

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

DATE: April 14, 2026 **FILE:** 26-S-13

TO: Planning & Development Board

VIA: Cameron Palmer, Assistant Director/Chief Planner

FROM: Urja Modi, Planner II

SUBJECT: Archdiocese of Miami Nativity Church requests a Special Exception to permit the expansion of a legal non-conforming use to facilitate the addition of an 860-square-foot modular building to an existing school in the RS-5 zoning district.

REQUEST

Special Exception to permit the expansion of a legal non-conforming use, pursuant to Section 3.12 of the Zoning and Land Development Code, to facilitate the addition of an 860-square-foot modular building to an existing school, pursuant to Section 4.22 of the Zoning and Land Development Code, in the RS-5 zoning district.

RECOMMENDATION

Special Exception: Approval, subject to the following conditions:

- a. Student enrollment shall be limited to the enrollment capacity in effect as of the date of the application, which capacity is 800 students.
- b. The Owner shall submit annual enrollment data for verification purposes.

BACKGROUND & REQUEST

Paul Fluty (the "Applicant"), on behalf of Archdiocese of Miami Nativity Church (the "Owner"), requests a Special Exception to allow for a modular classroom trailer on an existing legal non-conforming elementary school site located at 5220 Johnson Street in the Hollywood Hills subdivision of the City of Hollywood (the "subject property").

The subject property consists of multiple platted lots within Blocks 269 and 270 of the Hollywood Hills subdivision, including portions of vacated rights-of-way, and measure an area of approximately 391,714 square feet (8.99 acres). The property is bounded by Johnson Street to the north, North 52 Avenue to the east, North 56 Avenue to the west, and Chaminade-Madonna College Preparatory School to the south. The surrounding neighborhood is characterized predominantly by single-family residential uses.

The site is developed as a religious and educational campus associated with Nativity Catholic Church and Nativity Catholic School, which includes the church sanctuary, classroom and administrative buildings, recreational areas, and surface parking areas that support campus operations. Nativity Catholic School was established in 1961 and operates as part of the Archdiocese of Miami Catholic school system, serving students from preschool through eighth grade. It currently educates approximately 800 students. The campus supports academic instruction, arts programming, and extracurricular activities associated with the school's educational program.

By way of background, this particular educational facility (Nativity Elementary School) was erected in the 1960s, predating the requirement for a Special Exception, and establishing the legal non-conformity of the use, subject to appropriate permitting and approvals required at that time. Accordingly, the requested represents a minor expansion of a legal non-conforming use. Further, the modular classroom that is the subject of this request was previously reviewed and permitted through an associated Building Permit application (Building Permit No. B25-102172) as part of an addition to the existing school campus. Due to contextual sensitivities and community considerations, the Building Permit has been issued Condition Approval and a Temporary Certificate of Occupancy. Final approval of the Building Permit and issuance of a Certificate of Occupancy remain contingent upon approval of this Special Exception application. Accordingly, this request seeks to formalize approval of the installed portable classroom.

The Applicant proposes to permit one (1) modular classroom building totaling approximately 860 square feet that has been installed on-site and is intended to be used as an art classroom associated with the existing school operations. The structure is a single-story modular building approximately 10 feet in height and is located within the southwest portion of the campus, in proximity to existing school buildings. The classroom is intended to provide additional instructional space for the school's art program while accommodating the operational needs of the existing educational facility. This request and associated art classroom are not intended to increase student enrollment, but rather to support and enhance the existing educational program.

By way of background, the modular classroom that is the subject of this request was previously reviewed and permitted through an associated Building Permit application (Building Permit No. B25-102172) as part of an addition to the existing school campus. Due to contextual sensitivities and community considerations, the Building Permit has been issued Condition Approval and a Temporary Certificate of Occupancy. Final approval of the Building Permit and issuance of a Certificate of Occupancy remain contingent upon approval of this Special Exception application. Accordingly, this request seeks to formalize approval of the installed portable classroom.

The modular classroom will function as an accessory structure to the principal educational use of the property and represents a minor expansion of the established campus. The addition is limited in scale and operational impact relative to the overall property and will maintain the existing site layout, parking configuration, and circulation patterns currently serving the campus. To ensure limited impacts, the request is accompanied with two conditions: the first which limits enrollment to the existing capacity of 800 students, and the second which requires the submission of annual enrollment data for verification purposes.

Because the educational facility operates as an existing legal non-conforming use within the applicable zoning district, any expansion of the use requires Special Exception approval pursuant to Section 3.12 of the City's Zoning and Land Development Code. Additionally, the proposed modular classroom qualifies as a portable educational structure, which is subject to Special Exception approval under the applicable provisions of Section 4.22 of the City's Zoning and Land Development Code. The request before the Planning and Development Board is therefore to permit the installation and continued presence of the modular classroom as an accessory educational structure associated with the existing school campus.

SITE INFORMATION

Owner/Applicant:	Archdiocese of Miami Nativity Church
Address/Location:	5220 Johnson Street
Net Size of Property:	391,714 sq. ft. (±8.99 acres)
Land Use:	Community Facility (COMFAC)
Zoning:	Single Family District (RS-5)
Existing Use of Land:	Education Facility/Place of Worship

ADJACENT LAND USE

North: Low (5) Residential (LRES)
South: Community Facility (COMFAC)
East: Low (5) Residential (LRES)
West: Low (5) Residential (LRES)

ADJACENT ZONING

North: Single Family District (RS-5)
South: Single Family District (RS-5)
East: Single Family District (RS-5)
West: Single Family District (RS-5)

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The goal of the Land Use Element is to promote adequate school site and school buildings to serve the population. Permitted uses in areas designated residential include community facilities, schools, and churches. Additionally, the Comprehensive Plan encourages the distribution of land uses that will enhance and improve the residential, business, resort, and natural communities while allowing landowners to maximize the use of their property.

The requested Special Exception will allow the applicant to provide additional classroom space for existing students, and is not an increase of the enrollment numbers, student population or on-site staff for the school. The proposed request is consistent with Comprehensive Plan based upon the following:

Goal: *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.*

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

Further, the subject site has a land use designation of Community Facility (COMFAC). The COMFAC Land Use Designation permits: *Community facilities such as schools and other educational uses, hospitals, governmental administration, police and fire stations, parking lots, libraries, nursing homes, cemeteries, jails, prisons, courts, civic centers and other public buildings and grounds, places of worship, and non-profit charitable organizations; Open Space and Recreation facilities; and, Special residential facilities categories 2 and 3, as described and defined in permitted use #11 in the Residential land use category, subject to zoning and development regulations.*

The modular classroom is accessory to an existing school campus, which is a permitted use within the COMFAC land use designation. Accordingly, the proposed request is consistent with the City's Comprehensive Plan.

ANALYSIS OF SPECIAL EXCEPTION CRITERIA as stated in the City of Hollywood's Zoning and Land Development Regulations, Article 5.3(G) (1). Approval, Approval with Conditions, or Denial will be based on the following criteria:

Special Exception: **Expansion of a legal non-conforming use and to permit a modular classroom trailer.**

CRITERION 1: The proposed use must be consistent with the principles of the City's Comprehensive Plan.

ANALYSIS: The intent of the Comprehensive Plan's 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. Trailers/portables are structures commonly associated with educational facilities, and in many instances have not proven to cause health safety and general welfare issues of persons working or residing in the vicinity. Approval for the Special Exception proposed modular classroom supports the continued operation of an established educational institution and will permit the Applicant to better meet the needs of the school, thus improving the quality of the school's services. The modular classroom is consistent with the principles of the City's Comprehensive Plan that encourage the provision of community-serving institutional uses, including educational and religious facilities. The request represents a minor expansion of an existing school campus and does not introduce a new land use to the property. As it relates to the City, approval will not be detrimental or injurious to property and improvements in the vicinity or general welfare of the City. The proposed request is consistent with the principles of the City's Comprehensive Plan.

FINDING: Consistent.

CRITERION 2: The proposed use must be compatible with the existing land use pattern and designated future land use and with existing natural environment and other real property within the vicinity.

ANALYSIS: The modular classroom will function as an accessory structure supporting the existing educational use on the property and represents a minor expansion of a long-standing institutional campus. The surrounding area contains a mix of institutional and residential uses, including Chaminade-Madonna College Preparatory School immediately south of the site and single-family residential neighborhoods generally located to the north, east and west. The structure is limited in scale and located within the developed portion of the campus, thereby maintaining the established site layout and operational characteristics of the property. As such, the request is compatible with the existing land use pattern and the surrounding neighborhood.

FINDINGS: Consistent.

CRITERION 3: That there will be provisions for save traffic movement, both vehicular and pedestrian, both internal to the use and in the area which will serve the use.

ANALYSIS: The modular classroom is limited in size and will function as an accessory structure within the existing school campus. The addition will not increase student enrollment or generate additional traffic and therefore will not alter existing circulation patterns. To ensure the addition of this facility does not result in increased enrollment, a condition is included to limit the site's capacity to 800 students, consistent with the current enrollment. The campus currently provides established vehicular access points, internal drive aisles and circulation areas, and pedestrian pathways that safely accommodate school operations. As shown on the Site Plan, additional walkways are provided to ensure safe pedestrian access to the classroom. Accordingly, the request maintains safe traffic movement and is compliant with applicable City regulations to the maximum extent practicable.

FINDINGS: Consistent.

CRITERION 4: That there are setbacks, buffering, and general amenities in order to control any adverse effects of noise, light, dust and other potential nuisances.

ANALYSIS: The modular classroom is located within the interior southwest portion of the campus in proximity to existing school buildings. As a legal non-conforming educational use, the campus is already developed with appropriate setbacks, buffering, and site features that provide separation from adjacent residential properties. While the classroom represents a minor expansion of the existing non-conforming use, it does not expand existing operational impacts as it continues to provide appropriate setback and buffering from surrounding sensitive uses. The structure is well integrated into the developed campus area and will not introduce new sources of noise, light, or other nuisance conditions beyond those already associated with the established institutional use. Accordingly, the request will not adversely affect surrounding properties.

FINDINGS: Consistent.

CRITERION 5: The proposed use, singularly or in combination with other Special Exceptions, must not be detrimental to the health, safety, or appearance of the neighborhood or other adjacent uses by reason of any one or more of the following: the number, area, location, height, orientation, intensity or relation to the neighborhood or other adjacent uses.

ANALYSIS: Modular classroom trailers are structures commonly associated with educational facilities and have not historically been shown to adversely affect public welfare or surrounding properties. The proposed classroom represents a minor expansion of an established institutional campus and is limited in scale relative to the overall property. The structure will function as an accessory educational facility and will not alter the intensity or character of the existing use. Its location within the interior of the site minimizes visibility and potential impacts to adjacent residential properties. Further, given the presence of institutional uses in the immediate area, including Chaminade-Madonna College Preparatory School to the south, the structure is not expected to adversely impact the surrounding neighborhood or the general welfare of the City. The structure will not be detrimental to the health, safety, or appearance of the neighborhood and allows the school to better accommodate its operational needs.

FINDINGS: Consistent.

CRITERION 6: The subject parcel must be adequate in shape and size to accommodate the proposed use.

ANALYSIS: The subject property contains approximately 8.99 acres and is developed as an institutional campus supporting church and school facilities. The modular classroom occupies a very small portion of the site (approximately 0.2%). Given the size and configuration of the property, the site is adequate to accommodate the proposed classroom while maintaining existing parking, circulation, and open space areas.

FINDINGS: Consistent.

CRITERION 7: The proposed use will be consistent with the definition of a Special Exception and will meet the standards and criteria of the Zoning Classification in which such use is proposed to be located and all other requirements for such particular use set forth elsewhere in the Zoning Code, or otherwise adopted by the City Commission.

ANALYSIS:

The City's Zoning and Land Development Regulations define a Special Exception as a use that may be appropriate within a zoning district provided it satisfies the applicable review criteria. As discussed above, Staff finds the Applicant's request consistent with the Special Exception criteria set forth in Article 5 of the City's Zoning and Land Development Regulations.

This request is two-fold in nature. First, a Special Exception is required to allow the expansion of an existing legal non-conforming educational use pursuant to Section 3.12 of the City's Zoning and Land Development Code. Second, a Special Exception is required for the placement and continued presence of a modular (portable) classroom structure in accordance with Section 4.22 of the Code. This application therefore seeks to address both requirements under a single request.

Educational facilities are permitted as Special Exceptions within residential zoning districts. This particular educational facility (Nativity Elementary School) was erected in the 1960s, predating the requirement for a Special Exception, and establishing the legal non-conformity of the use, subject to appropriate permitting and approvals required at that time. The modular classroom will function as an accessory structure supporting the existing educational use and represents a limited expansion of the established school campus. As noted previously, modular classrooms are commonly associated with educational facilities and are typically utilized to accommodate operational needs without increasing the overall intensity of the use. The classroom does not increase the intensity of the use, as it will not result in additional student enrollment, traffic, or operational impacts, and therefore does not materially increase the degree of nonconformity. Further, the requested condition requires that enrollment not be increased, to ensure the degree of non-conformity is not increased.

As discussed previously, the modular classroom was subject to the building permit process, at which point, the detailed zoning compliance review was completed. Based on the foregoing, the proposed classroom is anticipated to comply with applicable Zoning and Land Development Code requirements.

FINDINGS:

Consistent.

ATTACHMENTS

- ATTACHMENT A: Application Package
- ATTACHMENT B: Land Use and Zoning Map