property:** 9,350 Sq. Ft. (0.21 net acre)  
**Future Land Use:** Medium-High (25) Residential (MHRES)  
**Present Zoning:** Single-Family Residential (BRT-25-R)  
**Present Use of Land:** Lodging

**ADJACENT LAND USE**

**North:** Medium-High (25) Residential (MHRES)  
**South:** Medium-High (25) Residential (MHRES)  
**East:** Medium-High (25) Residential (MHRES)  
**West:** Medium-High (25) Residential (MHRES)

<sup>2</sup> The “Deviation” column shows the difference from the “Regulation” standard to “Proposed” conditions.

<sup>3</sup> The “Difference” column shows the difference from *Existing* conditions to *Proposed* conditions;

<sup>5</sup> Non-conformity is legally authorized pursuant to Article 3, Section 3.11.

## ADJACENT ZONING

North: Beach Resort Residential District ( BRT-25-R )  
North: Beach Resort Residential District ( BRT-25-R )  
East: Broadwalk Historic District Residential ( BWK-25-HD-R )  
North: Beach Resort Residential District ( BRT-25-R )

## 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:

**Policy 3.1:** *Continue to encourage commercial and seasonal uses along Central Beach and prohibit any increase in the number of permanent residential dwelling units above that permitted by the adopted Comprehensive Plan (1998) through the implementation of the Hollywood Beach Redevelopment Plan, directed at safer and more efficient use of the scarce beach resources and by revising the Planning and Zoning regulations as needed pursuant to the recommendations of that plan.*

**Policy 5.4:** *Continue redevelopment of Central Beach.*

The variance would allow for the second story addition to an existing hotel/motel structure. This is consistent with the above policy to encourage commercial and seasonal uses with the redevelopment of the existing hotel/motel use on the site. Staff finds that the proposal is **consistent** with the distribution of land uses that will enhance and improve the Beach Resort communities in alignment with the above policies.

## CONSISTENCY WITH THE CITY-WIDE MASTER PLAN

The City-Wide Master Plan (CWMP) places a priority on ensuring Surf Road development maintains low scale of development along Surf Road, stating:

**Policy 4.1:** *Recognize and protect the unique character of Hollywood Beach and each of the three areas that comprise it; North, Central, and South Beach; and provide a clear vision for creating a more harmonious and attractive community.*

**Policy 4.16:** *Recognize Central Beach as a prime focus of tourist activities.*

The variance would allow for the second story addition to an existing hotel/motel structure. This is consistent with the above policy to encourage a more harmonious and attractive community for Hollywood Beach. In addition, the redevelopment of the existing structure would support tourist economic activity. Staff finds that the proposal is **consistent** with the goal of ensuring Surf Road development maintains low scale of development along Surf Road in the Beach Resort communities in alignment with the above policies.

## APPLICABLE CRITERIA

**Analysis of criteria and finding for Variances** as stated in the City of Hollywood's Zoning and Land Development Regulations, Article 5.

### Variances:

1. Pursuant to Article 4, Section 4.6.C.a.(4)(a), a request to reduce the setback on Surf Road to 5 feet 8 inches, whereas 10 feet is required.
2. Pursuant to Article 4, Section 4.6.C.a.(4)(a), a request to reduce the setback on a cross street (Monroe Street) to 3 feet 8 inches, whereas 20 feet is required.

**CRITERION 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.

**ANALYSIS:** The purpose of the subject regulation, as it pertains to setbacks, is to ensure privacy, access to light, and permit drainage and infiltration. The proposal includes a request to reduce the subject site's setbacks beyond the existing nonconforming setbacks along Surf Road and Monroe Street. The existing condition includes nonconforming setbacks with landscaping uses to mitigate privacy concerns along Monroe Street. The portion of the structure requesting an additional setback reduction (additional to the legal nonconforming setback) will extend as a balcony over the parking area abutting Surf Road. Accordingly, the requested setback does not pose a risk to sunlight, privacy, and drainage as the eastern portion of the property is already paved and together with the width of Surf Road provides a buffer to the uses east of Surf Road.

The proposal would support the preservation and redevelopment of the historic stock of structure with innovative architecture that incorporates 'green' and environmentally-friendly development standards, with guidance from staff input. The addition only adds a second story, far below the height limit of 65 feet, and mostly follows the extents of the building envelope. The site is proposing maintaining the deficient vehicular parking conditions however in contradiction to the above purpose; the staff would recommend the applicant add this as a variance to ameliorate the deficient vehicular parking conditions, but with the documented permit history, the staff recommends a condition. The overall proposal does meet the above stated purposes despite the variance request.

**FINDING:** 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 requested variance will permit a second story to an existing hotel/motel in the Beach Community Redevelopment Districts. The residential beach districts have been developed for decades with small- to -medium-scale hotel/motel and compatible commercial businesses in residential beach districts. Adding a second story well below the height limit

and with insufficient setbacks would not be detrimental because the site already maintains insufficient setbacks and excessive density provided on site. These conditions and uses also readily exist in the neighborhood, and for all the above stated reasons, the staff finds the requested variance is compatible with the surrounding land uses

**FINDING:** 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 *“promote[s] 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.* It also states an intention to *“continue to encourage commercial and seasonal uses along Central Beach and prohibit any increase in the number of permanent residential dwelling units above that permitted by the adopted Comprehensive Plan (1998) through the implementation of the Hollywood Beach Redevelopment Plan, directed at safer and more efficient use of the scarce beach resources and by revising the Planning and Zoning regulations as needed pursuant to the recommendations of that plan.” (Policy 3.1) and “Continue redevelopment of Central Beach.” (Policy 5.4) .”*

The variance would allow for the second story addition to an existing hotel/motel structure. This is consistent with the above policy to encourage a more harmonious and attractive community for Hollywood Beach. In addition, the redevelopment of the existing structure would support tourist activities since hotel/motel uses are for said user type. The staff finds that the proposal is **consistent** with the goal of ensuring Surf Road development maintains low scale of development along Surf Road in the Beach Resort communities in alignment with the above policies.

**FINDING:** Consistent

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

**ANALYSIS:** The applicant has stated that the Variance request is not self-imposed or economically based due to the architectural qualities and boundaries of the existing building and structural necessities of adding a second story. Staff readily acknowledges the technical challenges of expanding properties of this nature for the highest and best use. However, the impetus for the variance request is to expand the existing property for financial and economic benefits to the property owner. It is noted that an addition to the building along the existing building line may have been permitted as of right under the provisions of Article 3, subsection 3.11. The need for a variance comes directly as a result of the applicant’s request to further the nonconforming condition. The requested condition in of itself is not malicious and negative impacts are not anticipated as a result.

**FINDING:** Inconsistent

**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:** Not applicable.

## **DETERMINATION**

The staff finds that the variance requests meet four (4) out of the five (5) applicable criterion and therefore defers to the Planning and Development Board with regards to the determination of the requested variances.

Should the Planning and Development Board move to approve the requested variances, staff recommends the following conditions to approval:

1. The applicant shall work with staff to develop a holistic building design and architectural strategy that incorporates the architectural motifs and rhythms of the existing structure, particularly in maintaining the amount of fenestration that exists currently on the ground floor.
2. The applicant shall revise the vehicular parking area, to the extent possible, to ensure:
  - a. it is not a predominant visual element of the site,
  - b. it permits safe and secure parking, and  
it does not result in any vehicle encroaching into the public right-of-way or adjacent property when parked in one of the designated parking stalls.
3. The applicant's site redevelopment should include landscaping improvements on the ground floor.

## **ATTACHMENTS**

ATTACHMENT A: Application Package  
ATTACHMENT B: Aerial Map  
ATTACHMENT C: Engineering Staff Comments  
ATTACHMENT D: Utilities Staff Comments