

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

DATE: July 12, 2018 **FILE:** 17-V-49

TO: Planning and Development Board

VIA: Leslie A. Del Monte, Planning Manager

FROM: Deandrea Moise, Planning Administrator

SUBJECT: Luis & Bell Stabinski and Stabinski Trust request a Variance to reduce the required setbacks for a garage located at 1401 S Surf Road (Stabinski Residence).

REQUEST

Variance to reduce the required front yard setback for a garage from 25 feet to 14 feet

RECOMMENDATION

Variance: Approval, with the condition that the driveway area within the 14 foot setback shall be used for parallel parking only (as indicated on Site Plan); not for head-in/back-out parking.

REQUEST

The Applicant proposes to construct a three car garage to serve the existing single family home. Although a garage for a single family home is not typically brought before the Board, the Applicant is requesting a variance to reduce the front yard setback for the garage, triggering the need for Board approval. The Board is solely considering the request for the Variance and not Design.

Current code regulations require that garage be setback at least 25 feet in the front yard, however the garage is proposed at approximately 14 feet. Due to existing site constraints, the proposed garage could not be accommodated on site at the required setback without extensive demolition of the existing structures. Furthermore, the depth of the lot is reduced and not the typical lot depth found throughout many parcels of the City that suitably accommodate for the required setback. Additionally, the proposed garage is setback farther than the existing main structure and set at a similar setback as adjacent properties along Surf Road.

The proposed garage is low in scale and does not take away from the relationship between the pedestrian and the built environment at the reduced setback. Furthermore, the Variance is consistent with the criteria as it will allow the owner to maximize use of the property without creating a negative impact on the community.

Owner/Applicant: Luis Stabinski
Address/Location: 1401 S Surf Road
Net Area of Property: 8,000 square foot (0.184 acres)
Land Use: Medium High Residential (MHRES)
Zoning: South Central Beach Residential Multi-Family (RM-25-SCB)
Existing Use of Land: Residential

ADJACENT LAND USE

North: Community Facility (COMFAC)
South: Medium High Residential (MHRES)
East: Open Space Recreation (OSR)
West: Medium High Residential (MHRES)

ADJACENT ZONING

North: Government Use (GU)
South: South Central Beach Residential Multi-Family (RM-25-SCB)
East: South Central Beach Residential Multi-Family (RM-25-SCB)
West: South Central Beach Residential Multi-Family (RM-25-SCB)

CONSISTENCY WITH THE COMPREHENSIVE PLAN

Located within the Medium High Residential land use the subject site is surrounded by mostly residential properties. 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*. The proposed variance will not conflict with the goals and objectives of the Comprehensive Plan and is consistent based in the following:

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, Central Beach and South Beach, which could be broken down further into sub-sectors of activity. The proposed request is consistent with City-Wide Master Plan based upon the following:

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

APPLICABLE CRITERIA

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

VARIANCE: To reduce the required front yard setback for a garage from 25 feet to 14 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: Although requesting variance to reduce the setback, the proposed garage will be setback farther than the existing main structure. Additionally, it will not negatively impact the appearance of the City but rather fit in with the adjacent properties as they are also at similar setbacks.

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: This variance would not be detrimental to the community as many structures along Surf Road are at reduced setbacks. Furthermore, the variance in no way changes the permitted uses of the land use and maintains compatibility with the surrounding land use. The proposed garage is low in scale and does not take away from the relationship between the pedestrian and the built environment at the reduced setback. To further ensure that the variance will not be detrimental to the community, **Staff recommends a condition that the driveway area within the 14 foot setback shall be used for parallel parking only (as indicated on Site Plan); not for head-in/back-out parking.**

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 of Hollywood Comprehensive Plan states as a Goal in the Land Use Element, "Promote a distribution of land uses that will enhance residential communities while allowing land owners to maximize the use of their property." The owner is seeking a Variance for the front yard setback in order to accommodate parking needs of the residence on the Beach with requiring extensive demolition of existing structures on the property. The Variance is consistent with this criterion as it will allow the owner to maximize use of the property.

FINDING: Consistent.

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

ANALYSIS: The request is not economically based or self-imposed as existing site constraints do not allow the garage to meet required setbacks.

FINDING: Consistent.

CRITERION 5: That the Variance is necessary to comply with State of 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