



Legislation Details (With Text)

File #: 24-290 Version: 3 Name:
Type: Resolution / Regular Agenda Status: Postponed
File created: 4/2/2024 In control: City Commission
On agenda: 9/10/2024 Final action:
Title: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AMENDMENT TO DECLARATION OF VOLUNTARY RESTRICTIVE COVENANTS MADE BY DIXIE PROPERTIES & INVESTMENTS, LLC AND UPPER POMPANO PROPERTIES & INVESTMENTS, LLC FOR THE BENEFIT OF THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE. (Fiscal Impact: N/A)

POSTPONED FROM JUNE 11, 2024

Sponsors:

Indexes:

Code sections:

Attachments: 1. City Attorney Communication Memo #2024-461.pdf, 2. Resolution.pdf, 3. First Amendment to Dec. Restrictive Covenants.pdf, 4. Exhibit B.pdf, 5. Applicant Request.pdf, 6. Excerpt CCMinutes_09.14.2021.pdf, 7. Excerpt CCMinutes_09.28.2021.pdf, 8. Recorded Declaration (for reference).pdf, 9. Ordinance No. 2021-88.pdf, 10. Aerial Map.pdf, 11. Development-Timeline Summary - 1661 N Dixie.pdf

Table with 5 columns: Date, Ver., Action By, Action, Result. Rows show dates 6/11/2024 and 5/28/2024 with actions POSTPONED and results Pass.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AMENDMENT TO DECLARATION OF VOLUNTARY RESTRICTIVE COVENANTS MADE BY DIXIE PROPERTIES & INVESTMENTS, LLC AND UPPER POMPANO PROPERTIES & INVESTMENTS, LLC FOR THE BENEFIT OF THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

POSTPONED FROM JUNE 11, 2024

(Staff Contact: Scott Reale/David Recor)

Summary Explanation/Background:

The subject property, 1661 N Dixie Highway, was rezoned from B-3 to B-4 via Ordinance No. 2021-88, adopted 9/28/21. The Applicant Landowner, Dixie Properties & Investments, LLC and Upper Pompano Properties & Investments, LLC, voluntarily restricted the list of uses that future owners and tenants would need to abide by that were more restrictive than the City’s Zoning District would allow. The Declaration of Voluntary Restrictive Covenants was recorded with Broward County Public Records on 6/14/23 (Instrument #118920676); however, it may not be modified, amended or released without written approval by the City Commission. The Applicant is requesting that the list of nine (9) prohibited uses (Exhibit “B”) be modified as follows: (1) remove “Laundry, Dry Cleaning, Carpet Cleaning & Dying Facility”; (2) remove “Tool Repair Shop”; (3) remove “Manufacturing, Assembly or Fabrication, Light”; (4) remove “Warehouse Distribution &

Storage.” Five other uses would remain prohibited: (1) “Sports Shooting”; (2) “Auto Paint & Body Shop”; (3) “Auto Wrecker Service”; (4) “Self-Storage & Mini-Warehouse Facility”; (5) Pawn Shop.

Origin of request for this action: Thomas W. Johnston, Esq. / Representing Dixie Properties & Investments, LLC and Upper Pompano Properties & Investments, LLC

Fiscal impact and source of funding: N/A