

May 11, 2026

Keith Poliakoff, Esq.
Government Law Group
200 South Andrews Avenue, Suite 601
Fort Lauderdale, Florida 33301

Via Email Only

Dear Mr. Poliakoff:

Re: Hollywood Beach Resort – Recognition of the Vested Status

This letter is in response to your correspondence dated May 5, 2026, regarding the consideration of vested rights for the property known as Hollywood Beach Resort, generally located at the eastern terminus of Hollywood Boulevard in the City of Hollywood. You seek a vested rights determination from the Planning Council staff, citing Section 8.06 of the Broward County Charter as authority for the request. The following response is offered in consultation with the Planning Council Attorney and the Broward County Attorney's Office.

In preparing the response, we have reviewed your May 5, 2026, letter and Exhibits, as well as the previous letter from the City staff to you dated October 16, 2024. Your May 5, 2026, letter details various governmental actions taken by the City and various private parties with respect to the property. Though the October 16, 2024, letter from City staff recites many of the same actions, the letter does not reach any conclusion as to vested rights for the referenced property.

While the BrowardNext – Broward County Land Use Plan serves as the basis of countywide land use authority per the Broward County Charter, the Future Land Use Element of the City of Hollywood Comprehensive Plan is the effective land use plan for the City. Moreover, Section 8.06 of the Broward County does not authorize the Planning Council to issue vested rights determinations:

Section 8.06. Vested Rights

A. If a person, firm or corporation has, by its own actions in reliance on prior regulations, obtained vested or other legal rights that in law would have prevented a local government from changing those regulations in a way adverse to its interests, then nothing in this Charter authorizes any governmental agency to abridge those rights.

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B. A governmental agency shall not adopt a rule or regulation or issue any order that is unduly restrictive or constitutes a taking of property without the payment of full compensation, in violation of the Constitution of the State of Florida or of the United States.

Based upon the above, Planning Council staff finds that it does not have the authority to offer an opinion, as the consideration of vested rights is subject to the City of Hollywood's confirmation as the custodian of the effective land use plan.

If you have any additional questions in this regard, please contact me at your convenience.

Respectfully,



Barbara Blake Boy
Executive Director

cc/email: Andrew Maurodis, Esq., Counsel
Broward County Planning Council

Maite Azcoitia, Esq., Deputy County Attorney
Broward County Attorney's Office

Raelin Storey, City Manager
City of Hollywood

Damaris Henlon, City Attorney
City of Hollywood

Andria Wingett, Director, Development Services
City of Hollywood



