



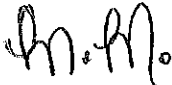
**CITY OF HOLLYWOOD, FLORIDA
INTER-OFFICE MEMORANDUM
DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES**

DATE: May 12, 2011 **FILE:** 08-SV-02b

TO: Development Review Board

VIA: Andria Wingett, Planning Manager 

VIA: Julie Krolak, Principal Planner 

FROM: Mariluz Maldonado, Planning and Development Services Administrator 

SUBJECT: Van Buren Facility, LLC requests Variances and an amendment to a previously approved Special Exception to allow a new modular testing center with classrooms at 2627 Van Buren Street (Ben Gamla Charter School).

APPLICANT'S REQUEST:

- Variance 1: Waive the required 20' building setback to allow 13' on the west, 6.6' on the east and 0' on the north.
- Variance 2: Waive the required maximum lot coverage of 60% to provide approx. 82%.
- Amendment to a previously approved Special Exception to allow a new modular building for computerized FCAT testing classrooms.

STAFF'S RECOMMENDATION:

- Variances 1&2: Approval for the new modular testing center only and subject to the following conditions:
 - Parcels containing modular buildings must remain associated with the school;
 - Use of modular buildings may continue as long as the north parcel (Lot 2, Block 30) remains affiliated with the school. If north parcel is no longer associated, modular buildings must be removed;
 - Subject to granting of the amended Special Exception.
- Amended Special Exception: Approval if Variances are approved with the following conditions:
 - The amended Special Exception parcels containing modular buildings must remain associated with the school;
 - As long as the north parcel (Lot 2, Block 30) remains affiliated with the school.

HISTORY:

Ben Gamla Charter School was established in August 2007 ranging from Kindergarten to eighth grade. A Charter School operates similarly to a public school and is part of the state's program of public education; however, it is privately managed.

On July 10, 2008, the applicant obtained setback Variances and amendment to previously approved Special Exception to allow a new modular building with eight classrooms for the existing Charter School at 2620 Hollywood Boulevard. At that time the Special Exception was approved with conditions. (See attached Resolution)

REQUEST:

Today, the applicant is requesting setback and lot coverage Variances and amendment to a previously approved Special Exception to add a modular building with two classrooms to serve as an FCAT computer testing center. The applicant indicated within their project criteria, "The testing center is a requirement by the State". Currently the school has 660 students and the applicant has also indicated no additional students will be added. However, two testing administrators will be added to the school staff.

The proposed modular building (approximately 1,350 sq ft) is pre-fabricated and comes in a standard design and size. New building height will be one-story, approximately 11'-14' maximum, which is similar to the height of the existing modular and compatible with surrounding buildings which range from one-story to three-stories. Moreover, modular buildings are typically used by the School Board to accommodate school needs.

The applicant is requesting a Variance for the east, west and north setbacks. The O-2 Zoning District requires a 20' setback for all four sides. The proposed development will provide 13' to the west, 6.6' to east and 0' to the north. The applicant is proposing to place the new modular building on the site while providing similar setbacks to the existing building on the east and the west sides. However, on the north, the applicant is proposing a 0' setback due to walkway width requirements between buildings from the Fire Department.

Furthermore, the applicant is requesting a Variance to exceed the maximum lot coverage. The O-2 District allows for a maximum of 60% lot coverage. However, since the applicant is adding another modular building with required concrete walkways, the lot coverage will be increased to approximately 82%. Staff is recommending approval of the variances with the following conditions: parcels containing modular buildings must remain associated with the school and the use of modular buildings may continue as long as the north parcel (Lot 2, Block 30) remains affiliated with the school, if north parcel is no longer associated, modular buildings must be removed and subject to granting of the amended Special Exception.

Staff has had discussions with the applicant indicating they can avoid most of the requested Variances if a Unity of Title/Unity of Control is submitted tying in all school related lots. If the lots are united the north, east and lot coverage Variances will no longer be needed as the development boundary lines will change and the overall open space requirements will be accounted for. However, the applicant has indicated they do not wish to proceed with a Unity of Title at this time. Therefore, staff has recommended the aforementioned conditions.

With previous approvals the applicant has provided the required landscape buffers as well as perimeter fencing. The main school site will continue to provide parking and pick-up/drop-off areas. The existing parking lot will not be altered and contains sufficient spaces (59) to accommodate both the existing and new parking requirements based on the two additional staff members. Moreover, current hours of operation will also be maintained. The attached plans reflect necessary site improvements to accommodate the request, including new pedestrian walkways connecting buildings.

SITE INFORMATION:

Owner/Applicant: Van Buren Facility, LLC
Address/Location: 2627 Van Buren Street
Net Size of Property: 10,000 sq ft
Present Zoning: Medium Intensity Office (O-2)
Future Land Use Designation: Regional Activity Center
Existing Use of Land: Charter School

ADJACENT ZONING:

North: Medium Intensity Office (O-2)
South: Medium High Density Multiple Family (RM-18)
East: Medium Intensity Office (O-2)
West: Medium Intensity Office (O-2)

ADJACENT LAND USE:

North: Regional Activity Center
South: Regional Activity Center
East: Regional Activity Center
West: Regional Activity Center

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

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 landowners to maximize the use of their property. The requested Variances and amended Special Exception will allow the applicant to accommodate an FCAT computerized testing center. As indicated by the applicant, "No additional students are being proposed under this application". Moreover, the existing Charter School has been providing services to the surrounding community since August 2007.

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".

The project is located within the Regional Activity Center (RAC). The main purpose of this land use designation is to facilitate multi-use and mixed-use development. This land use encourages the mix of uses in an area in order to provide all types of services within a neighborhood. For example, it focuses on the best mix of office, service, retail, entertainment, residential, community facilities, open space and transportation uses that will promote a lively, livable and successful neighborhood, as encouraged by the Comprehensive Plan. The proposed FCAT computer testing center will help continue to accommodate the existing Charter School. The associated improvements will help existing conditions while allowing the land owners to maximize the use of their property.

CONSISTENCY WITH THE CITYWIDE MASTER PLAN:

The subject property is located in Sub-Area 3, East Central Hollywood, is defined by Dixie Highway to the east, Stirling Road to the north, Pembroke Road to the south and I-95 to the west. This area includes the residential neighborhoods of Liberia/Oakwood Hills, North Central and South Central. Most of the commercial/retail activities in the area are along Hollywood Boulevard and at Oakwood Plaza. Hollywood Boulevard, the primary commercial corridor in this area, is predominantly office and neighborhood commercial, which includes both retail and service oriented business.

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".

The request is to provide FCAT testing center/classrooms. The existing school buildings are being occupied with classrooms and the new modular building will be necessary to accommodate the new testing center and classrooms. The applicant has indicated in their project criteria that no additional students will be added as part of this application.

The proposed development would directly meet the above policies by allowing a needed service by the school while taking into consideration the surrounding properties and making the necessary improvements in order to help mitigate any possible impacts which may occur.

CONSISTENCY WITH THE NEIGHBORHOOD PLAN:

The subject property is located in the North Central neighborhood. The proposed development is consistent with the Neighborhood Plan as it promotes property maintenance and enhancement in order to increase property values. Furthermore, the project is consistent with the following goals of the Neighborhood Plan:

- ❖ **Planning and Zoning:** "Encourage the maintenance of all properties".

VARIANCES:

Variance 1: Waive the required 20' building setback to allow 13' on the west, 6.6' on the east and 0' on the north.

The following criteria are listed in the Zoning and Land Development Regulations Section 5.6 J (1) and are utilized in evaluating Variances:

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: The O-2 Zoning District requires a 20' setback on all four sides of a building. The purpose of required setbacks is to provide landscaping and safe distances between adjacent structures and right-of-ways. In instances where commercial or industrial uses abut or are adjacent to residential uses, setbacks are intended to provide a needed buffer between the differing uses and thus. The proposed development abuts the O-2 District on the west and the required buffers and fencing were provided as part of the previous request.

New modular building will provide 13' to the west, 6.6' to east and 0' to the north. The applicant is proposing to align the new modular building with the existing building to provide the same setbacks on the east and the west. However, on the north, the applicant is proposing a 0' setback. "This was due to walkway width requirements between buildings from the Fire Department", as indicated by the applicant. Although the applicant is not providing a setback on the north of the property, the adjacent parcel contains a school playfield which helps provide a greater buffer from the commercial uses along Hollywood Boulevard.

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: As previously stated, the applicant is proposing to align the new modular building with the existing building to provide the same setbacks on the east and the west. The new modular building will be located at the rear of the existing building and will not be seen from the street.

Although the applicant is not providing a setback on the north of the property, the adjacent parcel contains a school playfield which help provide a greater buffer from the commercial uses along Hollywood Boulevard. However, since the lots are not officially united, ***staff is recommending the following conditions: parcels containing modular buildings must remain associated with the school, use of modular buildings may continue as long as the north parcel (Lot 2, Block 30) remains affiliated with the school, if north parcel is no longer associated, modular buildings must be removed and subject to granting of the amended Special Exception.***

FINDING: Consistent, with the imposition of staff's condition.

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 goal of the Land Use Element, as stated in the Comprehensive Plan, 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 requested Variances will allow the applicant to accommodate the new building without having to reduce the number of existing classrooms.

FINDING: Consistent.

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

ANALYSIS: "The basis for the requested Variance is due to limited site constraints and conditions that must be overcome to provide a facility that must meet functioning requirements of the State of Florida's Department of Education", as indicated by the applicant. The proposed development abuts the O-2 District on the west and the required buffers and fencing were provided as

part of the previous request. The applicant has taken into consideration the surrounding uses and will be proposing to arrange the proposed building in manner that will match the existing side setbacks. Also, as indicated by the applicant, "The number of students is not being proposed to be increased as part of this request".

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.

Variance 4: Waive the required maximum lot coverage of 60% to provide approx. 82%.

The following criteria are listed in the Zoning and Land Development Regulations Section 5.6 J (1) and are utilized in evaluating Variances:

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: This request is to increase the maximum allowed lot coverage of 60% to provide approximately 82%. The purpose of required lot coverage is to ensure enough open space/pervious areas are provided on site for drainage purposes. In this instance the subject lot abuts a play field to the north which is part of the school and the open space provided on that lot will help mitigate any drainage issues. If the overall project would have been unified, the applicant will not need this Variance. However, they have indicated to staff they do not wish to unify the schools lots at this time. Since the school sites have not been unified, ***staff is recommending the following conditions: parcels containing modular buildings must remain associated with the school, use of modular buildings may continue as long as the north parcel (Lot 2, Block 30) remains affiliated with the school, if north parcel is no longer associated, modular buildings must be removed and subject to granting of the amended Special Exception.***

FINDING: Consistent, with the imposition of staff's 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 proposed modular building (approximately 1,350 sq ft) is pre-fabricated and comes in a standard design and size. New building height will be one-story, approximately 11'-14' maximum, which is similar to the height of the existing modular building and compatible with surrounding buildings which range from one-story to three-stories. However, since the applicant is proposing to add another building to the site and the school development has not been unified, the subject lot has limited space to comply with the 60% maximum lot coverage requirement. Although the applicant is not providing a setback on the north of the property, the adjacent parcel contains a school playfield which help provide a greater buffer from the commercial uses along Hollywood Boulevard

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 goal of the Land Use Element is to "promote a distribution of land uses to enhance and improve the residential, business, resort and natural communities while allowing land owners to maximize the use of their property." The proposed modular building addition for a testing center does allow the owner to maximize use of this property by accommodating the school needs. The requested variance will allow the applicant to accommodate the new building without having to reduce the number of classrooms.

FINDING: Consistent.

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

ANALYSIS: "The basis for the requested Variance is due to limited site constraints and conditions that must be overcome to provide a facility that must meet functioning requirements of the State of Florida's Department of Education", as indicated by the applicant. The proposed development abuts the O-2 District on the west and the required buffers and fencing were provided as part of the previous request. The applicant has taken into consideration the surrounding uses and will be proposing to arrange the proposed building in manner that will match the existing side setbacks. Also, as indicated by the applicant, "The number of students is not being proposed to be increased as part of this request".

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.

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

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

ANALYSIS: The applicant is also requesting an amendment to a previously approved Special Exception to provide two additional classrooms. New building height will be one-story, approximately 11'-14' maximum, which is similar to the height of the existing modular building and compatible with surrounding buildings which range from one-story to three-stories. Moreover, modular buildings are typically used by the School Board to accommodate the need for new classrooms.

As a result, the proposed modular building with two classrooms for an FACT testing center is consistent with Objective 4 of the Comprehensive Plan: "Maintain and enhance neighborhoods, business, utilities, industrial and tourist areas that are not blighted". The applicant has taken into consideration the surrounding uses and will be proposing to arrange the proposed building in manner that will match the existing building side setbacks.

FINDING: Consistent.

CRITERIA 2: **The proposed use must be compatible with the existing land use pattern and designated future uses and with the existing natural environment and other real properties within the vicinity.**

ANALYSIS: Although properties to the west are single family homes, they are zoned Medium Intensity Office (O-2). The Multi-Family uses to the south have been taken into consideration; therefore, 5' landscape buffer exteriors of the 5' PVC fence on the south were added as part of the previous approvals. The perimeter of the site is enclosed by a 5' vinyl coated chainlink fence with landscape buffers to help beautify the property.

New modular building will provide 13' to the west, 6.6' to east and 0' to the north. The applicant is proposing to align the new modular building with the existing building to provide the same setbacks on the east and the west. However, on the north, the applicant is proposing a 0'. "This was due to walkway width requirements between buildings from the Fire Department", as indicated by the applicant. Although the applicant is not providing a setback on the north of the property, the adjacent parcel contains a school playfield which help provide a greater buffer from the commercial uses along Hollywood Boulevard. However, ***staff is recommending the following conditions: the amended Special Exception parcels containing modular buildings must remain associated with the school; and as long as the north parcel (Lot 2, Block 30) remains affiliated with the school.***

FINDING: Consistent.

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

ANALYSIS: Existing traffic patterns, including pick-up and drop-off at the main school will remain. The existing pick-up /drop-off system provide assistance to parents and visitors for onsite vehicular stacking during times of arrival and dismissal to enhance safe movement and maintain the traffic flow.

Existing traffic flow and main parking lot for the school are located on Van Buren Street. Required parking spaces will be provided at the existing parking lot which contains 59 standard spaces and three handicapped. The current number of spaces will accommodate the necessities of both the proposed and the existing staff.

FINDING: Consistent.

CRITERIA 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 requested amendment to a previously approved Special Exception will allow the applicant to add a new modular building which will provide the following setbacks: 13' to the west, 6.6' to east and 0' to the north as previously discussed. "The proposed east and west setbacks are consistent and similar with the conditions and alignment of the existing building". The existing five feet (5'-0) high, mature and continuous hedge helps create a visual buffer between the subject property and the adjacent lot", as provided by the applicant.

The perimeter of the property is fenced in and landscape buffers along the fence were added to help mitigate possible impacts onto adjacent properties. A 5' landscape buffer at front of the property and hedging along the 5' vinyl coated chainlink were provided to help buffer adjacent uses.

FINDING: Consistent.

CRITERIA 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: The applicant is requesting to amend a previously approved Special Exception to incorporate a new testing center with classrooms. The applicant is proposing to align the new modular building with the existing building to provide the same setbacks on the east and the west. However, on the north, the applicant is proposing a 0' setback and the he indicated in the justifications this was "due to walkway width requirements between buildings from the Fire Department". Although the applicant is not providing a setback on the north of the property, the adjacent parcel contains a school playfield which help provide a greater buffer from the commercial uses along Hollywood Boulevard.

Additionally, thought the applicant is proposing a new modular building with classrooms, the number of students will not be increased, and therefore, the level of intensity will not be altered.

FINDING: Consistent.

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

ANALYSIS: "The basis for the request to add a new modular building for testing center/classrooms is to provide a facility that must meet functioning requirements of the State of Florida's Department of Education", as indicated by the applicant. The applicant is proposing to align the new modular building with the existing building to provide the same setbacks on the east and the west. However, on the north, the applicant is proposing a 0' setback and the he indicated in the justifications this was "due to walkway width requirements between buildings from the Fire Department".

FINDING: Consistent.

CRITERIA 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: School uses are allowed by Special Exceptions; therefore, the proposed modular building with two classrooms/testing center is consistent with the current school use on the adjacent parcel. Therefore, the proposed development will continue to be compatible with the surrounding uses within the neighborhood. However, in order to incorporate the new modular building with classrooms, the applicant is requesting an amendment to a previously approved Special Exception. The existing school buildings are being occupied with classrooms and the new modular building will be necessary. The applicant has indicated in their project criteria that no additional students will be added as part of this application.

FINDING: Consistent.

STAFF'S RECOMMENDATION:

- Variances 1&2: Approval for the new modular testing center only and subject to the following conditions:
 - Parcels containing modular buildings must remain associated with the school;
 - Use of modular buildings may continue as long as the north parcel (Lot 2, Block 30) remains affiliated with the school. If north parcel is no longer associated, modular buildings must be removed;
 - Subject to granting of the amended Special Exception.

- Amended Special Exception: Approval if Variances are approved with the following conditions:
 - The amended Special Exception parcels containing modular buildings must remain associated with the school;
 - As long as the north parcel (Lot 2, Block 30) remains affiliated with the school.

ATTACHMENTS:

ATTACHMENT A: Application Package
ATTACHMENT B: Zoning District and Land Use Maps
ATTACHMENT C: Previously Approved Development Review Board Resolutions

ATTACHMENT A
Application Package

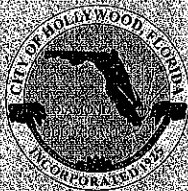
OFFICE OF PLANNING



File No. (to be filled by the Office of Planning): _____

2600 Hollywood Boulevard Room 315
Hollywood, FL 33022

GENERAL APPLICATION



Tel: (954) 921-3471
Fax: (954) 921-3347

This application must be completed in full and submitted with all documents to be placed on a Board or Committee's agenda.

The applicant is responsible for obtaining the appropriate checklist for each type of application.

Applicant(s) or their authorized legal agent must be present at all Board or Committee meetings.

At least one set of the submitted plans for each application must be signed and sealed (i.e. Architect or Engineer).

Documents and forms can be accessed on the City's website at http://www.hollywoodfl.org/comm_planning/appforms.htm



APPLICATION TYPE (CHECK ONE):

- Development Review Board Historic Preservation Board
 Planning and Zoning Board Technical Advisory Committee
 City Commission

Date of Application: 04.06.2011

Location Address: 2627 Van Buren Street, Hollywood, FL. 33020

Lot(s): No.2 Block(s): 30 Subdivision: Hllwd Little Ranch

Folio Number(s): 5142-1602-2990

Zoning Classification: O-2 Med Intens Office Land Use Classification: Regional Activity Centr

Existing Property Use: Public Charter School Sq Ft/Number of Units: 4,940 sq.ft.

Is the request the result of a violation notice? () Yes (✓) No If yes, attach a copy of violation.

Has this property been presented to the City before? If yes, check all that apply and provide File Number(s) and Resolution(s): YES

- Economic Roundtable Technical Advisory Committee Development Review Board
 Planning and Zoning Board Historic Preservation Board City Commission

Explanation of Request: Adding Small Modular Building for Computerized Testing Area. New parameters for testing required by the State. (No additional students request)

Number of units/rooms: 1-Small Modular Unit Sq Ft: 1,241 sq.ft.

Value of Improvement: \$80,000 Estimated Date of Completion: July, 2011

Will Project be Phased? () Yes (✓) No If Phased, Estimated Completion of Each Phase

Name of Current Property Owner: Van Buren Facility, LLC. (Peter R. Deutsch, Manager)

Address of Property Owner: 6340 Sunset Drive, Miami, FL. 33143

Telephone: 305.669.2906 Fax: 305.669.4390 Email Address: Prdeutsch@aol.com

Name of Consultant/Representative/Tenant (circle one): Ivan Fajardo (CIVICA, LLC)

Address: 8323 NW 12 St, Suite 106, Doral, Fl 33126 Telephone: 305.593.9959

Fax: 305.593.9855 Email Address: IFAJARDO@CIVICAGROUP.COM

Date of Purchase: N/A Is there an option to purchase the Property? Yes () No (✓)

If Yes, Attach Copy of the Contract.

List Anyone Else Who Should Receive Notice of the Hearing: _____

Mr. Peter Deutsch Address: 2620 Hollywood Blvd, Hollywood, FL. 33020 Email Address: Prdeutsch@aol.com

Telephone No: 954.232.9579

OFFICE OF PLANNING



2600 Hollywood Boulevard Room 315
Hollywood, FL 33022

GENERAL APPLICATION

CERTIFICATION OF COMPLIANCE WITH APPLICABLE REGULATIONS

The applicant/owner(s) signature certifies that he/she has been made aware of the criteria, regulations and guidelines applicable to the request. This information can be obtained in Room 315 of City Hall or on our website at www.hollywoodfl.org. The owner(s) further certifies that when required by applicable law, including but not limited to the City's Zoning and Land Development Regulations, they will post the site with a sign provided by the Office of Planning. The owner(s) will photograph the sign the day of posting and submit photographs to the Office of Planning as required by applicable law. Failure to post the sign will result in violation of State and Municipal Notification Requirements and Laws.

(I)(We) certify that (I) (we) understand and will comply with the provisions and regulations of the City's Zoning and Land Development Regulations, Design Guidelines, Design Guidelines for Historic Properties and City's Comprehensive Plan as they apply to this project. (I)(We) further certify that the above statements and drawings made on any paper or plans submitted herewith are true to the best of (my)(our) knowledge. (I)(We) understand that the application and attachments become part of the official public records of the City and are not returnable.

Signature of Current Owner: Peter Deutsch, Manager Date: 4/11/11
 PRINT NAME: Peter Deutsch Date: 4/11/11
 Signature of Consultant/Representative: [Signature] Date: 4.11.11
 PRINT NAME: IVAN FAJARDO Date: 4.11.11
 Signature of Tenant: _____ Date: _____
 PRINT NAME: _____ Date: _____

CURRENT OWNER POWER OF ATTORNEY

I am the current owner of the described real property and that I am aware of the nature and effect the request for (project description) add a small modular Unit for Comp testing to my property, which is hereby made by me or I am hereby authorizing (name of the representative) Ivan Fajardo (Civica Project Manager) to be my legal representative before the City of Hollywood (Board and/or Committee) relative to all matters concerning this application.

Sworn to and subscribed before me
this 11th day of April 2011

[Signature]

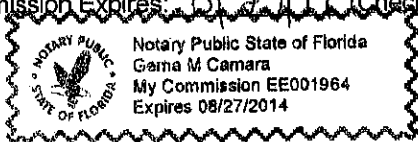
Peter Deutsch, Manager
SIGNATURE OF CURRENT OWNER

Peter Deutsch

Notary Public State of Florida

PRINT NAME

My Commission Expires: 08/27/2014 (Check One) Personally known to me; OR _____



Project Name: Ben Gamla Charter School Classroom
Facility for Computerized State Testing.

Date of Document: April, 2011

Project Address: 2627 Van Buren Street, Hollywood, FL.3302

Project Description: This application shall be for the approval and installation of a small, prefabricated classroom building (1,241sq.ft/ 1-Story) that will serve for teaching and as the school's main location for the Computerized State Testing. (NO ADDITIONAL STUDENTS ARE BEING REQUESTED UNDER THIS APPLICATION).

VARIANCE CRITERIA STATEMENT

There are only four (4) variances requested under this application:

1) The North Setback shall be a zero (0') feet Setback in lieu of twenty (20') feet:

*Please note that this must be provided in order to main the minimum Fire Department required corridor width between the new facility and the existing building. Also, this setback will not have any adverse impact on the context since the north side is flanked by the open sports field which is part of the existing school.

2) The East Setback shall match the existing six feet and six inches (6'-6") Setback in lieu of twenty (20') feet:

*This setback has been provided so as to meet the required modular building size parameter while matching the previously approved setback established by the existing building. Also, this setback will not have any adverse impact on the context since this east side is flanked by the main school building.

3) The West Setback shall match the existing thirteen feet (13'-0") Setback in lieu of twenty (20') feet:

*This setback is consistent with the similar conditions described above regarding building parameter and alignment with the existing building. Please also note that this separation will not have any adverse impact on the context since this west side has an existing, five feet (5'-0") high, mature, and continuous hedge that creates a visual buffer between the subject property and the adjacent lot.

4) A Lot Coverage ratio of 81.71% is being proposed in lieu of the 60% limit required.

*This excess in lot coverage is required in order to provide the appropriate space area for the testing/teaching environment; also, this will not have an adverse result on the context since the recreation field property will remain open. This field has ±12,000 sq.ft. in open area.

The aforementioned variance request meets and exceeds the requirements for approval as per the City of Hollywood standards (A-E). Please see explanatory outline below:

- A) The aforementioned variance(s) result in a proposed structure small in size, only one-story in height that will be located in the back of the property (behind the existing school building). Also, the proposed facility will be completely flanked by the main Ben Gamla building on the east side and the large Ben Gamla sports field on the north side. Thus, the testing facility will not be visible from the adjacent properties or from the right-of-ways. This arrangement encompasses the basic intent and purpose of the general regulations and it will not affect the aesthetic order and architectural appearance of the City of Hollywood.
- B) The approval of this variance request shall not create any incompatibility with the surrounding land uses since the existing uses will not be changed or altered. Also, since there shall not be an increase in student body there will be no adverse effect or detriment to the community.
- C) The requested variance(s) help to layout a design that is internal to the Ben Gamla Charter School Campus. The arrangement formed by the new testing facility follows the best practice of general urban design and architectural planning. The proposed design does not deviate from the general Comprehensive/Neighborhood Plan for the area.
- D) The basis for the variance(s) requested is not generated by any economic reasons or is freely self-imposed. The basis for this request is due to limiting site constraints and conditions that must be overcome in order to provide a facility that must meet functioning requirements of the State of Florida's Department of Education.
- E) The approval of the variance request is vital for the proper functioning of Ben Gamla Charter School as a Broward County Public School. The FL DOE is requiring that future State Tests (such as FCAT, ect.) shall take place in "hardwired" computer classrooms / testing environment. This requirement from the State of Florida must be met as soon as possible, and this is the trigger for this application.

End of Variance Criteria Statement

Project Name: Ben Gamla Charter School Classroom
Facility for Computerized State Testing.

Date of Document: April, 2011

Project Address: 2627 Van Buren Street, Hollywood, FL.33020

Project Description: This application shall be for the approval and installation of a small, prefabricated building (1,241sq.ft/1-Story) that will serve as the main school facility for the Computerized State Testing requirements. (NO ADDITIONAL STUDENTS ARE BEING PROPOSED UNDER THIS APPLICATION).

SPECIAL EXCEPTION CRITERIA STATEMENT

The aforementioned proposal meets and exceeds the requirements for approval of special exception by the City of Hollywood's Development Review Board. Please see below the compliance description outline for each criteria as per the Code of Ordinances requirements (1-7):

Criteria No.1:

The arrangement formed by the new testing facility follows the best practices of general urban design and architectural planning. The proposed design does not deviate from the general Comprehensive Plan and is consistent with the area. The new facility will be only one-story in height and will match the existing small building in architectural language and color finishes.

Criteria No.2:

This application shall not create any incompatibility with the surrounding land uses since the existing uses will not be changed or altered. Also, since there shall not be an increase in student body there will be no adverse effect to the existing natural environment and/or the properties within the vicinity.

Criteria No.3:

This application shall not result in any additional traffic impact to the site or its surroundings since NO ADDITIONAL STUDENTS ARE BEING REQUESTED UNDER THIS APPLICATION. Pedestrian circulation generated by the new testing facility will be internal to the campus since it will take place between the new and existing building.

Criteria No.4:

Since no additional students are being requested under this application, it will not result in any adverse nuisance such as the effects of noise, light, dust, etc. Moreover, the proposed site has a continuous buffering fence around its recreational field and the campus property. Also, the proposed facility will be completely flanked by the main Ben Gamla building on the east side and the large Ben Gamla sports field on the north side. Thus, the testing facility will not be visible from the adjacent properties or from the right-of-ways.

Criteria No.5:

The small area of the proposed testing facility, the one story height limit, and the nature of the function proposed (for computer testing) will not impact the health and safety of the users of the subject properties and/or adjacent areas. The small prefabricated testing facility will not be visible from the right-of-ways and its scale will match the smaller neighboring structures.

Criteria No.6:

The subject parcel is completely adequate for the absorption of the proposed layout. The property is a rectangle of 100' x 100' approximately, and the proposed unit will fit on the site without any conflicts since it is only 80' x 16'. Moreover, the location of the computerized testing unit will not have a visual impact for open space since it will be located adjacent to the sports field.

Criteria No.7:

This application will retain/match the existing use of the property (Educational), and the proposed design complies with the requirements for that permitted zoning use. Also, the attached graphic drawing include explanatory site data tables and analysis showing compliance with the existing school use.

End of Special Exception Criteria Statement

DRB SUBMITTAL: COMPUTER CLASSROOM FOR BEN GAMLA CHARTER SCHOOL

PROJECT ADDRESS:
2627 VAN BUREN STREET, HOLLYWOOD, FL. 33020

APPLICANT:
VAN BUREN FACILITY, LLC.
6340 SUNSET DRIVE, MIAMI, FL. 33143

THIS SUBMITTAL: Development Review Board (DRB)..... April, 2011

PRIOR APPROVAL: Economic Round Table..... March, 2011

SCOPE OF WORK:
1) PROVIDE NEW MODULAR CLASSROOM BLDG FOR ALL ACTIONS/USES ASSOCIATED WITH TEACHING AND FOR STATE TESTING REQUIREMENTS.
2) PROPOSED NEW STAFF UNDER THIS APPLICATION: 2 TESTING ADMINISTRATORS
3) PROPOSED NUMBER OF STUDENTS: 0 (NO ADDITIONAL STUDENTS REQUESTED)

INDEX OF DRAWINGS

COVER	
SU	PROPERTY SURVEY
A100	SITE PLAN AND ZONING DATA
A200	TESTING MODULAR: ELEVATIONS AND FLOOR PLAN
A300	ON-SITE COLOR PHOTOGRAPHS
A400	OFF-SITE COLOR PHOTOGRAPHS

ARCHITECT

CIVICA

tel: 305.593.9959 8323 NW 12th St. Suite No.106. Doral, Fl. 33126 fax: 305.593.9855

SCOPE OF WORK:

- 1) PROVIDE NEW MODULAR CLASSROOM BLDG FOR ALL ACTIONS/USES ASSOCIATED WITH TEACHING AND FOR STATE TESTING REQUIREMENTS.
- 2) PROPOSED NEW STAFF UNDER THIS APPLICATION: 2 TESTING ADMINISTRATORS
- 3) PROPOSED NUMBER OF STUDENTS: 0 (NO ADDITIONAL STUDENTS REQUESTED)

ZONING DATA: Proposed Testing Facility

JURISDICTION: CITY OF HOLLYWOOD, BROWARD COUNTY	
ZONING CODE: CITY OF HOLLYWOOD ZONING AND LAND DEVELOPMENT REGULATION	
A. ZONING DISTRICT: O-2 (Medium Density Office District)	
B. LAND USE: REGIONAL ACTIVITY CENTER	
PROPERTY USE: EDUCATIONAL (EXISTING TO REMAIN)	
C. LOT AREA: 10,000 SF (0.2286 ACRES)	
D. GROSS FLOOR AREA	
EXISTING MODULAR	4,830 SF (49.30%)
PROPOSED MODULAR	1,241 SF (12.41%)
TOTAL PROPOSED + EXISTING	6,171 SF (61.71%)
LOT COVERAGE	
ALLOWABLE:	Max Allowed 60.00%
EXISTING (includes Canopies)	5,530 SF 55.30%
PROPOSED	1,241 SF 12.41%
TYPICAL TOTAL (PROPOSED + EXISTING)	6,871 SF Proposed 68.71%
CITY OF HOLLYWOOD TOTAL (Non-Covered Walking Surfaces to be Included in Lot Coverage as per Request)	
1,300 SF (13.00%) Walking Surfaces	Proposed 65.71%

IN COMPLIANCE

G. PAVEMENT AREA PROPOSED:	1,829 SF (18.29%)
100% OF PAVEMENT AREA SHALL BE COVERED BY GRASS (100%) (GROUND COVER/SHRUBS AS PER ARTICLE 4-3. J5(a))	
*NO PAVED VEHICULAR AREA IS PART OF THIS APPLICATION (N/A)	
*OPEN RECREATION FIELD ON ADJACENT NORTH PROPERTY SHALL REMAIN OPEN FOR SCHOOL USE (FOLIO No. 5142-1602-2550)	

IN COMPLIANCE

BUILDING SETBACKS:	
FRONT (Van Buren Street)	
EXISTING APPROVED	13'-2"
PROPOSED NEW MODULAR	82'-4"
INTERIOR SIDE (EAST)	
REQUIRED	20'-0"
EXISTING APPROVED	6'-6"
PROPOSED NEW MODULAR	38'-0"
INTERIOR SIDE (WEST)	
REQUIRED	20'-0"
EXISTING APPROVED	13'-0"
PROPOSED NEW MODULAR	18'-0"
REAR SETBACK:	
REQUIRED	20'-0"
PROPOSED NEW MODULAR	30'-0"

IN COMPLIANCE

VARIANCE REQUEST

VARIANCE REQUEST

VARIANCE REQUEST

BUILDING HEIGHT:	
ALLOWABLE	50'-0" (4 STORIES)
PROPOSED	14'-0" MAX (1 STORY)

IN COMPLIANCE

PARKING DATA ANALYSIS

PARKING REQUIREMENTS BASED ON THE ZONING AND LAND DEVELOPMENT CODE OF ORDINANCES.

SECT 9-2(31) AMOUNT OF REQUIRED STREET PARKING: SCHOOLS, PUBLIC OR PRIVATE-SEE SPECIAL CONDITION AS ESTABLISHED BY STATE AGENCY, PRIVATE TO USE SAME STANDARDS.

SREP-PARKING STANDARDS TO BE APPLIED TO PUBLIC CHARTER SCHOOL IN COMPLIANCE WITH ABOVE CHAPTER 423 OF THE FBC, Sect (423.10.2.8-Minimum Parking Requirements):

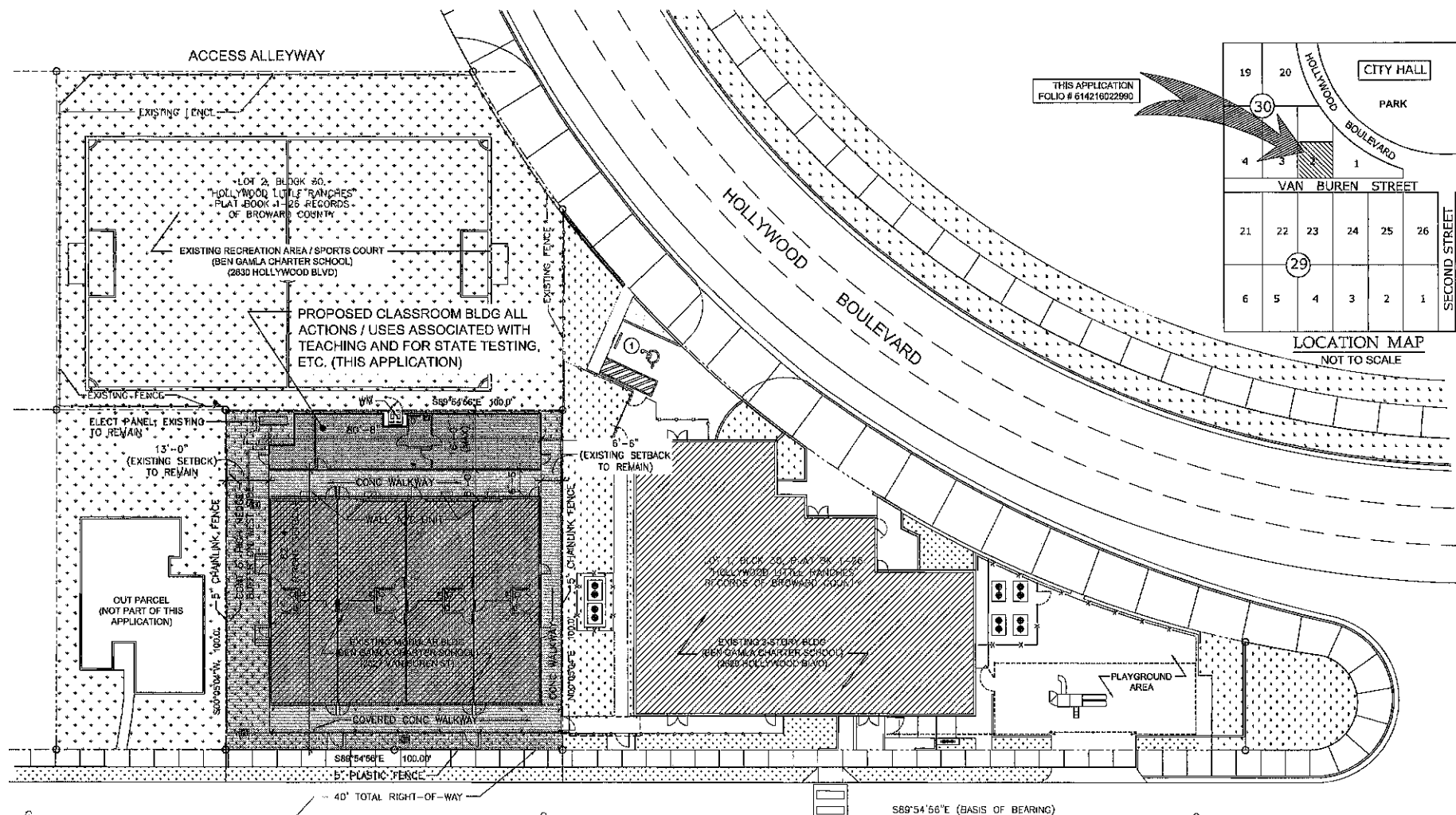
(423.10.2.8.3) Community centers where provided = one (1) space for every ten (10) students
(423.10.2.8.4) High Schools = one (1) space for every ten (10) students in grades eleven (11) and twelve (12)
(423.10.2.8.5) Vocational Schools = one (1) space for every two (2) students
(423.10.2.8.6) Community colleges = one (1) space for every two (2) students
(423.10.2.8.7) Accessible parking = Parking spaces designated for persons with disabilities shall comply with the ADA, Chapter 11-11 Florida Building Code, Building and Section 216.19(4), F.S.

PARKING REQUIREMENTS FOR NEW TESTING MODULAR:

Code Requirement	Parking Required	Parking Provided
1 Pkg per c.a. Staff 37 Existing Staff + 2 New Staff = 39 Spaces	39 + 7 = 46 Spaces	46 Spaces
1 pkg per c.a. 100 Stdn's 660 Approved + 0 New Stdn's = 7 Spaces		
Surplus Parking	--	13 Spaces
TOTAL PARKING DATA	46 Spaces	59 Spaces*

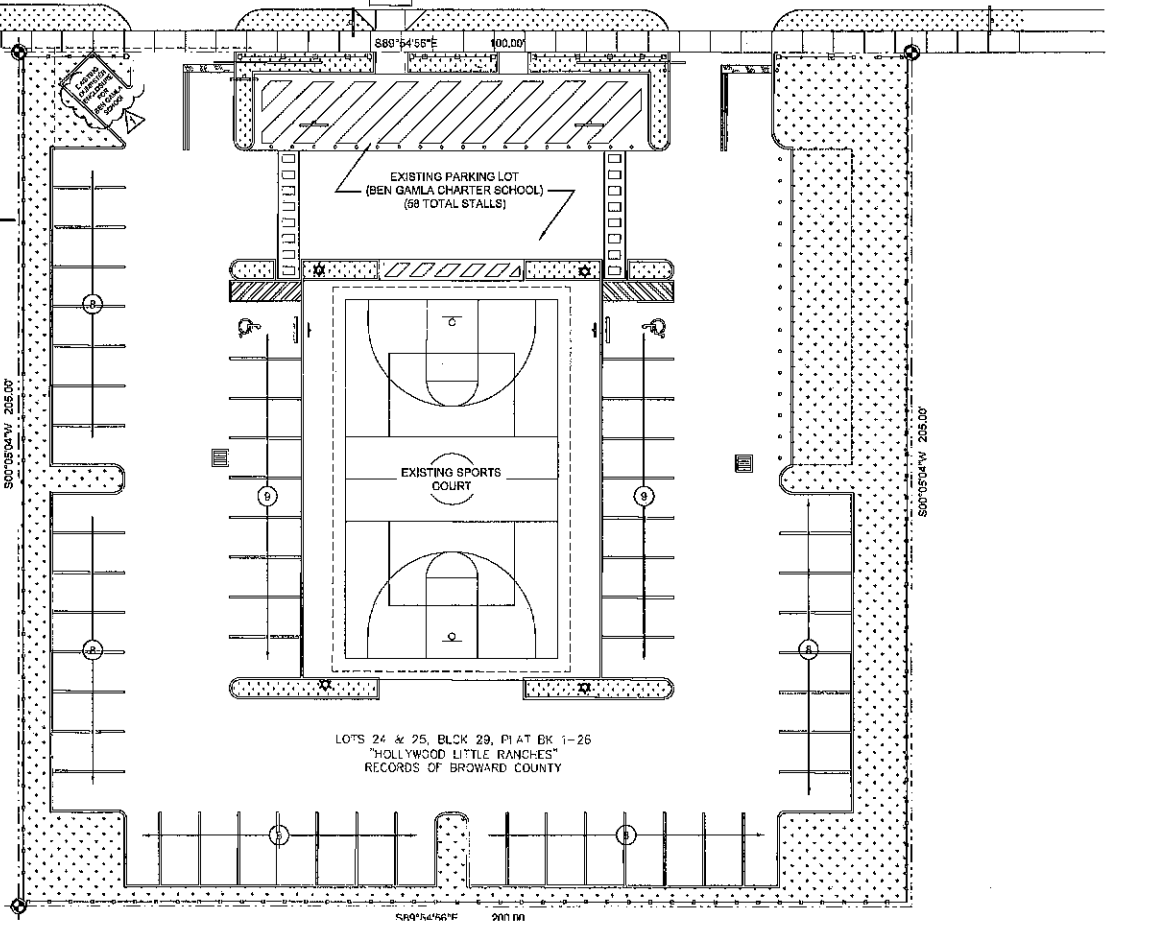
IN COMPLIANCE

*CALCULATION FOR PARKING SPACES INCLUDES BOTH 2620 HOLLYWOOD BLVD. & 2627 VAN BUREN ST. PROPERTIES.



1 PROPOSED SITE PLAN AND CONTEXT

SCALE: 1" = 20'-0"



CIVICA

ARCHITECTURE & URBAN DESIGN

8323 NW 12th Street
Suite No.208
Doral, FL 33126
tel: 305.593.9959
fax: 305.593.9855
AA #26001093

PROJECT:
STUDENT TESTING FACILITY

2627 VAN BUREN STREET
HOLLYWOOD, FL 33020

APPLICANT:
BEN GAMLA
2620 HOLLYWOOD BOULEVARD
HOLLYWOOD, FL 33020

ISSUED FOR:
ZONING APPROVAL

CIVICA PROJECT No:
110101

No.	DATE	REVISION	BY
1	04.20.11	ZONING DEPT. REQUEST	IAF

DRAWN BY: IAF
APPROVED BY: IAF
DATE: 2011
SCALE: AS SHOWN

SEAL/SIGNATURE

04.20.2011
ROLANDO LLANES, AIA
AR - 0013160

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SHEET TITLE
PROP SITE PLAN
EXISTING
PARKING LAYOUT
& SITE DATA

SHEET NUMBER
A100

No.	DATE	REVISION	BY

DRAWN BY	APPROVED BY
IAF	
DATE	SCALE
2011	AS SHOWN

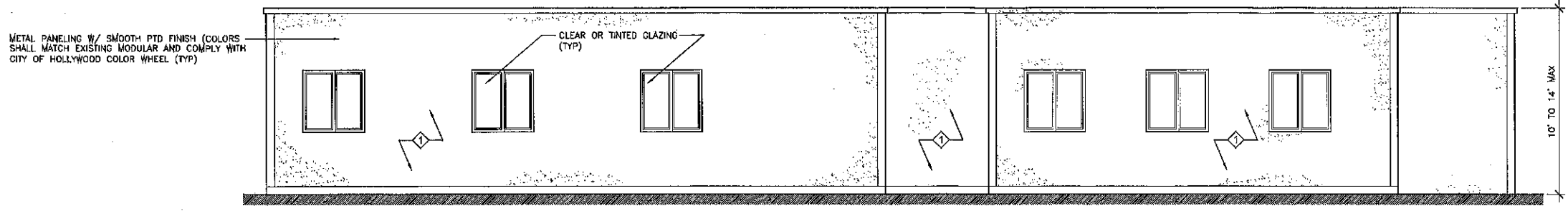
SEAL/SIGNATURE

04.11.2011

ROLANDO LLANES, AIA
AR - 0013160
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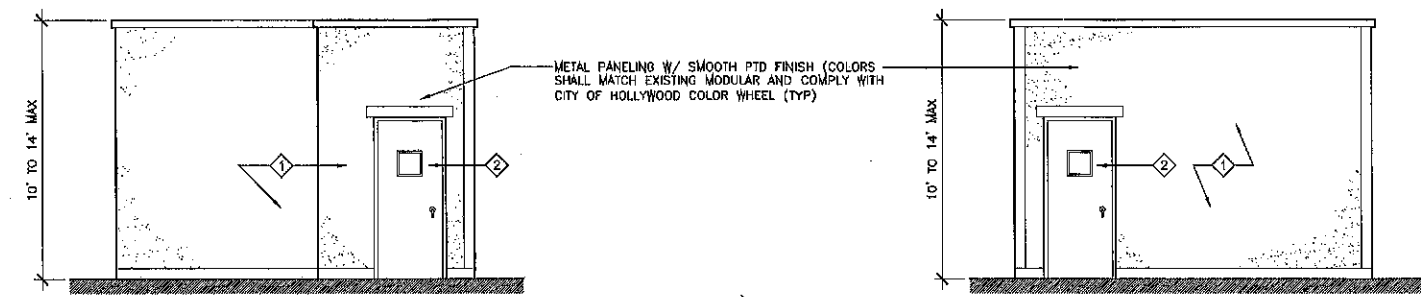
SHEET TITLE
TESTING MODULAR ELEVATIONS & FLOOR PLAN

SHEET NUMBER
A200



1 PROPOSED TESTING CLASSROOMS: NORTH ELEVATION (FACING EXISTING SPORTS FIELDS)

A200
SCALE: 1/4" = 1'-0"



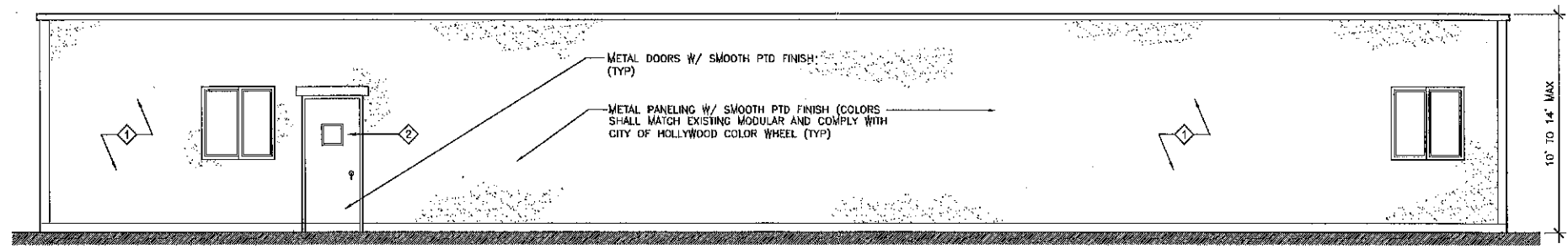
2 PROPOSED TESTING CLASSROOMS: WEST AND EAST ELEVATIONS

A200
SCALE: 1/4" = 1'-0"

COLOR FINISH TABLE:

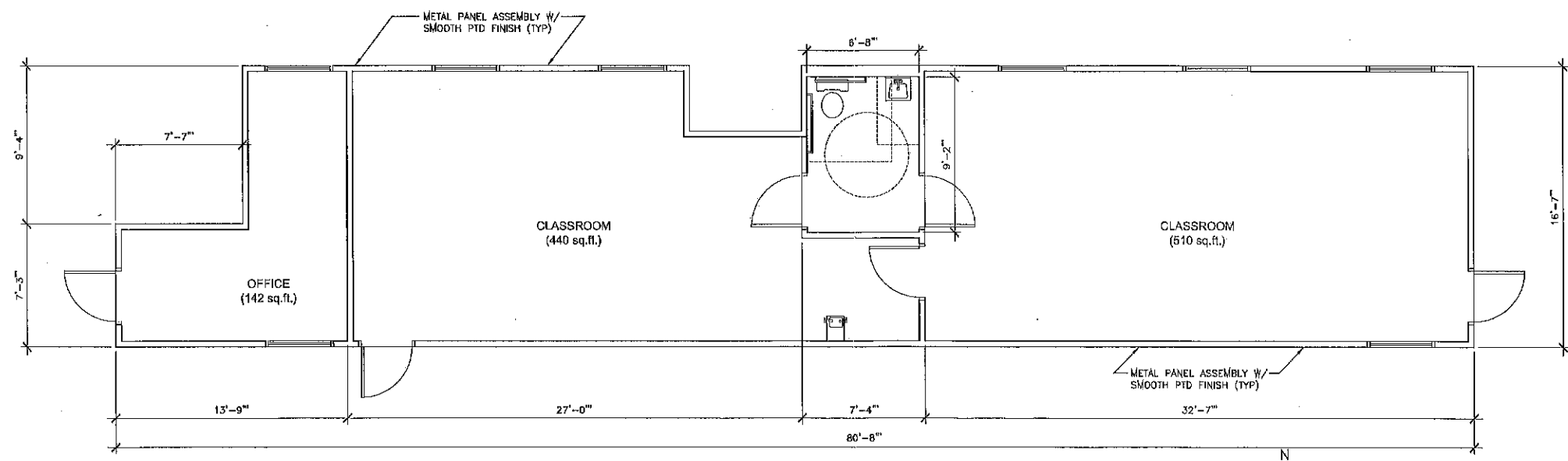
TAG	DESCRIPTION	COLOR DESIGNATION
1	MAIN WALL SURFACE	PASTEL COLOR, SW 6000, "SNOWFALL" ALTERNATE: MATCH EXISTING BLDG COLOR
2	DOOR AND FRAME	PASTEL COLOR, SW 6000, "SNOWFALL" ALTERNATE: MATCH EXISTING BLDG COLOR

COLOR NOTE:
ALL COLORS SHALL BE SHERWIN WILLIAMS PASTELS IN COMPLIANCE WITH THE CITY OF HOLLYWOOD APPROVED COLOR PALETTE. DISCONTINUED COLORS SHALL BE REPLACED WITH CURRENT EQUIVALENTS



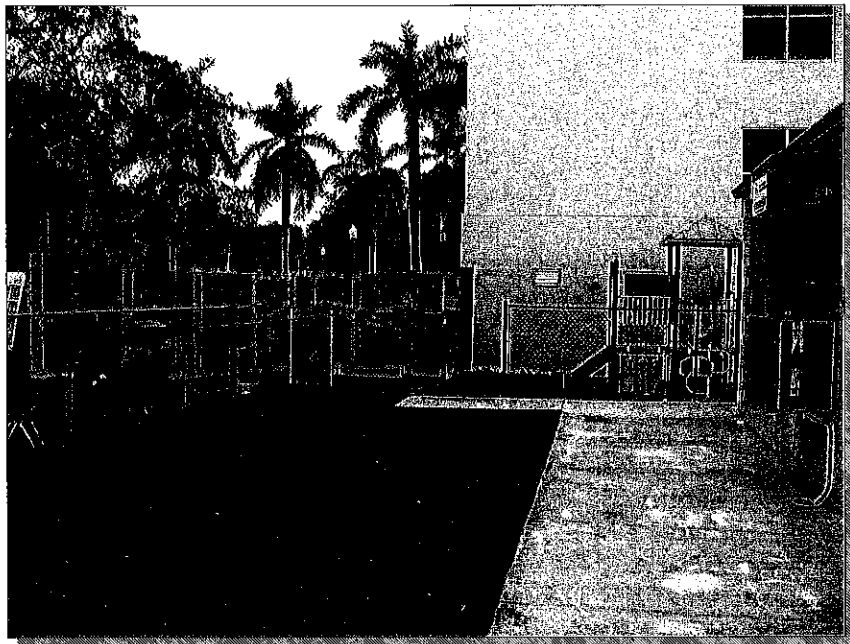
3 PROPOSED TESTING CLASSROOMS: SOUTH ELEVATION (FACING EXISTING BUILDING)

A200
SCALE: 1/4" = 1'-0"



4 PROPOSED TESTING CLASSROOMS: TYPICAL FLOOR PLAN

A200
SCALE: 1/4" = 1'-0"



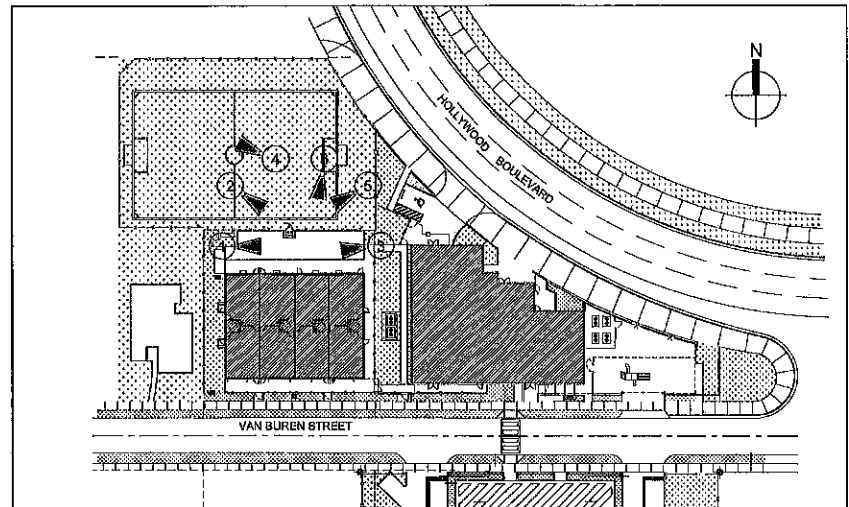
① INTERIOR VIEW: EAST DIRECTION



② INTERIOR VIEW: SOUTHEAST DIRECTION



③ INTERIOR VIEW: WEST DIRECTION



PHOTOGRAPH MAP



④ INTERIOR VIEW: NORTHWEST DIRECTION



⑤ INTERIOR VIEW: SOUTHWEST DIRECTION



⑥ INTERIOR VIEW: SOUTH DIRECTION

No.	DATE	REVISION	BY

DRAWN BY	APPROVED BY
IAF	
DATE	SCALE:
2011	AS SHOWN

SEAL/SIGNATURE

04.11.2011

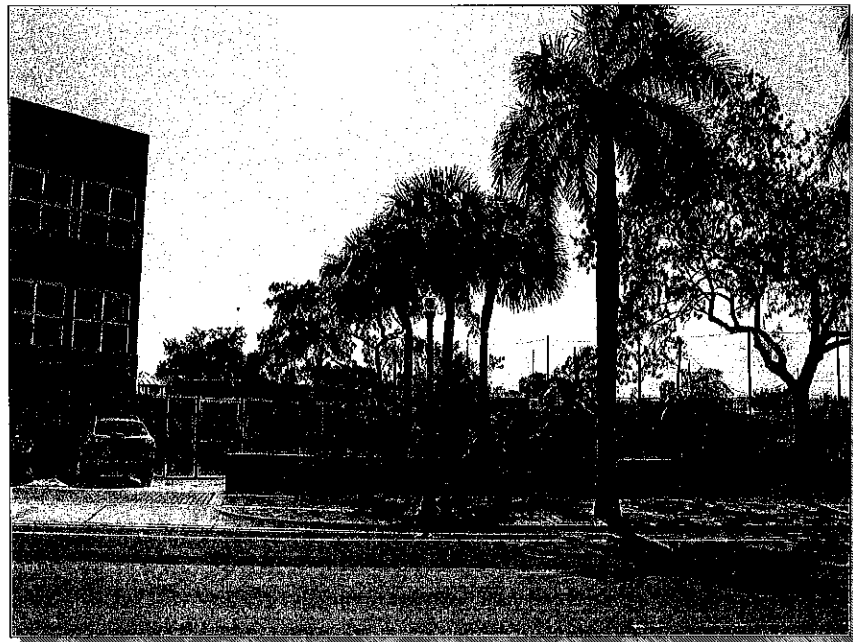
ROLANDO LLANES, AIA
AR-0019160

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SHEET TITLE

ON-SITE PHOTOGRAPHS

SHEET NUMBER
A300



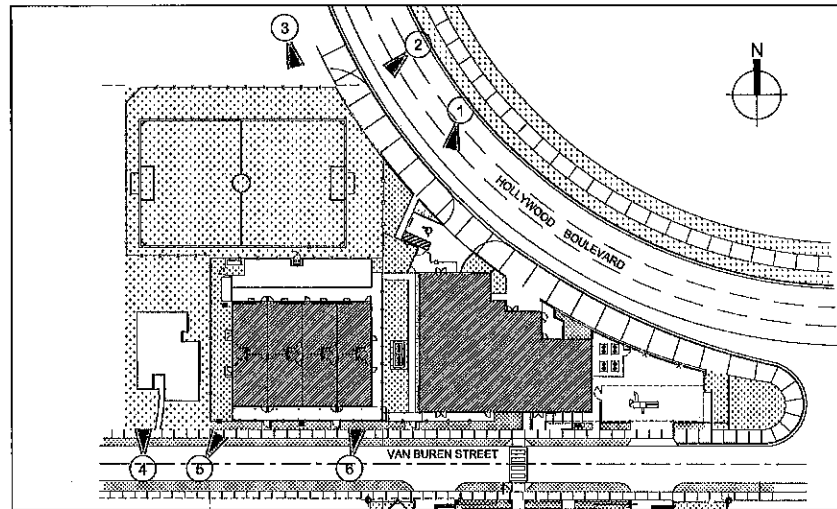
① EXTERIOR VIEW: SOUTH DIRECTION



② EXTERIOR VIEW: SOUTHWEST DIRECTION



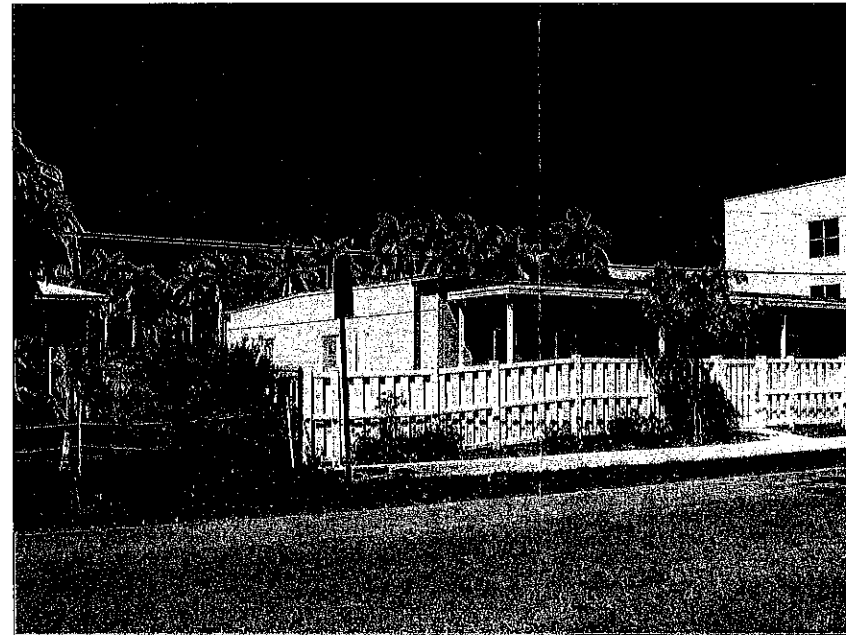
③ EXTERIOR VIEW: SOUTHEAST DIRECTION



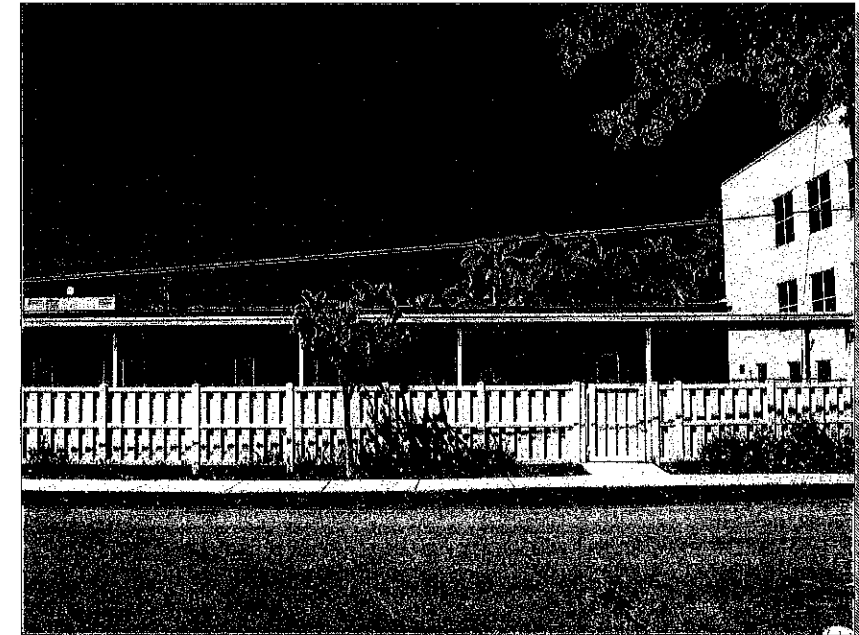
PHOTOGRAPH MAP



④ EXTERIOR VIEW: NORTHEAST DIRECTION



⑤ EXTERIOR VIEW: NORTHEAST DIRECTION



⑥ INTERIOR VIEW: NORTH DIRECTION

No.	DATE	REVISION	BY

DRAWN BY	APPROVED BY
IAF	
DATE	SCALE
2011	AS SHOWN

SEAL/SIGNATURE

04.11.2011

ROLANDO LLANES, AIA
AR - 0018160

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SHEET TITLE

EXTERIOR PHOTOGRAPHS

SHEET NUMBER

A400


ATTACHMENT B
Land Use and Zoning District Map


Ben Gamla Testing Facility



PLANNING AND
DEVELOPMENT SERVICES

Legend

 Subject Property

 Streets

Zoning

 C-2


 GU

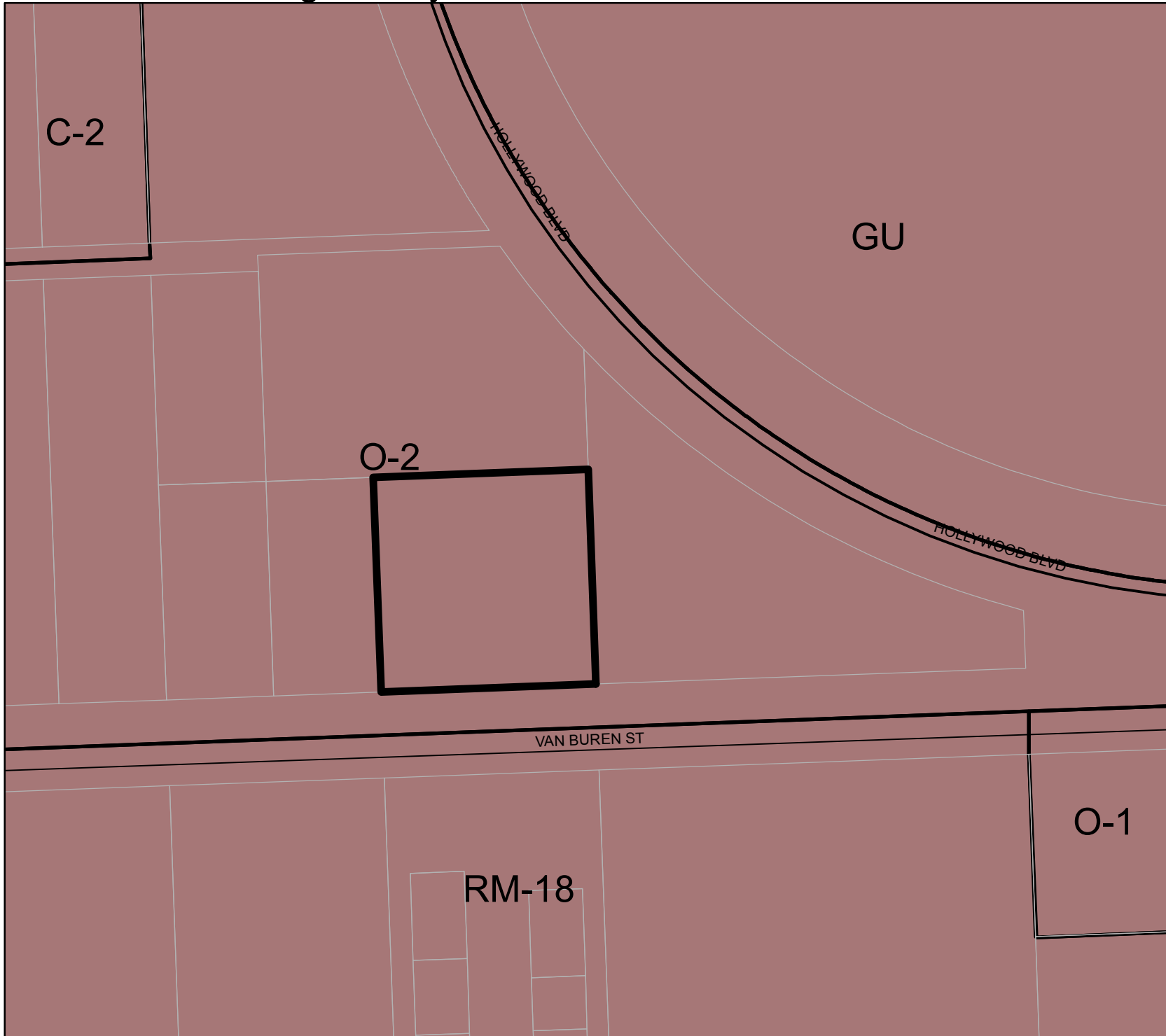
 O-1

 O-2

 RM-18

Land Use

 Regional Activity Center



ATTACHMENT C
Previously Approved Board Resolutions

2

CITY OF HOLLYWOOD
DEVELOPMENT REVIEW BOARD

RESOLUTION NO. 08-S-02

A RESOLUTION OF THE CITY OF HOLLYWOOD DEVELOPMENT REVIEW BOARD APPROVING A SPECIAL EXCEPTION TO CONVERT TWO SINGLE FAMILY HOMES INTO FOUR ADDITIONAL CLASSROOMS FOR AN EXISTING CHARTER SCHOOL LOCATED AT 2627 and 2631 VAN BUREN STREET, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," PURSUANT TO THE PROVISIONS OF THE CITY OF HOLLYWOOD ZONING AND LAND DEVELOPMENT REGULATIONS.

WHEREAS, the Development Review Board (the "Board") is duly charged with and empowered to grant special exceptions in accordance with the guidelines and procedures set forth in Section 5.3 of the City's Zoning and Land Development Regulations; and

WHEREAS, Meltchet, LLC, Dan Morr and School Development HC (collectively "the Applicant"), requested approval of a Special Exception to convert two single family homes to four additional classrooms as part of an existing Charter School (Ben Gamla Charter School), located at 2627 and 2631 Van Buren Street, as more particularly described in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, the Board reviews and considers all applications/petitions for special exceptions; and

WHEREAS, the Board met and held an advertised public hearing to consider the Applicant's request on March 13, 2008; and

WHEREAS, the Board reviewed the application for the Special Exception, the Board reviewed the evidence submitted and testimony received at the public hearing, and applied the criteria for granting the Special Exception as set forth in the City of Hollywood Zoning and Land Development Regulations at Section 5.3, and the Board made the following findings:

1. As to the Special Exception to convert two single family homes to four additional classrooms, as requested by the Applicant, the Board found, based on the criteria listed in Section 5.3.G.2 of the Zoning and Land Development Regulations:

- a) The proposed use must be consistent with the principles of the City's Comprehensive Plan;

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City of Hollywood
2600 Hollywood Blvd, Room
315
Hollywood, FL 33020

- b) The proposed use must be compatible with the existing land use pattern and designated future uses and with the existing natural environment and other real properties with the vicinity;
- c) That there will be provision for safe traffic movement, both vehicular and pedestrian, both internal to the use and in the areas which will serve the use;
- d) That there are setbacks, buffering, and general amenities in order to control any adverse effects of noise, light, dust and other potential nuisances;
- e) 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;
- f) The subject parcel must be adequate in shape and size to accommodate the proposed use;
- g) 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.

NOW, THEREFORE, BE IT RESOLVED BY THE DEVELOPMENT REVIEW BOARD OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That following review of the Staff Summary Report, the Applicant's application and supporting documents and materials, all submitted written and oral testimony received during the public hearing from all parties and speakers, and the consideration of the criteria listed herein for granting a Special Exception, the Board hereby grants the special exception to convert two single family homes to four additional classrooms based on the plans as submitted by the Applicant and reviewed by the Board with the following conditions:

- i) The Special Exception will be tied to the existing Charter School located at 2620 Hollywood Blvd, Hollywood FL 33020, as more specifically described in Exhibit "C" attached hereto. If the school ceases operation, the Special Exception shall become null and void; and

(DEVELOPMENT REVIEW BOARD RESOLUTION NO. 08-S-02)

- ii) That the Applicant shall make the following improvements: paint, replace/incorporate new windows, new doors, new concrete paver walkway, building addition to accommodate restroom facilities, landscaping to be provided as indicated the Landscape Plans A102b, and A 105, attached hereto and incorporated herein as Exhibit "B", which must receive a Certificate of Completion (C/C) and/or Certificate of Occupancy (C/O) prior to establishing/operating the additional four classrooms; and

- iii) That there will be an off duty police officer/private security officer present at the time of drop off and pick up for the remainder of the 2007-2008 school year, and the first two months beginning the 2008-2009 school year. The Applicant shall return to the DRB the third month of the 2008-2009 school year for further review.

Section 2: That the Office of Planning is hereby directed to forward a copy of this resolution to the Applicant and the owner of the property with respect to which the request for the special exception was made and a copy shall be delivered to the City Clerk to be recorded in the Public Records of Broward County, all as provided by the applicable provisions of Article 5 in the Zoning and Land Development Regulations.

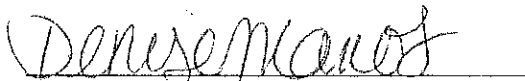
PASSED AND ADOPTED THIS 13th DAY OF MARCH, 2008.

RENDERED THIS 4th DAY OF April 2008.



ROBERT ISHMAN,
SECRETARY/ BOARD CHAIR PRO TEM

APPROVED AS TO FORM AND LEGALITY
for the use and reliance of the Development
Review Board of the City of Hollywood, Florida only



DENISE MANOS,
BOARD ATTORNEY

(DEVELOPMENT REVIEW BOARD RESOLUTION NO. 08-S-02)

LEGAL DESCRIPTION

The East 1/2 of the South 100 feet of Lot 2, Block 30 of Hollywood Little Ranches, according to the Plat thereof, as recorded in Plat Book 1, Page 26, of the Public Records of Broward County, Florida.

Together with:

The West 1/2 of the South 100 feet of Lot 2, Block 30 of Hollywood Little Ranches, according to the Plat thereof, as recorded in Plat Book 1, Page 26, of the Public Records of Broward County, Florida

EXHIBIT "A"

(DEVELOPMENT REVIEW BOARD RESOLUTION NO. 08-S-02)

LEGAL DESCRIPTION

Lot 1, Block 30, Lots 24 and 25, Block 29 of
"Hollywood Little Ranches" according to the Plat
thereof, as recorded in Plat Book 1, Page 26, B,
of the Public Records of Broward County,
Florida.

ALSO DESCRIBED AS:

2620 Hollywood Blvd, Hollywood FL 33020

EXHIBIT "C"

3

CITY OF HOLLYWOOD
DEVELOPMENT REVIEW BOARD

RESOLUTION NO. 08-SV-02a

A RESOLUTION OF THE CITY OF HOLLYWOOD DEVELOPMENT REVIEW BOARD APPROVING VARIANCES AND AN AMENDMENT TO A PREVIOUSLY APPROVED SPECIAL EXCEPTION FOR AN EXISTING CHARTER SCHOOL LOCATED AT 2627 AND 2631 VAN BUREN STREET, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," PURSUANT TO THE PROVISIONS OF THE CITY OF HOLLYWOOD ZONING AND LAND DEVELOPMENT REGULATIONS.

WHEREAS, the Board is duly empowered to grant variances and design review approval in accordance with the guidelines and procedures found in Section 5.3 of the City's Zoning and Land Development Regulations and site plan approval pursuant to Chapter 162, Hollywood Municipal Code of Ordinances, and Section 5.3 of the Zoning and Land Development Regulations; and

WHEREAS, the Development Review Board (the "Board") is duly charged with and empowered to grant special exceptions in accordance with the guidelines and procedures set forth in Section 5.3 of the City's Zoning and Land Development Regulations; and

WHEREAS, the Board reviews and considers all applications/petitions for special exceptions; and

WHEREAS, Meltchet, LLC, Dan Morr and School Development HC, in File Number 08-S-02 requested a Special Exception to convert two single family homes to four additional classrooms as part of an existing Charter School (Ben Gamla Charter School); and

WHEREAS, the Board met and held an advertised public hearing to consider the above request on March 13, 2008; and

WHEREAS, following review of the Staff Summary Report, the application and supporting documents and materials, all submitted written and oral testimony received during the public hearing from all parties and speakers, and the consideration of the criteria listed for granting a special exception, the Board granted the special exception with the following conditions; and

WHEREAS the three conditions to the special exception were as follows: 1) Special Exception will be tied to the existing Charter School located at 2620 Hollywood

1 Return to: Office of Planning
City of Hollywood
2600 Hollywood Blvd, Room
315
Hollywood, FL 33020

8

Blvd, Hollywood Florida and should the school cease operation, the Special Exception shall become null and void; 2) That the Applicant shall make the following improvements: paint, replace/incorporate new windows, new doors, new concrete paver walkway, building addition to accommodate restroom facilities, landscaping to be provided as indicated the Landscape Plans A102b, and A 105, attached hereto and incorporated herein as Exhibit "B", which must receive a Certificate of Completion (C/C) and/or Certificate of Occupancy (C/O) prior to establishing/operating the additional four classrooms; 3) That there will be an off duty police officer/private security officer present at the time of drop off and pick up for the remainder of the 2007-2008 school year, and the first two months beginning the 2008-2009 school year. The Applicant shall return to the DRB the third month of the 2008-2009 school year for further review; and

WHEREAS, Van Buren Facility, LLC and School Development HC, (collectively the "Applicant"), in File Number 08-SV-02a, applied for three variances and an amendment to the previously approved Special Exception for the property located at 2627 and 2631 Van Buren Street (Ben Gamla Charter School) more particularly described in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, the Board met and held an advertised public hearing to consider the Applicant's request on July 10, 2008; and

WHEREAS, the Board reviewed the application for the three variances, reviewed the evidence submitted and testimony received at the public hearing, and the Board applied the criteria for granting the variances and design review approval as set forth in the City of Hollywood Zoning and Land Development Regulations and made the following findings:

1. As to the variance to waive the required 20 foot building setback (west) to allow for a 12 foot building setback, the Board makes the following findings based on the criteria listed in Section 5.3 of the Zoning and Land Development Regulations:

- a) 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.
- b) That the requested variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community.
- c) 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.
- d) That the requested variance is the minimum variance reasonably necessary.

2. As to the variance to waive the required 20 foot building setback (south) to allow for a 13 foot setback, the Board makes the following findings based on the criteria listed in Section 5.3 of the Zoning and Land Development Regulations:

- a) 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;
- b) That the requested variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community;
- c) 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;
- d) That the requested variance is the minimum variance reasonably necessary.

3. As to the variance to waive the required 20 foot building setback (east) to allow for a 6 foot setback, the Board makes the following findings based on the criteria listed in Section 5.3 of the Zoning and Land Development Regulations:

- a) 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;
- b) That the requested variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community;
- c) 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;
- d) That the requested variance is the minimum variance reasonably necessary.

WHEREAS, the Board reviewed the application for an amendment to the previously granted Special Exception, the Board reviewed the evidence submitted and testimony received at the public hearing, and applied the criteria for granting the Special Exception as set forth in the City of Hollywood Zoning and Land Development Regulations at Section 5.3, and the Board made the following findings:

4. As to the amendment to the Special Exception to allow a new modular building with eight classrooms, as requested by the Applicant, the Board found, based on the criteria listed in Section 5.3.G.2 of the Zoning and Land Development Regulations:

- a) The proposed use must be consistent with the principles of the City's Comprehensive Plan;
- b) The proposed use must be compatible with the existing land use pattern and designated future uses and with the existing natural environment and other real properties with the vicinity;
- c) That there will be provision for safe traffic movement, both vehicular and pedestrian, both internal to the use and in the areas which will serve the use;
- d) That there are setbacks, buffering, and general amenities in order to control any adverse effects of noise, light, dust and other potential nuisances;
- e) 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;
- f) The subject parcel must be adequate in shape and size to accommodate the proposed use;
- g) 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.

NOW, THEREFORE, BE IT RESOLVED BY THE DEVELOPMENT REVIEW BOARD OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That following review of the Staff Summary Report, the Applicant's application and supporting documents and materials, all submitted written and oral testimony received during the public hearing from all parties and speakers, and the consideration of the criteria listed herein for granting variances, the variance to waive the required 20 foot building setback (west) to allow for a 12 foot building setback is hereby granted.

(DEVELOPMENT REVIEW BOARD RESOLUTION NO. 08-SV-02a)

Section 2: That following review of the Staff Summary Report, the Applicant's application and supporting documents and materials, all submitted written and oral testimony received during the public hearing from all parties and speakers, and the consideration of the criteria listed herein for granting variances, the variance to waive the required 20 foot building setback (south) to allow for a 13 foot setback is hereby granted.

Section 3: That following review of the Staff Summary Report, the Applicant's application and supporting documents and materials, all submitted written and oral testimony received during the public hearing from all parties and speakers, and the consideration of the criteria listed herein for granting variances, the variance to waive the required 20 foot building setback (east) to allow for a 6 foot setback is hereby granted.

Section 4: That following review of the Staff Summary Report, the Applicant's application and supporting documents and materials, all submitted written and oral testimony received during the public hearing from all parties and speakers, and the consideration of the criteria listed herein for granting a Special Exception, the Board hereby amends the special exception to convert two single family homes to four additional classrooms to now allow a new modular building with eight classrooms, based on the plans as submitted by the Applicant and reviewed by the Board with the following conditions:

- i) The proposed improvements (including but not limited to new walkways and additional landscaping areas) receive a Certificate of Completion (C/C) and/or Certificate of Occupancy (C/O) prior to new modular building receiving a C/O.
- ii) That the Applicant must submit a Unity of Title, in a form acceptable to the City Attorney's Office, prior to the issuance of any building permits and record in the Public Records of Broward County prior to the issuance of a Certificate of Occupancy (C/O) or Certificate of Completion (C/C).
- iii) The Special Exception will be tied to the existing Charter School located at 2620 Hollywood Blvd, Hollywood FL 33020, as more specifically described in Exhibit "B" attached hereto. If the school ceases operation, the Special Exception shall become null and void.
- iv) That there will be an off duty police officer/private security officer present at the time of drop off and pick up for the remainder of the 2007-2008 school year, and the first two months beginning the 2008-2009 school year. The Applicant shall return to the DRB the third month of the 2008-2009 school year for further review.

(DEVELOPMENT REVIEW BOARD RESOLUTION NO. 08-SV-02a)

Section 5: That the Office of Planning is hereby directed to forward a copy of this resolution to the Applicant and the owner of the property with respect to which the request for the special exception was made and a copy shall be delivered to the City Clerk to be recorded in the Public Records of Broward County, all as provided by the applicable provisions of Article 5 in the Zoning and Land Development Regulations.

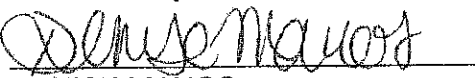
PASSED AND ADOPTED THIS 10th DAY OF JULY, 2008.

RENDERED THIS 24th DAY OF July 2008.



GARY BLOOM,
BOARD CHAIR

APPROVED AS TO FORM AND LEGALITY
for the use and reliance of the Development
Review Board of the City of Hollywood, Florida only



DENISE MANOS,
BOARD ATTORNEY

(DEVELOPMENT REVIEW BOARD RESOLUTION NO. 08-S-02a)

LEGAL DESCRIPTION

Building One: (2627 Van Buren Street)

The East 1/2 of the South 100 feet of Lot 2, Block 30 of Hollywood Little Ranches, according to the Plat thereof, as recorded in Plat Book 1, Page 26, of the Public Records of Broward County, Florida.

Together with:

Building Two: (2631 Van Buren Street)

The West 1/2 of the South 100 feet of Lot 2, Block 30 of Hollywood Little Ranches, according to the Plat thereof, as recorded in Plat Book 1, Page 26, of the Public Records of Broward County, Florida

EXHIBIT "A"

(DEVELOPMENT REVIEW BOARD RESOLUTION NO. 08-S-02a)

LEGAL DESCRIPTION

Lot 1, Block 30, Lots 24 and 25, Block 29 of
"Hollywood Little Ranches" according to the Plat
thereof, as recorded in Plat Book 1, Page 26, B,
of the Public Records of Broward County,
Florida.

EXHIBIT "B"