

# **ATTACHMENT I**

**Joint Historic Preservation Board and Planning and  
Development Board  
Staff Report and Supporting Documents  
October 11, 2018**

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

**DATE:** October 11, 2018 **FILE:** 18-T-54

**TO:** Joint Historic Preservation Board and Planning and Development Board/Local Planning Agency

**FROM:** Leslie A. Del Monte, Planning Manager

**SUBJECT:** The City of Hollywood requests a Text Amendment to the Zoning and Land Development Regulations amending Article 4 to reduce the front setback for lakefront properties located within the Lakes Area Historic Multiple Resource Listing District.

**REQUEST:**

Text Amendment to the Zoning and Land Development Regulations amending Article 4 to reduce the front setback for lakefront properties located within the Lakes Area Historic Multiple Resource Listing District.

**RECOMMENDATION:**

Forward a *recommendation of approval* to the City Commission.

**REQUEST**

The request is to amend Article 4 of the Zoning and Land Development Regulations to reduce the required front setback for lakefront lots located within the Lakes Area Historic Multiple Resource Listing District, to match that of non-lakefront lots. Current single family district setback regulations require a minimum 80-foot setback for lakefront lots; while the requirement for non-lakefront lots within the district and elsewhere in the City is a minimum of 25 feet. This text amendment was requested by the Historic Preservation Board in early 2018, after considering proposed lakefront projects; and considering the existing setback to be onerous in comparison with other lots and inconsistent with the existing fabric of the lakefront.

After conducting a visual evaluation and finding that approximately 43 percent of lakefront lots do not comply with the existing minimum setback requirement, Staff agrees with the Board's observation regarding the inconsistency of the existing fabric. Additionally, the 80-foot setback is required for habitable portions of the home; garages, however, have a minimum setback requirement of 25 feet. While technically compliant, there is a significant number of homes which take advantage of this allowable encroachment (approximately 38 percent). The combination of those two scenarios, translates into approximately 84 percent of the lots having structures within the required 80 foot setback. Furthermore, Staff found that in approximately 16 percent of the cases, the irregular configuration of the lot makes compliance with the existing setback unfeasible; therefore, triggering the need for a variance.

As such, the text amendment proposes to amend Section 4.1.C. as follows:

**§ 4.1 Single Family Districts.**

\* \* \*

**C. Setback Requirements: Main Structure.**

<b>Front</b>	<b>Side/Interior</b>	<b>Side/Street</b>	<b>Rear</b>
<del>25 ft.; except lots in the Lakes Area - For lots with a lot line adjacent to a lake, setback is 80 ft.</del>	The sum of the side yard setbacks shall be at least 25% of the lot width, but not to exceed 50 ft. with no side yard less than 7.5 ft.; except, platted and recorded lots of 50 ft. or less in width may have a 5 ft. setback (only applies to one story additions and new construction of one story buildings). Any construction in excess of one story must meet the 25% rule with a minimum 7.5 ft. setback.	15 ft.	15% of the lot depth; 15 ft. min. 50 ft. max.; except Lots in the Lakes Area - For lots with a lot line adjacent to a lake, setback is 25 ft.

**SITE INFORMATION**

**Owner/Applicant:** City of Hollywood  
**Address/Location:** Lakefront properties located within the Lakes Area Historic Multiple Resource Listing District.  
**Present Zoning:** Single-Family Residential (RS-9)  
Lakes Area Multiple Resource Listing District (HMPRLD-1)  
**Present Use of Land:** Low Residential

**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.*

Given the significant irregularity of the existing neighborhood fabric, the proposed text amendment does not create an inconsistent pattern, allows for applicants to maximize the living area of their property, and capitalizes on the value of increased outdoor space adjacent to the lakefront.

## 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 text amendment takes into consideration the existing pattern of development for lakefront lots and establishes a pattern that is consistent with other adjacent properties within the District and single family districts throughout the City.

***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.*

The CWMP also states *the single-family character of the area should be preserved and enhanced through strict zoning code enforcement, traffic calming and streetscape improvements.* Given the inconsistent pattern the proposed text amendment will have a minimal impact on the current streetscape and urban fabric.

## APPLICABLE CRITERIA

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

**CRITERIA 1:** The proposed change 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 amendment is consistent with the City's Comprehensive Plan as outlined previously in the Consistency section of this Report. Furthermore, the proposed text amendment allows for lakefront lots to be consistent with other adjacent properties within the District and single family districts throughout the City.

**FINDING:** Consistent

**CRITERIA 2:** That conditions have substantially changed from the date the present zoning regulations were established.

**ANALYSIS:** While the existing zoning regulations have been established for some time, the existing built form does not reflect the intent of the regulation. Considering that nearly half of the lakefront lots are not compliant and that approximately 84 percent of the lots have structures within the required 80 foot setback, the proposed text amendment will have a minimal impact on the current streetscape and urban fabric.

**FINDING:** Consistent