

RESOLUTION NO. _____

(22-V-57)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, CONSIDERING A REQUEST FOR A VARIANCE FROM THE SIGN CODE FOR THE PROPERTIES LOCATED AT 2609 N. 26 AVENUE AND ADJACENT PARCELS TO THE NORTH AND WEST, LOCATED AT 200 & 300 OAKWOOD BOULEVARD, AND ADJACENT PARCELS TO THE SOUTH LOCATED AT 2800, 2900, 2906, 2908-2914, 2940, 3000, 3120, 3215, 3350, 3401, 3501-3881, 3901-3921, 4001-4101, 4150 OAKWOOD BOULEVARD, 2700 STIRLING ROAD AND OAKWOOD BOULEVARD, HOLLYWOOD, FLORIDA, GENERALLY LOCATED SOUTH OF STIRLING ROAD AND EAST OF INTERSTATE 95, FOR THE SUBJECT PROPERTY (“OAKWOOD ACTIVITY CENTER”).

WHEREAS, Section 5.3 of the City’s Zoning and Land Development Regulations provide that an application for a variance request may be filed; and

WHEREAS, SFA Atlantis Associates LP/Oakwood Plaza LP and Oakwood Business Center LP c/o Kimco Realty (the “Applicant”), has applied for a variance from the City’s Sign code at Oakwood Activity Center, as more particularly described in Exhibit “A” attached hereto and incorporated herein by reference; and

WHEREAS, the Planning Manager and staff, following an analysis of the application and its associated documents have determined that the proposed request for a sign variance, does meet the criteria set forth in Section 5.3.F.2 of the Zoning and Land Development Regulations and have therefore recommended approval; and

WHEREAS, the Applicant simultaneously requested a rezoning to Planned Development (PD); therefore, the Planning and Development Board (the “Board”) only has authority to recommend to the City Commission development orders for the project; and

WHEREAS, the Board reviewed the application on May 9, 2023 for the Sign Variance and has forwarded a recommendation of approval to the City Commission; and

WHEREAS, the Board determined that the Sign Variance request described in Exhibit B does meet the criteria set forth in Section 5.3.F.2 of the Zoning and Land Development Regulations and made the following findings:

- (1) That the requested Variance is not contrary to the public interest; and
- (2) That the requested Variance is not required due to special conditions; and
- (3) That a literal enforcement of the provisions of the City's Sign Code as provided in Article 8 thereof, will result in an unnecessary hardship.

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

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That, the following review of the Staff Summary Report, the Applicant's application and supporting documents and materials, and all submitted written and oral testimony received during the public hearing, and the consideration of the criteria listed herein for approving/denying the requested Sign Variance for the property known as "Oakwood Activity Center", particularly described in Exhibit "A", the City Commission finds that the necessary criteria have been met and the requested Variance is hereby approved.

Section 3: That, the Sign Variance shall become null and void unless the Applicant has applied for all applicable building or other permit(s) or license(s) within 24 months of the City Commissions approval. Said 24 months shall commence upon passage and adoption of this Resolution.

Section 4: That the Division of Planning is hereby directed to forward a copy of this resolution to the Applicant/Owner of the property with respect to which request was made. This Resolution will be delivered to the City Clerk to be recorded in the Public Records of Broward County, as provided by the applicable provisions of Article 5 in the Zoning and Land Development Regulations. A copy shall be furnished to any enforcement official.

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PASSED AND ADOPTED This _____ day of _____, 2023.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC,
CITY CLERK

APPROVED AS TO FORM:

DOUGLAS R. GONZALES
CITY ATTORNEY