

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

**DATE:** May 9, 2019 **FILE:** 19-V-15

**TO:** Planning and Development Board

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

**FROM:** Fitz Murphy, Planning Administrator

**SUBJECT:** 5740 Hollywood Boulevard LLC requests a Variance to the required front setback for an addition to an existing office building at 5740 Hollywood Boulevard.

**REQUEST:**

Variance to reduce the required front setback from 20 feet to ten feet.

**RECOMMENDATION:**

Variance: Approval with the condition that the Applicant continue to work with Staff to ensure that the design is appropriate.

**BACKGROUND**

In 2018, the Applicant, 5740 Hollywood Boulevard LLC, submitted building permits to undergo major improvements to the primary façade of the property located at 5740 Hollywood Boulevard, which included the screening of a ground floor garage and second floor balcony of the existing office building. The need for these improvements were not only aesthetic, but also create the necessary security required for the building and neighboring properties as loitering and vandalism issues were increasing within the open garage and balcony areas. Currently, approaching the building is a challenge as the entry to the second floor of the building is hidden from direct view. The Applicant, therefore, has proposed a new central entrance to the building. However, due to the limitations of the existing building, the new stair is proposed within the front setback of the property.

**REQUEST**

The Applicant, 5740 Hollywood Boulevard LLC requests a Variance to reduce the required front setback from 20 feet to ten feet. Granting this variance does not negatively impact the character of the neighborhood or hinder the intent of the regulation. On the contrary, neighboring properties in the Transit Oriented Corridor are permitted to have staircases that project 50 percent into the required setback. This variance is triggered by the Applicant's desire to provide additional access to the building. **As such, Staff conditions that the Applicant continue to work with Staff to ensure that the design is appropriate.**

## SITE INFORMATION

**Owner/Applicant:** 5740 Hollywood Boulevard LLC  
**Address/Location:** 5740 Hollywood Boulevard  
**Net Size of Property:** 33,000 sq. ft. (0.76 acres)  
**Land Use:** Office (OFF)  
**Zoning:** Mixed Use Office District (OM)  
**Existing Use of Land:** Office  
**Year Built:** 1982 (Broward County Property Appraiser)

## ADJACENT LAND USE

**North:** General Business (GBUS)  
**South:** Low Residential (LRES)  
**East:** Office (OFF)  
**West:** Transit Oriented Corridor (TOC)

## ADJACENT ZONING

**North:** Medium Intensity Commercial District (C-3)  
**South:** Single Family District (RS-5)  
**East:** Mixed Use Office District (OM)  
**West:** South Mixed Use District (S-MU)

## CONSISTENCY WITH THE COMPREHENSIVE PLAN

Located within the Office land use, the subject site is surrounded by commercial and office buildings lining Hollywood Boulevard. 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 enhances the character of Hollywood Boulevard, encourages redevelopment of the area, and provides a model for new development within the adjacent Transit Oriented Corridor. The project is consistent with the Comprehensive Plan based on the following Objectives:

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

***Objective 6:*** *Encourage multi-use areas and mixed uses concentrations of density near existing or planned major employment centers and major transportation routes in order to promote energy conservation and mass transit, preserve air quality, reduce the cost of services, encourage affordable housing, and promote economic development.*

## CONSISTENCY WITH THE CITY-WIDE MASTER PLAN:

The project is located in Sub-Area 1, defined by 56<sup>th</sup> Avenue to the east (including that portion of Washington Park that extends to 52<sup>nd</sup> Avenue), the Dania Cut-Off Canal to the north, Florida's Turnpike to the west, and Pembroke Road to the south. This area includes the residential neighborhoods of Beverly Park, Lawn Acres and Washington Park as well as the undefined residential areas east and west of US

441/SR 7 north of Hollywood Boulevard. The proposed project is consistent with the City-Wide Master Plan, based upon the following Guiding Principles and Policies.

***Guiding Principle:*** *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 CW.44:*** *Foster economic development through creative land use, zoning and development regulations, City services and City policies.*

***Policy 6.7:*** *Prepare design plans to enhance the streetscape with emphasis on the pedestrian environment.*

## **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 setback from 20 feet to ten 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 front setback, the Applicant's variance request is limited to the encroachment of a staircase which will have a minimal impact of the appearance on Hollywood Blvd. Additionally, it will not negatively impact the appearance of the City but rather fit in with the adjacent properties within the Transit Oriented District, where a 50 percent projection of a staircase is permitted. **As such, Staff conditions that the Applicant continue to work with Staff to ensure that the design is appropriate.**

**FINDING:**      Consistent, with aforementioned condition.

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

**ANALYSIS:**      The variance in no way changes the permitted uses and maintains compatibility with the surrounding land use. The proposed encroachment is small in scale, and located in such a way as to enhance the relationship between the pedestrian and the building, providing a clear delineation of the building entrance.

**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.”* Seeking to make overall improvements to the property, the current owner desires to enhance 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 proposed addition to meet required setbacks. Furthermore, as stated by the Applicant, “the additional cost to build the stair and lobby is being provided by the owner at no additional benefit or increase in building rentable square footage.”

**FINDING:** Consistent.

**CRITERION 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