



Hallandale Beach
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City of Hallandale Beach Planning and Zoning Board Agenda Cover Memo

Applicant:	Madelyn Guzman	Meeting Date:	March 10, 2026
Project Name:	Guzman Detached Garage		
Property Address:	491 SW 7 Street		
Application No.:	V-26-00327	Application Type:	– Variance
Parcel Size:	27,935 square feet (0.64 acres)	Quasi-Judicial:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Planning District:	Southwest	Public Hearing:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Existing Use:	Single Family Residential	After the Fact:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Existing Zoning:	RS-6 Residential Single-Family District		
Future Land Use Designation:	Residential Low Density		
Proposed Use:	Accessory Structure (Detached Private Garage)		
Surrounding Zoning:		Surrounding Land Use:	
North: RS-6 Residential, Single-family district South: RS-6 Residential, Single-family district East: RS-6 Residential, Single-family district West: RS-6 Residential, Single-family district		North: Residential, Single-family South: Residential, Single-family East: Residential, Single-family West: Residential, Single-family	
Business Impact Estimate:	Exempt as per Florida Statute 166.041(4)(c)		
Staff Recommendation:	Sponsor Name:		
<input type="checkbox"/> Approve <input checked="" type="checkbox"/> Approve with Conditions <input type="checkbox"/> Deny	Vanessa Leroy, Department of Sustainable Development Director		
	Prepared By:		
	Jaaziah Israel, Associate Planner		

Request

Summary:

The applicant, Madelyn Guzman, is requesting variances to allow an existing detached accessory garage located at 491 SW 7th Street to exceed the allowable square footage and height for a private garage.

The requested variances are as follows:

1. Section 32-242 (a)(3) (a) to allow a detached private garage containing 2,025 square feet in floor area or 82.6% of the size of the main building where the Code limits a detached garage to no more than 40% of the size of the main building or 500 square feet in area, whichever is less.
2. Section 32-242 (a)(3) (b) to allow a detached private garage at a height of 17'-10" where the maximum permitted height is 15 feet.

Staff recommends that the Planning and Zoning Board consider and approve the request.

Analysis

Background:

The existing garage was constructed as a result of a City error. Specifically, the property owner submitted permit application PL-Omni-23-00779 on February 2, 2023, for the construction of the detached garage. The application and corresponding plans were processed by the Building Division through multiple review cycles, with the final review completed on June 20, 2023, resulting in approval. However, the plans were never routed to the Planning and Zoning Division for zoning review, as is required for any permit proposing a new structure or addition. Following approval, building permit BNEW-23-02481 was issued.

In March 2025, Planning and Zoning staff became aware of the detached garage and determined that the structure exceeded the maximum permitted floor area, maximum permitted height, and was not constructed of the same façade material as the principal residence, which would require zoning relief. As a result of this process failure, the property owner was required to submit this variance application and an administrative waiver application to address zoning compliance matters that should have been identified during the original permit review. If zoning relief is not obtained, the structure would be required to be demolished.

Since the discovery of this issue, the Department has modified its internal workflow so that all new construction and addition building permits are now automatically routed to the Planning and Zoning Division for review. Previously, this routing step had to be manually added, which increased the potential for human error. Staff believes this process change will prevent similar issues in the future.

The applicant submitted a separate application for an administrative waiver to allow the metal clad finish of the garage. Notices for this administrative waiver were sent to surrounding property owners within a 150-foot radius. The Planning and Zoning Division did not receive any objections during the required notice period, which ended on February 18, 2026. The waiver was approved administratively as allowed by Code. Issuance of the Final Administrative Order for the waiver will be issued upon final action on this variance application.

Analysis

The subject property consists of a single-story single-family home approximately 2,462 square feet in floor area on a 27,935 square foot lot. The property is located in the RS-6 single-family zoning district. The existing garage complies with the setback requirements; however, it exceeds the allowed height and size for accessory private garages.

Applicable Codes

Section 32-242(3) Permitted accessory Uses allows private garages and carports subject to the following limitations:

- a) Shall not exceed 40 percent of the size of the main structure or building and shall not exceed 500 square feet in area.
- b) Shall not exceed one story or 15 feet in height.
- c) Shall be constructed of the same material as the principal use it serves (carports are exempt from this requirement).
- d) Shall be used solely by the occupants of the principal building served.
- e) Shall not be used in any way as living quarters for animals or humans.

The subject garage is 2,025 square feet in floor area, thus exceeds the permitted private garage square footage of 500 by 1,525 square feet. It is also about 82.25% of the size of the main structure, exceeding the 40% limit. Additionally, the garage exceeds the maximum height by approximately 3 feet, to the peak of the roof.

Therefore, the variances are required and requested.

The applicant has indicated that the accessory garage will be used only for the homeowner's personal use by the occupants of the building served and will not be used as living quarters for animals or humans or for business purposes.

Variance Criteria

Pursuant to Section 32-925 (b) of the Zoning and Land Development Code, in order to authorize any variances to the terms of this chapter, the following criteria must be met:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not generally applicable to other lands, structures or building in the same zoning district.

The detached garage exceeds the maximum requirements for square footage and height that are allowed for accessory structures located in residential districts. Special circumstances do exist as the garage was designed and constructed in reliance upon a building permit issued by the City.

The garage was approved through the building permit process and subsequently constructed in good-faith reliance on that approval. This circumstance is unique to the subject property and structure and is not generally applicable to other properties within the RS-6 zoning district. The need for the variance arises from the prior administrative approval and completed construction of the structure, rather than from any intentional deviation from Code requirements by the applicant.

- (2) The special conditions and circumstances do not result from the actions of the applicant.

The detached garage was reviewed and approved through the City's building permit process without Planning and Zoning Division review. The structure was subsequently constructed in reliance upon the permits issued by the City. Therefore, the special conditions and circumstances do not result from the actions of the applicant.

- (3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures in the same district.

Approval of the requested variances will not confer a special privilege upon the applicant. Rather, it will allow the applicant to finalize and close out the building permit for the detached garage that was previously approved and constructed in reliance upon the City-issued permits. Properties within the same zoning district remain subject to the established Code requirements governing accessory garages. Granting the variance would not create a special privilege but would address a circumstance unique to this property.

- (4) Literal interpretation of the provisions of this chapter would deprive the applicant of the rights commonly enjoyed by the properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardships on the applicant.

The literal interpretation of the provisions as it applies under the code requirement would cause an undue hardship for the applicant who relied on the building permit issued to construct the existing garage. In the absence of zoning review, the detached garage was approved at a square footage and height that exceeds the maximum allowed according to code.

- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

The requested variances represent the minimum relief necessary to allow the continued reasonable use of the existing detached garage. The variances are requested to legalize and retain the existing structure as constructed in reliance upon the City-issued permits. No additional deviations from the Code are proposed. Accordingly, the variance requested is limited to that necessary to address the as-built conditions of the garage and constitutes the minimum variance required.

- (6) The grant of the variance will be in harmony with the general intent and purpose of this chapter.

Private garages are permitted by right as accessory uses within the RS-6 Single-Family Residential zoning district, subject to the applicable development standards set forth in Section 32-242. The existing detached garage complies with the required setback standards for accessory structures within the RS-6 district.

Although the structure exceeds the maximum permitted size and height, it functions as an accessory use customarily incidental to a single-family home. The approval of the variances would therefore be consistent with the overall intent and purpose of the Code to allow accessory structures within residential districts. Accordingly, the requested variance is consistent with the general intent of the Code.

- (7) Such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

The garage as constructed does not create adverse impacts to the surrounding neighborhood. The structure complies with required setback standards and does not encroach into required yards. The garage remains an accessory structure customarily incidental to a single-family residence and the use is compatible with the surrounding residential character of the area.

Why Action Is Necessary:

Pursuant to Section 2-231(f)(3) and Section 32-965(a) of the City's Code of Ordinances, the Planning and Zoning Board has the authority to approve non-administrative variances pertaining to minor developments. The applicant is requesting a non-administrative variance; therefore, the Planning and Zoning Board approval is required for the request to be granted.

Cost Benefit

There is no cost to the City associated with the request.

Staff Recommendation:

Although the detached garage exceeds the maximum size and height permitted for accessory detached garages, the garage was built in reliance on a building permit that was reviewed and issued by the City. The garage complies with all applicable setback requirements. Additionally, the applicant has agreed to maintain the garage painted in a manner that matches or is complementary to the principal residence.

As a result, Staff recommends that the Planning and Zoning Board approve the requested variances subject to the following conditions:

1. The accessory garage will be used solely by the occupants of the principal residence it serves for personal use and storage of personal belongings.
2. The garage shall not be used as living quarters for animals or humans, nor be used for any commercial or business purposes.
3. The garage shall be painted the same color as the principal residence and shall be maintained in matching color at all times. In the event the exterior color of the principal residence is changed in the future, the garage shall be repainted to match the new color.
4. The Applicant shall install a minimum of two (2) trees that meet all applicable Code requirements. A tree permit shall be obtained prior to installation. All required trees shall be installed and the tree permit shall receive final approval prior to the issuance of the Final Planning and Zoning inspection for the garage.

Attachment(s):

- Exhibit 1 – Aerial Map
- Exhibit 2 – Zoning Map
- Exhibit 3 – Applicant's Letters & Backup

Reviewed by: *Christy Dominguez*

Christy Dominguez
Principal Planner

Approved by: *Steven Williams*

Steven Williams, AICP
DSD Assistant Director