



City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	File No.:	Item Type:	1 st Reading	2 nd Reading	
5/6/2025	26-113	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Other	Ordinance Reading	5/6/2025	N/A
			Public Hearing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			Advertising Required	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			Quasi-Judicial:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fiscal Impact (\$):	Account Balance (\$):		Funding Source:	Project Number:	
N/A	N/A		N/A	N/A	
Contract Required:	P.O. Required:	RFP/RFQ/Bid Number:	Sponsor Name:	Department:	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A	Vanessa Leroy	Sustainable Development	
Strategic Plan Focus Areas:					
<input type="checkbox"/> Fiscal Stability	<input type="checkbox"/> Resident Services	<input type="checkbox"/> Public Safety	<input type="checkbox"/> Infrastructure & Mobility	<input checked="" type="checkbox"/> Economic Development & Affordable Housing	
Implementation Timeline:					
Estimated Start Date: 5/6/2026			Estimated End Date: 5/6/2026		

SHORT TITLE:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, CONSIDERING APPLICATION #V-26-00807 BY THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY, REQUESTING A VARIANCE FROM SECTION 25-63 OF THE CITY'S LAND DEVELOPMENT CODE TO ALLOW NO SIDEWALK IN LIEU OF THE REQUIRED 5-FOOT SIDEWALK; AND PROVIDING FOR AN EFFECTIVE DATE.

STAFF SUMMARY:

Summary:

The Hallandale Beach Community Redevelopment Agency (HBCRA), as applicant and owner, is requesting a variance from the sidewalk requirements to allow no sidewalk along SW 6 Terrace in lieu of the required 5 foot sidewalk for the proposed development located at 627 and 631 SW 6 Terrace.

Staff recommends approval of the variance request and adoption of the proposed Resolution.

Background:

Pursuant to Section 25-63 of the Code of Ordinances, property owners abutting a public street are required to construct uniform and substantial sidewalks along the frontage of the property upon new construction. Accordingly, the Applicant is required to install a five (5) foot-wide sidewalk along SW 6th Terrace.

The subject property fronts SW 6th Terrace, where the existing right-of-way adjacent to the property is 25 feet in width. The existing two-way roadway is fully contained within this 25-foot dedication, which was previously conveyed by the subject property. While the City Code requires local streets to have a total right-of-way width of 50 feet (25 feet from the centerline), the full 25-foot dedication on the subject side is already occupied by the roadway. As a result, there is no remaining right-of-way available to accommodate the required five (5) foot sidewalk. Accordingly, the Applicant has requested a variance from Section 25-63 to allow the project to proceed without installation of the required sidewalk along SW 6th Terrace.

Pursuant to Section 25-67 of the Code of Ordinances, variance requests from Section 25-63 are subject to review by the Planning and Zoning Board, with a recommendation to the City Commission.

On March 10, 2026, the Planning and Zoning Board considered the application for a proposed development consisting of six (6) residential units to be provided at the very low-income level (50% AMI) within a two-story building. Refer to the Applicant's backup materials (Exhibit 4) for the proposed plans.

In addition to the sidewalk variance, the Applicant requested variances related to the location of the waste enclosure, landscaping buffer requirements, parking, and overall landscape area. The Planning and Zoning Board recommended approval of the application by a vote of 5 to 0, subject to staff's conditions of approval. The Planning and Zoning Board Agenda Cover Memo and Meeting Minutes are attached as Exhibits 5 and 6.

Current Situation:

According to Section 25-63, it is the duty of each owner of property abutting the public streets of the city to construct uniform and substantial sidewalks abutting the public streets when substantial building improvements are constructed upon such property.

A 5-foot sidewalk is required, and the Applicant is proposing no sidewalk.

Variance Criteria:

Pursuant to Chapter 25, Section 25-67, relief from Section 25-63 may be granted if a property owner desires a permit for construction of substantial building improvements and objects to the construction of sidewalks because of the location, size or use of the property involved. The following analysis evaluates the application using the variance criteria set forth in Section 32-965 for the purpose of considering this variance request:

- 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 subject property is constrained by an existing 25-foot right-of-way, which was entirely dedicated from the property itself. Unlike other properties in the zoning district where sufficient right-of-way exists or can be allocated for sidewalks, there is no area to accommodate the required 5-foot sidewalk.

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

The applicant did not create the deficiency in right-of-way width, as the existing right-of-way which accommodates the existing roadway was dedicated from the subject adjacent property.

- 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.**

Granting the variance does not provide a special privilege but rather alleviates a unique hardship, as the existing conditions do not provide sufficient area to accommodate a sidewalk.

- 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.**

Literal interpretation of the sidewalk requirement would impose an undue hardship by requiring the applicant to install a sidewalk that cannot physically fit within the available right-of-way.

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

The applicant has requested the minimum variance needed to make reasonable use of the subject property to align with their needs.

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

The grant of the variance would be in harmony with the general intent of the Code as the variance is the minimum necessary for the applicant to make use of the property as proposed.

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

The variance will not be injurious to the area involved, as the existing conditions already lack sufficient space for a sidewalk.

Why Action is Necessary:

Pursuant to Section 25-67 of the Code of Ordinances, variances from Section 25-63 shall be presented to the Planning and Zoning Board for consideration and a recommendation to the City Commission.

Cost Benefit:

There is no cost associated with the request.

STAFF RECOMMENDATIONS:

Staff recommends the City Commission approve the requested variance.

PROPOSED ACTION:

The City Commission considers the attached Resolution.

ATTACHMENT(S):

- Exhibit 1 – Proposed Resolution
- Exhibit 2 – Aerial Map
- Exhibit 3 – Zoning Map
- Exhibit 4 – Applicant’s Letter and Backup
- Exhibit 5 – Planning and Zoning Board Agenda Cover Memo
- Exhibit 6 – Planning and Zoning Board Meeting Minutes
- Exhibit 7 – Presentation

Prepared By: Destiny Fergerson
Destiny Fergerson
Associate Planner

Reviewed By: Christy Dominguez
Christy Dominguez
Principal Planner

Reviewed By: Steven Williams

Steven Williams, AICP
DSD Assistant Director

Reviewed By: *Vanessa Leroy*

Vanessa Leroy
DSD Director

Reviewed By: *Noemy Sandoval*

Noemy Sandoval
Assistant City Manager