


**CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

DATE: November 18, 2014

TO: Robert Baldwin, City Manager

VIA: Marc LaFerrier, AICP, Director 

FROM: Corinne Lajoie, AICP, LEED Green Associate, Principal Planner

SUBJECT: **LUF-18-06:** The applicant, Greenspoon Marder Law, on behalf of the property owner, Sheridan House, Inc., is requesting amend the previously established declaration of restrictive covenants for the property located at 4200 S.W. 54 Court.

REQUEST

To amend a previously established declaration of restrictive covenants.

PROPERTY INFORMATION

EXISTING ZONING: Community Facility (CF) & Two-Family Residential District (RD-8000)

LAND USE DESIGNATION: Irregular Residential Density (12-13.5) & Medium (16) Residential

The subject property is located west of SW 40 Avenue on SW 54 Court. The property is improved with several institutional type uses that were previously used for classroom, office and lodging space.

The City of Dania Beach and Sheridan House, Inc., entered into a Declaration of Restrictive Covenants dated August 20, 2008, which provided for density limitations, a description of the form of ownership and provided for payment for park improvements. At that time Sheridan House was in the process of selling the property to a developer who was proposing to construct townhomes. That transaction did not occur, and Sheridan House currently retains ownership of the property.

At this time the applicant is requesting to amend the current Declaration of Restrictive Covenants to incorporate the following changes:

- Eliminate the irregular residential future land use designation of a density range from 12 – 13.5 and limit the density of the site to a future land use designation of 12 du/acre;
- Remove the requirement that each residential unit be conveyed subject to a condominium or as a fee simple form of ownership;
- Remove the rental restrictions; and
- Remove the requirement to pay \$50,000 to the city to facilitate the construction of improvements on the park parcel.

Approval of the proposed amendments to declaration of restrictive covenants will not constitute a change or increase of use, or allow the development of additional structures and units. These entitlements would be the subject of a subsequent application for a special exception and/or site plan approval that would be considered by the City Commission.

STAFF RECOMMENDATION

Approve the proposed amendments to the Declaration of Restrictive Covenants.