

# CITY OF HALLANDALE BEACH

## Planning & Zoning Division Application Form



NO APPLICATIONS ARE AUTOMATICALLY SCHEDULED FOR **ANY** MEETINGS. APPLICATIONS MUST BE DETERMINED TO BE COMPLETE BY STAFF BEFORE ANY PROCESSING OCCURS.

Victor Caban-Diaz

Date of Application 09/02/24  
305-302-8724

Name of **Applicant**

393 NW 17th St. Fort Lauderdale, FL 33311

Street address, City, ST, ZIP Code

Hallandale Beach Community Redevelopment Agency

Name of **Property Owner**

400 South Federal Highway, Hallandale Beach, FL 33009

Street address, City, ST, ZIP Code

Primary phone number

vcabandiaz@buildingenuity.com

Email Address

954-457-2221

Primary phone number

kbowe@hallandalebeachfl.gov

Email address

Name of **Authorized Representative**, if different from applicant

Primary phone number

Street address, City, ST, ZIP Code

Email address

### PROJECT INFORMATION

Project Name: 538 NW 6th Ave Duplex

Estimated Construction Cost:

Project Address:

538 NW 6th Ave, Hallandale Beach, FL 33009

Folio Number:

514221150290

Estimated Market Value:

Total Site (Parcel Area):

4,030 sf

**Total Number of:**

Res. Unit(s)  
2

Hotel Key(s)

Non-Residential (sq.ft.)

### TYPE OF APPLICATIONS (Check the ones which apply to the request(s))

<input type="checkbox"/> <b>Rezoning</b> FROM: _____ District TO: _____ District Size of subject property to be considered for rezoning _____ (acres)	<input type="checkbox"/> <b>Comprehensive Plan Amendment</b> _____ <input type="checkbox"/> <b>Land Use Plan Map Amendment</b> _____
<input type="checkbox"/> <b>Conditional Use</b>	<input type="checkbox"/> <b>Zoning Code/ Text Change</b>
<input type="checkbox"/> <b>Redevelopment Area Modification</b>	<input checked="" type="checkbox"/> <b>Variance (Type)</b> : Corner Setback, Interior Setback, Front Setback, Rear Setback, Unit Size
<input type="checkbox"/> <b>Minor Development</b> (Less than ten (10) residential units or less than 4,000 sq. ft. gross floor area) Residential-Number of Units _____ Commercial-Sq. Ft. _____ Number of Bedroom(s) _____	<input type="checkbox"/> <b>Major Development</b> (Ten or more residential units or more than 4,000 square feet of gross floor area) Residential-Number of Units _____ Commercial-Sq. Ft. _____
<input type="checkbox"/> <b>Platting or Replatting</b> a Subdivision or portion thereof. (Size of property _____ acres).	<input type="checkbox"/> <b>Other:</b>

### BRIEF DESCRIPTION OF REQUEST

# CITY OF HALLANDALE BEACH

## Planning & Zoning Division Application Form



### NOTICE TO OWNERS

In addition to the requirements of this permit, there may be additional deed restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as state agencies or federal agencies. The City recommends, although does not require, that the owner secure any required approvals from his/her/their Condominium or Homeowners' Association prior to submitting this building permit application.

The owner acknowledges that approval of a Planning and Zoning application or issuance of a building permit by the City is based solely upon the City of Hallandale Beach Zoning and Land Development Code, Florida Building Code and other applicable local, county, state and federal laws, and does not independently satisfy any applicable Homeowner/Condominium Association approval requirements that may exist between the Owner and the Association; and that the City does not enforce any nongovernmental deed restrictions or Homeowner/Condominium restrictions upon this property.

### AUTHORIZED REPRESENTATIVE

I/we are fully aware of the request being made to the City of Hallandale Beach. If I/we are unable to be present, I/we hereby authorize Victor Caban-Diaz (individual/firm) to represent me/us in all matters related to this application. I/we hereby acknowledge

**OWNER AFFIDAVIT:** I certify that all the foregoing information is accurate.

State of Florida  
County of Broward

The foregoing instrument was acknowledged sworn to and subscribed By: Jeremy Earle - Executive Director/ City Manager  
(Print owner/agent name)

Faith Phinn - Deputy Executive Director  
(Print Joint owner name)

[Signature]  
(Joint owner signature)

[Signature]  
Jeremy Earle (Sep 4, 2024 11:24 EDT)  
(Signature of owner/agent \*)

before me by means of  Physical Presence  Online Notarization this 4 day of Sept, 2024

By Maria Chevasco  
(Name of person acknowledging)

Notary [Signature]  
(Signature of Notary Public - State of Florida)



MARIA CHEVASCO  
Commission # HH 325313  
Expires February 24, 2027

Personally know          or Produced identification         

Type of identification produced:          or Driver's License         

\*If joint ownership, both parties must sign. If partnership, corporation or association, authorized officer must sign on behalf of the group. A notarized letter of authorization from the owner of record must accompany the application, if an authorized agent signs for the owner(s).

*\*The application for a development review shall become null and void if left inactive for a period of 6 months (180 days).*

## **Variance Request – Cover Letter**

Project Name: 538 NW 6<sup>th</sup> Avenue Duplex

Project Address: 538 NW 6<sup>th</sup> Ave. Hallandale Beach, FL 33009

Variance Request: Front Setback

To the Commissioners of the city of Hallandale Beach,

This is a variance request to reduce the front setback from 25 ft. to 23 ft. The lot is small and has an odd shape. The setbacks would make the property virtually impossible to develop, especially a duplex. The project goal is to develop a duplex, on behalf of the Hallandale Beach Community Redevelopment Agency, that would be an affordable housing option. The project will realize cost savings due to using a modular system as opposed to traditional construction methods. The modular product has been approved by the state and is fixed in size making it inflexible to change to adjust to setback conditions. Please consider granting this setback to allow for this product to be placed on this property.

Cordially,

**Victor Caban-Diaz**, RA, LEED AP

Owner/Principal

**BUILDINGENUITY**  
ARCHITECTURE & DESIGN INC.

Mobile: 305.302.8724

[www.buildingenuity.com](http://www.buildingenuity.com)

## **Variance Request Narrative**

Project Name: 538 NW 6<sup>th</sup> Avenue Duplex

Project Address: 538 NW 6<sup>th</sup> Ave. Hallandale Beach, FL 33009

Variance Request: Reduce front yard setback to accommodate balcony projection

Narrative:

1. That 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 buildings in the same zoning district. (Describe what special conditions or circumstances affect your property and/or building and how these conditions and circumstances are different from those of neighboring properties).

*Response: The property is oddly shaped and is too small to develop on given the setbacks required. One of the sides facing the ROW is smaller than the minimum requirement for a property width and the other side is angled creating an impediment for situating a building frontage along that ROW.*

2. That the special conditions and circumstances do not result from the action of the applicant. (State whether the need for a variance was caused by something you did on the property, or is the situation caused by the actions of others).

*Response: Due to the odd shape and small size of the property, it would be impossible to develop minimum size units without relief from the setbacks.*

3. Granting the variance requested will not confer on the applicant any special privilege that is denied by the Code to other lands, buildings, or structures in the same district. (Will the variance allow you to do something that owners of neighboring properties are not allowed to do? If not, explain why not).

*Response: It will not, our goal is to develop a duplex that is within the allowed building types for this zone.*

4. The literal interpretation of the provisions of the Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Code and would work unnecessary and undue hardship on the applicant. (What are the rights you believe are being taken away from you by your having to comply with the requirements of the zoning district? What is the hardship (other than monetary) or problem, which is being created by having to comply?)

*Response: The right to develop a duplex on this property.*

5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure. (Describe what alternatives or options you have considered in order to minimize your variance request and still have reasonable use of your property.)

*Response: The product we are putting on this property was preselected and cannot be customized as it is a modular product aimed at providing a more affordable rental option for the residents of Hallandale Beach. The variance is needed to place this product on this property. We have looked at alternative site configurations of situating this product on this property and this was the best scenario.*

6. That the granting of the variance will be in harmony with the general intent and purpose of the Code. (State how your request is in harmony with the City regulations to promote, protect and improve the public's health, safety, comfort, good order, appearance, etc.)

*Response: Granting this variance will help promote housing affordability during a period in our country where we are facing a housing affordability crisis. This will allow the residents of Hallandale Beach to have affordable options of housing in order to lower costs of living and improve the health, safety, and welfare of their families.*

7. That such variance will not be injurious to the area involved or otherwise detrimental to the public welfare. (Describe how the granting of the variance will not adversely affect neighboring properties and the City overall.)

*Response: This product is in keeping with the character of the neighborhood and will not adversely affect neighboring properties and the City overall.*

## **Variance Request – Cover Letter**

Project Name: 538 NW 6<sup>th</sup> Avenue Duplex

Project Address: 538 NW 6<sup>th</sup> Ave. Hallandale Beach, FL 33009

Variance Request: Rear Setback

To the Commissioners of the city of Hallandale Beach,

This is a variance request to reduce the rear setback from 30 ft. to 12 ft. The lot is small and has an odd shape. The setbacks would make the property virtually impossible to develop, especially a duplex. The project goal is to develop a duplex, on behalf of the Hallandale Beach Community Redevelopment Agency, that would be an affordable housing option. The project will realize cost savings due to using a modular system as opposed to traditional construction methods. The modular product has been approved by the state and is fixed in size making it inflexible to change to adjust to setback conditions. Please consider granting this setback to allow for this product to be placed on this property.

Cordially,

**Victor Caban-Diaz**, RA, LEED AP

Owner/Principal

**BUILDINGENUITY**  
ARCHITECTURE & DESIGN PHC

Mobile: 305.302.8724

[www.buildingenuity.com](http://www.buildingenuity.com)

## **Variance Request Narrative**

Project Name: 538 NW 6<sup>th</sup> Avenue Duplex

Project Address: 538 NW 6<sup>th</sup> Ave. Hallandale Beach, FL 33009

Variance Request: Reduce rear yard setback from 30 ft. to 12 ft.

Narrative:

1. That 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 buildings in the same zoning district. (Describe what special conditions or circumstances affect your property and/or building and how these conditions and circumstances are different from those of neighboring properties).

*Response: The property is oddly shaped and is too small to develop on given the setbacks required. One of the sides facing the ROW is smaller than the minimum requirement for a property width and the other side is angled creating an impediment for situating a building frontage along that ROW.*

2. That the special conditions and circumstances do not result from the action of the applicant. (State whether the need for a variance was caused by something you did on the property, or is the situation caused by the actions of others).

*Response: Due to the odd shape and small size of the property, it would be impossible to develop minimum size units without relief from the setbacks.*



3. Granting the variance requested will not confer on the applicant any special privilege that is denied by the Code to other lands, buildings, or structures in the same district. (Will the variance allow you to do something that owners of neighboring properties are not allowed to do? If not, explain why not).

*Response: It will not, our goal is to develop a duplex that is within the allowed building types for this zone.*

4. The literal interpretation of the provisions of the Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Code and would work unnecessary and undue hardship on the applicant. (What are the rights you believe are being taken away from you by your having to comply with the requirements of the zoning district? What is the hardship (other than monetary) or problem, which is being created by having to comply?)

*Response: The right to develop a duplex on this property.*

5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure. (Describe what alternatives or options you have considered in order to minimize your variance request and still have reasonable use of your property.)

*Response: The product we are putting on this property was preselected and cannot be customized as it is a modular product aimed at providing a more affordable rental option for the residents of Hallandale Beach. The variance is needed to place this product on this property. We have looked at alternative site configurations of situating this product on this property and this was the best scenario.*

6. That the granting of the variance will be in harmony with the general intent and purpose of the Code. (State how your request is in harmony with the City regulations to promote, protect and improve the public's health, safety, comfort, good order, appearance, etc.)

*Response: Granting this variance will help promote housing affordability during a period in our country where we are facing a housing affordability crisis. This will allow the residents of Hallandale Beach to have affordable options of housing in order to lower costs of living and improve the health, safety, and welfare of their families.*

7. That such variance will not be injurious to the area involved or otherwise detrimental to the public welfare. (Describe how the granting of the variance will not adversely affect neighboring properties and the City overall.)

*Response: This product is in keeping with the character of the neighborhood and will not adversely affect neighboring properties and the City overall.*

## **Variance Request – Cover Letter**

Project Name: 538 NW 6<sup>th</sup> Avenue Duplex

Project Address: 538 NW 6<sup>th</sup> Ave. Hallandale Beach, FL 33009

Variance Request: Interior Side Setback

To the Commissioners of the city of Hallandale Beach,

This is a variance request to reduce the interior side setback from 7.5 ft. to 4.5 ft. The lot is small and has an odd shape. The setbacks would make the property virtually impossible to develop, especially a duplex. The project goal is to develop a duplex, on behalf of the Hallandale Beach Community Redevelopment Agency, that would be an affordable housing option. The project will realize cost savings due to using a modular system as opposed to traditional construction methods. The modular product has been approved by the state and is fixed in size making it inflexible to change to adjust to setback conditions. Please consider granting this setback to allow for this product to be placed on this property.

Cordially,

**Victor Caban-Diaz**, RA, LEED AP

Owner/Principal

**BUILDINGENUITY**  
ARCHITECTURE & DESIGN INC.

Mobile: 305.302.8724

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## **Variance Request Narrative**

Project Name: 538 NW 6<sup>th</sup> Avenue Duplex

Project Address: 538 NW 6<sup>th</sup> Ave. Hallandale Beach, FL 33009

Variance Request: Reduce interior yard setback from 7.5 ft. to 4.5 ft.

Narrative:

1. That 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 buildings in the same zoning district. (Describe what special conditions or circumstances affect your property and/or building and how these conditions and circumstances are different from those of neighboring properties).

*Response: The property is oddly shaped and is too small to develop on given the setbacks required. One of the sides facing the ROW is smaller than the minimum requirement for a property width and the other side is angled creating an impediment for situating a building frontage along that ROW.*

2. That the special conditions and circumstances do not result from the action of the applicant. (State whether the need for a variance was caused by something you did on the property, or is the situation caused by the actions of others).

*Response: Due to the odd shape and small size of the property, it would be impossible to develop minimum size units without relief from the setbacks.*

3. Granting the variance requested will not confer on the applicant any special privilege that is denied by the Code to other lands, buildings, or structures in the same district. (Will the variance allow you to do something that owners of neighboring properties are not allowed to do? If not, explain why not).

*Response: It will not, our goal is to develop a duplex that is within the allowed building types for this zone.*

4. The literal interpretation of the provisions of the Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Code and would work unnecessary and undue hardship on the applicant. (What are the rights you believe are being taken away from you by your having to comply with the requirements of the zoning district? What is the hardship (other than monetary) or problem, which is being created by having to comply?)

*Response: The right to develop a duplex on this property.*

5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure. (Describe what alternatives or options you have considered in order to minimize your variance request and still have reasonable use of your property.)

*Response: The product we are putting on this property was preselected and cannot be customized as it is a modular product aimed at providing a more affordable rental option for the residents of Hallandale Beach. The variance is needed to place this product on this property. We have looked at alternative site configurations of situating this product on this property and this was the best scenario.*

6. That the granting of the variance will be in harmony with the general intent and purpose of the Code. (State how your request is in harmony with the City regulations to promote, protect and improve the public's health, safety, comfort, good order, appearance, etc.)

*Response: Granting this variance will help promote housing affordability during a period in our country where we are facing a housing affordability crisis. This will allow the residents of Hallandale Beach to have affordable options of housing in order to lower costs of living and improve the health, safety, and welfare of their families.*

7. That such variance will not be injurious to the area involved or otherwise detrimental to the public welfare. (Describe how the granting of the variance will not adversely affect neighboring properties and the City overall.)

*Response: This product is in keeping with the character of the neighborhood and will not adversely affect neighboring properties and the City overall.*

## **Variance Request – Cover Letter**

Project Name: 538 NW 6<sup>th</sup> Avenue Duplex

Project Address: 538 NW 6<sup>th</sup> Ave. Hallandale Beach, FL 33009

Variance Request: Corner Setback

To the Commissioners of the city of Hallandale Beach,

This is a variance request to reduce the corner setback from 15 ft. to 7 ft. The lot is small and has an odd shape. The setbacks would make the property virtually impossible to develop, especially a duplex. The project goal is to develop a duplex, on behalf of the Hallandale Beach Community Redevelopment Agency, that would be an affordable housing option. The project will realize cost savings due to using a modular system as opposed to traditional construction methods. The modular product has been approved by the state and is fixed in size making it inflexible to change to adjust to setback conditions. Please consider granting this setback to allow for this product to be placed on this property.

Cordially,

**Victor Caban-Diaz**, RA, LEED AP

Owner/Principal

**BUILDINGENUITY**  
ARCHITECTURE & DESIGN INC.

Mobile: 305.302.8724

[www.buildingenuity.com](http://www.buildingenuity.com)

## **Variance Request Narrative**

Project Name: 538 NW 6<sup>th</sup> Avenue Duplex

Project Address: 538 NW 6<sup>th</sup> Ave. Hallandale Beach, FL 33009

Variance Request: Reduce corner side yard setback from 15 ft. to 7 ft.

Narrative:

1. That 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 buildings in the same zoning district. (Describe what special conditions or circumstances affect your property and/or building and how these conditions and circumstances are different from those of neighboring properties).

*Response: The property is oddly shaped and is too small to develop on given the setbacks required. One of the sides facing the ROW is smaller than the minimum requirement for a property width and the other side is angled creating an impediment for situating a building frontage along that ROW.*

2. That the special conditions and circumstances do not result from the action of the applicant. (State whether the need for a variance was caused by something you did on the property, or is the situation caused by the actions of others).

*Response: Due to the odd shape and small size of the property, it would be impossible to develop minimum size units without relief from the setbacks.*



3. Granting the variance requested will not confer on the applicant any special privilege that is denied by the Code to other lands, buildings, or structures in the same district. (Will the variance allow you to do something that owners of neighboring properties are not allowed to do? If not, explain why not).

*Response: It will not, our goal is to develop a duplex that is within the allowed building types for this zone.*

4. The literal interpretation of the provisions of the Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Code and would work unnecessary and undue hardship on the applicant. (What are the rights you believe are being taken away from you by your having to comply with the requirements of the zoning district? What is the hardship (other than monetary) or problem, which is being created by having to comply?)

*Response: The right to develop a duplex on this property.*

5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure. (Describe what alternatives or options you have considered in order to minimize your variance request and still have reasonable use of your property.)

*Response: The product we are putting on this property was preselected and cannot be customized as it is a modular product aimed at providing a more affordable rental option for the residents of Hallandale Beach. The variance is needed to place this product on this property. We have looked at alternative site configurations of situating this product on this property and this was the best scenario.*

6. That the granting of the variance will be in harmony with the general intent and purpose of the Code. (State how your request is in harmony with the City regulations to promote, protect and improve the public's health, safety, comfort, good order, appearance, etc.)

*Response: Granting this variance will help promote housing affordability during a period in our country where we are facing a housing affordability crisis. This will allow the residents of Hallandale Beach to have affordable options of housing in order to lower costs of living and improve the health, safety, and welfare of their families.*

7. That such variance will not be injurious to the area involved or otherwise detrimental to the public welfare. (Describe how the granting of the variance will not adversely affect neighboring properties and the City overall.)

*Response: This product is in keeping with the character of the neighborhood and will not adversely affect neighboring properties and the City overall.*

## **Variance Request – Cover Letter**

Project Name: 538 NW 6<sup>th</sup> Avenue Duplex

Project Address: 538 NW 6<sup>th</sup> Ave. Hallandale Beach, FL 33009

Variance Request: Unit Size

To the Commissioners of the city of Hallandale Beach,

This is a variance request to reduce the minimum unit size for a three bedroom two family dwelling from 1,150 sq. ft. to 1,082 sq. ft. We are proposing to use a modular product that has been pre-approved by the state in order to provide an affordable housing option for the citizens of Hallandale Beach. The project will realize cost savings due to using a modular system as opposed to traditional construction methods. Please consider granting this setback to allow for this product to be placed on this property.

Cordially,

**Victor Caban-Diaz**, RA, LEED AP

Owner/Principal

**BUILDINGENUITY**  
ARCHITECTURE & DESIGN INC.

Mobile: 305.302.8724

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## **Variance Request Narrative**

Project Name: 538 NW 6<sup>th</sup> Avenue Duplex

Project Address: 538 NW 6<sup>th</sup> Ave. Hallandale Beach, FL 33009

Variance Request: Reduce the minimum unit size for three bedroom two-family dwelling from 1,150 sq. ft. to 1,082 sq. ft.

Narrative:

1. That 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 buildings in the same zoning district. (Describe what special conditions or circumstances affect your property and/or building and how these conditions and circumstances are different from those of neighboring properties).

*Response: The product we are placing on this property is a prefabricated modular unit that has been approved by the state. The size of the unit is already determined and cannot be customized for the property constraints.*

2. That the special conditions and circumstances do not result from the action of the applicant. (State whether the need for a variance was caused by something you did on the property, or is the situation caused by the actions of others).

*Response: The product we are placing on this property is a prefabricated modular unit that has been approved by the state. The size of the unit is already determined and cannot be customized for the property constraints.*

3. Granting the variance requested will not confer on the applicant any special privilege that is denied by the Code to other lands, buildings, or structures in the same district. (Will the variance allow you to do something that owners of neighboring properties are not allowed to do? If not, explain why not).

*Response: It will not, our goal is to develop a duplex that is within the allowed building types for this zone.*

4. The literal interpretation of the provisions of the Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Code and would work unnecessary and undue hardship on the applicant. (What are the rights you believe are being taken away from you by your having to comply with the requirements of the zoning district? What is the hardship (other than monetary) or problem, which is being created by having to comply?)

*Response: The product we are placing on this property is a prefabricated modular unit that has been approved by the state. The size of the unit is already determined and cannot be customized for the property constraints.*

5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure. (Describe what alternatives or options you have considered in order to minimize your variance request and still have reasonable use of your property.)

*Response: The product we are placing on this property is a prefabricated modular unit that has been approved by the state. The size of the unit is already determined and cannot be customized for the property constraints.*

6. That the granting of the variance will be in harmony with the general intent and purpose of the Code. (State how your request is in harmony with the City regulations to promote, protect and improve the public's health, safety, comfort, good order, appearance, etc.)

*Response: Granting this variance will help promote housing affordability during a period in our country where we are facing a housing affordability crisis. This will allow the residents of Hallandale Beach to have affordable options of housing in order to lower costs of living and improve the health, safety, and welfare of their families.*

7. That such variance will not be injurious to the area involved or otherwise detrimental to the public welfare. (Describe how the granting of the variance will not adversely affect neighboring properties and the City overall.)

*Response: This product is in keeping with the character of the neighborhood and will not adversely affect neighboring properties and the City overall.*

## **Variance Request – Cover Letter**

Project Name: 538 NW 6<sup>th</sup> Avenue Duplex

Project Address: 538 NW 6<sup>th</sup> Ave. Hallandale Beach, FL 33009

Variance Request: Landscape Buffer

To the Commissioners of the city of Hallandale Beach,

This is a variance request to the required landscape buffer from 10'-0" to 2'-0". The lot is small and has an odd shape, and there is an FPL pole conflicting with the only other entry point into the property. Permitting this variance will allow the future tenants to have the required parking spaces and widths needed to park their vehicles. The project goal is to develop a duplex, on behalf of the Hallandale Beach Community Redevelopment Agency, that would be an affordable housing option. The project will realize cost savings due to using a modular system as opposed to traditional construction methods. Please consider granting this setback to allow for this product to be placed on this property.

Cordially,

**Victor Caban-Diaz**, RA, LEED AP

Owner/Principal



Mobile: 305.302.8724

[www.buildingenuity.com](http://www.buildingenuity.com)

## **Variance Request Narrative**

Project Name: 538 NW 6<sup>th</sup> Avenue Duplex

Project Address: 538 NW 6<sup>th</sup> Ave. Hallandale Beach, FL 33009

Variance Request: Reduce required 10'-0" landscape bufferyard from 10'-0" to 2'-0"

Narrative:

1. That 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 buildings in the same zoning district. (Describe what special conditions or circumstances affect your property and/or building and how these conditions and circumstances are different from those of neighboring properties).

*Response: The property is oddly shaped and is too small to develop on given the setbacks required. Due to the fact that there is an FPL pole with a cable support preventing us from using one of the sides as an entry point, two driveways entering from NW 6<sup>th</sup> St. will be required to provide the minimum parking required for two units.*

2. That the special conditions and circumstances do not result from the action of the applicant. (State whether the need for a variance was caused by something you did on the property, or is the situation caused by the actions of others).

*Response: Due to the odd shape, small size of the property, and existing conflicts on the ROW, we are forced to place the driveways in the locations they are at.*



3. Granting the variance requested will not confer on the applicant any special privilege that is denied by the Code to other lands, buildings, or structures in the same district. (Will the variance allow you to do something that owners of neighboring properties are not allowed to do? If not, explain why not).

*Response: It will not, our goal is to develop a duplex that is within the allowed building types for this zone.*

4. The literal interpretation of the provisions of the Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Code and would work unnecessary and undue hardship on the applicant. (What are the rights you believe are being taken away from you by your having to comply with the requirements of the zoning district? What is the hardship (other than monetary) or problem, which is being created by having to comply?)

*Response: The right to develop a duplex on this property.*

5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure. (Describe what alternatives or options you have considered in order to minimize your variance request and still have reasonable use of your property.)

*Response: We have explored placing the driveways in other parts of the property, but they create other zoning infractions that would require variances. This is the option that allows the future tenants to use the property in the most reasonable manner without creating hardships on their ability to use the property as other tenants in the neighborhood would be able to.*

6. That the granting of the variance will be in harmony with the general intent and purpose of the Code. (State how your request is in harmony with the City regulations to promote, protect and improve the public's health, safety, comfort, good order, appearance, etc.)

*Response: Granting this variance will help promote housing affordability during a period in our country where we are facing a housing affordability crisis. This will allow the residents of Hallandale Beach to have affordable options of housing in order to lower costs of living and improve the health, safety, and welfare of their families.*

7. That such variance will not be injurious to the area involved or otherwise detrimental to the public welfare. (Describe how the granting of the variance will not adversely affect neighboring properties and the City overall.)

*Response: This product is in keeping with the character of the neighborhood and will not adversely affect neighboring properties and the City overall.*

