

**CITY OF HOLLYWOOD, FLORIDA
DEPARTMENT OF DEVELOPMENT SERVICES
PLANNING AND URBAN DESIGN DIVISION**

DATE: September 6, 2018 **FILE:** 18-A-05

TO: Planning and Development Board

VIA: Leslie A. Del Monte, Planning Manager

FROM: Deandrea Moise, Planning Administrator

SUBJECT: Abbas Arabzadeh and Forogh Hatam request a Variance to continue the existing building line of a non-conforming setback along the west side of the property for a Single Family home located at 1500 Funston Street.

REQUEST:

Variance to continue the existing building line of a non-conforming setback along the west side of the property

RECOMMENDATION:

Variance: Approval.

REQUEST

Article 3 of the City of Hollywood Zoning and Land Development Regulations, allows for the extension along the established building line for a legally constructed primary building which exists with setbacks less than those required by current regulations. The code allows for such request to be granted through an Administrative Variance.

As per the regulations as outlined in the Zoning and Land Development Regulations, Abbas Arabzadeh and Forogh Hatam applied for an Administrative Variance to continue the existing building line of a non-conforming setback along the west side of the property to permit an addition to the home. Article 5.4 titled "Administrative Variance" of the City of Hollywood Zoning and Land Development Regulations states that adjacent property owners shall be notified of the application, and have the right to protest such request in writing within ten calendar days of the mailing of such notice. The protest letter shall state the reasons and justification for the protest. Any protest received in response to such notice within ten calendar days of the date of mailing shall prohibit any administrative approval pursuant to this section. Due to protest letter received, the Applicant is requesting a regulatory Variance to be considered by the Board to extend along the existing setback. The existing non-conforming setback, as demonstrated in the survey, is original to the home and not a circumstance that was created by the Applicant.

The proposed request meets the criteria as the proposed variance will not negatively impact the stability and appearance of the City and is compatible with the surrounding land use and community.

SITE INFORMATION

Owner/Applicant:	Abbas Arabzadeh and Forogh Hatam
Address/Location:	1500 Funston Street
Net Size of Property:	6000 sq. ft.
Land Use:	Low Residential (LRES)
Zoning:	Single-Family District (RS-6)
Existing Use of Land:	Single-Family Home

ADJACENT LAND USE

North:	Single-Family District (RS-6)
South:	Single-Family District (RS-6)
East:	Single-Family District (RS-6)
West:	Single-Family District (RS-6)

ADJACENT ZONING

North:	Low Residential (LRES)
South:	Low Residential (LRES)
East:	Low Residential (LRES)
West:	Low Residential (LRES)

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 request is consistent with the adjacent neighborhood; while allowing the Applicant to maximize the use of their property. The proposed variance allows the Applicant to improve the existing lot, thus accomplishing the desired reinvestment within this neighborhood.

Objective 3: *To revitalize and encourage re-investment in older neighborhoods in which housing conditions are in a state of decline.*

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. The proposed addition is sensitive to the character of neighborhood and allows the applicant to maximize the use of their property while encouraging rehabilitation initiatives in the area.

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 Variance as stated in the City of Hollywood's Zoning and Land Development Regulations Article 5.

VARIANCE: To continue the existing building line of a non-conforming setback along the west side of the property.

CRITERIA 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 code allows for this type of request to be approved administratively. However due to a received protest let the Applicant must seek a regulatory variance. The proposed request is in line with the existing home and would not affect the stability or appearance of the City. The addition is in scale with the rest of the home.

FINDING: Consistent.

CRITERIA 2: That the requested Variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community.

ANALYSIS: The request is compatible with the surrounding land use and community as it will still be used as a single- family home. The addition is proposed to create additional living area in the rear of the home. The request is compatible and would not be detrimental to the community as the use and proposed variance is in line with the community character.

FINDING: Consistent.

CRITERIA 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: It is the purpose of the Comprehensive Plan and City Wide Master Plan to encourage re-investment, protect and enhance residential neighborhoods. The Applicant request this variance so that they can invest into their property and construct an addition that will serve their family needs and increase the value of their home.

FINDING: Consistent.

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

ANALYSIS: The existing non-conforming setback, as demonstrated in the survey, is original to

the home and not a circumstance that was created by the Applicant. Therefore the request is not economically based or self-imposed.

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.

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ATTACHMENTS

ATTACHMENT A: Application Package

ATTACHMENT B: Land Use and Zoning Map

ATTACHMENT C: Correspondence