

## **RESOLUTION NO. 17R-02-70**

**A RESOLUTION GRANTING TO WE FLORIDA FINANCIAL A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT A FREESTANDING BANK BUILDING WITH THREE DRIVE-THROUGH LANES ON AN APPROXIMATELY 1.15 ACRE SITE LEGALLY DESCRIBED AS BAYTREE OF INVERRARY 146-44 B PORTION OF PARCEL B, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 146, PAGE 44 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; LOCATED AT 6079 WEST OAKLAND PARK BOULEVARD, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, this property is zoned General Commercial (CG) by the City of Lauderhill Zoning Map; and

WHEREAS, pursuant to the Land Development Regulations (LDR), this use is permitted in the General Commercial zoning district by Special Exception approval only; and

WHEREAS City Staff recommends that the City Commission vote in FAVOR of this Special Exception Use Development Order request, subject to the following conditions;

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

Section 1. The Special Exception Use Order of WE Florida Financial to allow within the General Commercial (CG) Zoning District a freestanding bank building with three drive-through lanes on an approximately 1.15 acre site on property legally described as Baytree of Inverrary 146-44 B Portion of Parcel B, according to the Plat thereof, as recorded in Plat Book 146, Page 44 of the Public Records of Broward County, Florida located at 6079 West Oakland Park Boulevard, Lauderhill, Florida, is hereby approved subject to the following conditions:

1. This special exception use development order for three drive-through lanes is specifically granted to WE Financial and such development order cannot be assigned, leased, subleased, transferred or otherwise conveyed to another person. Further, this special exception use development order shall automatically expire and become null and void if any person other than WE Financial operates the drive-through lane.
2. The drive-through is limited to the three one-way lanes as depicted on the proposed site plan. Consistent with Land

Development Regulations Article IV., Part 4.0., Section 4.3., the expansion, alteration, enlargement or removal to another location of this use is prohibited and shall be unlawful unless the City Commission amends this development order or grants a new development order to allow such expansion, alteration, enlargement or removal to another location.

3. The days and hours of operation are restricted as follows:  
Monday through Friday: 8:00 a.m. to 5:00 p.m.  
Saturday: 9:00 a.m. to 1:00 p.m.
4. Lighting associated with the drive-through must be shielded from the residential district.
5. Any violation of these conditions of approval may result in a public hearing before the City Commission and may result in the modification, suspension or revocation of this special exception use development order or its conditions or both. Further, consistent with LDR Article IV, Part 1.0., Section 1.8, this development order may be revoked, suspended, or modified based on the grounds stated therein. In addition, this development order is subject to post-approval review consistent with LDR Article IV, Part 4.0., Section 4.11.

Section 2. The Staff Report, as prepared by City staff, and all other substantial competent evidence presented at the Commission meeting, is incorporated herein and is hereby adopted as the findings of fact as to this special exception.

Section 3. This Resolution shall take effect immediately upon its passage.

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

PASSED AND ADOPTED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
PRESIDING OFFICER

ATTEST:

\_\_\_\_\_  
CITY CLERK

MOTION  
SECOND

\_\_\_\_\_  
\_\_\_\_\_

M. BATES  
H. BENSON  
H. BERGER  
K. THURSTON  
R. KAPLAN

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Approved as to Form

\_\_\_\_\_  
W. Earl Hall  
City Attorney