

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

DATE: April 12, 2012 **FILE:** 12-DV-02

TO: Planning and Development Board

VIA: Andria Wingett, Planning Manager *AW*

FROM: Mariluz Maldonado, Planning & Development Services Administrator *MM*

SUBJECT: Hollywood Acquisition LLC requests Variances and Design for improvements to an existing liquor store located at 607 S. State Road. (K-Mart Plaza)

REQUEST

Variance to reduce the existing 494 parking spaces to provide 461 spaces and Design for building modifications.

RECOMMENDATION

Variance: Approval, with the condition all improvements (including but not limited to façade renovations, architectural features, paint, additional open space, trees, shrubs, sod, dumpster, restriping, etc.) as reflected on the plans dated 1/11/2012 included in Attachment A, are completed prior to the issuance of any Certificate of Completion or Certificate of Occupancy; and subject to any amendments made within the next 12 months regarding maintaining conformance with approved Site Plans.

Design: Approval, if the Variance is granted.

HISTORY

Since its establishment in 1970, there have been several modifications to the layout of this shopping center. As a result of these changes over time, the amount of provided parking has varied. These include the development and subsequent discontinued use of an outparcel and a change from angled parking to 90 degree parking.

As a result of result of FDOT Cure plan to widen State Road 7, FDOT obtained a Variance for this property on April 14, 2011, to reduce the existing 494 parking spaces to provide 463 spaces. Attachment A includes a parking study conducted and submitted as part of the parking variance justification and it showed a parking surplus during peak hours. Also, at that time the applicant (FDOT) showed a plan that proposed to demolish the existing 4,338 sq ft liquor store and redesign the parking lot area fronting State Road 7.

REQUEST

This shopping center is located on the northeast corner of Washington Street and State Road 7. Currently, the existing plaza contains a stand alone liquor store and a shopping center with retail space totaling 125,926 sq ft. Based on the shopping center parking requirements (1/220 sq ft) the applicant is required to provide 572 spaces. Instead, the property owner is requesting a Variance to reduce the existing 494 parking spaces to 461 spaces. Since the owner is proposing additional modifications to the site which further reduces the existing parking spaces, a new Variance is being requested. This Variance request is being submitted in an effort to resolve any site development issues that coincide with the road widening along State Road 7 as proposed by FDOT, as expressed by the owner. In order to ensure compliance with the proposed improvements and site plan, with the condition all improvements (including but not limited to façade renovations, architectural features, paint, additional open space, trees, shrubs, sod, dumpster, restriping, etc.) as reflected on the plans dated 1/11/2012 included in Attachment A, are completed prior to the issuance of any Certificate of Completion or Certificate of Occupancy; and subject to any amendments made within the next 12 months regarding maintaining conformance with approved Site Plans. This is due to a forthcoming amendment regarding maintaining compliance with approved site plans.

Also, the property owner is requesting Design to redesign the existing liquor store building which was previously proposed to be demolished by FDOT's Cure plan. The application proposes to modify the existing liquor store building design and square footage. The existing store is 4,338 sq ft and after the building improvements it will be reduced to 3,586 sq ft. The liquor store building facade is outdated and the applicant worked with staff to ensure a design consistent with the shopping center. This was achieved by proposing to add new columns which will be attached to the wall while incorporating a parapet and molding to give the illusion of an extended colonnade. Again, these features help continue the same building feel without completely replicating the appearance of the existing shopping center or proposing major structural modifications.

In addition a new dumpster is being incorporated closer to the building as well as landscape areas around the building. Existing trees and shrubs will be replaced with new native trees and hedges. This is the only area impacted on-site. No other Variances are being requested at this time.

SITE BACKGROUND

Applicants:	Hollywood Acquisition, LLC
Address/Location:	607 S. State Road 7
Net Size of Property:	10.93 acres (approximately)
Present Zoning:	US 441/State Road 7 Commercial Corridor District – Low Hybrid Commercial South Sub Area (SR7 CCD – LHC)
Present Land Use:	K-Mart store and shopping plaza

ADJACENT ZONING

North:	US 441/State Road 7 Commercial Corridor District – Low Hybrid Commercial South Sub Area (SR7 CCD – LHC)
South:	US 441/State Road 7 Commercial Corridor District – Low Hybrid Commercial South Sub Area (SR7 CCD – LHC)
East:	High Density Multiple Family (RM-25)

West: US 441/State Road 7 Commercial Corridor District – Low Hybrid Commercial South Sub Area (SR7 CCD – LHC)

CONSISTENCY WITH THE COMPREHENSIVE PLAN AND CITY-WIDE MASTER PLAN

Hollywood recognizes US 441/SR 7 as a major transportation Corridor and one of regional significance. The importance of its successful redevelopment is not only obvious to residents and visitors of West Hollywood, but the entire City. Its significance is made even more obvious by the number of goals, objective and policies in the Comprehensive Plan which were derived from the City-Wide Master Plan policies relating to State Road 7.

The proposed cure plan is consistent with the following goals, objectives and policies of the Comprehensive Plan and City-Wide Master Plan:

OBJECTIVE 3.1: Assist, coordinate and monitor Florida Department of Transportation Plans for the proposed US441/SR7 widening project and, when feasible, implement City Capital Improvement Projects and/or other City efforts necessary to supplement and enhance economic development, land use changes, and infrastructure service improvements in tandem with phased roadway widening improvements.

Policy 3.1.1: Continue to prioritize US 441/SR 7 Corridor for redevelopment opportunities and work with the Florida Department of Transportation and other applicable agencies on design of the highway, and create innovative zoning to implement future changes. (CWMP Policy 1.1)

Policy 1.24: Create an environment to protect the establishment and enhancement of small business along the US 441/SR 7 Corridor.

Policy 1.27: Assist FDOT regarding the redesign of the US 441/SR 7 Corridor through the City of Hollywood to ensure that FDOT's redesign plans complement and support the City's plans as well as accommodate FDOT's construction needs.

Policy 1.47: Promote the development of US 441/SR 7 as a major transit corridor.

While the creation of non-conformities as a result of the FDOT takings is not ideal, the proposed building and site design has minimal impact on the site. The plaza will maintain full functionality and impacted landscaping will be replaced beyond what exists. This will help improve the overall appearance of the corridor which currently lacks aesthetic appeal. Furthermore, the applicant is updating the existing building façade to be more in tune with the existing shopping center design.

VARIANCE

Reduce the existing 494 parking spaces to provide 461 spaces.

The following criteria are listed in the Zoning and Land Development Regulations 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:

As mentioned earlier in this report, a parking Variance was granted to FDOT's Cure plan which proposed to reduce the required parking spaces from 494 to 463. The granted Variance at the time proposed a loss of 31 parking spaces due to widening of State Road 7 and indicated the liquor store building was going to be demolished. A parking study was conducted and submitted as part of the justification and it showed a parking surplus during peak hours.

Today the property owner is not only requesting a Variance to further reduce the parking spaces, but also for Design for modifications to the liquor store building. The owner has worked with the City's Engineering Division to ensure this design will aid safe traffic flow throughout the site. It will also create the required landscaped buffer with more planting materials than what exists, thus maintaining an improved streetscape.

The owner further explains, "The basic intent and purpose of the subject regulations is to provide adequate parking for patrons of the business. All businesses at the shopping center have been operating for years at a parking ratio that is substantially less than code requirement. The separate retail uses operate with varying hours, staggering the amount of people who patronize the businesses throughout the day. Observation of the site at various times of the day shows a great availability of parking. The requested variance will not have a negative affect on the stability and appearance of the City of Hollywood."

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:

"This Variance request is being submitted by the property owner in an effort to resolve any site development issues that coincide with the road widening along State Road 7 as proposed by FDOT," expresses the owner.

Reducing the amount of parking spaces for this development does not hinder its daily operations or create unfavorable parking conditions. A parking study was conducted and submitted as part of the justification and it showed a parking surplus during peak hours. Given the limited nature of most properties along the corridor, many businesses provide a minimal amount of parking which is further non-conforming as it is located off-site within right-of-way. This business is situated on one of the larger parcels and provides ample off-street parking for its use. Its ability to continue to function as a commercial development on the corridor helps maintain consistency with the surrounding commercial land uses. Consistency with the abutting residential district will be unchanged as there are no alterations on the rear of the property.

The proposed site design helps enhance the area rather than acting as a detriment to the community. As such, to help ensure the best possible outcome which includes the completion of these improvements, ***staff is recommending approval, with the condition all improvements***

(including but not limited to façade renovations, architectural features, paint, additional open space, trees, shrubs, sod, dumpster, restriping, etc.) as reflected on the plans dated 1/11/2012 included in Attachment A, are completed prior to the issuance of any Certificate of Completion or Certificate of Occupancy; and subject to any amendments made within the next 12 months regarding maintaining conformance with approved Site Plans.

FINDING: Consistent, with 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 plan adopted by the City.

ANALYSIS: Many policies within the Comprehensive Plan supporting State Road 7 were first established by the City-Wide Master Plan. Sub-Area 1 of the Plan details existing conditions and desired actions for improvement along State Road 7. Part of this includes creating a design which will be beneficial to Hollywood and the community immediately surrounding this corridor. While it does express a desire to avoid redesigns which result in variances and/or non-conformities, staff today recognizes this may not be realistic. In many instances, creating a design which conforms to all requirements may have a negative impact on business and could possibly cause owners undue hardship. As provided by the applicant, "The property will retain sufficient parking to service the small business located in the shopping center". Variance requests such as this one are minimal and allow businesses to continue maximizing use of their land by maintaining full operations.

FINDING: Consistent.

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

ANALYSIS: The requested Variance is being made as a result of a State-funded roadway improvement needed to meet transportation/transit demands of a growing population. This Variance is not economically based or self-imposed. Rather, completion of this improvement by FDOT's Cure plan is needed to help the roadway meet required level-of-service standards therefore allowing traffic to flow properly through the City and County.

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.

DESIGN REVIEW

Analysis of Criteria and Findings for Design Review as stated in the City of Hollywood Zoning and Land Development Regulations, Article 5. Approval with Conditions or Denial will be based on the following criteria:

CRITERION 1: Architectural and Design Components. Architecture refers to the architectural elements of exterior building surfaces. Architectural details should be commensurate with the building mass. The use of traditional materials for new architectural details is recommended. Design of the building(s) shall consider aesthetics and functionality, including the relationship of the pedestrian with the built environment.

ANALYSIS: As previously stated, the owner is proposing to re-design the existing liquor store while reducing the square footage by approx. 752 sq ft. The total square footage for the building after the improvements will be 3,586 sq ft. Architectural treatments will match the traditional stucco material which is found on the shopping center there today. The liquor store facade is outdated and the applicant is proposing to add new columns which will be attached to the wall while incorporating a parapet and molding. These features are being added in an effort to continue the shopping center feel without completely replicating the appearance of the existing building or proposing major structural modifications. The design is contemporary and will relate to the built environment" expresses the applicant. This is consistent with the Design Guidelines which state that *all projects should consider the overall form, pattern and detail of the building.*

FINDING: Consistent.

CRITERION 2: Compatibility. The relationship between existing architectural styles and proposed construction, including how each building along the street relates to the whole and the pattern created with adjacent structures and the surrounding neighborhood. Buildings should contain architectural details that are characteristic of the surrounding neighborhood.

ANALYSIS: The owner explains, "The existing architectural style is dated and does not relate to the other buildings in the shopping center. The new liquor store facade contains details such as decorative columns, scored parapet details with crown moldings to match the existing buildings". The proposed building improvements are compatible to the existing shopping and will comply with the existing setbacks. The overall design and color palette will be complimentary to the existing shopping center.

FINDING: Consistent.

CRITERION 3: Scale/Massing. Buildings shall be proportionate in scale, with a height which is consistent with the surrounding structures. Building mass shall reflect a simple composition of basic architectural details in relation to its length, width, height, lot coverage, and setting of the structure in context with

adjacent buildings. Architectural details include, but are not limited to, banding, molding, and fenestration.

ANALYSIS: The owner is also requesting Design for modifications proposed to the existing liquor store. The existing store is 4,338 sq ft and after the building improvements it will be reduced to 3,586 sq ft. As a result, the existing liquor store will be reduced by 752 sq ft.

Buildings shall be proportionate in scale, with a height which is consistent with the surrounding structures, as provided by the owner. The proposed design modifications to the liquor store will not alter the one story height and will be compatible with the shopping center. The new columns which will be attached to the wall while incorporating a parapet and molding. These features are being added in an effort to continue the same building feel without completely replicating the appearance of the existing shopping center or proposing major structural modifications.

FINDING: Consistent.

CRITERION 4: Landscaping. Landscaped areas should contain a variety of native and other compatible plant types and forms, and be carefully integrated with existing buildings and paved areas. Existing mature trees and other significant plants on the site should be preserved.

ANALYSIS: As described by the Design Guidelines, landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall Site Plan Design. The owner has worked with staff to provide adequate landscaping to enhance the scope of work, more specifically State Road 7. A variety of native trees, shrubs and ground covers are being used and native hedges, as stated by the applicant. These materials are arranged in a manner to compliment the building's architecture as well as provide a buffer for the associated parking lot.

FINDING: Consistent.

RECOMMENDATION

Variance: Approval, with the condition all improvements (including but not limited to façade renovations, architectural features, paint, additional open space, trees, shrubs, sod, dumpster, restriping, etc.) as reflected on the plans dated 1/11/2012 included in Attachment A, are completed prior to the issuance of any Certificate of Completion or Certificate of Occupancy; and subject to any amendments made within the next 12 months regarding maintaining conformance with approved Site Plans.

Design: Approval, if the Variance is granted.

ATTACHMENTS:

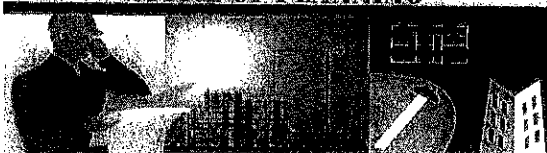
ATTACHMENT A: Application Package
ATTACHMENT B: Land Use & Zoning Map

ATTACHMENT C: State Road 7 Cure Plan Information
ATTACHMENT D: FDOT Cure Plan Resolution

ATTACHMENT A

Application package

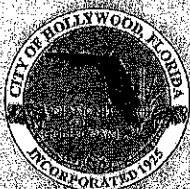
OFFICE OF PLANNING



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

2600 Hollywood Boulevard Room 315
Hollywood, FL 33022

GENERAL APPLICATION



Tel: (954) 921-3347
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: 2/20/12Location Address: 607 South State Road 7Lot(s): See Attached Block(s): _____ Subdivision: _____Folio Number(s): 514130000101Zoning Classification: SR7 CC5-CC Land Use Classification: TOCExisting Property Use: Commercial Sq Ft/Number of Units: _____

Is the request the result of a violation notice? () Yes (X) 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): _____

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

Explanation of Request: Parking Reduction due to the widening of St Rd 7 by the Dept of Transportation and Reduction of Square footage of liquor storeNumber of units/rooms: N/A Sq Ft: N/AValue of Improvement: _____ Estimated Date of Completion: 12/12

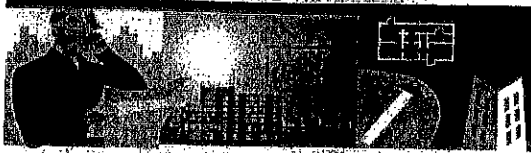
Will Project be Phased? () Yes (X) No If Phased, Estimated Completion of Each Phase _____

Name of Current Property Owner: Hollywood Acquisitions LLCAddress of Property Owner: 8 Industrial Way 3rd Floor Easton NJTelephone: 732-935-0111 Fax: 732-935-9801 Email Address: mark@whartonrealtygroup.comName of Consultant/Representative/Tenant (circle one): Joseph B. KauerAddress: 2417 Hollywood Blvd Telephone: 954-930-5746Fax: 954-930-3841 Email Address: Joseph@kauerarchitects.comDate of Purchase: 4/04 Is there an option to purchase the Property? Yes () No (X)

If Yes, Attach Copy of the Contract.

List Anyone Else Who Should Receive Notice of the Hearing: Mr. Francisco Pines

Attorney at Law Address: 3301 Force de Leon Blvd
Penthouse, Coral Gables Email Address: F.Pines@pinesgroup.com
Florida 33134

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: [Signature] Date: _____

PRINT NAME: MARTIN MASON Date: _____

Signature of Consultant/Representative: [Signature] Date: _____

PRINT NAME: JOSEPH B. KALLER Date: _____

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) Review for Variance to my property, which is hereby made by me or I am hereby authorizing (name of the representative) Joseph B. Kaller & Assoc. to be my legal representative before the Planning & Development Board and/or Committee) relative to all matters concerning this application.

Sworn to and subscribed before me

this 19th day of December 2011

[Signature]

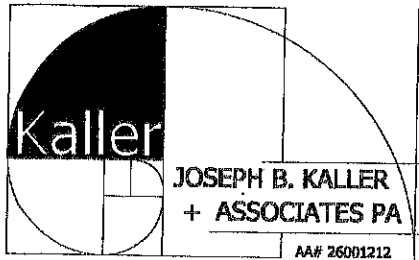
Notary Public State of Florida New Jersey

[Signature]
SIGNATURE OF CURRENT OWNER

MARTIN MASON
PRINT NAME

My Commission Expires: _____ (Check One) ☒ Personally known to me; OR _____

LYNN RAYMOND
Notary Public
Ocean County, New Jersey
Commission Expires Sept. 4, 2014



architecture - interiors - planning

JUSTIFICATION STATEMENT

Request for Regulatory Variance

K-Mart Shopping Plaza / 607 S State Road 7

Folio ID# 5141 13 00 0161

Hollywood, Florida

Submitted: January 12, 2012

REQUEST

The purpose of this request is to obtain a variance from the City of Hollywood's Zoning and Land Development Regulations for the K-Mart Shopping Plaza located at the northeast corner of State Road 7 (U.S. 441) and Washington Street. Currently, the site is approximately 10.927 acres in size. The approximate size of the site after the right-of-way acquisition is 10.355 acres.

The site must be reconfigured due to the expansion of State Road 7 by the Florida Department of Transportation (FDOT). Pursuant to City of Hollywood Land Development Code, Article V, Section 5.3.E.1, for acquisition parcels within a Florida Department of Transportation US 441/SR 7 corridor improvement project, petitions for Variances may be filed by an authorized representative of the Property Owner.

Thus, on behalf of the Property Owner, Joseph B. Kaller & Associates, P.A. is requesting a variance from the parking requirements of Article VII, Section 7.2.A.29 of the City of Hollywood's Zoning and Land Development Code.

PROPERTY HISTORY & SITE CHARACTERISTICS

The existing zoning classification for the property is the SR 7 CCD Low Hybrid South Commercial Sub-Area. The site is improved with a 125,926 square foot multi-tenant shopping center. K-Mart is the main tenant in the center. There are two other buildings in the plaza, a free standing liquor store and a multi-tenant building. A search of the Hollywood Public Records revealed that the existing the building improvements were constructed in 1992. Currently there are 494 parking spaces in the plaza.

ACQUISITION IMPACTS

Parking Loss

There are several impacts related to the road widening, including lost of parking. Thirty-one (31) parking spaces located along State Road 7 will be lost as a result of the road widening process.

Liquor store

The new right-of-way line intersects approximately 17 feet into the existing 4,338 square foot liquor store building, which is located at the northwest portion of the site. As a result, an approximate 17+/- feet of the existing Building needs to be demolished with a small area added at the west side as a filler. This will provide a new total of 3,586 Sq. Ft., a reduction of 752 Sq. Ft. from the existing Building.

Re-established parking

After the acquisition, subsequent demolition of a portion of the liquor store and reconfiguration of parking for the site, the total number of parking spaces provided will be 461. Currently the shopping center does not meet the Land Development Code requirements for parking, which is 1 space per each 220 square feet of building area. The existing improvements were permitted in 1992 and it appears that changes to parking requirements since that time, have created the existing nonconformity. The changes to building area, parking and parking ratios are summarized below:

	Total Building Area	Actual Parking	Parking Ratio
Existing Conditions	125,926	494	1 space per 254 sf
Proposed Layout	125,174	461	1 space per 272 sf

Relocated access point

The bus bay currently located at the corner of State Road 7 and Washington Street will be relocated further north, as a result of the road widening. This relocation will impact the southern SR 7 access point, and as a result this access point will need to be relocated further to the north.

Landscape Buffer

A ten (10) foot wide landscape buffer has been re-established along State Road 7, within the affected area. In addition, several light poles and the one (1) sign along State Road 7 have been relocated.

VARIANCE REQUEST

Zoning Code Section	Existing	Proposed	Variance
Article VII Section 7.2.A.29	494 parking spaces	461 parking spaces	Variance for a reduction of 33 parking spaces.

REGULATORY VARIANCE CRITERIA

The City of Hollywood has established five (5) criteria that must be met in order to obtain a regulatory variance. These criteria and responses to each criterion are specified below.

Article V, Section 5.3.F.1

Variances. Except as set forth in division F.2. below, no Variance shall be granted by the Planning and Development Board unless the Board finds that the petitioner has shown that criteria a. through d. have been met or criteria e. is established, then the Variance shall be granted.

- 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.

The site is currently non-conforming in term of required parking, as it does not provide 1 space per each 220 square feet of building area. The existing parking ratio for the center is 1 space per each 254 square feet of building area. The resulting parking ratio is 1 space per each 272 square feet of building area which is only slightly higher than the existing parking ratio.

The basic intent and purpose of the subject regulations is to provide adequate parking for patrons of the business. All businesses at the shopping center have been operating for years a parking ratio that is substantially less than code requirements. A search of the Hollywood public records revealed that a variance was never applied for in order to address this non-conformity.

Another fact to consider is the that the parking requirement for a shopping center use is very general and does not take into consideration the type of businesses that currently operate on the site. The separate retail uses operate with varying hours, staggering the amount of people who patronize the businesses throughout the day. Observation of the site at various times of the day shows a great availability of parking. The requested variance will not have a negative affect on the stability and appearance of the City of Hollywood.

- b. That the requested Variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community.

The use and function of the current business operations will not be altered as a result of this variance. The current use has demonstrated compatibility with surrounding land uses and has proven that it is not detrimental to the community. Thus, the reduction in the amount of parking spaces will not result in any change to the demonstrated compatibility of the site and will 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.

The requested variance is consistent with applicable Goals, Objectives and Policies.

Policy 1.9: *Coordinate with FDOT to expedite the widening project for the US 441/SR 7 to coincide with proposed impacts.*

The requested variance is consistent with Policy 1.9. This variance request is being submitted on behalf of the Property Owner in an effort to resolve any site development issues that coincide with the road widening along State Road 7 as proposed by the Florida Department of Transportation.

Policy 1.21: *Create a business development and retention program that provides incentives that encourage businesses to remain in the US 441/SR 7 Corridor.*

The Florida Department of Transportation has been working diligently to minimize the impacts of the State Road 7 road widening project on business owners along that corridor. The variances that are being submitted to the City of Hollywood represent FDOT's commitment to retaining the businesses along the State Road 7 Corridor, thus, the requested variance is consistent with Policy 1.21.

Policy 1.24: *Create an environment to protect the establishment and enhancement of small business along the US 441/SR 7 Corridor.*

The requested variance is consistent with Policy 1.24, as it is FDOT's goal to protect small businesses along the State Road 7 Corridor by minimizing the impacts of the road widening project. The property will retain sufficient parking to service the small businesses located in the shopping center.

Policy 1.37: *Establish policy guidelines and/or code requirements addressing the impacts of eminent domain relating to the US 441/SR7 Corridor.*

The Florida Department of Transportation worked with the City of Hollywood in establishing an Eminent Domain Ordinance that addresses the acquisition impacts that occur as a result of the State Road 7 Corridor widening process. Thus, the requested variance is consistent with Policy 1.37.

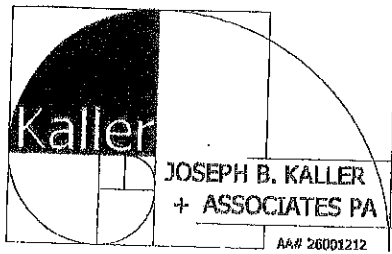
- d. That the need for the requested Variance is not economically based or self-imposed.**

The need for the variance is a result of the Florida Department of Transportation right of way taking along State Road 7 and is not a direct result of an action by the property owner. Therefore, the variances are not economically based or self-imposed.

- e. That the Variance is necessary to comply with state or federal law and is the minimum Variance necessary to comply with the applicable law.**

The requested variance is the minimum necessary to maintain the current business operations on the site, without causing further impact to the property owner by requiring additional site improvements. Due to site constraints is not possible to configure the site with more than 461 parking spaces. Therefore the requested variance is the minimum variance that is necessary for the property owner to make reasonable use of the property.

Based on the above and attached information, the Applicant respectfully requests approval of the proposed variance.



architecture - interiors - planning

GENERAL CRITERIA STATEMENT
K-MART SHOPPING CENTER

607 South Sate Road 7

Folio #5141 13 00 0161

January 12, 2012

1. **Architectural and Design Components.** Architecture refers to the Architectural elements of exterior building surfaces. Architectural Details should be commensurate with the building mass. The use of traditional materials for new Architectural Details is recommended. Design of the Building(s) shall consider aesthetics and functionality, including the relationship of the pedestrian with the built environment.

The Proposed Project is the Demolition of a Portion of the existing Free-standing Liquor Store, due to the expansion of State Road 7 by the Florida Department of Transportation (FDOT). The existing Building contains an asphalt shingle mansard roof with scalloped soffits which wraps around the perimeter of the Structure. The Design of the new façade is Contemporary, aesthetically pleasing and relates to the existing built environment.

2. **Compatibility.** The relationship between existing Architectural styles and proposed construction, including how each building along the street relates to the whole and the pattern created with adjacent structures and the surrounding neighborhood. Buildings should contain architectural details that are characteristic of the surrounding neighborhood.

The existing Architectural Style is dated, unappealing and does not relate to the other two buildings in the shopping center. The new façade contains details such as decorative columns, scored parapet details with crown moldings and storefronts to match the existing adjacent buildings. The new façade relates to the adjacent structures and the surrounding neighborhood.

3. **Scale/Massing.** Buildings shall be proportionate in scale, with a height which is consistent with the surrounding structures. Building mass shall reflect a simple composition of basic architectural details in relation to its length, width, height, lot coverage and setting of the structure in context with adjacent buildings. Architectural details included, but are not limited to, banding, molding and fenestration.

The New Building Façade is proportionate in scale and its new height is consistent with the surrounding buildings of the Shopping Center. The new details on the building's façade are in context with the adjacent buildings.

4. **Landscaping.** Landscaped area should contain a variety of native and other compatible plant types and forms, and be carefully integrated with existing buildings and paved areas. Existing mature trees and other significant plants on the site should be preserved.

After the acquisition by the Department of Transportation, the Site Plan has added landscaped areas along the south, west and north sides of the Building. The proposed native plant materials are used to soften the base of the building and provide a welcoming quality at the new south entry of the building. The new Site Design will integrate a new 5'-0" wide handicap accessible path from State Road 7 to the Shopping Center's covered walkway.



SEXTON ENGINEERING ASSOCIATES, INC.

Consulting Engineers and Surveyors

Kmart Parcels
State Road 7 - Parcel 162 & 163
651 South 60th Ave., Hollywood, Florida

Sexton Engineering Associates, Inc. conducted parking counts on the subject property to establish a typical demand for on-site parking for the existing business. These counts were conducted at thirty minute intervals for the following dates and times.

Thursday	May 13, 2010	9:00AM – 7:00PM
Saturday	June 12, 2010	9:00AM – 7:00PM

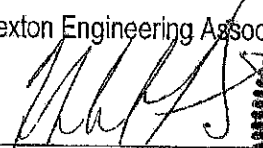
The subject property has a parking supply of 584 parking spaces and all of these spaces were included in the parking count. A sketch of the parking supply is attached to this report.

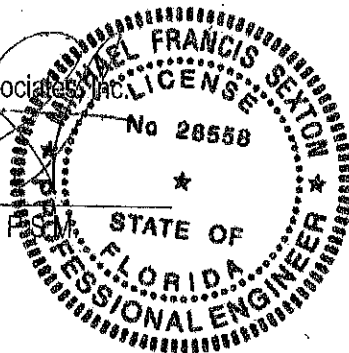
Based on the parking counts for the subject property for the study period, a peak parking demand was determined for each day and a percentage of the parking supply was calculated as follows:

Thursday	May 13, 2010	11:30AM	113 spaces	19% of supply
Saturday	June 12, 2010	12:30PM	129 spaces	22% of supply

A graphic presentation of the parking demand by time for each of the study periods is attached for this report.

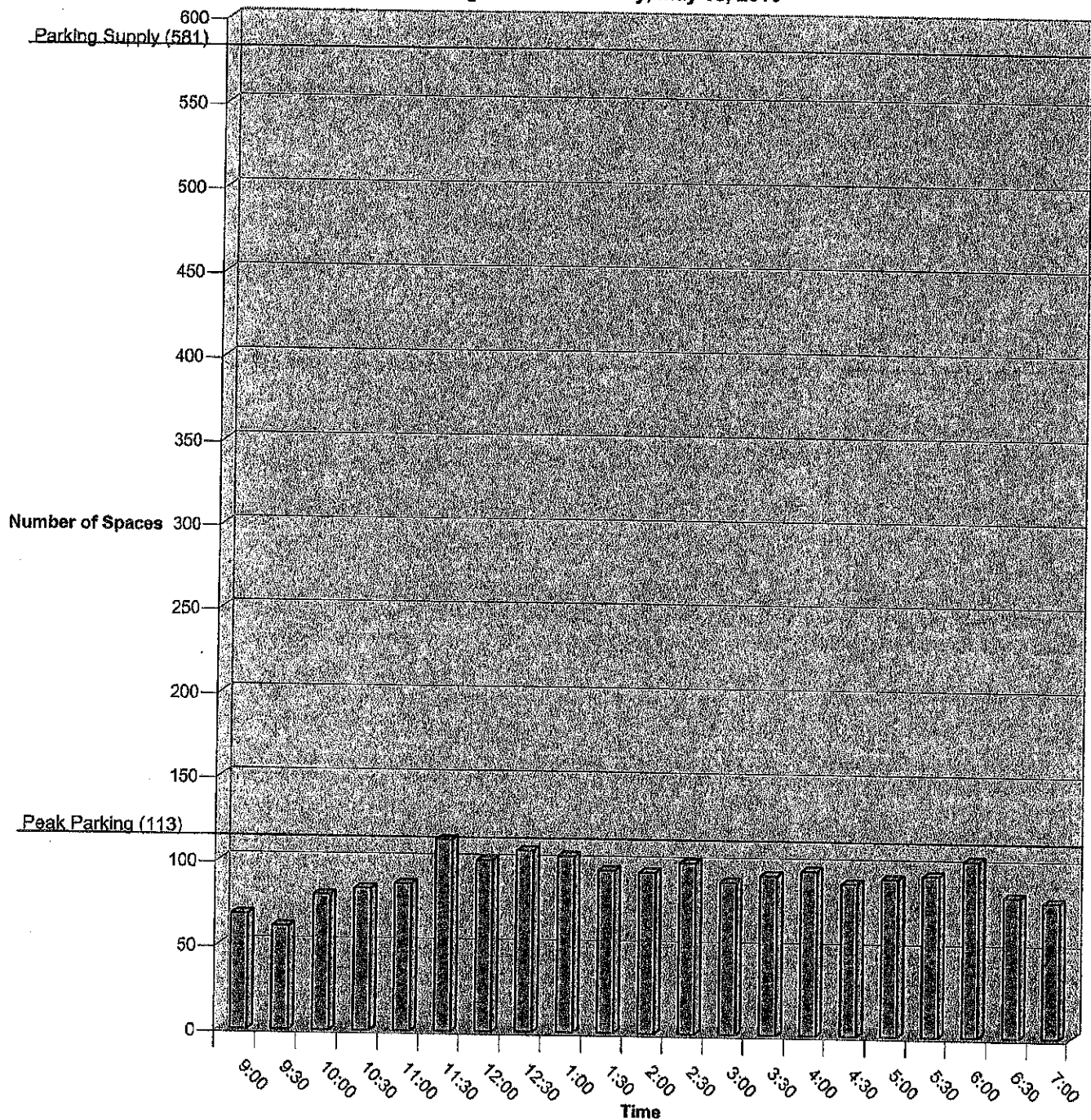
By: Sexton Engineering Associates, Inc.


Michael F. Sexton, P.E.,
FL. Reg. No. 28558



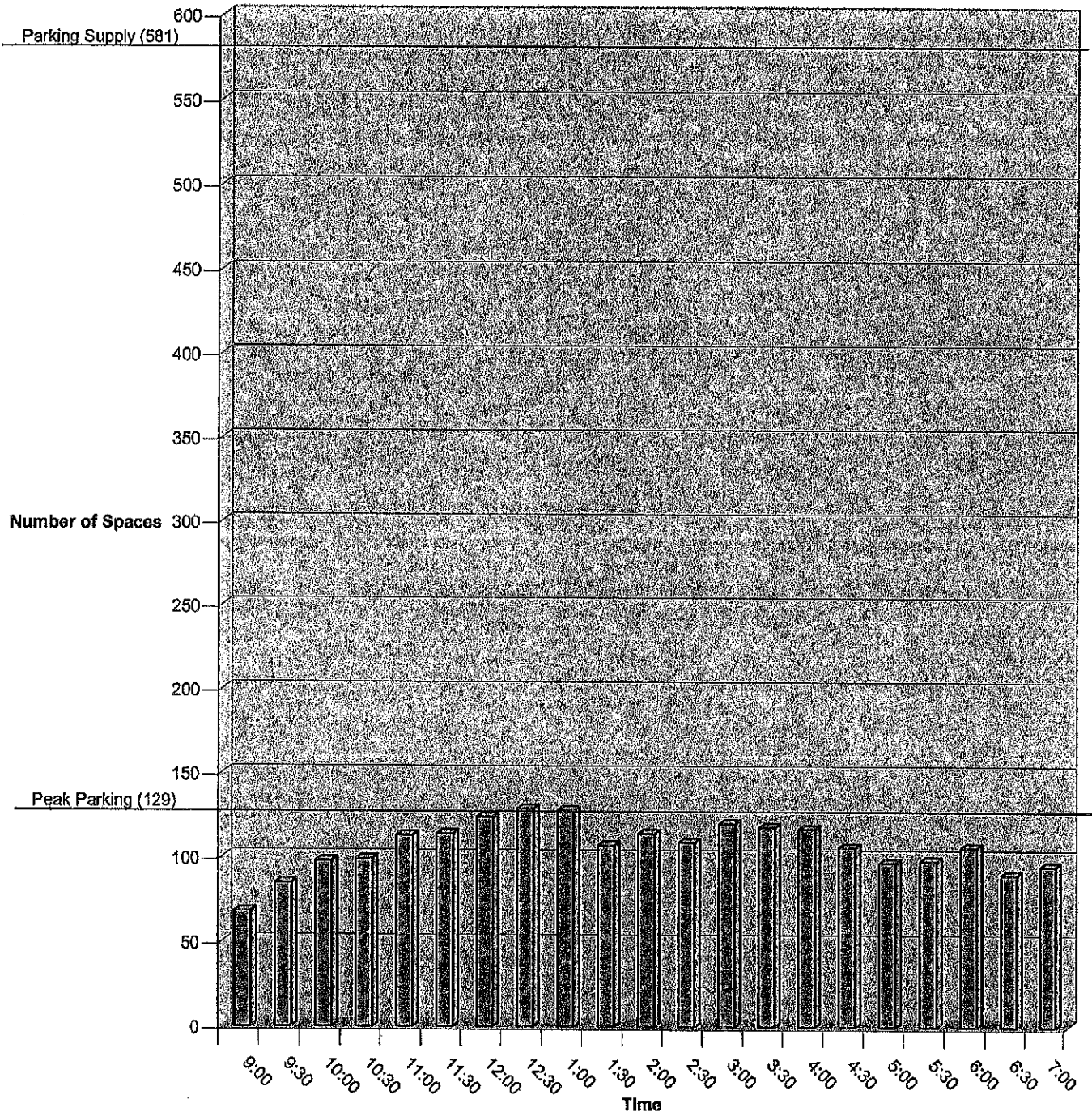
SEXTON ENGINEERING ASSOCIATES, INC.

Kmart Parcels 162 & 163 Parking Count Thursday, May 13, 2010

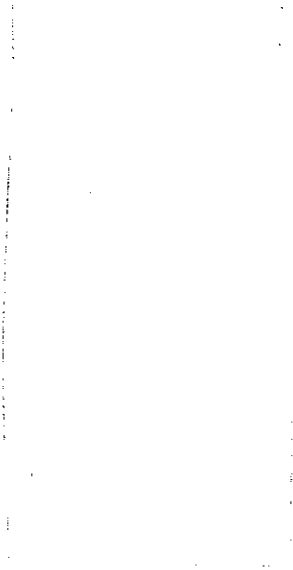


SEXTON ENGINEERING ASSOCIATES, INC.

Kmart - Parcels 162 & 163 Parking Count Saturday, June 12, 2010



PAINT COLOR CHIP FOR K-MART PLAZA
LIQUOR STORE BUILDING



BENJAMIN MOORE CLASSIC COLORS
MONTGOMERY WHITE

LORI PARRISH
BROWARD
 COUNTY
 PROPERTY
 APPRAISER



Site Address	807 S STATE ROAD 7, HOLLYWOOD	ID #	5141 13 00 0161
Property Owner	HOLLYWOOD ACQUISITION LLC % WHARTON REALTY GROUP INC	Millage	0513
Mailing Address	8 INDUSTRIAL WAY E FL 2 EATONTOWN NJ 07724	Use	18
Legal Description	13-51-41 PART OF SE1/4 DESC AS: COMM AT SW COR SE1/4, NLY 35 TO POB CONT NLY 641.25, ELY 667.75, CONT ELY 175, SLY 646.41 TO A POINT 35 N OF S/L OF SE1/4, WLY 843.49 TO POB LESS POR DESC AS: COMM SW COR OF SW1/4 OF SEC 13, N 35.03 TO POB CONT N 247, E 270.04, S 247, W 270.04 TO POB		

The just values displayed below were set in compliance with Sec. 193.011, Fla. Stat., and include a reduction for costs of sale and other adjustments required by Sec. 193.011(8).

Property Assessment Values					
Click here to see 2011 Exemptions and Taxable Values to be reflected on Nov. 1, 2011 tax bill.					
Year	Land	Building	Just / Market Value	Assessed / SOH Value	Tax
2012	\$3,495,740	\$1,043,450	\$4,539,190	\$4,539,190	
2011	\$3,495,740	\$1,043,450	\$4,539,190	\$4,539,190	\$133,492.02
2010	\$3,495,740	\$1,043,450	\$4,539,190	\$4,539,190	\$139,486.92
IMPORTANT: The 2012 values currently shown are "roll over" values from 2011. These numbers will change frequently online as we make various adjustments until they are finalized on June 1. Please check back here AFTER June 1, 2012, to see the actual proposed 2012 assessments and portability values.					

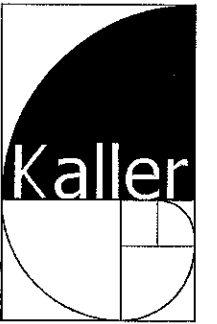
2012 Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
Just Value	\$4,539,190	\$4,539,190	\$4,539,190	\$4,539,190
Portability	0	0	0	0
Assessed/SOH	\$4,539,190	\$4,539,190	\$4,539,190	\$4,539,190
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dts	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$4,539,190	\$4,539,190	\$4,539,190	\$4,539,190

Sales History					Land Calculations		
Date	Type	Price	Book	Page	Price	Factor	Type
4/5/2004	SWD	\$5,500,000	37341	128	\$8.50	411,264	SF
3/31/1999	SWD	\$2,000,000	29402	136			
7/10/1996	WD	\$100	25130	421			
3/1/1988	WD	\$100	15285	23			
1/1/1985	QCD	\$111					
					Adj. Bldg. S.F. (See Sketch)		
					132116		

Special Assessments					
Fire	Garbage	Light	Drainage	Improvement	Safe
05					
C					
132116					

SITE RECONFIGURATION FOR
THE K-MART PLAZA

607 SOUTH STATE ROAD 7
HOLLYWOOD, FLORIDA 33023



JOSEPH B. KALLER
+
ASSOCIATES PA
A.A.P. 00001212
2417 Hollywood Blvd.
Hollywood, Florida 33020
(954) 925-2746 phone (954) 546-2841 fax
kaller@belsouth.net

SEAL

JOSEPH B. KALLER
FLORIDA R.A. # 0009239

PROJECT TITLE
K-MART PLAZA
607 S. STATE ROAD 7
HOLLYWOOD, FL 33023

SHEET TITLE
COVER SHEET

REVISIONS		
No.	DATE	DESCRIPTION
1	02.03.12	PLANNING
2	02.20.12	OWNER'S REVISION

PROJECT No.: 11189
DATE: 01.11.12
DRAWN BY: RH
CHECKED BY: JBK

SHEET

T-1

PROJECT TEAM

OWNER:
HOLLYWOOD ACQUISITION, LLC
8 INDUSTRIAL WAY EAST
2nd FLOOR
EATONTOWN, NEW JERSEY 00724
PH: 732.935.0111
FX: 732.935.8800

ARCHITECT:
JOSEPH B. KALLER & ASSOCIATES P.A.
(C) JOSEPH B. KALLER 2417
HOLLYWOOD BLVD HOLLYWOOD, FL
33023
P 954.925.2746
F 954.925.2841
JOSEPH@KALLERARCHITECTS.COM

LANDSCAPE ARCHITECT:
LAND DESIGN SOUTH OF FLORIDA, INC.
(C) LYNN ZOLEZZI
400 COLUMBIA DRIVE, SUITE 110
WEST PALM BEACH, FLORIDA 33409
P 561.478.8501
F 561.478.5012

SURVEYOR:
SEXTON ENGINEERING ASSOCIATES, INC.
(C) MICHAEL D. BONIN
110 PONCE DE LEON STREET
ROYAL PALM BEACH, FLORIDA 33441
P 561.792.3122
F 561.792.3168

SITE DATA

NAME OF DEVELOPMENT	K-MART PLAZA
SITE ADDRESS	607 S. STATE ROAD 7
EXISTING LAND USE DESIGNATION	TRANSIT ORIENTED CORRIDOR
EXISTING ZONING DESIGNATION	SR 7000 COMMERCIAL CORE SUB-AREA SHOPPING PLAZA
EXISTING USES	
BROWARD COUNTY PARCEL I.D. NUMBER	5141 13 00 0161
TOTAL AFFECTED AREA	±39,528 S.F. (0.91 AC.)
TOTAL SITE AREA BEFORE ROAD WIDENING	±475,980 S.F. (10.927 AC.)
TOTAL SITE AREA AFTER ROAD WIDENING	±451,064 S.F. (10.355 AC.)
TOTAL BUILDING SQUARE FOOTAGE EXISTING	
K-MART PLAZA	106,320 S.F.
K-MART PLAZA	15,268 S.F.
LIQUOR STORE	4,338 S.F.
TOTAL	125,926 S.F.
TOTAL BUILDING SQUARE FOOTAGE PROPOSED	
K-MART PLAZA	106,320 S.F.
K-MART PLAZA	15,268 S.F.
LIQUOR STORE	3,588 S.F.
TOTAL	125,174 S.F.
LIQUOR STORE SQ. FT. REMOVED	(±) 809 S.F.
LIQUOR STORE SQ. FT. ADDED	(±) 57 S.F.
BUILDING COVERAGE AFTER ROAD WIDENING	
	27.75%
TOTAL PARKING REQUIRED (1 SP. PER 220 S.F.)	
	569 SP.
TOTAL PARKING EXISTING	
	494 SP.
TOTAL PARKING REQUIRED RESOLUTION # 11-V-12	
	463 SP.
TOTAL PARKING PROVIDED	
	461 SP.
BUILDING HEIGHT	
	ONE STORY, EXISTING AND MODIFIED STRUCTURES
IMPERVIOUS SURFACE AREA WITHIN AFFECTED AREA	
	30,252 S.F.(0.69 AC.) 76.53 %
PERVIOUS SURFACE AREA WITHIN AFFECTED AREA	
	9,276 S.F.(0.22 AC.) 23.47 %
FRONT (WEST SIDE) SETBACK REQUIRED/PROVIDED/EXISTING	
	0'/15.01'/57.6'
NORTH SIDE SETBACK REQUIRED/PROVIDED	
	0'/15.46' (22.5' LIQUOR STORE)
SOUTH SIDE SETBACK REQUIRED/PROVIDED	
	0'/35.45'
REAR SETBACK REQUIRED/PROVIDED	
	0'/95.02'

DRAWING INDEX

SURVEY

S-1	SPECIFIC PURPOSE SURVEY
S-2	SPECIFIC PURPOSE SURVEY

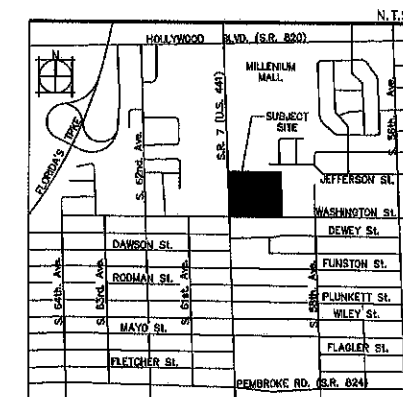
ARCHITECTURE

T-1	COVER SHEET
CSP-1	PROPOSED COLORED SITE PLAN
SP-1	PROPOSED SITE PLAN
SP-2	EXISTING SITE PLAN
SP-3	EXISTING SITE IMAGES
A-1	PROPOSED FLOOR PLAN
A-2	PROPOSED BUILDING ELEVATIONS

LANDSCAPE

LP-1	LANDSCAPE SITE PLAN
LP-2	LANDSCAPE DETAILS
LP-3	LANDSCAPE NOTES

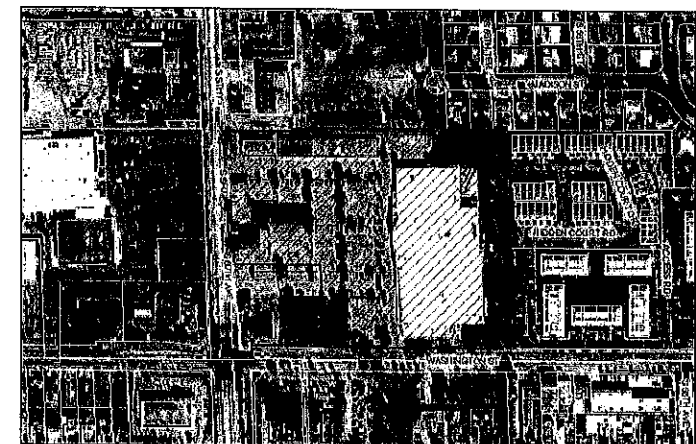
LOCATION PLAN

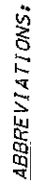
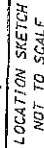


LEGAL DESCRIPTION

13-51-41 PART OF SE1/4 DESC AS:COMM AT SW COR SE1/4,NLY 35 TO POB CONT NLY 641.25,ELY 667.75,CONT ELY 175,SLY 646.41 TO A POINT 35 N OF S/L OF SE1/4,WLY 843.49 TO POB LESS POR DESC AS:COMM SW COR OF SW1/4 OF SEC 13,N 35.03 TO POB CONT N 247,E 270.04,S 247, W 270.04 TO POB

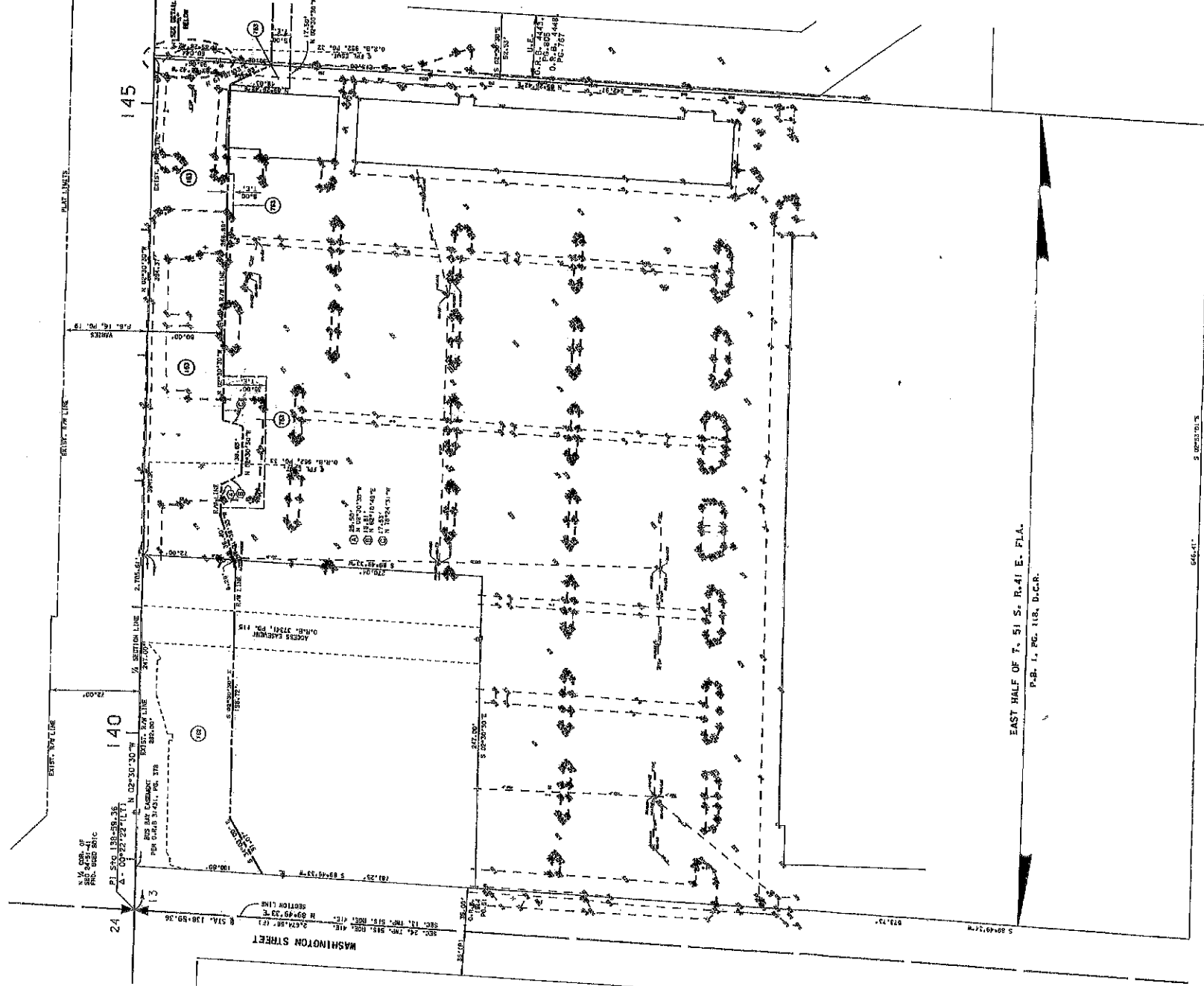
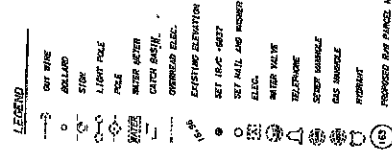
AERIAL VIEW





B	BASE LINE
FF	FINISH FLOOR ELEVATION
R	RADIUS LENGTH
A	DELTA ANGLE
L	ARC LENGTH
C	CENTER LINE
PB	PLAT BOOK
PG	PAGE
IR	IRON ROD
N/D	NAIL & DISK
ORB	OFFICIAL RECORD BOOK

EXIST FND.	EXISTING FOUND
IR/C	IRON ROD & CAP
FPL	FLORIDA POWER & LIGHT
B.E.	BUFFER EASEMENT
U.E.	UTILITY EASEMENT
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
PCP	PERMANENT CONTROL POINT
F-FL.	FINISH FLOOR ELEVATION



THAT PART OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 13, TOWNSHIP 51 SOUTH, RANGE 41 EAST, BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST $\frac{1}{4}$, RUN NORTH $02^{\circ}30'21''$ WEST AND ALONG THE WEST LINE OF SAID SOUTHEAST $\frac{1}{4}$, A DISTANCE OF 282.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTHERLY ON THE LAST DESCRIBED COURSE, A DISTANCE OF 384.05 FEET TO THE NORTH LINE OF SAID SOUTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$; THENCE CONTINUE NORTHERLY ON THE NORTH LINE OF SAID SOUTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$, A DISTANCE OF 567.75 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$; THENCE RUN NORTH $02^{\circ}28'18''$ EAST ON A PROJECTION OF THE NORTH LINE OF SAID SOUTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$, A DISTANCE OF 175.00 FEET TO THE NORTH LINE OF SAID SOUTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$; THENCE RUN SOUTH $02^{\circ}33'01''$ PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$, A DISTANCE OF 646.75 FEET TO THE SOUTH LINE OF SAID SOUTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$; THENCE RUN SOUTH $89^{\circ}49'34''$ WEST PARALLEL WITH SAID SOUTH LINE OF THE SOUTHWEST $\frac{1}{4}$, A DISTANCE OF 573.73 FEET TO A POINT; THENCE RUN NORTH $02^{\circ}30'50''$ WEST, A DISTANCE OF 247.00 FEET; THENCE RUN SOUTH $89^{\circ}49'34''$ WEST, A DISTANCE OF 270.00 FEET TO THE POINT OF BEGINNING.

1. NOTICE: THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF BROWARD COUNTY.

2. BEARINGS SHOWN HEREON ARE BASED ON THE BASELINE OF SURVEY FOR STATE ROAD 7, AS SHOWN ON THE F.D.O.Y. RIGHT OF WAY MAP, FINANCIAL PROJECT ID 227774-1-52-01, WHICH BEARS N 02°30'30" W. ALL BEARINGS ARE RELATIVE THERETO.

3. FIELD SURVEY WAS PERFORMED ON 02/18/2010

4. UNDERGROUND UTILITIES, IF ANY, HAVE NOT BEEN LOCATED AND ARE NOT COVERED UNDER THE CERTIFICATION SHOWN HEREON.


5. THE PURPOSE OF THIS SPECIAL PURPOSE SURVEY IS INTENDED TO SHOW EXISTING IMPROVEMENTS AND ELEVATIONS

6. BENCH MARK IS A F.D.O.T. NAIL AND DISK STAMPED 2936-TRAV PT. ELEVATION 9.73. NAVD 88.

I HEREBY CERTIFY THAT THE ATTACHED SPECIAL PURPOSE SURVEY OF THE LAND DESCRIBED ABOVE IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS CORRELATED UNDER MY DIRECTION. FURTHER CERTIFY THAT THIS SURVEY MEETS THE INTENT OF THE WITHIN TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO SECTIONS 472-021, FLORIDA STATUTES AND ADOPTED IN CHAPTER 61-472-021, ADMINISTRATIVE CODE, EFFECTIVE SEPTEMBER 1, 1993.

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

SEXTON ENGINEERING ASSOCIATES INC.
110 PONCE DE LEON STREET
ROYAL PALM BEACH, FLORIDA 33411
LB NO. 5837

 PROFESSIONAL SURVEYOR AND MAPPER
MICHAEL D. BONTIN
NO. 4396, STATE OF FLORIDA
L.B. NO. 6837

STATE PROJECT NO. 86100-2527

F.P.I.D. 22774-1

SEXTON ENGINEERING ASSOCIATES, INC.

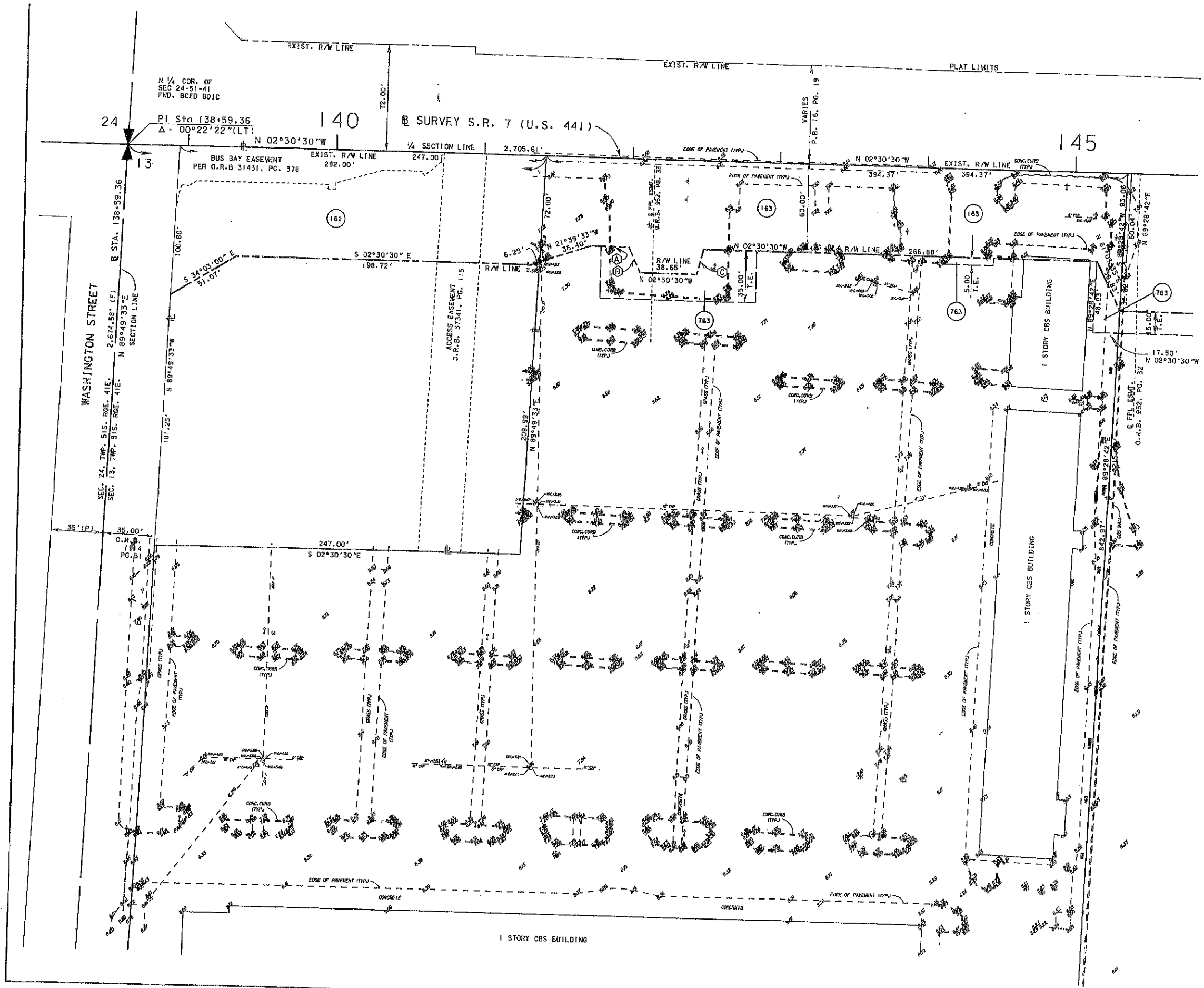
CONSULTING ENGINEERS AND SURVEYORS

110 PONCE DE LEON STREET
ROYAL PALM BEACH, FLORIDA 33411
PHONE 561-792-3122 FAX 561-792-3168
FL REGISTRATIONS: LB0009837, EB0007864

SPECIFIC PURPOSE SURVEY

PROJ. NO. 1448 P163	DATE 03/10/2010
---------------------	-----------------

SCALE 1"-50'



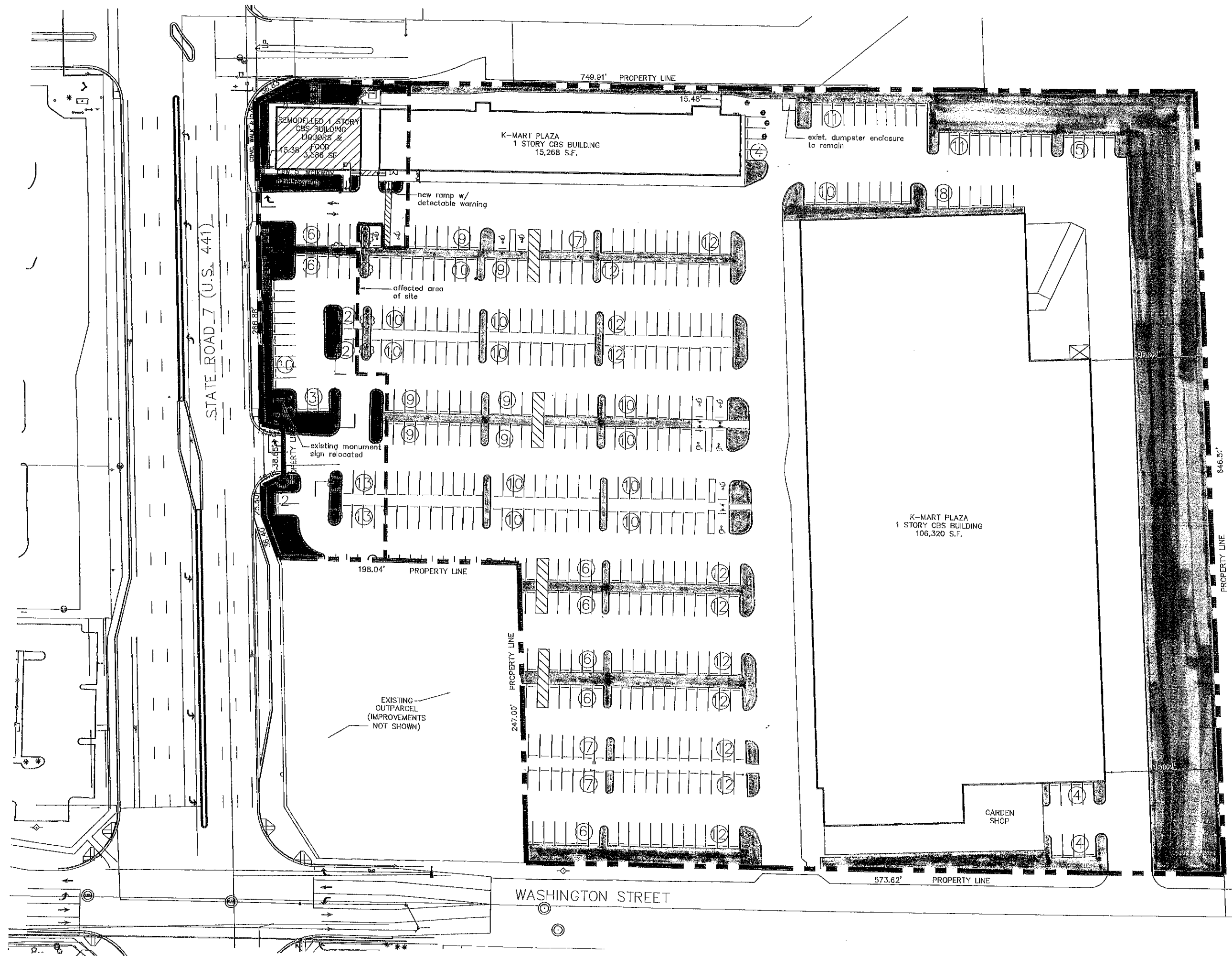
- LEGEND**
- GUY WIRE
 - BOLLARD
 - SIGN
 - LIGHT POLE
 - POLE
 - WATER METER
 - CATCH BASIN
 - OVERHEAD ELEC.
 - EXISTING ELEVATION
 - SET IR/C +6937
 - SET NAIL AND WASHER
 - ELEC.
 - WATER VALVE
 - TELEPHONE
 - SEWER MANHOLE
 - GAS MANHOLE
 - HYDRANT
 - PROPOSED R/W PARCEL NO.

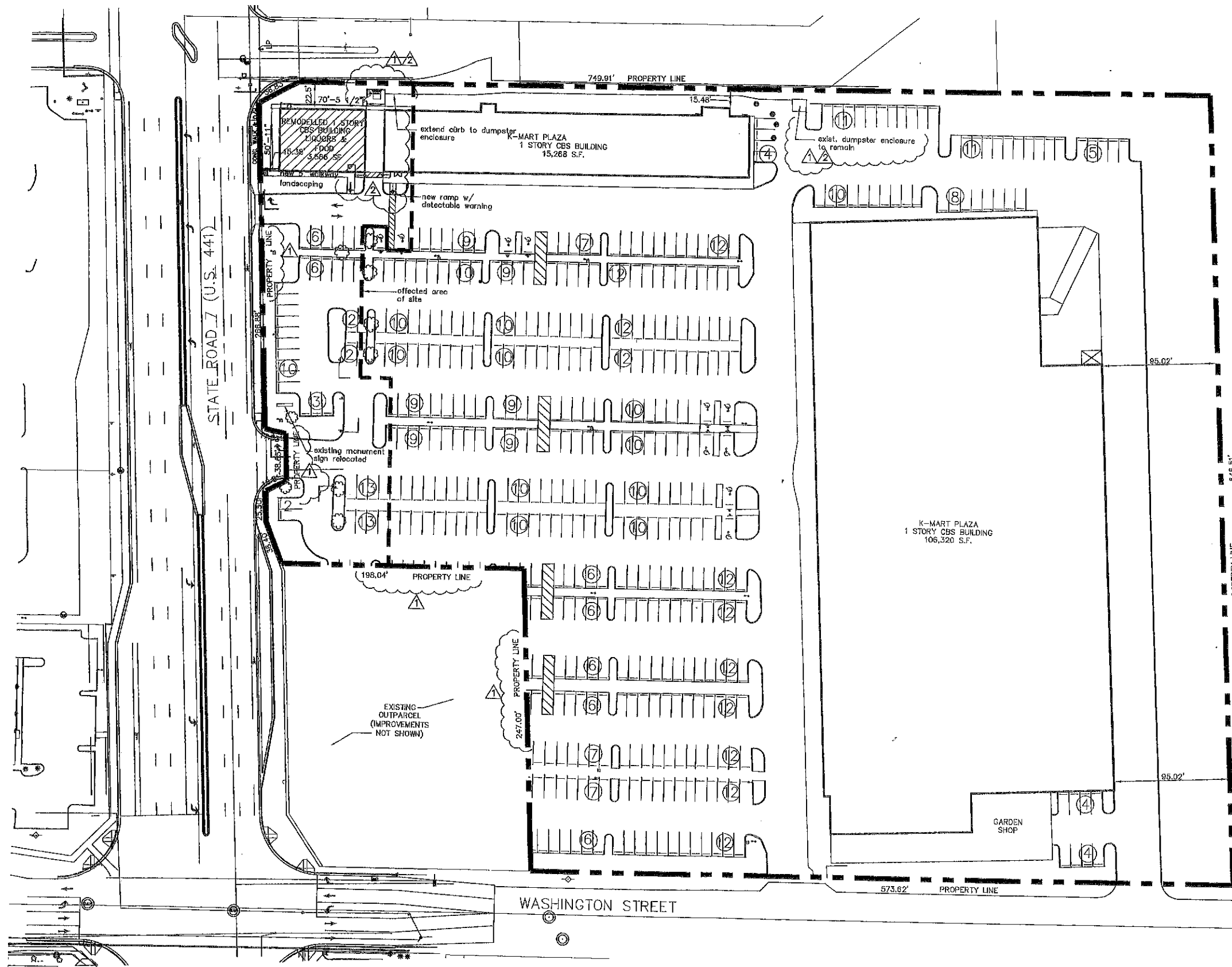
S.R. 7 (U.S. 441)
STATE PROJECT NO. 86100-2527
F.P.I.D. 227774-1

SEXTON ENGINEERING ASSOCIATES, INC.
CONSULTING ENGINEERS AND SURVEYORS
110 PONCE DE LEON STREET
ROYAL PALM BEACH, FLORIDA 33411
PHONE 561-792-3122 FAX 561-792-3168
FL REGISTRATIONS: LB000861, LB0007864

SPECIFIC PURPOSE SURVEY

PROJ. NO. 1448 P162	DATE 03/10/2010
SCALE 1"=30'	SHEET 1 OF





JOSEPH B. KALLER
ASSOCIATES PA
AM 26001212
2412 Hollywood Blvd.
Hollywood, Florida 33020
(813) 968-3300 phone (813) 968-3301 fax
kaller@bellcoast.net

SEAL

JOSEPH B. KALLER
FLORIDA R.A. # 0009239

PROJECT TITLE
K-MART PLAZA
607 S. STATE ROAD 7
HOLLYWOOD, FL 33023

SHEET TITLE
PROPOSED SITE PLAN

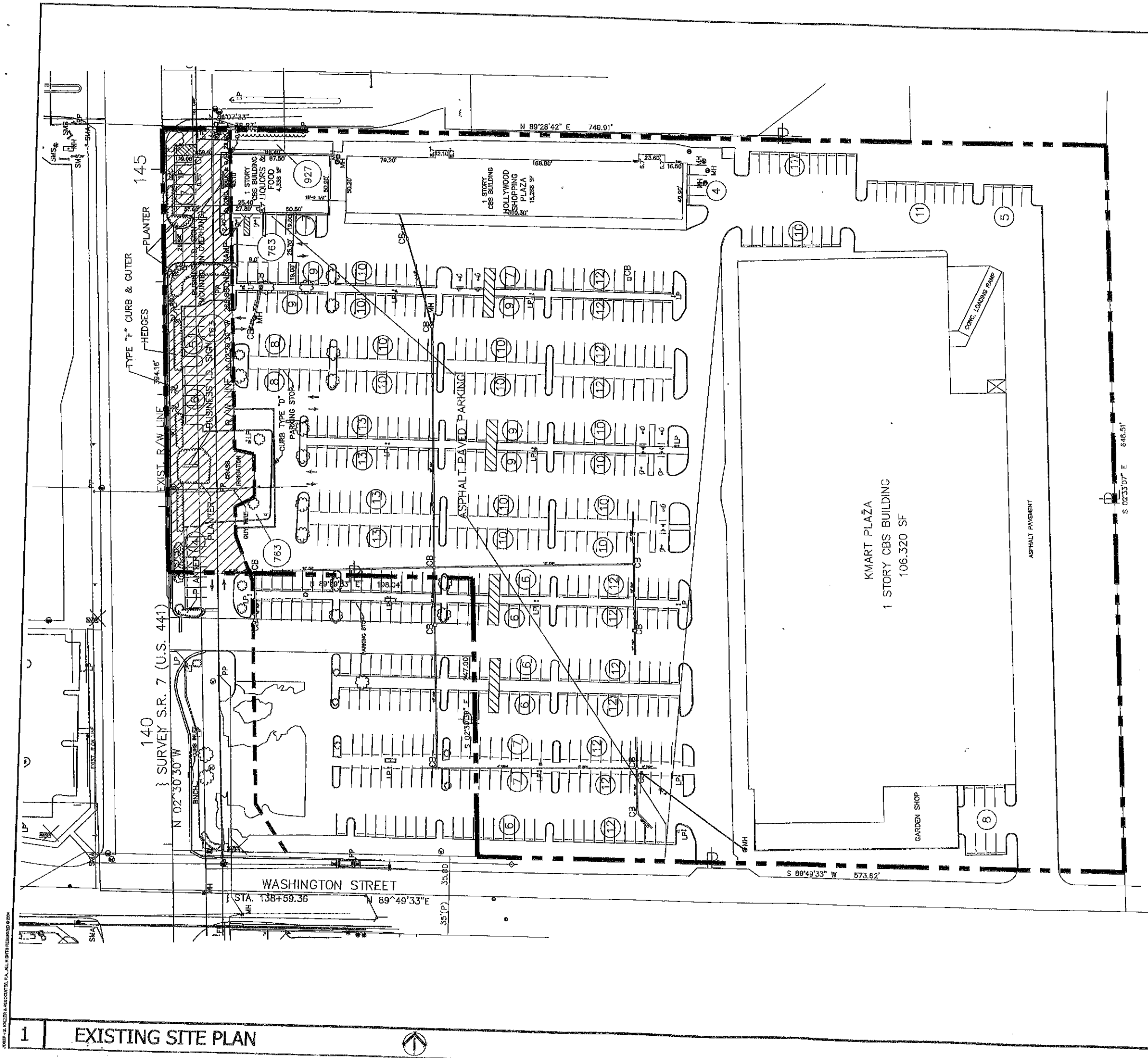
REVISIONS		
No.	DATE	DESCRIPTION
1	02.03.12	PLANNING & ENGINEERING
2	02.20.12	OWNER'S REVISION

This drawing is not to be used for any other purpose than that for which it was prepared. It is the property of the Architect and shall not be reproduced, published or used in any way without the permission of the Architect.

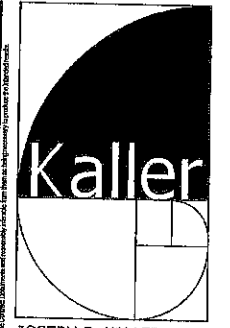
PROJECT No.: 11189
DATE: 01.11.12
DRAWN BY: RH
CHECKED BY: JHK

SHEET

SP-1



NAME OF DEVELOPMENT	K-MART PLAZA
SITE ADDRESS	607 S. STATE ROAD 7
EXISTING LAND USE DESIGNATION	TRANSIT ORIENTED CORRIDOR
EXISTING ZONING DESIGNATION	SR 7000
EXISTING USES	COMMERCIAL CORE SUB-AREA
BROWARD COUNTY PARCEL I.D. NUMBER	5141 13 00 0161
TOTAL SITE AREA BEFORE ROAD WIDENING	±475,980 S.F. (10.927 AC.)
TOTAL SITE AREA AFTER ROAD WIDENING	±451,064 S.F. (10.335 AC.)
TOTAL BUILDING SQUARE FOOTAGE	
K-MART PLAZA	106,320 S.F.
K-MART PLAZA LIQUOR STORE	15,268 S.F.
LIQUOR STORE	4,338 S.F.
TOTAL	125,926 S.F.
TOTAL PARKING REQUIRED (1 SP. PER 250 S.F.)	504 SP.
TOTAL PARKING PROVIDED	493 SP.
FRONT (WEST SIDE) SETBACK REQUIRED/EXISTING	0'/57.6'
NORTH SIDE SETBACK REQUIRED/EXISTING	0'/15.48' (22.5' LIQUOR STORE)
SOUTH SIDE SETBACK REQUIRED/EXISTING	0'/35.45'
REAR SETBACK REQUIRED/EXISTING	0'/95.02'



JOSEPH B. KALLER
+ ASSOCIATES PA
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Hollywood, Florida 33020
(954) 920-5246 phone (954) 920-2941 fax
Kaller@bellsouth.net

SEAL

JOSEPH B. KALLER
FLORIDA E.A. # 0007239

PROJECT TITLE
K-MART PLAZA
607 S. STATE ROAD 7
HOLLYWOOD, FL 33023

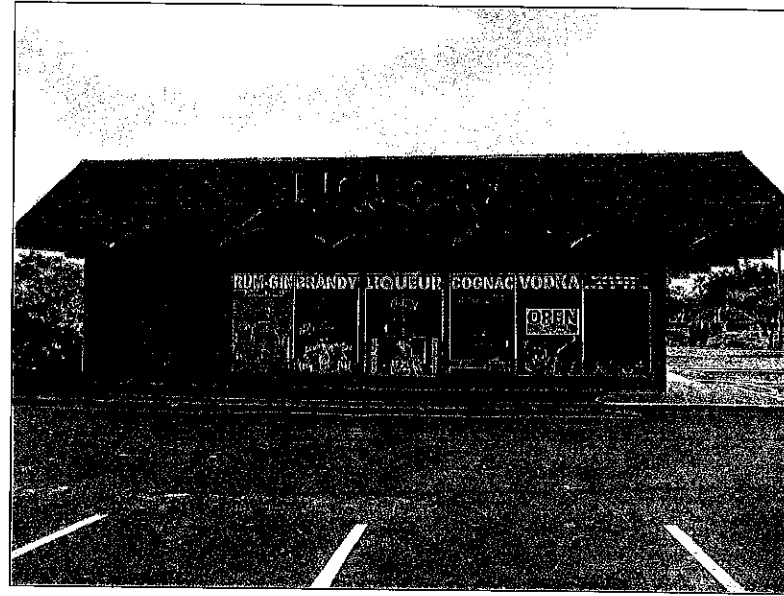
SHEET TITLE
PROPOSED SITE PLAN

REVISIONS		
No.	DATE	DESCRIPTION
1	02.03.12	PLANNING

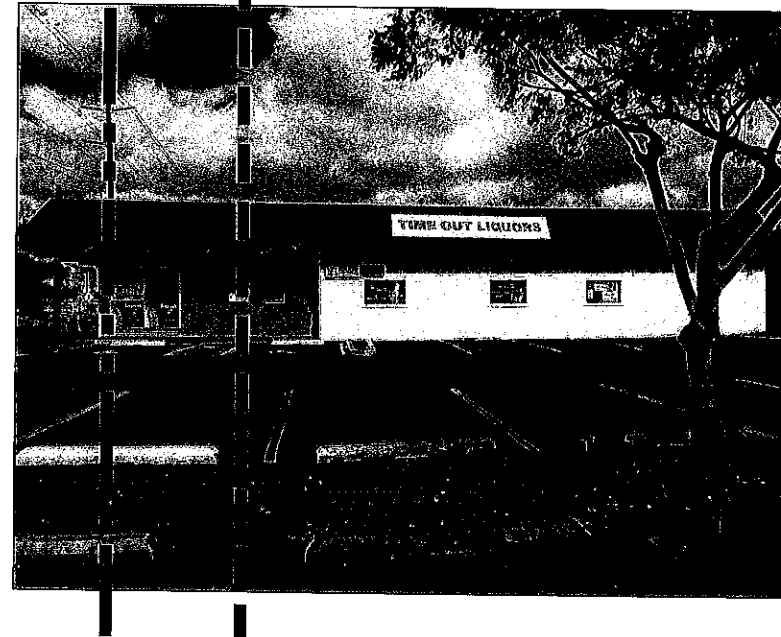
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DATE: 01.11.12
DRAWN BY: RH
CHECKED BY: JBK

SHEET

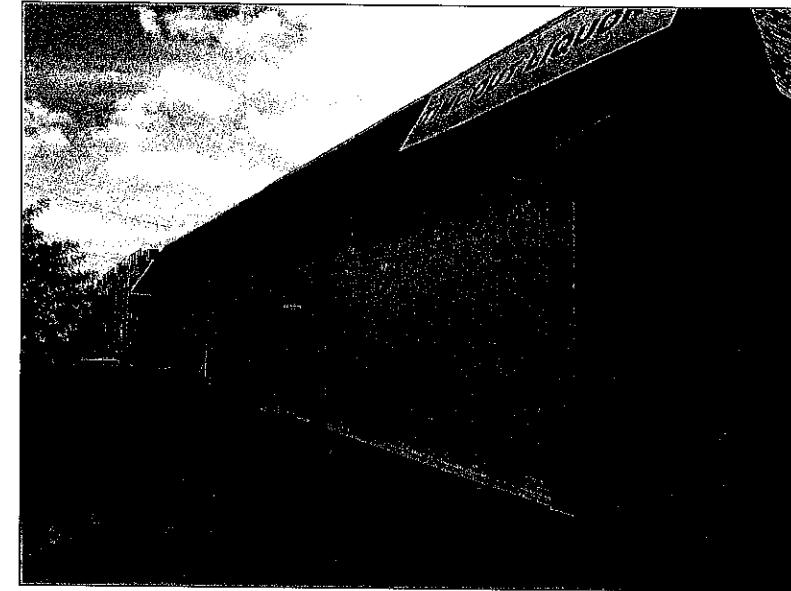
SP-2



WEST (FRONT) VIEW OF LIQUOR STORE



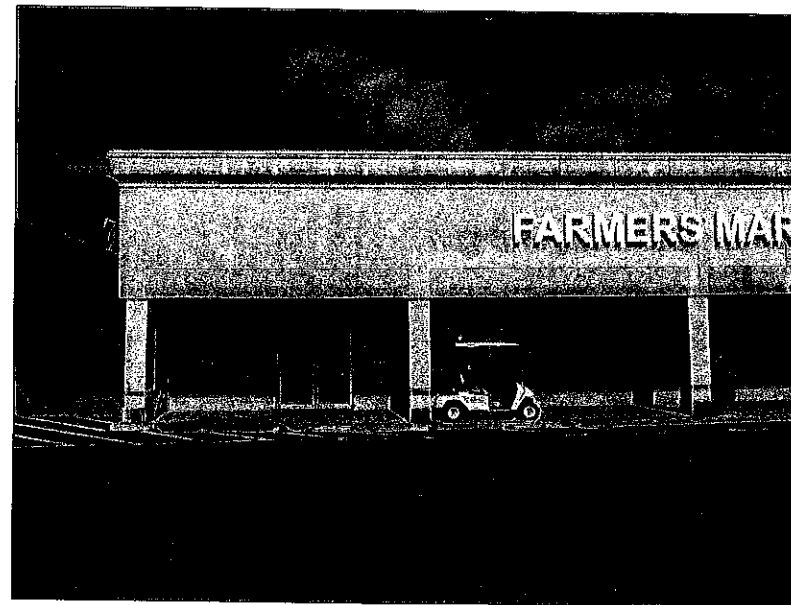
SOUTH (SIDE) VIEW OF LIQUOR STORE



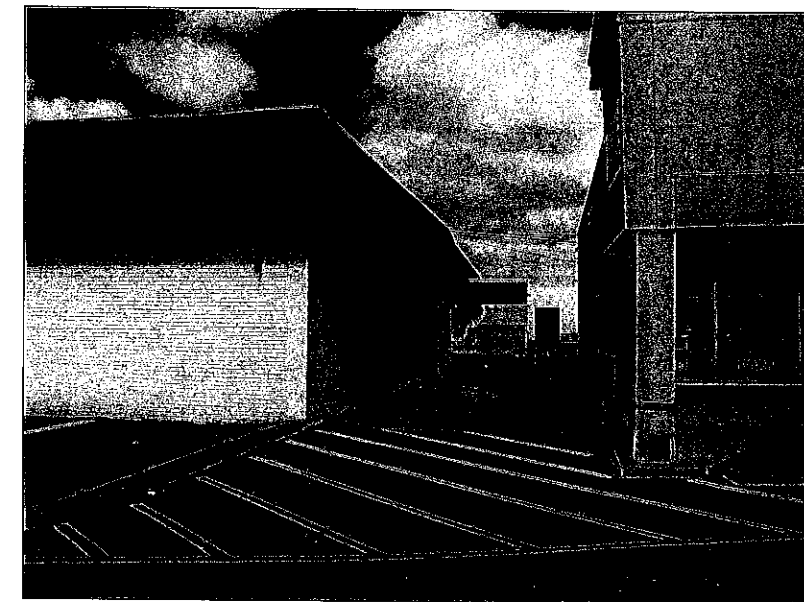
NORTH (SIDE) VIEW OF LIQUOR STORE



SOUTH (SIDE) VIEW OF LIQUOR STORE
AND ADJACENT BUILDING



SOUTH (SIDE) VIEW OF ADJACENT BUILDING



PASSAGE WAY BETWEEN BOTH BUILDINGS



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+
ASSOCIATES PA
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Hollywood, Florida 33020
(954) 526-5766 phone (954) 526-7941 fax
kaller@bellsouth.net

SEAL

JOSEPH B. KALLER
FLORIDA R.A. # 0009259

PROJECT TITLE
K-MART PLAZA
607 S. STATE ROAD 7
HOLLYWOOD, FL 33023

SHEET TITLE
EXISTING IMAGES

REVISIONS		
No.	DATE	DESCRIPTION
1	08.20.12	PLANNING

This drawing, as an instrumental service, is not to be used for any other purpose without the written consent of the architect. It is the responsibility of the architect to ensure that the drawing is used for the intended purpose and that the user is aware of the limitations of the drawing.

PROJECT No.: 11189
DATE: 01.11.12
DRAWN BY: RH
CHECKED BY: JBK

SHEET

SP-3



JOSEPH B. KALLER
ASSOCIATES PA

2017 Highway Blvd.
Hollywood, Florida 33020
(954) 940-5240 ext. 100 (954) 940-2941 fax
j.kaller@kallerpa.com

SEAL

JOSEPH B. KALLER
FLORIDA R.A. # 0009239

PROJECT TITLE

K-MART PLAZA
607 S. STATE ROAD 7
HOLLYWOOD, FL 33023

SHEET TITLE

LIQUOR STORE
FLOOR PLAN

REVISIONS

No.	DATE	DESCRIPTION
1	02.03.12	PLANNING & BUILDING
2	02.20.12	OWNER'S REVISION
3		
4		
5		
6		
7		
8		
9		
10		

This drawing, as an instrument of service, is not to be used for any other project without the written consent of the engineer. It is to be used only for the project and location specified on the title block. Any other use is unauthorized and may result in legal action.

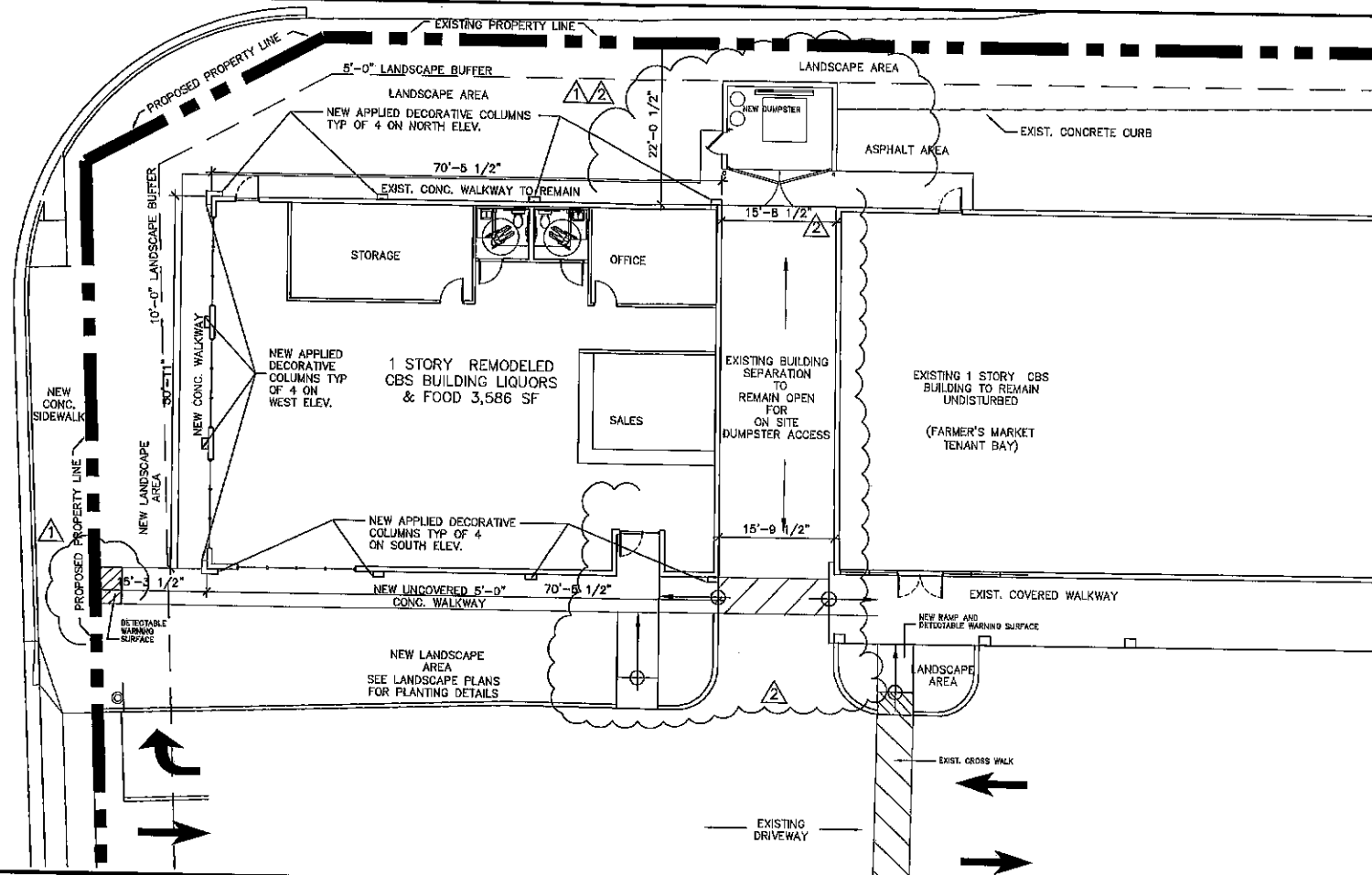
PROJECT No.: 11189
DATE: 01.11.12
DRAWN BY: RH
CHECKED BY: JMK

SHEET

A-1

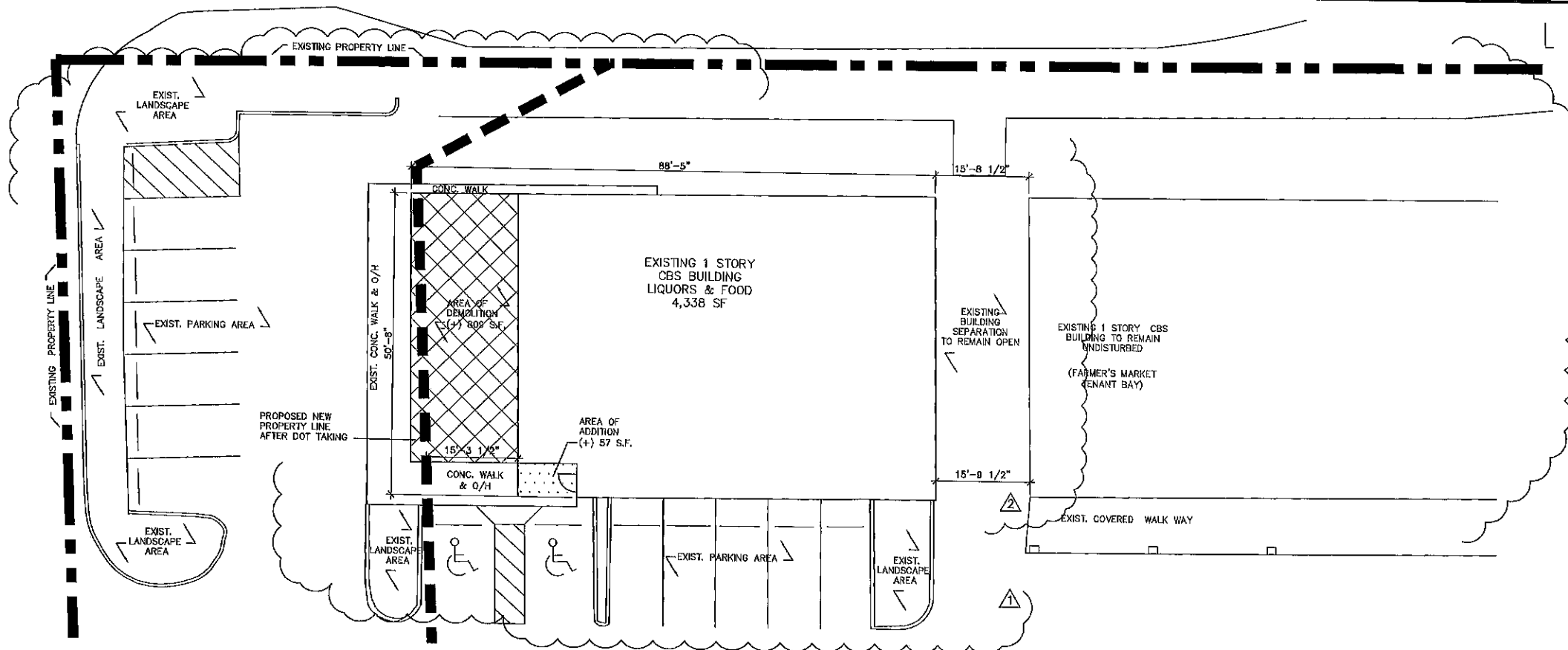
1 PROPOSED FLOOR PLAN

SCALE : 3/32" = 1'-0"



2 EXISTING BUILDING OUTLINE

SCALE : 3/32" = 1'-0"





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+ ASSOCIATES PA
AIA # 26001212
2417 Hollywood Blvd.
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(954) 920-5745 phone
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SEAL

JOSEPH B. KALLER
FLORIDA R.A. # 00092297

PROJECT TITLE
K-MART PLAZA
607 S. STATE ROAD 7
HOLLYWOOD, FL 33023

SHEET TITLE
ELEVATIONS

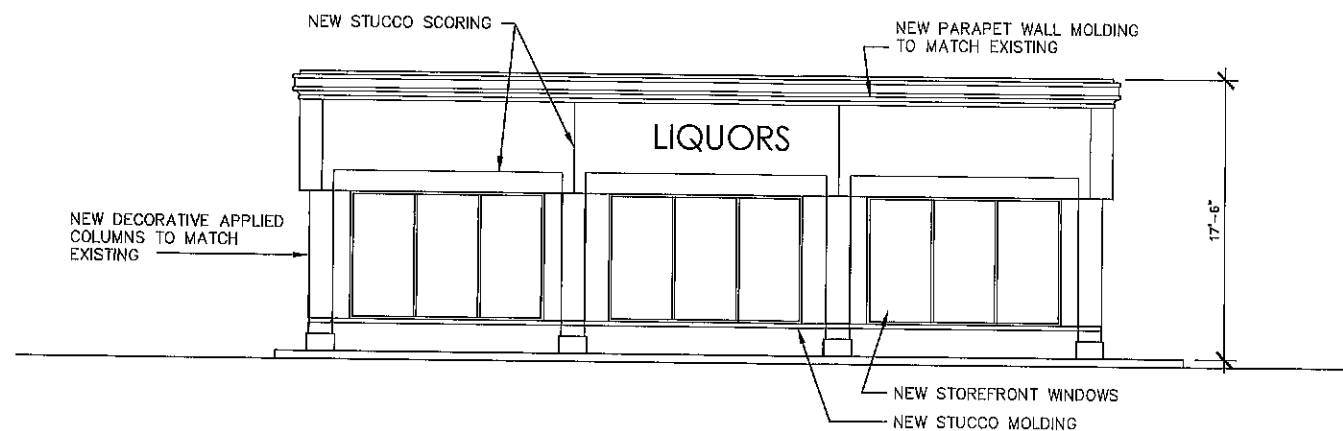
REVISIONS		
No.	DATE	DESCRIPTION
1	02.03.12	BUILDING DEPT
2	02.20.12	OWNER'S REVISION

This drawing is an instrument of service, and shall remain the property of the Architect and shall not be reproduced, published or used in any way without the permission of the Architect.

PROJECT No.: 11189
DATE: 01.11.12
DRAWN BY: RH
CHECKED BY: JBK

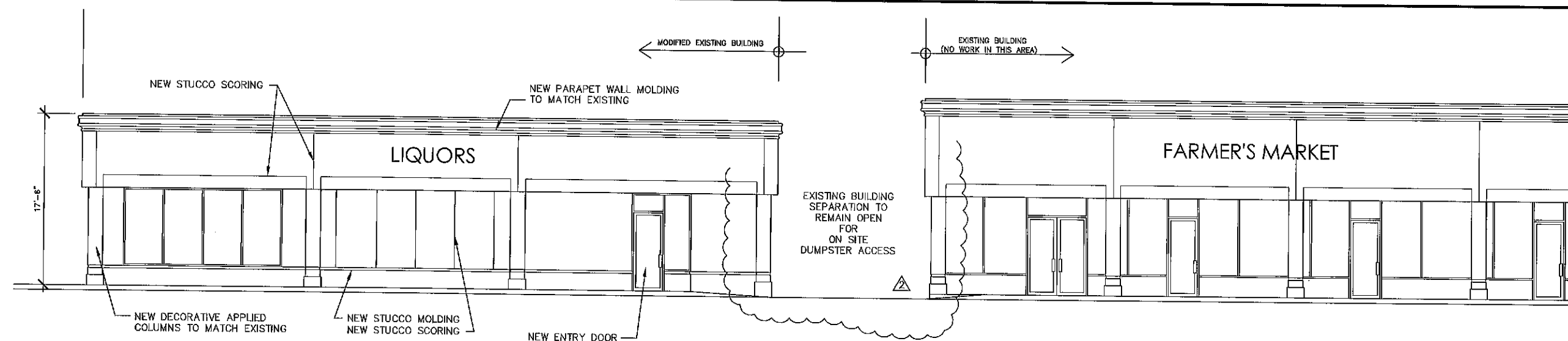
SHEET

A-2



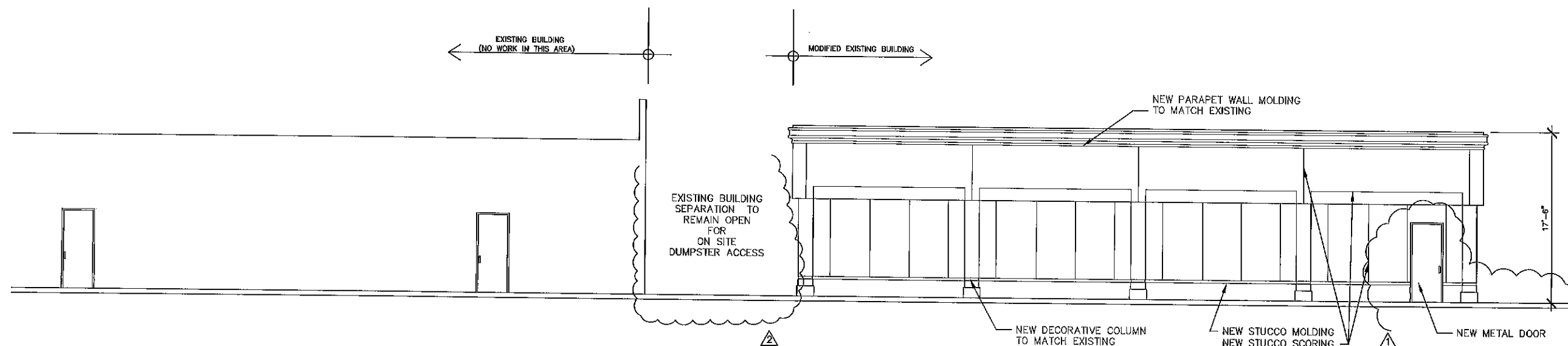
1 WEST ELEVATION

SCALE : 3/16" = 1'-0"



2 SOUTH ELEVATION

SCALE : 3/16" = 1'-0"

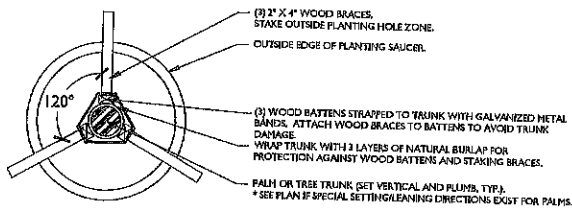


3 NORTH ELEVATION

SCALE : 3/16" = 1'-0"

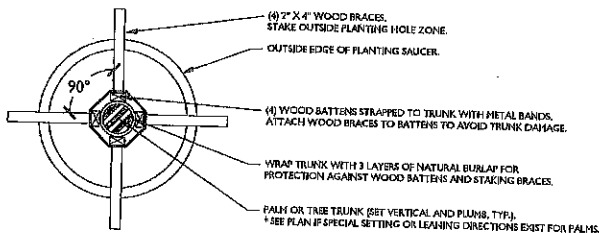
SMALL PALM STAKING PLAN

NOTE:
1. APPLICABLE TO ALL PALMS WITH CALIPER SIZE OF LESS THAN SIX (6) INCHES.
2. ALL TREE SUPPORT MATERIALS ARE TO BE REMOVED FROM EACH TREE ONCE IT IS ESTABLISHED. TYPICALLY SIX MONTHS FOR SHADE TREES OR ONE YEAR FOR PALMS.

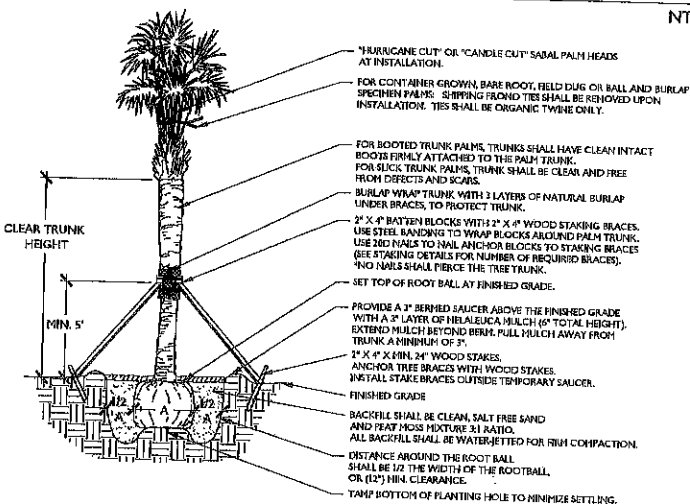


LARGE PALM OR TREE STAKING PLAN

NOTE:
1. APPLICABLE TO ALL MULTI-TRUNK PALMS AND PALMS WITH CALIPER SIZE OF SIX (6) INCHES OR GREATER.
2. ALL TREE SUPPORT MATERIALS ARE TO BE REMOVED FROM EACH TREE ONCE IT IS ESTABLISHED. TYPICALLY SIX MONTHS FOR SHADE TREES OR ONE YEAR FOR PALMS.

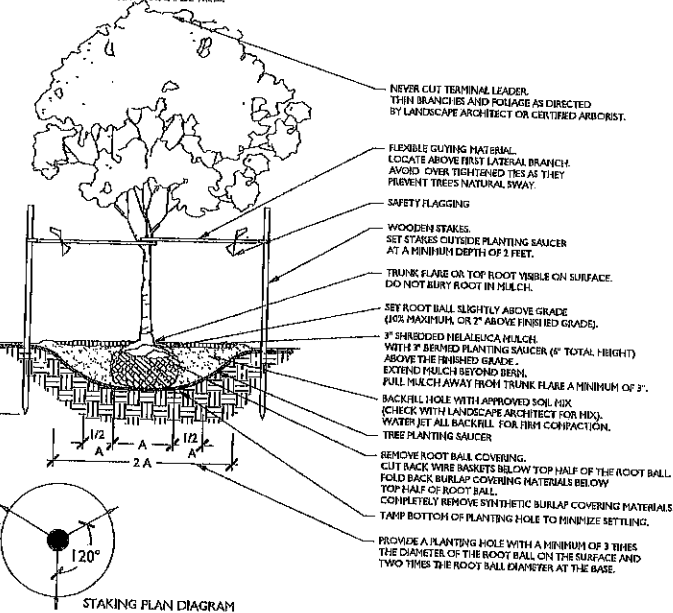


PALM PLANTING DETAIL

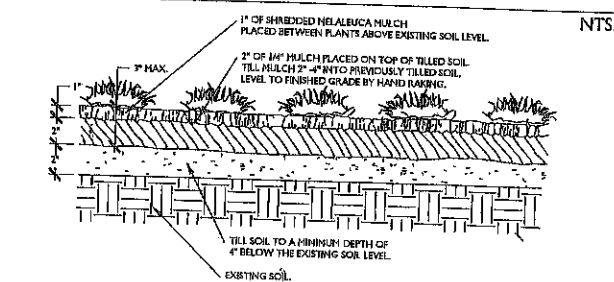


TREE PLANTING DETAIL

NOTE:
1. ALL TREE SUPPORT MATERIALS ARE TO BE REMOVED FROM EACH TREE ONCE IT IS ESTABLISHED. TYPICALLY SIX MONTHS TO ONE YEAR AFTER PLANTING FOR SHADE TREES.

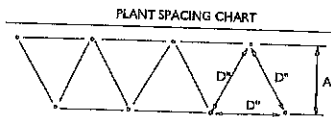


GROUND COVER DETAIL

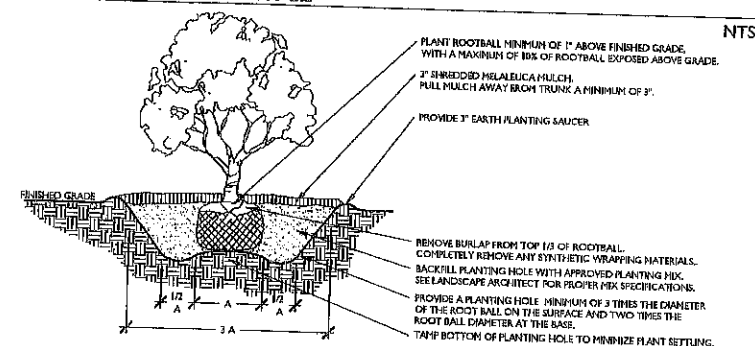


PLANT SPACING DETAIL

SPACING "D"	ROW "A"
8" O.C.	5.3"
10" O.C.	6.9"
12" O.C.	8.6"
15" O.C.	10.4"
18" O.C.	12.2"
24" O.C.	15.6"
30" O.C.	19.8"
36" O.C.	23.6"
48" O.C.	31.2"

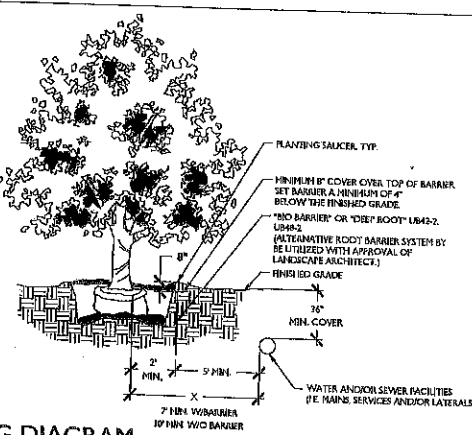


SHRUB PLANTING DETAIL

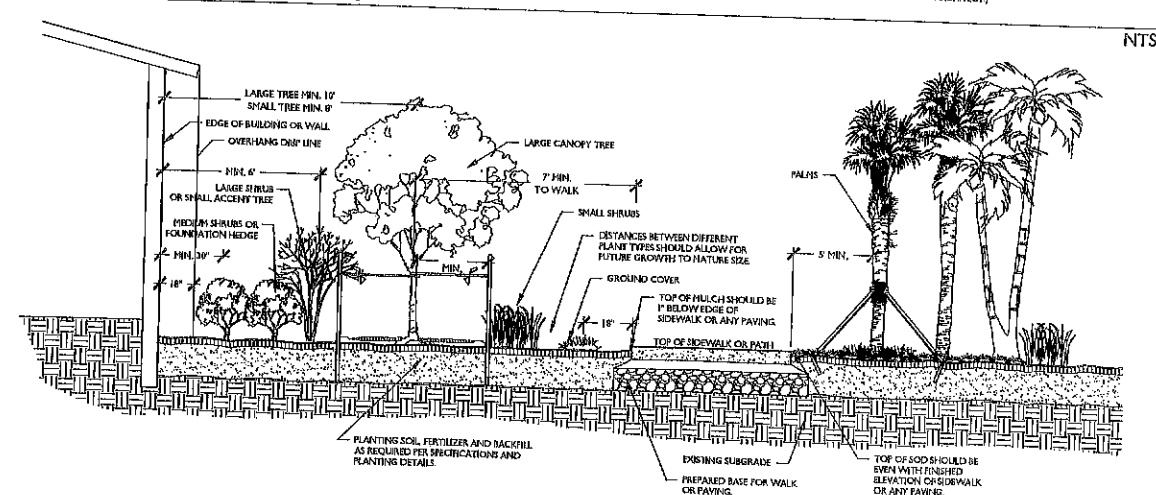


ROOT BARRIER DETAIL

NOTE:
1. TREES ARE TO BE INSTALLED WITH A MINIMUM TEN FOOT (10') SEPARATION FROM ANY PUBLIC WATER OR PUBLIC SEWER MAIN AND/OR SERVICE, HYDRANTS, AND LEFT TANKS. IF A TEN FOOT (10') SEPARATION CANNOT BE ACHIEVED, THE TREE SHALL BE INSTALLED WITH A ROOT BARRIER SYSTEM.
2. ROOT BARRIERS SHALL COMPLY WITH ALL REQUIREMENTS OF THE MUNICIPALITY WITHIN WHICH THEY ARE LOCATED AS WELL AS WITH ANY REQUIREMENTS OF THE UTILITY HOLDER OF THE AFFECTED UTILITIES. IN THE EVENT THAT CONFLICTING REQUIREMENTS EXIST BETWEEN THE MUNICIPALITY/UTILITY HOLDER REQUIREMENTS, THE MORE STRINGENT OF THE REQUIREMENTS SHALL BE APPLICABLE.

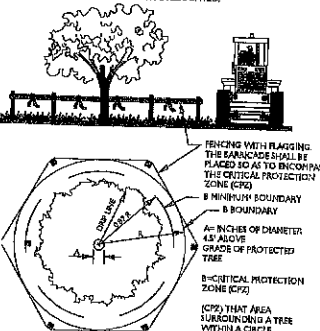


TYPICAL PLANTING DIAGRAM



TREE PROTECTION DETAIL

NOTE: 1. THIS DETAIL APPLIES TO ALL TREES THAT WILL BE PRESERVED IN PLACE OR BE RELOCATED.



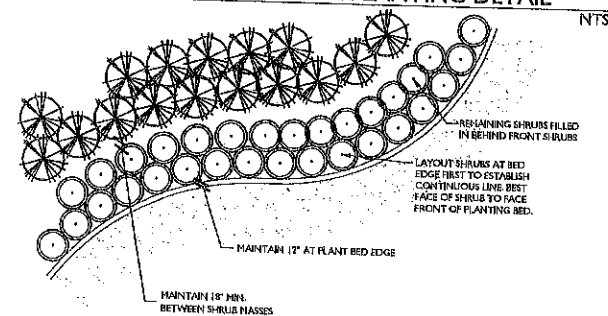
OVERALL LANDSCAPE SCHEDULE

NATIVE	QTY	CODE	BOTANICAL NAME	COMMON NAME	SIZE & REMARK
TREES					
Y	19	IC	Ilex cassina	Daloon Holly	8&B, 10' - 12' Ht., x 5' Spr., Full Canopy
Y	13	QV	Quercus virginiana	Live Oak	8&B, 10' - 12' Ht., x 5' Spr., Full Canopy
Y	6	QV,p	Quercus virginiana	Live Oak	Existing preserved in place
SHRUBS					
Y	215	CHR	Chrysobalanus icaco 'Red Tip'	Red Tip Cocoplum	#3, 24" x 24", 24" OC., Full
N	10	DUR	Duranta erecta	Golden Dewdrop	#3, 24" x 24", 24" OC., Full
N	15	GIF	Ficus microcarpa 'Green Island'	Green Island Ficus	#3, 24" x 24", 24" OC., Full
Y	60	HAM	Hemelia patens 'Compacta'	Dwarf Firebush	#3, 24" x 24", 30" OC., Full
Y	25	TRI	Tripsacum floridanum	Florida Gamagrass	#3, 24" x 24", 24" OC., Full
ACCENTS					
N	10	STR	Scaevola turgida	Orange Bird of Paradise	#7, 3" OA Ht., Full, 3PP
GROUND COVER					
SOD			Stenotaphrum secundatum	St. Augustine 'Floritam'	Solid Sod, Sq. Ft. to be determined by land contractor

LANDSCAPE NOTES:

- STRUCTURAL ELEMENTS AND HARDSCAPE FEATURES INDICATED ON LANDSCAPE PLANS ARE FOR INFORMATIONAL PURPOSES ONLY. LANDSCAPE PLANS ARE TO BE UTILIZED FOR LOCATION OF LIVING PLANT MATERIAL ONLY. LANDSCAPE PLANS SHOULD NOT BE UTILIZED FOR STAKING AND LAYOUT OR LOCATION OF ANY STRUCTURAL SITE FEATURES INCLUDING BUT NOT LIMITED TO: BUILDINGS, SIGNAGE, PATHWAYS, EASEMENTS, BERMS, WALL, FENCES, UTILITIES OR ROADWAYS.
- CONTRACTOR SHALL ACQUIRE ALL APPLICABLE FEDERAL, STATE, LOCAL, JURISDICTIONAL OR UTILITY COMPANY PERMITS REQUIRED PRIOR TO REMOVAL, RELOCATION, AND/OR INSTALLATION OF LANDSCAPE MATERIALS INDICATED WITHIN PLAN DOCUMENTS. THE CONTRACTOR SHALL HAVE PERMITS "IN HAND" PRIOR TO STARTING WORK. LANDSCAPE ARCHITECT SHALL BEAR NO RESPONSIBILITY FOR WORK PERFORMED WITHOUT PERMITTED DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CHANGES TO THE WORK, AT NO ADDITIONAL COST TO THE OWNER, AS A RESULT OF UNAUTHORIZED WORK PRIOR TO RECEIPT OF PERMIT.
- TREES SHOWN ON THIS PLAN ARE FOR GRAPHIC REPRESENTATION ONLY. TREE SPACING IS BASED ON DESIGN REQUIREMENTS AND THE TREES SHOWN ON THESE PLANS ATTEMPT TO ACCOMPLISH THAT SPACING WHILE MAINTAINING THE REQUIRED SETBACKS FROM UTILITIES. IN THE EVENT OF A CONFLICT, AFFECTED PLANT MATERIAL SHALL BE FIELD ADJUSTED WITH THE APPROVAL OF THE LANDSCAPE ARCHITECT TO AVOID CONFLICTS WITH THE EXISTING AND PROPOSED UTILITIES, LIGHT POLES, DRAINAGE STRUCTURES OR LINES, LAKE MAINTENANCE EASEMENTS OR OTHER AFFECTED SITE FEATURES.
- ANY PLANTING WITHIN THE SIGHT TRIANGLES SHALL PROVIDE UNOBSTRUCTED VIEWS AT A LEVEL BETWEEN 30" AND 6" ABOVE THE PAVEMENT.
- ALL UTILITY BOXES STRUCTURES TO BE SCREENED ON 3 SIDES W/ APPROVED PLANTING MATERIAL.
- IRRIGATION IS REQUIRED PROVIDING 100% COVERAGE WITH A MAXIMUM OF 50% OVERLAP, AN AUTOMATIC RAIN SENSOR MUST BE INCLUDED.
- ALL PLANT MATERIAL TO BE INSTALLED SHALL CONFORM TO FLORIDA POWER AND LIGHTS (FPLS) RIGHT TREE RIGHT PLACE GUIDELINES.
- IN CASE OF DISCREPANCIES PLANS TAKE PRECEDENCE OVER PLANT LIST.
- LANDSCAPE CONTRACTOR RESPONSIBLE FOR VERIFICATION OF ALL QUANTITIES PRIOR TO BIDDING.
- REMOVAL OF EXISTING VEGETATION IS RESPONSIBILITY OF LANDSCAPE CONTRACTOR.
- RELOCATION OF EXISTING VEGETATION IS RESPONSIBILITY OF LANDSCAPE CONTRACTOR. REFER TO SPECIFICATIONS FOR RELOCATION INSTRUCTIONS.

SHRUB AND GROUND COVER PLANTING DETAIL



S.R. 7 (U.S. 441)
RIGHT-OF-WAY EXPANSION
PARCEL 163 - LANDSCAPE PLAN

SCALE:	N.T.S.
DRAWN BY:	RHD
DRAWING #:	202-02-11_LF_P163_1072.6AA.dwg
FILE #:	1072.6AA
DATE:	01/03/2011
L.D.S. PROJECT SCHEDULE	
DATE	APPROVAL
DESIGNED	LANDSCAPE ARCHITECT
CHECKED	PROJECT MANAGER
APPROVED	CLIENT REPRESENTATIVE
REVISIONS	REVISIONS TO BE MADE

SHEET #
LP-2

ATTACHMENT B
Land Use & Zoning Map



PLANNING AND
DEVELOPMENT SERVICES

Legend

Subject Property

Streets

Zoning

C-1

C-3

C-4

IM-2

O-3

RM-25

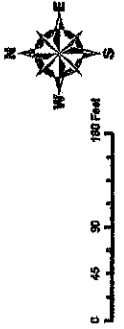
RS-6

SR7 CCD-CC

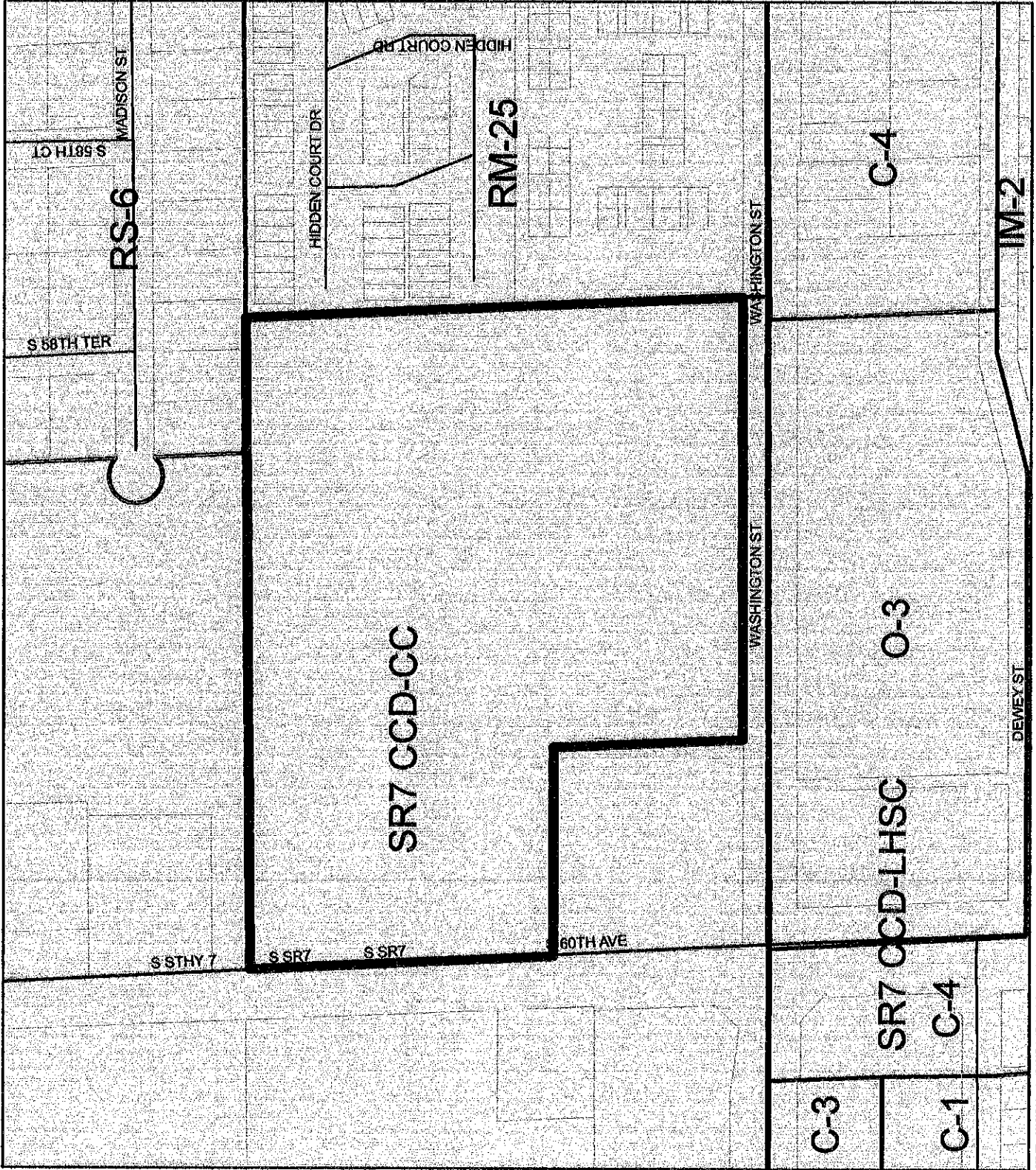
SR7 CCD-LHSC

Land Use

TOC



607 S State Road 7



ATTACHMENT C
State Road 7 Cure Plan Information

**CITY OF HOLLYWOOD, FLORIDA
INTER-OFFICE MEMORANDUM
OFFICE OF PLANNING**

DATE: September 2, 2010 **MEMO NO.:** PD&S 10-29
TO: Development Review Board
VIA: Andria Wingett, Planning Manager *AW*
FROM: Leander Hamilton, Planning & Development Services Administrator *LH*
SUBJECT: Florida Department of Transportation State Road 7 Cure Plans

EXPLANATION:

In an effort to revitalize this important corridor and prepare for future population growth and increased traffic, the Florida Department of Transportation (FDOT) is widening State Road 7/US 441 throughout Broward County. Scheduled to begin in Hollywood in 2013, the scope of work includes reconstruction to add two additional lanes (one in either direction), new bus bays, bicycle lanes, upgraded drainage, sidewalks and enhanced landscaping.

Completion of this project requires FDOT to acquire portions of select properties directly along the Corridor. As a result, these properties will need site plan modifications. Some modifications are minor and only need approval through the City's building permit process. Other impacted properties may have more substantial modifications which require additional review and approval by a City Board. Due to the limited space typical of lots along State Road 7, many of the properties will require one or more Variances to bring the site into compliance with today's code requirements as much as possible.

To help accommodate this process, in 2008 the City Commission passed a resolution approving amendments to Article 5 of the Zoning and Land Development Regulations and Chapter 162 of the Code of Ordinances to allow FDOT to submit requests for site plan modifications ("cure plans") on behalf of impacted properties. Likewise, and as typically practiced, the owner has the right to submit a separate plan which they believe best addresses the impacts to his/her property.

As this Board is tasked with considering new and existing projects for Design, Site Plan, and Variances, requests similar to these will be considered by the Board on an as needed basis. All designs have been created with the guidance of the City's Engineering Department.

RECOMMENDATION:

For your information.

Administrative Regulations

Zoning and Land Development Regulations

4. Absenteeism/removal of Board members. The Development Review Board members shall comply with the procedures set forth in Chapter 37 of the Code of Ordinances and are subject to the removal process set forth therein.
5. All meetings of the Board shall be open to the public.
6. Public notice.
 - a. Notice of any meeting of the Board shall be posted on the Sunshine Board.
 - b. Notification of property owners. Notifications of Variance and Special Exception, Design and Site Plan petitions shall be mailed to property owners lying wholly and partly within 300 feet of the property of the petitioner and to all owners of land subject to the petition at least ten days prior to the date of the scheduled meeting. The addresses for the property owners shall be obtained from the Broward County Property Appraisal's records. At least ten days prior to the scheduled meeting, the subject property shall be posted by the applicant with a suitable notice of the requested Variance, Special Exception, Design and Site Plan including the date, location and time of the hearing on such matter.
 - * [c. Notification of owners of properties located on US 441/SR 7 corridor. For any variance application submitted by the Florida Department of Transportation to address nonconformities that may result from a FDOT US 441/SR 7 corridor improvement project, the city shall send by certified mail, return receipt requested, notice of such request to the property owner of record at least 30 days prior to the Development Review Board hearing.
7. All interested parties shall have the right to appear at any of the Board's meetings, personally or by an attorney, and have the right to object to or support any matter before the Board for consideration or any interested party may object or support in writing, provided the same is filed on or before the time of such meeting.

D. Duties. The duties of the Development Review Board shall be as follows:

1. Following review by the Technical Advisory Committee, the Board shall hold a public hearing to either approve, approve with conditions, or deny a site plan in accordance with the site plan regulations set forth in Chapter 162 of the Code of Ordinances as well as all other matters associated with the approval of site plans for new development.
2. To consider petitions for all existing developments/projects that require Site Plan and/or Design approval and petitions for new development outside of Historic District(s) and Historic Sites, relating to Variances and Special Exceptions pursuant to the guidelines and procedures set forth in this Article.

Hollywood — Zoning and Land Development Regulations

3. To consider distance waivers for establishments which sell alcoholic beverages in accordance with § 113.03 of the Code of Ordinances.
4. To consider any matter set forth in Article 11, "Adult Entertainment" of the Zoning and Land Development Regulations.
5. To hear matters relating to Design and to grant or deny the Design request pursuant to the Design procedures set forth herein.
6. To hear appeals of administrative decisions made by the Director of the Office of Planning as they relate to the above referenced matters.
7. To consider a variance petition submitted by the Florida Department of Transportation as part of a cure plan for nonconformities which may result from a US 441/SR 7 corridor improvement project.
8. To hear matters relating to nonconforming structures and uses, as Special Exception petitions, as set forth in Section 3.12 of the Zoning and Land Development Regulations.

E. Petitions for Variances and Special Exceptions.

1. Filing of petition. Petitions to the Development Review Board may be filed by any person substantially aggrieved by the literal enforcement of the requirements of the Zoning and Land Development Regulations. Further, petitions may be filed by any person to obtain a Special Exception for those uses listed as Special Exceptions in the Zoning and Land Development Regulations. Such petition(s) shall be filed on forms provided by the Department of Planning and Development Services, signed by the owner(s) of the subject property and submitted to the Director of the Department of Planning and Development Services or his/her designee. No petition shall be accepted unless the actual legal and beneficial ownership of the subject property is indicated on the petition. Upon receipt of a completed petition, the petition shall be scheduled before the Board as a public hearing and the public shall be given notice according to the notification procedures set forth herein. For acquisition parcels within a Florida Department of Transportation US 441/SR 7 corridor improvement project, petitions for Variances may be filed by an authorized representative of the FDOT.

a. In the event that site plan review is required pursuant to Chapter 162 of the Code of Ordinances, such site plan review shall be completed prior to any petition for a variance or special exception.

b. Further petitions after withdrawal or denial of initial petitions.

- (1) Except as set forth in division E.1.b.(2) and E.1.b.(3) below, when any petition for a variance or special exception is withdrawn after the initial public hearing by the

Hollywood — Zoning and Land Development Regulations

- d. That the need for the requested Variance is not economically based or self-imposed.
 - e. That the Variance is necessary to comply with state or federal law and is the minimum Variance necessary to comply with the applicable law.
2. Sign variances. No sign variance to the provisions of Article 8 "Sign Regulations" shall be granted by the Development Review Board unless the Board finds that the petitioner has shown that all of the following criteria have been met:
- a. The variance is not contrary to the public interest;
 - b. The variance is required due to special conditions; and
 - c. A literal enforcement of the provisions of Article 8 may result in unnecessary hardship.
3. Decision of the Board. In considering a Variance request pursuant to divisions F.1. and F.2. above, the Board may grant the Variance, grant the Variance with appropriate conditions, stipulations and safeguards or limitations deemed necessary to protect adjacent properties and the public interest, or deny the Variance.
- a. If the Board grants the variance, the Board shall adopt a resolution setting forth the variance granted along with any conditions, stipulations, safeguards, or limitations prescribed by the Board. A copy of the applicable resolution shall be mailed to the petitioner, and a copy shall be delivered to the City Clerk to be recorded in the Public Records of Broward County, Florida, and to any enforcing official involved. Such resolution granting the variance shall be authorization for any approval, permit or license incidental to any use of land or buildings as set forth in the resolution. If the Board denies the variance, the Board shall adopt a resolution setting forth the reasons for denial. A copy of any resolution adopted by the Board regarding a petition to cure a nonconformity that may result from a Florida Department of Transportation US 441/SR 7 corridor improvement project shall be sent by certified mail, return receipt requested, to the owner of record of the property to which the resolution applies.
- * [
- b. Time limit. When either the Board has granted a Variance, the Director of the Department of Planning and Development Services has granted an administrative variance or the City Commission has granted a Variance based upon an appeal in accordance with the regulations set forth in this Article, such grant shall become null and void unless the appropriate principal building, or other permit or license is applied for within 24 months of the date of such decision by the Board, the Director of the Department of Planning and Development Services or, if applicable, the City Commission. However, an extension of up to 24 months may be granted in the same manner as the initial request upon a showing that there has not been a significant change in the circumstances influencing the original approval. Any such application for extension must be filed prior to the expiration of the initial 24 month period. If an extension has been granted, and the applicant has not applied for the appropriate building or other permit or license, or the extension request has been denied, then the applicant's Variance shall become null and void and the applicant will be required to re-apply for any and all approvals necessary.

(3) All permanent outdoor identification features which are intended to call attention to proposed projects and/or structures shall be designed and located in such a manner as to be an integral part of the total project and/or structural design and shall not exceed a size and scale necessary for the recognition from vehicles moving along adjacent streets at prescribed legal speeds.

(F) *Level of service standards.* For the purpose of the issuance of development orders and permits, the city has adopted level of service standards for public facilities and services which include roads, sanitary sewer, solid waste, drainage, potable water, and parks and recreation. All applicants are required to prove concurrency pursuant to the city's Comprehensive Plan and F.S. Chapter 163, as amended from time to time.

(G) *Other requirements.* Requirements and recommendations as provided in the city tree and landscape regulations shall be observed as will the requirements of all applicable standards and regulations.
(Ord. O-84-16, passed 2-15-84; Am. Ord. O-90-1, passed 1-3-90; Am. Ord. O-93-46, passed 10-6-93; Am. Ord. O-2001-17, passed 5-16-01; Am. Ord. O-2005-02, passed 3-2-05; Am. Ord. O-2008-12, passed 6-4-08)

§ 162.07 NOTIFICATION.

Notification of the Development Review Board's public hearing shall be pursuant to the procedures set forth in Article 5 of the Zoning and Land Development Regulations. Any interested party may review the associated site plan(s) which will be located within the Office of Planning and at designated locations.
(Ord. O-84-16, passed 2-15-84; Am. Ord. O-84-22, passed 5-28-84; Am. Ord. O-93-46, passed 10-6-93; Am. Ord. O-94-27, passed 7-6-94; Am. Ord. O-95-46, passed 7-26-95; Am. Ord. O-2001-17, passed 5-16-01)

§ 162.08 APPLICATION FOR BUILDING PERMIT.

Upon approval of a site plan pursuant to the provisions of this chapter, the applicant shall have up to 24 months to apply for a valid construction permit from the Building and Engineering Services Department. One additional extension of up to 24 months may be granted by the Development Review Board. Any application for such extension must be filed prior to the expiration of the 24 month period. If the applicant fails to submit a valid application for a construction permit within said period, all previous staff approvals shall be null and void and said applicant shall be

required to reinitiate the technical review and development review process.

(Ord. O-84-16, passed 2-15-84; Am. Ord. O-90-1, passed 1-3-90; Am. Ord. O-93-46, passed 10-6-93; Am. Ord. O-94-27, passed 7-6-94; Am. Ord. O-2001-17, passed 5-16-01; Am. Ord. O-2008-32, passed 12-17-08)

* § 162.09 MODIFICATION TO APPROVED SITE PLANS.

(A) *Minor modification.* The Office of Planning Director shall administratively approve "minor" changes and deviations from an approved site plan which are in compliance with the provisions and intent of this chapter and which do not depart from the principal concept of the approved plan.

(B) *Major modification.* The Office of Planning Director shall determine that requested changes and deviations from an approved plan constitute a substantial alteration to the character of the approved development and as such represent a "Major Modification" and require resubmission as a new application. Substantial changes would include:

(1) A change in the use, character, or intensity of the proposed development.

(2) An increase in overall coverage of structures.

(3) An alteration in of traffic circulation patterns.

(4) A reduction in required open space.

(5) Significant changes affecting drainage design concepts and details due to:

(a) A decrease in site storage capacity.

(b) A decrease in site retention or detention area.

(c) An increase of impervious area or decreased of pervious area.

(d) A change in the method of stormwater runoff disposal.

(C) *Notification requirements.* Public notice is not required for minor modifications to approved site plans. Public notice requirements for major modifications to an approved site plan shall be the same as those that were required for the original application. For an application submitted by the Florida Department of Transportation to address nonconformities that may result from a FDOT US 441/SR 7 corridor improvement project, the city shall send notice of such request to the property owner of record at least 30 days prior to administrative approval of the minor modification or the meeting at which the Technical Advisory Committee reviews the major modification.

(Ord. O-93-46, passed 10-6-93; Am. Ord. O-94-27, passed 7-6-94; Am. Ord. O-95-46, passed 7-26-95; Am. Ord. O-2001-17, passed 5-16-01; Am. Ord. O-2008-23, passed 10-15-08)

§ 162.10 APPEAL.

Appeal of a Development Review Board decision shall be pursuant to the appeal procedure set forth in Article 5 of the Zoning and Land Development Regulations.

(Ord. O-83-52, passed 9-21-83; Am. Ord. O-84-16, passed 2-15-84; Am. Ord. O-84-22, passed 5-2-84; Ord. O-92-16, passed 3-18-92; Am. Ord. O-93-46, passed 10-6-93; Am. Ord. O-94-27, passed 7-6-94; Am. Ord. O-95-46, passed 7-26-95; Am. Ord. O-2001-17, passed 5-16-01)

§ 162.11 FEES

All fees relating to the site plan review process shall be established by the City Commission.

(Ord. O-2001-17, passed 5-16-01)

ATTACHMENT D
State Road 7 Cure Plan Resolution
from April 14, 2011

CITY OF HOLLYWOOD
DEVELOPMENT REVIEW BOARD

CFN# 110012702
OR BK 47881 Pages 1636 - 1647
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RESOLUTION NO. 11-V-12

A RESOLUTION OF THE CITY OF HOLLYWOOD DEVELOPMENT REVIEW BOARD GRANTING APPROVAL OF A PROPERTY CURE FOR EMINENT DOMAIN PROCEEDINGS TO CURE A NON-CONFORMITY BY APPROVING A VARIANCE WITH A CONDITION TO REDUCE THE NUMBER OF PARKING SPACES FROM 494 PARKING SPACES TO 463 PARKING SPACES FOR THE PROPERTY LOCATED AT 607 S. STATE ROAD 7, HOLLYWOOD, FLORIDA (K-MART PLAZA) AS MORE SPECIFICALLY DEPICTED IN EXHIBIT "A" PURSUANT TO PROVISIONS OF THE CITY OF HOLLYWOOD ZONING AND LAND DEVELOPMENT REGULATIONS.

WHEREAS, Section 5.3.E.1. of the City's Zoning and Land Development Regulations allows the Florida Department of Transportation (FDOT) to submit petitions for Variances for acquisition parcels within a FDOT US 441/SR 7 corridor improvement project; and

WHEREAS, FDOT has submitted an application for a Variance for the property located at 607 S. State Road 7, Hollywood, Florida, (K-Mart Plaza) to reduce the required number of parking spaces from 494 to 463 parking spaces; and

WHEREAS, the Planning Manager, Principal Planner and Planning and Development Services Administrator of the Department of Planning and Development Services, following an analysis of the application and its associated documents have determined that the proposed request for a Variance to reduce the required number of parking spaces from 494 to 463 parking spaces for the property located at 607 S. State Road 7, does meet the criteria set forth in Section 5.3 F.1.a. through d. of the Zoning and Land Development Regulations, criteria e. is not applicable, and have therefore recommended that the Variance be approved with the following condition:

All improvements (trees, shrubs, sod, etc.) as reflected on the Landscape Plan, attached hereto as Exhibit "B", shall be completed prior to the issuance of a Certificate of Completion or Certificate of Occupancy, whichever is applicable.

; and

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

WHEREAS, on April 14, 2011, the Development Review Board met and held an advertised public hearing to consider the Variance request and the Board made the following findings:

- a. That the requested Variance does maintain the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the City; and
- b. That the requested Variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community; and
- c. That the requested Variance is consistent with, and in furtherance of, the Goals, Objectives and Policies of the adopted Comprehensive Plan, Neighborhood Plan and all other similar plans adopted by the City; and
- d. That the requested Variance is not economically based or self-imposed; and
- e. Since the Board finds that criteria a. through d. above have been met, then criteria e. is not applicable.

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

Section 1: That following review of the Dept. of Planning and Development Services report, the Applicant's application and supporting documents and materials, all submitted written and oral testimony received during the public hearing, and the consideration of the criteria listed herein for approving/denying a Variance for the property located at 607 S. State Road 7, Hollywood, Florida (K-Mart Plaza), to reduce the required number of parking spaces from 494 to 463 parking spaces, the Variance is hereby **approved** based upon the findings set forth above along with the following condition:

All improvements (trees, shrubs, sod, etc.) as reflected on the Landscape Plan, attached hereto as Exhibit "B", shall be completed prior to the issuance of a Certificate of Completion or Certificate of Occupancy, whichever is applicable.

Section 2: That the approval by the Board granting said Variance shall become null and void unless the Applicant applies for all appropriate building or other permit(s) or license(s) within 24 months of the Board's approval. Said 24 months shall commence upon passage and adoption of this Resolution.


DEVELOPMENT REVIEW BOARD RESOLUTION 11-V-12 (FDOT Request for Variance for 607 S. State Road 7 K-Mart Plaza)

Section 3: That the Dept. of Planning and Development Services is hereby directed to forward a copy of this resolution to the applicant/owner of the property upon which the request was made and a copy shall be recorded in the Public Records of Broward County, as provided by the applicable provisions of Article 5 in the Zoning and Land Development Regulations.


PASSED AND ADOPTED THIS 14th Day of April, 2011.

RENDERED this 21st day of April, 2011.

ATTEST:



BRUCE EPPERSON, Secretary



GARY BLOOM, Chair

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

Debra-Ann Reese

DEBRA-ANN REESE, BOARD COUNSEL