


**CITY OF HOLLYWOOD, FLORIDA
DEPARTMENT OF DEVELOPMENT SERVICES
PLANNING DIVISION**

DATE: December 14, 2017 **FILE:** 17-V-51
TO: Planning and Development Board
VIA: Leslie A. Del Monte, Planning Manager 
FROM: Deandrea Moise, Associate Planner
SUBJECT: Polina and Carlos Satulovsky requests a variance for a screen for a single-family home located at 1215 Wiley Street. **DM**

APPLICANT'S REQUEST

Variance to increase the allowable percentage for a screen enclosure in the rear yard of a single-family home.

STAFF'S RECOMMENDATION

Variance: Approval.

REQUEST

Per the regulations, accessory structures, such as screen enclosures are not permitted to exceed more than 30 percent of the rear yard. The Applicant request this variance to construct a screen enclosure surrounding the pool. Due to the size of the rear yard, which is sizably smaller than many lots within Hollywood, 30 percent would result in a size that is not sufficient to cover the pool area.

The requested screen enclosure as designed, meets currents setback requirements and abuts the golf course in the rear and on the west side, with a multifamily building to the east. Since the screen enclosure is proposed in the rear of the property, there will be minimal impact to the character of the neighborhood. Without the variance, the Applicant would not be able to enclose the pool area that currently conforms to the regulations. The Applicant wishes to enclose their pool area in order to protect their home from common Florida pests and stray golf balls. The proposed variance allows the Applicant to make necessary improvements while maximizing the use of the property, with minimal impact to the surrounding areas.

SITE BACKGROUND

Applicants/Owners:	Polina and Carlos Satulovsky
Address/Location:	1250 Wiley Street
Size of Property:	0.20 acres
Land Use:	Low Residential (LRES)
Zoning:	Single Family Residential District (RS-6)
Present Use of Land:	Single Family Home
Year Built:	2002 (Broward County Records)

ADJACENT ZONING

North: Single Family Residential District (RS-6)

South: Single Family Residential District (RS-6)
East: South Lake - Government Use (GU)
West: Single Family Residential District (RS-6)

ADJACENT LAND USE

North: Low Residential (LRES)
South: Open Space and Recreation (OSR)
East: Open Space and Recreation (OSR)
West: Medium Residential (MRES)

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*. The proposed variance allows the Applicant to make necessary improvements while maximizing the use of the property. By allowing the Applicant to improve the property, the City is accomplishing the desired reinvestment in an existing single-family house while maintaining the character of the neighborhood.

CONSISTENCY WITH THE CITY-WIDE MASTER PLAN

The City-Wide Master Plan (CWMP) places a priority on protecting, preserving and enhancing residential neighborhoods. It addresses the need for strict design controls to maintain the individual character of each neighborhood.

Policy 2.46: *Preserve stable neighborhoods and encourage rehabilitation initiatives that will revitalize and promote stability of neighborhoods.*

Policy CW.15: *Place a priority on protecting, preserving and enhancing residential neighborhoods.*

APPLICABLE CRITERIA

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

CRITERION: That the requested Variance maintains the basic intent and purpose of the subject regulations including the Historic District Regulations, Design Guidelines for Historic Properties and Districts and Resolutions, particularly as it affects the stability and appearance of the city;

ANALYSIS: The Applicant today requests a variance to allow a screen enclosure to exceed more than 30percent of the rear yard in order to screen the pool area; however, due to the small size of the back yard, a sizable screen enclosure exceeds more than 30percent of the rear yard. The proposed variance maintains the basic intent and purpose of the guidelines as the proposed does not result in a negative residential use, and meets all other requirements including setbacks. Furthermore, the design is not detrimental to the appearance of the City as it is located in the rear.

FINDING: Consistent.

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

ANALYSIS: The requested variance would not be detrimental to the community. The screen enclosure is proposed to better protect the homeowners rather than become a detriment to the community. Since the Applicant is surrounded on two out of three sides by the golf course, there will be minimal impact to the community.

FINDING: Consistent.

CRITERION: 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 proposed variance allows the Applicant to make necessary improvements while maximizing the use of the property. By allowing the Applicant to improve the property, the City is accomplishing the desired reinvestment in an existing single-family home.

FINDING: Consistent

CRITERION: That the need for requested Variance is not economically based or self-imposed; and

ANALYSIS: This variance is not requested for economic reason or self-imposed and is simply requested to enable the Applicant to better protect their home.

FINDING: Consistent

CRITERION: 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: Not applicable.

FINDING: Not applicable.

ATTACHMENTS

ATTACHMENT A: Application Package

ATTACHMENT B: Land Use and Zoning Map

ATTACHMENT A

Application Package

PLANNING DIVISION



File No. (internal use only): _____

2600 Hollywood Boulevard Room 315
Hollywood, FL 33022

GENERAL APPLICATION



Tel: (954) 921-3471
Fax: (954) 921-3347

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.

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/DocumentCenter/Home/View/21>



APPLICATION TYPE (CHECK ONE):

- ☐ Technical Advisory Committee ☐ Historic Preservation Board
☐ City Commission ☒ Planning and Development Board

Date of Application: 9-9-2017

Location Address: 1250 WILEY STREET, HOLLYWOOD, FL 33019

Lot(s): _____ Block(s): _____ Subdivision: _____

Folio Number(s): _____

Zoning Classification: _____ Land Use Classification: _____

Existing Property Use: _____ Sq Ft/Number of Units: _____

Is the request the result of a violation notice? () Yes (X) 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 Number(s) and Resolution(s): _____

- ☐ Economic Roundtable ☐ Technical Advisory Committee ☐ Historic Preservation Board
☐ City Commission ☐ Planning and Development

Explanation of Request: _____

Number of units/rooms: _____ Sq Ft: _____

Value of Improvement: _____ Estimated Date of Completion: _____

Will Project be Phased? () Yes () No If Phased, Estimated Completion of Each Phase _____

Name of Current Property Owner: POLINA + CARLOS SATUKOVSKY

Address of Property Owner: 1250 WILEY STREET, HOLLYWOOD, FL 33019

Telephone: 7863764011 Fax: _____ Email Address: polinastoksova@gmail.com

Name of Consultant/Representative/Tenant (circle one): _____

Address: _____ Telephone: _____

Fax: _____ Email Address: _____

Date of Purchase: _____ Is there an option to purchase the Property? Yes () No ()

If Yes, Attach Copy of the Contract.

List Anyone Else Who Should Receive Notice of the Hearing: _____

Address: _____

Email Address: _____

VARIANCE CRITERIA

- 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; and

The requested Variance clearly supports the spirit and basic intent and purposes of the subject regulations. Also, the variance does not affect the stability or appearance of the city, since the requested Variance is not easily viewed from the view from the street or front of the property. The requested Variance is located in the backyard, behind existing six foot gates on both sides of the home, and additional front-facing, lateral screening of at least 6 feet on either side shall be added soon.

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

The requested Variance does not change the current land use of the property; it simply is a request to allow a screen to protect the occupants from those risks stated in Appendix 1.

- 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; and

The requested Variance is consistent with the Comprehensive Plan, as it does not change the current use of the property and is consistent with the surrounding community.

- d. That the need for the requested Variance is not economically based or self-imposed; or

The requested Variance is unique to the location and the circumstances are not self-imposed of economically based. The need for the requested Variance is a direct result of actual current multiple exposures to different types of risks (see "Appendix 1").

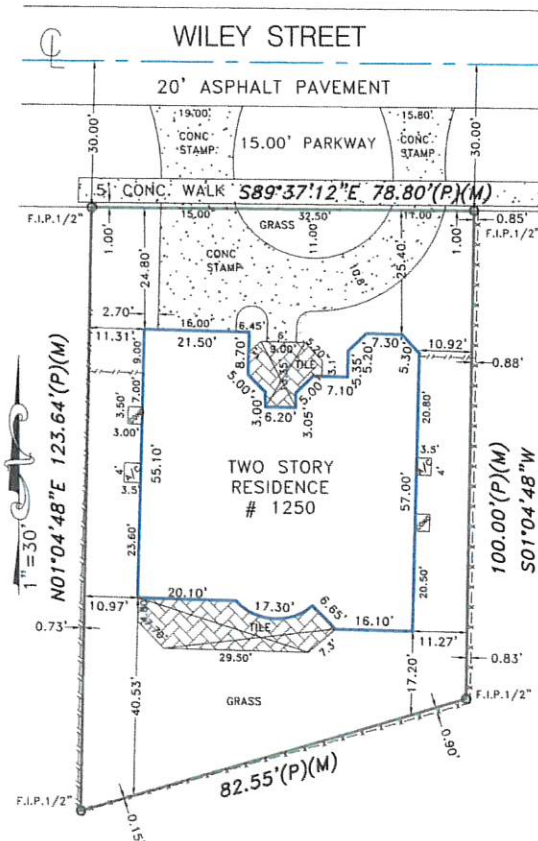
- e. That the variance is necessary to comply with State or Federal Law and is the minimum Variance necessary to comply with the applicable law.

The requested Variance is necessary to ensure that the duty to protect the family, occasionally other citizens present and minor children and friends, is upheld, especially when an opposite attitude would imply and constitute neglect of actual risk (see appendix 1).

APPENDIX I

- A. Dangerous, variable-speed, unpredictable Golf ball impacts (golf balls, most likely from hole five shots, hundreds found on property yearly).
- B. Witnessed verifiable existence of animal specimens on immediate surrounding areas and patio (due to proximity to golf lake, and necessary high-density tree barrier of high for golf balls impacts).
 - 1. Alligators (actual local recordings containing mating call available upon request).
 - 2. Aedes Aegypti mosquitoes, the very transmitting agent of Zika Virus, dengue and many other diseases, found in property.
 - 3. Southern Black Racer (aggressive) snakes with occasional presence of water moccasin / cotton-mouth (venomous/poisonous).
 - 4. Squirrels and raccoons (wild).
 - 5. Frogs and lizards.
 - 6. Spiders including Brown Recluse found in property.
 - 7. Ghost and fire ants chronic infestation, persisting/endemic even after specific pest control Co. treatments.
 - 8. Fleas and ticks : endemic, persisting despite pest company specific treatments.
- C. Coconut trees/ Debris and coconut' fall risk. Palm and coconut barrier of high density constitutes a Sui Generis ecosystem playing an –arguable- role on partially protecting from high speed golf balls, nonetheless adding a random potentially lethal/injurious risk factor.

Ordered By:




Accepted By: _____

Property Address: 1250 WILEY STREET
HOLLYWOOD, FL 33019

NOTES: NO NOTES

SURVEYOR'S CERTIFICATION: I HEREBY CERTIFY THAT THIS 'BOUNDARY SURVEY' IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. THIS COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS, AS SET FORTH BY THE STATE OF FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO 472.027, FLORIDA STATUTES.

SIGNED  FOR THE FIRM
MIGUEL ESPINOSA STATE OF FLORIDA P.S.M. No. 5101

NOT VALID WITHOUT AN AUTHENTIC ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL AND/OR THIS MAP IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A LICENSED SURVEYOR AND MAPPER.

M.E. Land Services, Inc.
10665 SW 190TH STREET
SUITE 3110
MIAMI, FL 33157
PHONE: (305) 740-3319
FAX: (305) 669-3190
LB#: 6463



EXHIBIT "A"

Legal Description:

THAT PART OF BLOCK 17 OF DIPLOMAT GOLF ESTATES ADDITION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 45, PAGE 43, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

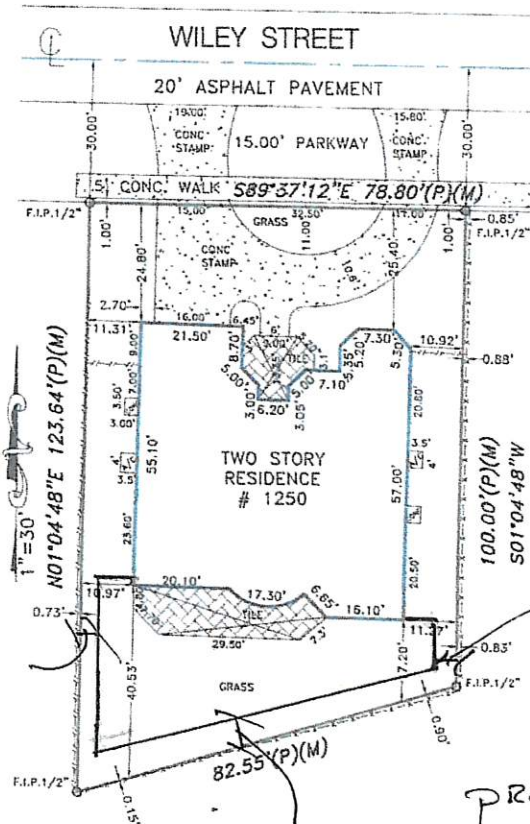
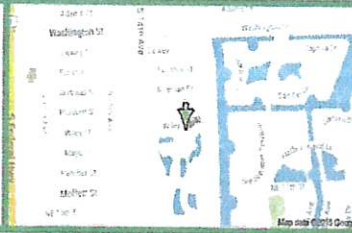
BEGINNING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 14 OF DIPLOMAT GOLF ESTATES ADDITION, RUN SOUTH 89° 37' 12" EAST ON AN ASSUMED BEARING ALONG THE NORTH LINE OF SAID BLOCK 17 A DISTANCE OF 100 FEET; THENCE SOUTH 1°04' 48" WEST 100 FEET; THENCE SOUTH 73° 44' 22" WEST 104.75 FEET; THENCE NORTH 89° 37' 12" WEST 100 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 73° 44' 22" EAST ALONG THE SOUTH LINE OF LOT 1 A DISTANCE OF 104.75 FEET; THENCE RUN NORTH 1°04' 48" EAST 100 FEET TO THE POINT OF BEGINNING.

LESS THE FOLLOWING DESCRIBED PARCEL:

THAT PART OF BLOCK 17 OF DIPLOMAT GOLF ESTATES ADDITION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 45, PAGE 43, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 14 OF DIPLOMAT GOLF ESTATES ADDITION, RUN SOUTH 89°37'12" EAST ON AN ASSUMED BEARING ALONG THE NORTH LINE OF SAID BLOCK 17 A DISTANCE OF 21.20 FEET; THENCE SOUTH 1°04'48" WEST A DISTANCE OF 123.64 FEET THENCE SOUTH 73°44'22" WEST A DISTANCE OF 22.20 FEET THENCE NORTH 89°37'12" WEST A DISTANCE OF 100.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 73°44'22" EAST ALONG THE SOUTH LINE OF LOT 1 A DISTANCE OF 104.75 FEET; THENCE NORTH 1°04'48" EAST A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

Ordered By:



3-0

3-0

PROPOSED SITE
FOR SCREEN ROOM

Accepted By: _____

Property Address: 1250 WILEY STREET
HOLLYWOOD, FL 33019

NOTES: NO NOTES

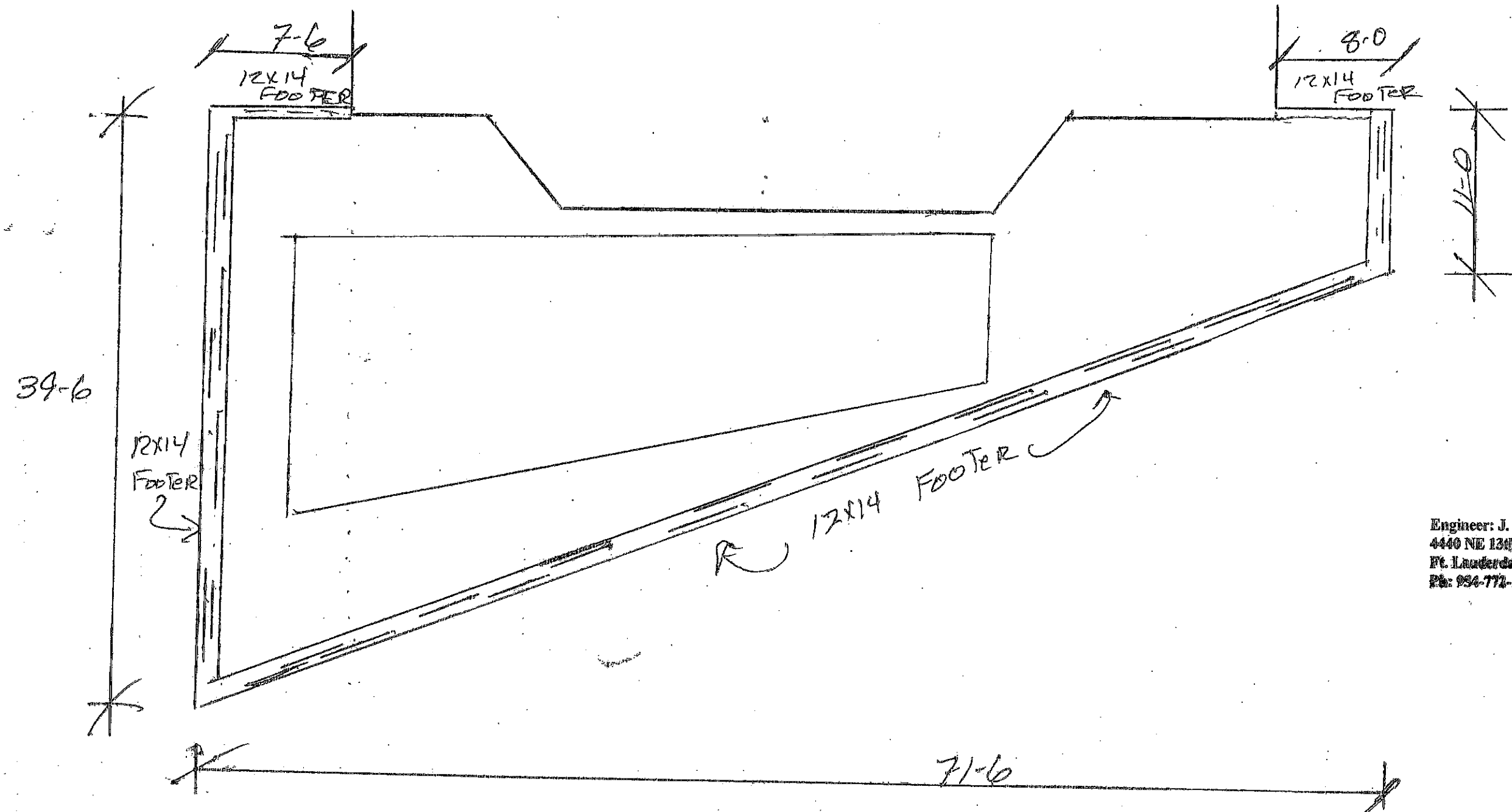
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SIGNED Miguel Espinosa FOR THE FIRM
MIGUEL ESPINOSA P.S.M. No. 5101

NOT VALID WITHOUT AN AUTHENTIC ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL AND/OR THIS MAP IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A LICENSED SURVEYOR AND MAPPER.

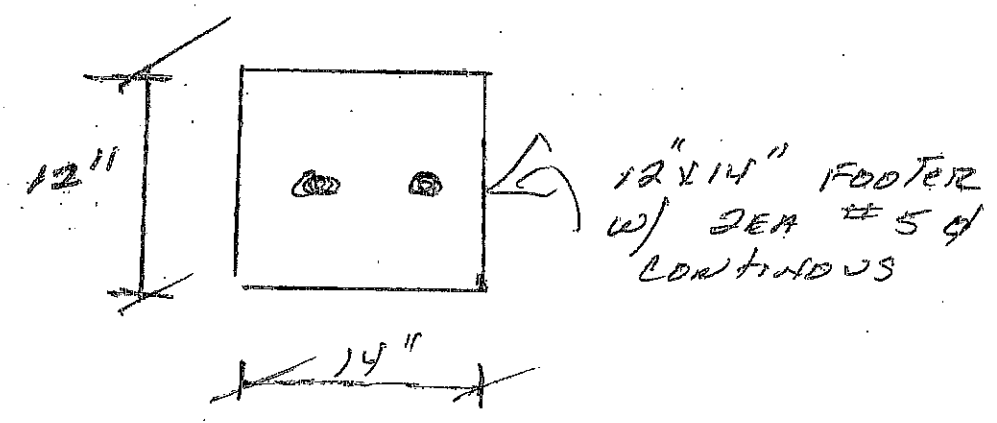
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10665 SW 190TH STREET
SUITE 3110
MIAMI, FL 33157
PHONE: (305) 740-3319
FAX: (305) 669-3190
LB#: 6463





Engineer: J. Potts P.E. 22656
4440 NE 13th Ave.
Ft. Lauderdale, FL 33334
Ph: 954-772-1731

J. Potts
7/18/17

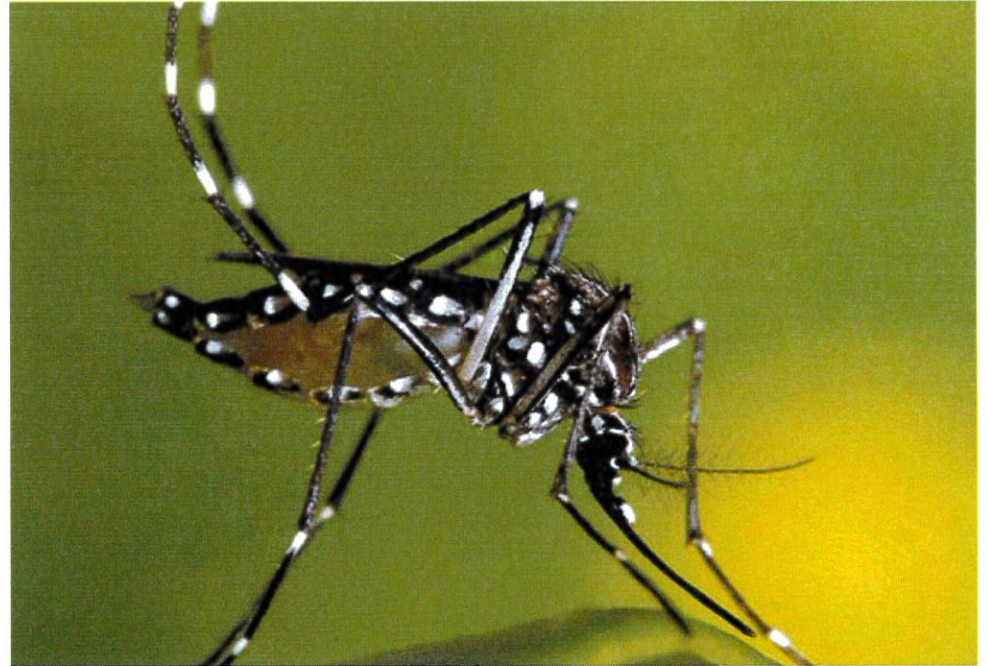


N↑











ATTACHMENT B

Land Use and Zoning Map



DEVELOPMENT SERVICES
PLANNING

Legend

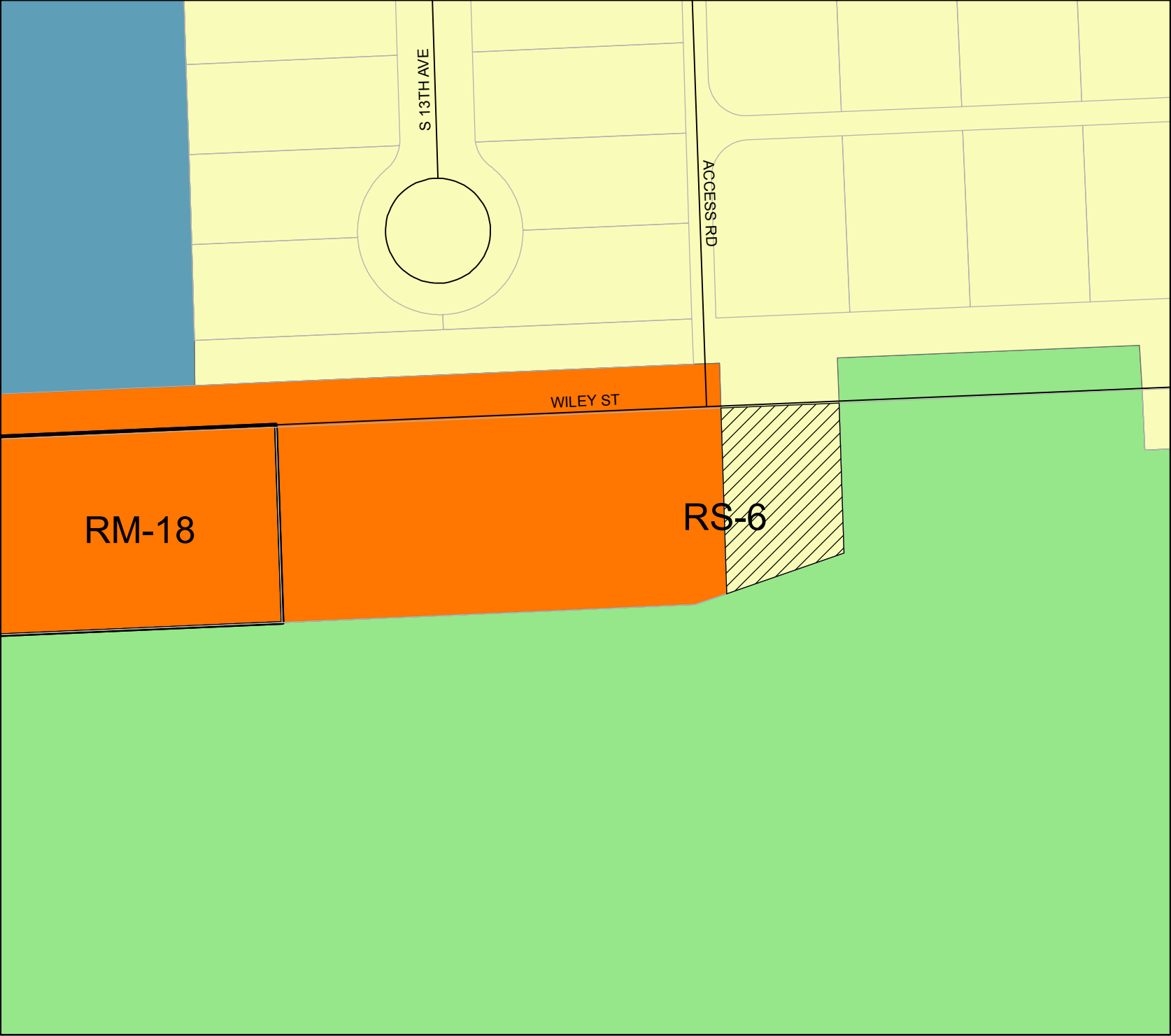
- Subject Property
- Streets
- Major Roads

LAND USE

- LRES
- MRES
- COMFAC
- OSR

ZONING

- RM-18
- RS-6



0 20 40 80 Feet

