



Legislation Text

File #: 24-290, **Version:** 3

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