

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, CONSIDERING AN APPEAL OF THE REVOCATION OF A VACATION RENTAL LICENSE FOR THE PROPERTY LOCATED AT 929 NORTH SOUTHLAKE DRIVE, PURSUANT TO THE PROVISIONS OF THE CITY OF HOLLYWOOD CODE OF ORDINANCES.

WHEREAS, Chapter 119 of the City of Hollywood Code of Ordinances regulates vacation rental licenses; and

WHEREAS, pursuant to Section 119.11(B)(10), a complete application for the initial issuance of a vacation rental license, or for its renewal or modification, shall demonstrate compliance with the standards and requirements set forth in chapter 119 through the submittal of a section indicating whether the vacation rental will have ten or fewer occupants or more than ten occupants; and

WHEREAS, pursuant to Section 310.7 of the Florida Building Code, an owner of a single family residence may or may not be required to change the occupancy of a home to utilize it as a vacation rental; and

WHEREAS, a single family dwelling with ten or fewer occupants has an 'R3' classification; and

WHEREAS, an 'R1' classification must be used for all residential occupancies containing sleeping units where the occupants are primarily transient in nature and which accommodate more than ten occupants; and

WHEREAS, those properties that become 'R1', in accordance with the Florida Administrative Code 69A-43.018, and the 5<sup>th</sup> edition of the Florida Fire Prevention Code, must undertake several additional building/life safety measures; and

WHEREAS, such measures may include smoke alarm or fire alarm regulations, exit and emergency lighting requirements, fire extinguisher regulations, and fire sprinkler requirements, etc.; and

WHEREAS, the applicant for the vacation rental property located at 929 N Southlake Drive indicated that the property would sleep more than ten occupants; and

WHEREAS, on January 4, 2017, the property owner of 929 North Southlake Drive was advised that they were required to apply for a change in use classification from 'R3' to 'R1'; and

WHEREAS, on February 7, 2017, a representative from EroRentals, the property manager for 929 N Southlake Drive, advised the City of Hollywood that the property would not sleep more than ten; and

WHEREAS, on May 16, 2017, city staff discovered the property being advertised as sleeping 20 and advised the property manager again of the building code requirement for change of use. The property manager indicated that the advertisement would be corrected; and

WHEREAS, on June 6, 2017, city staff received an email from the property manager indicating an upcoming rental that would "sleep 16". Upon review of several online booking sites, City staff again discovered multiple advertisements in which the property was described as "sleeping 20"; and

WHEREAS, on June 7, 2017, the property owner of 929 N Southlake Drive was advised that their vacation rental license was revoked; and

WHEREAS, pursuant to Section 119.58(D)(1), the City Manager may refuse to issue or renew a license or may revoke a vacation rental license issued under this chapter, if the property owner has willfully withheld or falsified any information required for a vacation rental license; and

WHEREAS, at the duly noticed public hearing, the City Commission considered the owner's appeal of the decision to revoke the owner's vacation rental license;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the above recitals are true and correct and are incorporated herein as if set forth in full herein.

Section 2: That following review of the owner's appeal and supporting documents and materials, all submitted and written and oral testimony received during the public hearing from all parties and speakers, the City Commission finds that the appeal of the revocation of the vacation rental license is hereby granted/denied.

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Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

RENDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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JOSH LEVY, MAYOR

ATTEST:

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PATRICIA A. CERNY, MMC  
CITY CLERK

APPROVED AS TO FORM AND LEGALITY  
for the use and reliance of the  
City of Hollywood, Florida, only.

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ALAN FALLIK, ACTING CITY ATTORNEY