



City of Boynton Beach Agenda Item Request Form

Meeting Date: 10/ 1/2024

Proposed Resolution No. R24-236- Approving and authorizing the Mayor to sign a Restrictive Covenant for Harvey E. Oyer Jr. Park.

Requested Action:

Staff recommends approval of Proposed Resolution No. R24-236.

Explanation of Request:

The City Commission is considering the imposition of a Restrictive Covenant at Harvey E. Oyer Jr. Park, located at 2010 N. Federal Highway, Boynton Beach, FL 33435. The Restrictive Covenant provides for the following:

The Property shall be solely used for the following purposes:

- a. As a public park for use by the general public.
- b. To provide perpetual public access to the waterfront
- c. To provide public access to the boat ramps.
- d. Public Safety Marine Complex/Fire Station and dock with lifts for the Boynton Beach Fire Department Fire Boat and Boynton Beach Police Department response vessel.
- e. For Coast Guard Auxiliary activities that are performed onsite for boat inspection programs and boating safety courses.
- f. City-approved special events and programming.
- g. For ancillary uses or purposes related to the above-permitted uses, including public parking, restrooms, concessions, defined as drinks, bait and tackle, pre-packaged foods, and ice, marina industry-related retail, commercial and recreational fishing, charters, and recreational rentals such as kayaks, boats, and canoes otherwise permitted by the City Code.

The following activities are expressly prohibited at or on the Property:

- a. All residential uses shall be prohibited on the Property.
- b. All hotel or lodging uses shall be prohibited on the Property.
- c. No restaurant use shall be permitted on the Property; however, this paragraph does not prohibit the sale of concessions, defined as drinks, bait and tackle, pre-packaged foods, and ice.

The restrictive covenant requires a unanimous vote of the City Commission to revise, amend, modify, or terminate the restrictions.

How will this affect city programs or services? The restrictive covenant will preserve Harvey E. Oyer Jr. Park and ensure public access to the waterfront and boat ramps.

Fiscal Impact: N/A

Attachments:

[R24-236 Agenda_Item_2168-](#)

[2023_Resolution_for_Harvey_Oyer_park_restrictive_covenant.docx](#)

[Agenda Item 2168-2023 Resolution for Harvey Oyer park restrictive covenant.docx](#)

[Item 10F Oyer Declaration of Restrictive Covenants.pdf](#)