## APPLICATION FOR VARIANCE COVER PAGE

The following documents are included in this application package:

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General Application	2-3
Warranty Deed	4-5
Title Search	6-9
Legal Description and Project Information	10
Variance Request and Applicable Criteria	11-12
Support Letter	13
Drawing Set	14-27
Site Photos	28-44
Example Roof Top Built (near Property)	45 - 55

DIAN	
PLANNING DI	VISION
2600 Hollywood Bouleva Hollywood, FL	File No. (internal use only): GENERAL APPLICATION GENERAL APPLICATION
Histor July City of Microsoft July City of FLORIDA	APPLICATION TYPE (CHECK ONE):         Technical Advisory Committee       Historic Preservation Board         City Commission       Planning and Development Board         Date of Application:
Tel: (954) 921-3471 Fax: (954) 921-3347	Location Address:       5465       N. Surver Read       Hally waved       Helly waved
This application must be completed in full and submitted with all documents to be placed on a Board or Committee's agenda.	Poilo Number(s). $\mathcal{D}_{\mathcal{L}}$ $\mathcal{D}_{L$
The applicant is responsible for obtaining the appropriate	Economic Roundtable       Technical Advisory Committee       Historic Preservation Board         City Commission       Planning and Development

checklist for each type of application.

Applicant(s) or their authorized legal agent must be present at all Board or Committee meetings.

At least one set of the submitted plans for each application must be signed and sealed (i.e. Architect or Engineer).

Documents and forms can be accessed on the City's website at

http://www.hollywoodfl.org/Do cumentCenter/Home/View/21 

 Explanation of Request:
 Requesting Variance - To arrived the cardition of floor to section 4.22(E) [15] To allow for a scenery lost transformed with the section of the floor or ground floor area. Which is 29% of Number of units/rooms:

 In the to the floor or ground floor area. Which is 29% of Number of units/rooms:
 Sq Ft:

 Value of Improvement:
 Estimated Date of Completion:
 Random floor of Each Phase

 Value of Improvement:
 Estimated Date of Completion of Each Phase

 Name of Current Property Owner:
 Head Heamphires

 Address of Property Owner:
 6211 Phased, Estimated Completion of Each Phase

 Name of Consultant/Representative/Tenant (circle one):
 Cransf. Chassion

 Address:
 345 Orth 37 Hollywood R. Telephone:
 954-699-4105

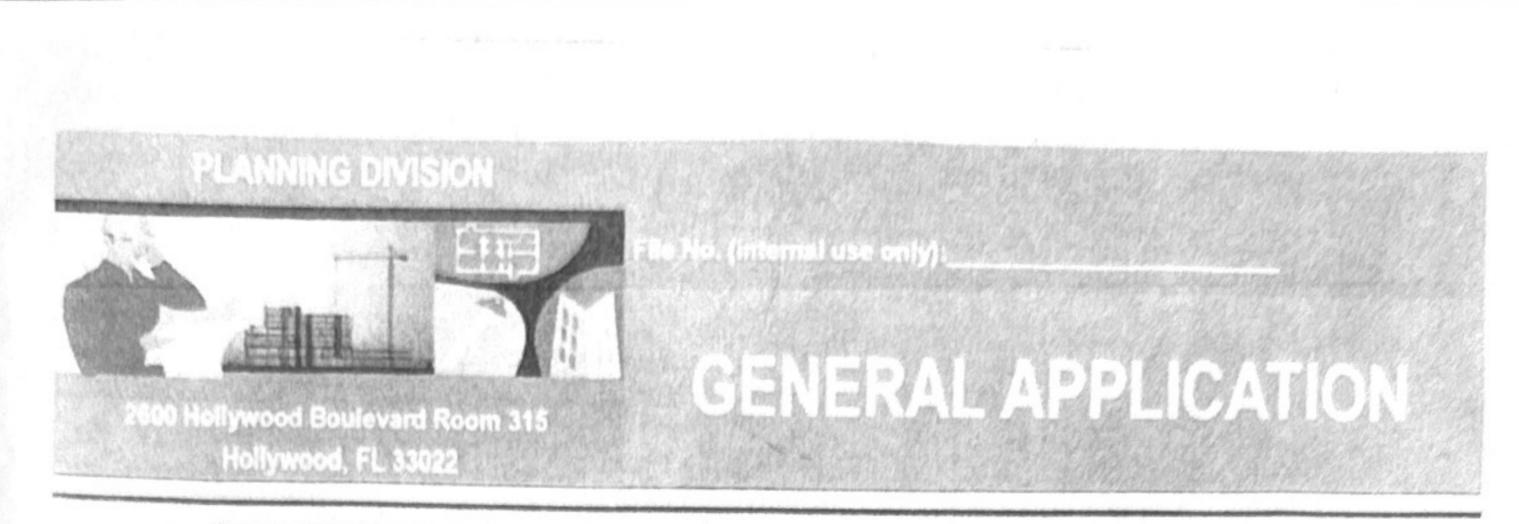
 Fax:
 Email Address:
 D. VerTercc. B. Bell South. Net

 Date of Purchase:
 1/11/12/2019 Is there an option to purchase the Property? Yes () No ()
 14 Yes, Attach Copy of the Contract.

 List Anyone Else Who Should Receive Notice of the Hearing:
 Email Address:
 Sa ba trass O curlesh

 Gart Yankes - Drafter Address:
 Sa ba trass O curlesh

 Architect - Marka Woodhouse - O091511
 C



# 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 <u>www.hollywoodfl.org</u>. 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.

RINTNAME Heidi Humphryes	Date: 1/24/24
Signature of Consultant/Representative:	Date: 1/24/24
RINT NAME: Craig Chaisen	Date:/24/24
ignature of Tenant:	Date:
DINTNAME	
arn the current owner of the described real property and that I am	Date: aware of the nature and effect the reques
am the current owner of the described real property and that I am Heid: Humphries to my property, which is h	aware of the nature and effect the request
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arrent Owner Power of Attorney arrent owner of the described real property and that I arr Heid: Humphrics to my property, which is h Craig Chastes to be my legal representative before bommittee) relative to all matters concerning this application. worn to and subscribed before me s <u>26<sup>th</sup></u> day of <u>Feb</u> Emily Rose Ortega Comm.: HH 445712	aware of the nature and effect the requestive the made by me or I am hereby author (Board a Manual Signature of Current Owner

Instr# 116198475 , Page 1 of 2, Recorded 11/25/2019 at 04:44 PM
Broward County Commission
Deed Doc Stamps: \$13825.00

**THIS INSTRUMENT PREPARED BY:** Joseph S. Paglino, Esq. 2131 Hollywood Boulevard, Suite 307 Hollywood, Florida 33020 Parcel No.: 5142-01-02-6440

#### WARRANTY DEED

(Statutory Form--Section 689.02, F.S.)

**THIS INDENTURE**, made the 18<sup>th</sup> day of November 2019, by C&B North Beach, LLC, a Florida limited liability company, whose address is 337 Oak Street, Hollywood, Florida 33019, as Grantor, to Heidi Perlman Humphries as Trustee of the Heidi Perlman Humphries Revocable Family Trust u/a/d 09/14/2016, whose address is 6211 Appaloosa Trail, Fort Lauderdale, Florida 33330, as Grantee.

Witnesseth, that said Grantor, for and in consideration of the sum of TEN & 00/100 DOLLARS (\$10.00), and other good and valuable consideration to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to said Grantee, and Grantee's heirs and assigns forever, the following described property in Broward County, Florida, to-wit:

Lot 17, Block 193, Hollywood Central Beach, according to the map or plat thereof, as recorded in Plat Book 4, Page 20, Public Records of Broward County, Florida.

a/k/a 5405 N. Surf Road, Hollywood, Florida 33019.

**SUBJECT TO:** (1) Restrictions, reservations, conditions and easements of record, if any, without intent to reimpose the same; (2) Zoning restrictions imposed by governmental authority; and (3) Real property taxes for the year 2019.

**TOGETHER** with all tenements, hereditament and appurtenances thereto belonging or in any way appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the Grantor hereby covenants with the said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land, and hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2018.

Instr# 116198475 , Page 2 of 2, End of Document

-2-

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

Print Name: aten

C&B North Beach LLC a Florida limited liability company, Grantor

Bruce Davis, Manager

STATE OF FLORIDA ) ) ss: COUNTY OF BROWARD )

The foregoing instrument was acknowledged before me this  $\frac{18^{44}}{12^{44}}$  day of November 2019, by Bruce Davis, who [X] is or [] is not personally known to me or who has provided identification in the form of \_\_\_\_\_\_ (driver's license, passport etc.).

hen

My Commission Expires:



NOTARY PUBLIC, State of Florida Joe Paglino Print Name:



PINSKY LAW FIRM, P.A.

1999 N. University Drive, Suite 211 Coral Springs, Florida 33071 pinskylawfirm.com (954) 893-2300

JOSHUA S. PINKSY, ESQ. ATTORNEY (954) 947-5339 josh@pinskylawfirm.com

November 23, 2022

Heidi Humphries 6211 Appaloosa Trail Southwest Ranches, FL 33330

Re: 5405 Surf Road, Hollywood, FL 33019

Dear Ms. Humphries:

Please find attached hereto a Title Search Report furnished by Attorneys' Title Fund Services, LLC for the above-referenced property. Per said title report, title is vested in Heidi Perlman Humphries, as Trustee of the Heidi Perlman Humphries Revocable Family Trust u/a/d 09/14/2016. Other than the general requirement of real estate taxes, there are no current mortgages or liens recorded against this property.

If you or anyone has any further questions about this property, please do not hesitate to contact our office.

Very truly yours,

JOSHUA S. PINSKY, ESQ. For the firm

Enc. (as stated)

## **TITLE SEARCH REPORT**

#### Fund File Number: 1339566

#### Effective Date of approved base title information: May 23, 2017

Effective Date of Search: November 7, 2022 at 11:00 PM

#### Apparent Title Vested in:

Heidi Perlman Humphries, as Trustee of the Heidi Perlman Humphries Revocable Family Trust u/a/d 09/14/2016

#### Description of real property to be insured/foreclosed situated in Broward County, Florida.

Lot 17, Block 193, HOLLYWOOD CENTRAL BEACH, according to the map or plat thereof as recorded in Plat Book <u>4, Page 20</u>, Public Records of Broward County, Florida.

## Muniments of Title, including bankruptcy, foreclosure, quiet title, probate, guardianship and incompetency proceedings, if any, recorded in the Official Records Books of the county:

- 1. Warranty Deed from John D'Arco, Jr. and Margaret M. Murphy to C&B North Beach, LLC, a Florida limited liability company, recorded June 27, 2017 in Instrument Number <u>114467610</u>, Public Records of Broward County, Florida.
- 2. Warranty Deed from C&B North Beach, LLC, a Florida limited liability company to Heidi Perlman Humphries, as Trustee of the Heidi Perlman Humphries Revocable Family Trust u/a/d 09/14/2016, recorded November 25, 2019 in Instrument Number <u>116198475</u>, Public Records of Broward County, Florida.

#### Mortgages, Assignments and Modifications:

1. Nothing Found

#### **Other Property Liens:**

1. General or special taxes and assessments required to be paid for the year 2022.

#### Restrictions/Easements:

- 1. All matters contained on the Plat of HOLLYWOOD CENTRAL BEACH, as recorded in Plat Book <u>4</u>, Page 20, Public Records of Broward County, Florida.
- 2. Ordinance No. 0-72-39 of the City of Hollywood recorded in O.R. Book <u>7489</u>, Page 390, Public Records of Broward County, Florida.
- 3. Ordinance No. 0-82-2 of the City of Hollywood recorded in O.R. Book <u>10293</u>, Page 334, Public Records of Broward County, Florida.

## TITLE SEARCH REPORT

#### Fund File Number: 1339566

- 4. Ordinance No. 0-82-3 of the City of Hollywood recorded in O.R. Book <u>10293</u>, Page 345, Public Records of Broward County, Florida.
- 5. Perpetual Beach Storm Damage Reduction Easement recorded in O.R. Book <u>32599, Page</u> <u>1510</u>, Public Records of Broward County, Florida.
- 6. Ordinance No. 2005-53 of Broward County recorded in O.R. Book <u>41179, Page 1696</u>, Public Records of Broward County, Florida.
- Resolution No. 18-V-09 of the City of Hollywood recorded in Instrument Number <u>115126577</u>, as corrected in Instrument Number <u>115276797</u>, and amended in Instrument Number <u>116878675</u>, Public Records of Broward County, Florida.
- 8. Note: The subject property appears to border on a body of water.

#### **Other Encumbrances:**

1. Rights of the lessees under unrecorded leases.

#### **REAL PROPERTY TAX INFORMATION ATTACHED**

#### **Proposed Insured:**

None

A 20-year name search was not performed on the proposed insured. It is the agent's responsibility to obtain a name search if a loan policy to be issued based on this product is other than a 100% purchase money mortgage.

#### **STANDARD EXCEPTIONS**

Unless satisfactory evidence is presented to the agent eliminating the need for standard exceptions, the following should be made a part of any commitment or policy.

- 1. General or special taxes and assessments required to be paid in the year 2022 and subsequent years.
- 2. Rights or claims of parties in possession not shown by the public records.
- 3. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.
- 4. Easements or claims of easements not shown by the public records.
- 5. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

### TITLE SEARCH REPORT

Fund File Number: 1339566

- 6. Any owner policy issued pursuant hereto will contain under Schedule B the following exception: Any adverse ownership claim by the State of Florida by right of sovereignty to any portion of the lands insured hereunder, including submerged, filled and artificially exposed lands, and lands accreted to such lands.
- 7. Federal liens and judgment liens, if any, filed with the Florida Department of State pursuant to Sec. 713.901, et seq., F.S., and Sec. 55.201, et seq., F.S., respectively, which designate the Florida Department of State as the place for filing federal liens and judgment liens against personal property. For insuring purposes:
  - (a) Pursuant to Sec. 713.901, et seq., F.S., personal property includes, but is not limited to, mortgages, leaseholds, mortgages on leaseholds, interests in cooperative associations, vendees' interests, and options when those interests are held by a partnership, corporation, trust or decedent's estate; and
  - (b) Pursuant to Sec. 55.201, et seq., F.S., personal property includes, but is not limited to, leaseholds, interests in cooperative associations, vendees' interests, and options regardless of the type of entity holding such interests, including individuals. (Note: Mortgages have been specifically excluded from the personal property interests in which a judgment lien may be acquired under the provisions of Sec. 55.201, et seq., F.S.)
- 8. Any lien provided by County Ordinance or by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority, for unpaid service charges for services by any water systems, sewer systems or gas systems serving the land described herein; and any lien for waste fees in favor of any county or municipality.

The report does not cover bankruptcies or other matters filed in the Federal District Courts of Florida.

In foreclosure proceedings, title should be examined between the effective date of this report and the recording of the lis pendens to assure that all necessary and proper parties are joined. Consideration should be given to joining as defendants any persons in possession, other than the record owner, and any parties, other than those named herein, known to the plaintiff or the plaintiff's attorney and having or claiming an interest in the property.

Prior to issuance of any policy of title insurance underwritten by Old Republic National Title Insurance Company, the agent must obtain and evaluate a title search for the period between the effective date of this Title Search Report and the recording date(s) of the instrument(s) on which the policy is based.

If this product is not used for the purpose of issuing a policy, then the maximum liability for incorrect information is \$1,000.

*Note:* The Agent is responsible for obtaining underwriting approval on any commitment prepared from this product in the amount of \$1,000,000.00 or more.

## Humphries House 5405 North Surf Road Hollywood, FL 33019

### LEGAL DESCRIPTION

LOTS 17, BLOCK 193, OF 'HOLLYWOOD CENTRAL BEACH", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 4, PAGE 20, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

### **PROJECT INFORMATION**

The design intent for this project is to develop a new (3) three Story new home comparable in footprint, massing and height to the recent homes constructed in the immediate area of Surf road. However, this design is more modern, with expressive materials including:

- Smooth architectural finished concrete walls
- Ample glass for thru property transparency
- Stone veneer finish
- Wood garage door
- Dark painted aluminum frames
- Ample landscaping
- Stainless steel railings

The total A/C square footage of the new house is 3,635 square feet split into (3) three floor with the roof to be utilized as a sun deck to take advantage of direct ocean views. The new house is located on the east side of Surf Road directly facing the ocean. The design creates a dynamic structure along Surf Road with well-proportioned interior spaces and allows for the maximum use of the property.



Applicable Criteria

### VARIANCE - TO AMEND THE CONDITION OF THE COVERED ROOF DECK, SECTION 4.22(E)(15) TO ALLOW FOR A SCENERY LOFT FROM 10% TO 40% OF THE FIRST OR GROUND FLOOR AREA, THE 40% EQUATES TO 29% OF THE ROOF LEVEL.

#### **CRITERIA 1**

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:

Our proposed design "sculpts" the overall massing of each level of the house, and the ground floor has the smallest footprint compared to the upper and roof areas. Our commitment to reduce the massing of the overall house, particularly as it relates to the ground floor, aligns with the overall massing of homes in this specific neighborhood, and the addition of a functional, safe rooftop structure, open on all sides, is compatible and in-line with previously constructed homes in this neighborhood.

This variance allows for the continuity of an integrally designed rooftop structure that does not exceed previously approved variances while providing a functional and usable rooftop terrace that takes advantage of the spectacular oceanfront views of this property.

#### **CRITERIA 2**

## That the requested Variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community.

Analysis:

The roof deck variance is necessary to complete the function and safe level incorporated into a dynamic design that is compatible with the overall massing of the recently completed homes in this area of the North Beach Development District. As these are found in numerous homes in this area, the variance will not be detrimental to the community and instead offers a more complete, compatible design to this area.

#### **CRITERIA 3**

That the requested Variance is consistent with and in further 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.

Analysis:

The proposed design is consistent with the goals, objectives, and policies of the adopted comprehensive plan as identified in numerous other similar 3-story with rooftop deck buildings in this area that have similar rooftop decks and covered areas.

## CRITERIA 4 That the need for requested Variance is not economically based or self-imposed.

Analysis:

The requested variance is the minimum amount needed to provide a functional, safe rooftop structure that is open on all sides, for the homeowners and their guests to gather out of the sun, while still compatible and in line with previously approved rooftop variance in this neighborhood. Maintaining a proportionate roof design complies with several similar 3-story buildings with roof decks in this immediate area of North Beach Development District.

This variance allows for the continuity of an integrally designed rooftop structure that does not exceed previously approved variances while providing a functional and usable rooftop terrace that takes advantage of the spectacular oceanfront views of this property.

#### **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: N/A

## STEPHEN J. STRALEY JODI L. STRALEY 5409 NORTH SURF ROAD, HOLLYWOOD, FLORIDA 33019

January 17, 2023

RE: 5405 North Surf Road, Hollywood, FL 33019

To Whom It May Concern:

We are Stephen and Jodi Straley and have lived adjacent to the above referenced property at 5409 North Surf Road, Hollywood, Florida 33019 for approximately 35 years. We are writing to the City of Hollywood to express our support for the proposed project and variance requests for 5405 North Surf Road as we previously did in 2017.

We understand that Heidi Humphries, the current owner, and Craig Chassen, our neighbor, have been working together on this project for the past year. We have had several conversations with Craig pertaining to the vision for the construction of the new residence on the existing lot. We support their variance request for the reduction of the side setback of 7.5 ft to 5 ft on both the north and south property lines based on the current drawings and sketches Craig has provided us. In addition, they have told us they will not build or erect anything more than 10 feet East of the existing house. They have respected our right to privacy and in return have agreed to limit the windows on the North side of the house and make the North roof deck wall solid concrete.

We have known Craig for 15 years. He has been an asset to the revitalization of the North Beach community. He has a wealth of building construction and real estate knowledge and expertise. As a licensed Realtor, he has successfully listed and sold several homes and parcels of land on the barrier island. He also has completed several improvements to his home and even oversaw the construction of a new residential home for his own family. Craig has participated in many different variance requests over the past 10 years and has established relationships with many city officials in the building and zoning divisions and fully understands the variance process. Thank you for your consideration.

Regards,

Stephen & Joh



