

## Legislation Details (With Text)

**File #:** 19-649      **Version:** 4      **Name:**

**Type:** Resolution / Quasi-Judicial      **Status:** Passed

**File created:** 8/20/2019      **In control:** City Commission

**On agenda:** 11/12/2019      **Final action:** 11/12/2019

**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 RESTRICTIONS BETWEEN POMPANO BEACH LIVING, LLC AND THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

POSTPONED FROM SEPTEMBER 10, 2019, OCTOBER 7, 2019 & OCTOBER 22, 2019

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Second Request for Postponment to CC, CM, CA, 2. Resolution Memo #2019-1126 from CA, 3. 2019-274 Resolution, 4. Amendment to Declaration of Restrictions, 5. Original Declaration of Restrictions, 6. AerialMap, 7. Ordinance No. 2010-25, 8. Highland Oaks Master Site Plan, 9. 03.23.2010 Meeting Minutes

Date	Ver.	Action By	Action	Result
11/12/2019	4	City Commission	ADOPTED	Pass
10/22/2019	3	City Commission	POSTPONED	Pass
10/7/2019	2	City Commission	POSTPONED	Pass
9/10/2019	1	City Commission	POSTPONED	Pass

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**POSTPONED FROM SEPTEMBER 10, 2019, OCTOBER 7, 2019 & OCTOBER 22, 2019**

(Staff Contact: Scott Reale/David Recor)

**Summary Explanation/Background:**

In 2010 Pompano Beach Living, LLC submitted a Declaration of Restrictive Covenants (DRC) in association with a request to rezone (Ord. 2010-25) a property from Single-Family Residence 4 (RS-4) to Residential Planned Unit Development (RPUD). The property is generally bounded by NW 3rd Ave (east), NW 8th St (south), NW 4th Ave (west), and NW 10th St (north), and has approvals for 138 townhouse units. The DRC included a use restriction that states any unit acquired from owner shall not be rented or leased by such purchaser for a period of a year following the acquisition or leased for a term of less than one year. The DRC further specifies the document may not be amended without written authority of the City. The applicant is requesting the City release this use restriction through the attached Amendment to Declaration of Restrictions. Development Services does not object to releasing the use restriction.

**Origin of request for this action:** Murray Zweig, Pompano Beach Living, LLC  
**Fiscal impact and source of funding:** N/A