

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

DATE: April 12, 2018 **FILE:** 18-V-09

TO: Planning and Development Board

VIA: Leslie A. Del Monte, Planning Manager 

FROM: Julian Gdaniec, Assistant Planner 

SUBJECT: C & B North Beach / Craig Chassen requests Variances for a Single-Family Home at 5405 North Surf Road (C & B North Beach House).

REQUEST

Variances for a Single-Family Home at 5405 North Surf Road (C & B North Beach House).

Variance 1: To reduce the required 25 feet front setback to allow for 20 feet.

Variance 2: To reduce the required 15 feet rear setback to allow for 5 feet.

Variance 3: To reduce the required 7.5 feet side setbacks to allow for 5 feet.

Variance 4: To allow for a projection to exceed the maximum height by more than 25 percent, instead allowing 29 percent.

RECOMMENDATION

Variances 1 - 4: Approval.

REQUEST

The Applicant is requesting variances for the construction of a new single-family home with regards to building setbacks and increasing the allowable extension of an elevator beyond 25 percent of the height maximum (33 feet). The 3,142 square foot site is located along Surf Road, just north of the Franklin Street intersection. The site has a zoning designation of North Beach Development District – Control Zone (NBDD-CZ) and a Land Use Designation of Medium/High Residential (MHRES). Pursuant to the Zoning and Land Development Regulations, in the NBDD-CZ District Single-Family homes are a main permitted use. The subject site currently has a one story single-family home. The current size, shape, and dimensions of the site render redevelopment of the site potentially difficult without obtaining variances. As such, the applicant is requesting the above referenced variances that staff find appropriate and justifiable given the context of the existing conditions found on the site and the surrounding properties.

The North Beach Development District was established with the intention *to provide for and encourage appropriate residential, resort, hotel, motel, tourist uses (including ecotourism), and accessory uses*

within a coastal environment with unique natural, physical and man-made features. Specifically, the North Beach Development Districts are intended to facilitate a pattern of development that allows for the reasonable use of land considering the environmental resources and limitations that may constrain development because of the environmental conditions. The NBDD also was established to ensure that the environmental quality of the area is not degraded, while simultaneously encouraging the efficient use of land for quality design and development. The proposed single family home takes into consideration these intentions of the district as the requested variances are reasonable and justified considering the unique size and natural characteristics of the parcel, while also contributing quality design to the neighborhood and preserving sight-lines to the ocean from the public right-of-way.

The surrounding neighborhood is a mixture of housing types including single-family, townhouses, and apartments. Although it is residential in use, the nature of the neighborhood is more quasi-urban with its scale and pedestrian friendliness than it is suburban. A number of properties in this neighborhood have existing buildings with setbacks similar to what is being requested for this new single-family home. The specific setbacks requested are 20 feet in the front (instead of the requisite 25 feet), 5 feet in the rear (instead of the requisite 15 feet), and 5 feet on each side (instead of the requisite 7.5 feet). While each of these proposed setbacks necessitates a variance, the design is presented in a way that the variances will not impose a burden on neighboring property owners while simultaneously contributing unique design that is well integrated and thoughtfully considers surrounding properties. For example, the 5 foot rear setback is effectually for the ground floor only, as the upper floors have incorporated a building line that is further setback with terraces open to the sky, thereby softening the impact of the rear setback; and the angles of the terraces preserve sightlines to the water for the property to the south.

The building height proposed is approximately 33 feet to the flat portion of the roof deck, which is permitted in the North Beach Development District - Control Zone. In addition, the Zoning and Land Development Regulations allows certain projections to extend beyond the maximum allowed building height, up to 25 percent to allow for decorative features and functional elements, i.e. elevator bulkheads, cupolas, etc. The overall projection as proposed in this design extends to a height just over 42 feet to accommodate the elevator bulkhead, which necessitates the need to request a variance to allow for a projection to extend beyond 25 percent of the maximum allowable height, as 42 feet is actually 29 percent beyond the maximum allowable height of 33 feet.

The proposed development is in compliance with the required regulations, including landscaping and pervious area. Other properties in the vicinity reflect similar setback conditions. Providing a setback similar to existing buildings would create an urban edge and enhance the character of the neighborhood. The requested variances are reflective and comparable to the overall development pattern of the neighborhood. As such, Staff considers the variances requested to be appropriate for this site and recommends approval.

SITE INFORMATION

Owner/Applicant:	C & B North Beach / Craig Chassen
Address/Location:	5405 N Surf Road
Net Area of Property:	3,143 sq. ft. (.07 Acres)
Land Use:	Medium/High Residential (MHRES)
Zoning:	North Beach Development District - Control Zone (NBDD-CZ)
Existing Use of Land:	Single-Family Home

ADJACENT LAND USE

North: Medium/High Residential
South: Medium/High Residential
East: Open Space Recreation
West: Medium/High Residential

ADJACENT ZONING

North: North Beach Development District – Control Zone (NBDD – CZ)
South: North Beach Development District – Control Zone (NBDD – CZ)
East: Atlantic Ocean
West: North Beach Development District – Development Zone (NBDD – DZ)

CONSISTENCY WITH THE COMPREHENSIVE PLAN

Located within the Medium/High Residential Land Use designation, the site is surrounded by Medium/High Residential uses. The 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 land owners to maximize the use of their property. Development of this site will enable the Applicant to construct a single family home that will contribute to the enhancement of the surrounding properties in the neighborhood without adversely affecting the character of the neighborhood. The proposed home will provide a unique piece of architecture that will contribute to the interest of the streetscape, while also thoughtfully considering the scale of the existing neighborhood fabric. The project is consistent with the Comprehensive Plan based on the following Objectives and Policies:

Objective 4: *Maintain and enhance neighborhoods, business, utilities, industrial and tourist areas that are not blighted.*

Policy 4.9: *Place a priority on protecting, preserving and enhancing residential neighborhoods while incorporating the unique characteristics of redevelopment areas.*

CONSISTENCY WITH THE CITY-WIDE MASTER PLAN

Sub-Area 4, Hollywood Beach, is defined by the Atlantic Ocean to the east, the Intracoastal Waterway to the west, Hallandale Beach Boulevard to the south and Dania Beach Boulevard to the north. The Beach is comprised of three very distinct areas, North Beach (of which this project is located), Central Beach and South Beach. The proposed request is consistent with City-Wide Master Plan based upon the following:

Guiding Principles and Policies:

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

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

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.*

The proposed single family home is designed in a manner complementary to the development pattern and unique character of North Beach. This project will help the community by creating a viable development that fits within the context of the neighborhood while simultaneously enhancing the streetscape through creative and unique design.

APPLICABLE CRITERIA

Analysis of Criteria and Findings for Variances as stated in the City of Hollywood's Zoning and Land Development Regulations Article 5.

VARIANCE 1: To reduce the required 25 feet front setback to allow for 20 feet.

VARIANCE 2: To reduce the required 15 feet rear setback to allow for 5 feet.

VARIANCE 3: To reduce the required 7.5 feet side setbacks to allow for 5 feet.

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 proposed home will have a similar setbacks as the properties that are directly adjacent. The intent of the setback regulations are to ensure adequate buffering between neighboring properties and adjacent areas of public right-of-way. The proposed home will actually have a side setback greater than the setback of the existing structure on the north side. Furthermore, the front setback is still sufficient to adequately fit parking for two vehicles without infringing into the right-of-way. Because the proposed setbacks are consistent with adjacent properties, Staff finds this request as being consistent with the basic intent and purpose of the regulation.

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: One of the objectives of North Beach Development District is *to encourage a desirable mix of development uses, types and intensities that are harmonious with each other and with the natural characteristics of the area.* Many of the existing front setbacks that occur along Surf Road are less than 25 feet, including properties directly adjacent to this parcel. In fact, the existing single family home has a setback of significantly less than the proposed 20 foot setback for the new home. The design at the rear of the property has been "carved-out" as the applicant describes it, by configuring the terraces on the upper floors in a way that preserves sightlines to the ocean for the adjacent property to the south. The design of the site also maintains adequate sightlines to the ocean from the public right-of-way even with the 5 foot side setbacks. Furthermore, the applicant has stated that they

have made considerations in their design, such as in window placement and landscaping, so as to respect the privacy of neighboring residents. The proposed project is consistent with the existing development pattern within the neighborhood. Therefore, the requested variance would not be detrimental to the neighborhood.

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, the applicable Neighborhood Plan and all other similar plans adopted by the City.

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 land owners to maximize the use of their property*. The Applicant's setbacks are reflective of the existing development pattern of the neighborhood.

FINDING: Consistent.

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

ANALYSIS: The need for the Variances are not economically based or self-imposed. The requested variances as stated by the Applicant, are to "create a dynamic, sculpted massing with well-proportioned interior space." The proposed setbacks are comparable to the setbacks of the surrounding properties.

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.

FINDING: Not applicable.

VARIANCE 4: **To allow for a projection to exceed the maximum height by more than 25 percent, instead allowing 29 percent.**

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 intent of this regulation is to ensure appropriate compatibility and consistency throughout different zoning districts. The maximum allowed height of a structure guarantees that development will not exceed what is appropriate for the neighborhood. Certain allowable projections are permitted to exceed the maximum allowed building height (up to 25 percent) to allow for decorative features and functional elements, i.e. stairwells, elevator bulkheads, etc. While the proposed height of the building at 32 feet, 4 inches meets the maximum height

requirement (33 feet), the elevator bulkhead extends more than the allowable 25 percent beyond the height maximum. The variance request is to allow the maximum projection to exceed the permitted 25 percent to allow a projection of 29 percent. The requested variance is minimal and reasonable.

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 bulkhead projection is necessary to complete the function of the elevator while proposing an architectural design that is desirable and compatible with the overall look of the building. As such, the variance will not be detrimental to the community.

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, the applicable Neighborhood Plan and all other similar plans adopted by the City.

ANALYSIS: The City-Wide Master Plan recommends identifying "*obsolete structures and work to have them demolished and redeveloped...*" The subject site contains an old one-story single-family home. The development of this site will enhance the property's appearance and that of surrounding areas; as well as improve the community. As designed, the proposed home will cohesively fit into the fabric of the existing homes in the neighborhood. The one foot height increase to accommodate the elevator does not render the project incompatible with the intent of the Comprehensive Plan.

FINDING: Consistent.

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

ANALYSIS: The requested Variance is the minimum amount needed to allow the elevator to function and provide roof access.

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.

FINDING: Not applicable.

ATTACHMENTS

ATTACHMENT A: Application Package
ATTACHMENT B: Land Use and Zoning Map