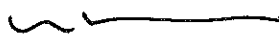


**CITY OF HOLLYWOOD, FLORIDA
MEMORANDUM
DEPARTMENT OF PLANNING**

DATE: May 5, 2018 **MEMO NO.:** P-18-05

TO: Historic Preservation Board

FROM: Leslie A. Del Monte, Planning Manager 

SUBJECT: Revised Request: Vacation Homes Invest, LLC requests a Certificate of Appropriateness for Demolition of one single-family home and a Certificate of Appropriateness for Design for **two** single-family homes located at 958 Jefferson Street within the Lakes Area Historic Multiple Resource Listing District (17-CM-13a; 17-C-14a; 17-C-15).

BACKGROUND

In March 2017 Vacations Homes Investment, LLC submitted an application for a Certificate of Appropriateness for Demolition for the one single-family home on the property, which was constructed across three lots; and a Certificate of Appropriateness for Design for three single-family homes, proposing one home on each lot. The three originally platted lots were non-conforming in regards to lot width. Upon further determination of applicable regulations (as outlined below), at the October 17, 2017 Historic Preservation Board meeting, Staff rescinded its recommendation of approval and recommended the Applicant resubmit revised applications demonstrating compliance with all applicable regulations. At the time Staff also recommended careful consideration be given to the design to further create distinction and uniqueness in the architecture of the homes. The Historic Preservation Board supported Staff's recommendation and the items were withdrawn until further notice.

APPLICABLE REGULATIONS

Nonconforming lots are subject to the provisions of Sections 3.8, 3.9 and 4.1 of the City's Zoning and Land Development Regulations. Historically, the City's position has been that the most recent provision, Section 4.1 (1994) superseded the applicability of 3.8 and 3.9 (1984). However, presented with new evidence, Staff now finds the applicable regulations to be supplemental, rather than conflicting.

Pursuant to the table provided under Section 4.1(B)(2)(a) of the City's Zoning and Land Development Regulations (ZLDR), entitled "Single-Family Districts," *platted lots or lots of record as of April 6, 1994 are considered as legal non-conforming and may be developed consistent with [current zoning and land development] regulations*. Simultaneously, Section 3.8 of the ZLDR, below, indicates that such non-conformities are valid provided the subject plot remain under separate ownership:

§ 3.8. Plots in Separate Ownership.

The requirements of these Zoning and Land Development Regulations as to minimum plot area or width shall not be construed to prevent the use of any lot or parcel of land for any use

otherwise allowable within the applicable zoning district provided such lot or parcel was held with no other contiguous land within the same ownership on the date that such plot area or width requirements became applicable to the property and further provided that all other requirements of the applicable zoning district are satisfied.

Additionally, Section 3.9 of the ZLDR states that *no parcel of land, which has less than the minimum width and area requirements of the zoning district within which it is located, may be separated from a larger parcel of land ownership for the purpose, whether immediate or future, of building or development as a separately owned plot.* Further affirming that once lost, the non-conformity may not be reestablished by subdivision. Therefore, redeveloping lots with the conditions of the subject parcel would not be permitted.

REQUEST

In the revised submittal, the Applicant is now requesting a Certificate of Appropriateness for Demolition for the one single-family home on the property, which was constructed across three lots; and a Certificate of Appropriateness for Design for **two** single-family homes, complying with lot width requirements (and all other applicable regulations), as recommended by Staff and the Board (17-CM-13a; 17-C-14a). As such, File No. 17-C-15, is permanently withdrawn.

Sitting on two conforming 75-foot lots, as currently proposed the single family homes are approximately 5,000 and 6,000 square feet (gross); including two-car garages, accessed via the alley. The proposed Site Plans seamlessly integrates interior and exterior spaces blurring the line between those. Following Staff's recommendation, the proposed contemporary design features similar architectural styles and language; while presenting a unique composition and character for each of the homes.

APPLICABLE CRITERIA

As the request for Certificate of Appropriateness for Demolition has not changed, for Applicable Criteria please refer to the attached Staff Report (dated July 18, 2017).

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

CRITERION: INTEGRITY OF LOCATION

ANALYSIS: The Design Guidelines recommend maintaining *consistent spacing and setbacks* and furthermore, it states *new construction should be compatible with existing buildings... Within the context of historic preservation, elements of design such as massing, scale and rhythm reflect architectural style as well as the richness of the historic district.* The proposed homes comply with required setbacks and site coverage. Conforming to the lot width regulations further reinforces the proposed design's cohesiveness with the fabric of the neighborhood.

As the proposal requires the subdivision of the three originally platted lots, held in common ownership; and as House 2 (17-C-14a) proposes a detached bedroom, Staff recommends the following conditions:

- a. A Waiver of Plat application be submitted and approved; and/or a Unity of Title or Unity of Control, in a form acceptable to the City Attorney, be submitted prior to the issuance of permits and recorded in the Broward County Public Records, by the City of Hollywood, prior to the issuance of Certificate of Occupancy (C/O) or Certificate of Completion (C/C), as determined and required by the Engineering Division; and
- b. Prior to the issuance of a Building Permit, the Applicant shall submit a Deed Restriction in a form acceptable to the City Attorney, acknowledging the specific limitation as to the number of lawful dwelling units and declaring an intent to comply with such limitations, as well as advising any successor in interest of such binding limitations; and prior to the issuance of a Certificate of Completion (C/C) or Certificate of Occupancy (C/O), the City shall record the Deed Restriction in the Public Records of Broward County, Florida.

FINDING: Consistent.

CRITERION: DESIGN

ANALYSIS: The Historic District Design Guidelines encourages new structures to be compatible with the character of the neighborhood with regard to scale, materials, texture, and color. The design element of scale relates to the size of the building components or spaces relative to the human body as well as to the larger context relative to the surrounding buildings, streetscape and environment. The Historic Districts richness is derived from the design of the homes being appropriate for the period in which they were constructed. In that vein, the Applicant is proposing a contemporary design that represents this current epoch in architecture. The proposed single-family homes have a contemporary design interlaces large geometries to create interesting and unique massing on each homes as well as strong use of materials and color to enhance the massing and emphasize the individuality of each home's façade.

FINDING: Consistent.

CRITERION: SETTING

ANALYSIS: The proposed new single-family homes meet all applicable setback requirements. The proposed homes maintain the spatial relationship with surrounding properties. The property to the south of the subject property is a two-story home on the southwest corner of the block. As demonstrated above, the new homes shall maintain their integrity of location while creating setting by utilizing the perimeter landscaping and wall to transition in scale from the public realm to the private realm.

Massing plays an important role in determining the character of individual properties, the street, and the surrounding neighborhood. Proposed new home is kept within proportions of similarly situated properties in the neighborhood. Lastly, it should be duly noted the Applicant has met all regulations and provided ample landscaping to buffer the homes from the street, neighbors and each other.

FINDING: Consistent.

CRITERION: MATERIALS

ANALYSIS: Design Guidelines state materials are an important part of the fabric of any historic district or property and help to maintain the historic character of the place. Furthermore, materials should be compatible in quality to those that are used in the historic district. The Applicant has demonstrated that the homes, while utilizing modern methods of construction and molded in contemporary design, will not utilize inappropriate or substandard materials. Ample buffering is being provided with a concrete and wood panel walls. Geometries of the home are accentuated with different materials, colors and hierarchies to create interest and shadow throughout.

FINDING: Consistent.

CRITERION: WORKMANSHIP

ANALYSIS: According to the National Register, workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory. The proposed homes, incidental of this period of time, are utilizing materials and construction methods common to the South Florida region. Workmanship is also the evidence of artisans' labor and skill in constructing or altering a building, structure, object, or site. Workmanship can apply to the property as a whole or to its individual components. It can be expressed in vernacular methods of construction and plain finishes or in highly sophisticated configurations and ornamental detailing. Accordingly, the homes are based on contemporary designs and materials typical of a sub-tropic, coastal development. The design of the proposed single-family homes is consistent with contemporary workmanship styles and methods.

FINDING: Consistent.

CRITERION: ASSOCIATION

ANALYSIS: Design Guidelines recommend maintaining *consistent spacing and setbacks* and further states *new construction should be compatible with existing buildings... Within the context of historic preservation, elements of design such as massing, scale and rhythm reflect architectural style as well as the richness of the historic district*. Meeting all applicable code requirements, the proposed design is consistent with the scale and massing of the adjacent properties and surrounding neighborhood. It is enhanced by a formal landscape plan which provides approximately 51-55 percent pervious area. Required parking is accommodated in the rear driveways and attached garages.

FINDING: Consistent.

RECOMMENDATION

Certificate of Appropriateness for Demolition: To be determined by Historic Preservation Board.

Certificates of Appropriateness for Design: If Certificate of Appropriateness for Demolition is approved, Approval with the following condition:

- a. A Waiver of Plat application be submitted and approved; and/or a Unity of Title or Unity of Control, in a form acceptable to the City Attorney, be submitted prior to the issuance of permits and recorded in the Broward County Public Records, by the City of Hollywood, prior to the issuance of Certificate of Occupancy (C/O) or Certificate of Completion (C/C), as determined and required by the Engineering Division; and
- b. Prior to the issuance of a Building Permit, the Applicant shall submit a Deed Restriction in a form acceptable to the City Attorney, acknowledging the specific limitation as to the number of lawful dwelling units and declaring an intent to comply with such limitations, as well as advising any successor in interest of such binding limitations; and prior to the issuance of a Certificate of Completion (C/C) or Certificate of Occupancy (C/O), the City shall record the Deed Restriction in the Public Records of Broward County, Florida.

ATTACHMENTS

ATTACHMENT A:	Application Package
ATTACHMENT B:	Historic Preservation Board Staff Report (July 18, 2017)
ATTACHMENT C:	Aerial Photograph