

**RESOLUTION NO. 20R-01-10**

**A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING THE SPECIAL EXCEPTION USE DEVELOPMENT ORDER TO TAMARAC FAMILY DENTAL & ORAL SURGERY, LLC., SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT AN OFFICE, MEDICAL, DENTAL, WITH CONTROLLED SUBSTANCE PROVIDER ON A 43,269 SQUARE FEET PARCEL WITH AN EXISTING 10,347 SQUARE FEET SHOPPING PLAZA, ON A SITE LEGALLY DESCRIBED AS CITY SHOPPES 107-44 B LOT 6 AND MORE COMMONLY DESCRIBED AS OAKBROOK PLAZA 7351 W OAKLAND PARK BLVD LAUDERHILL, SUITE 102, 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 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 Tamarac Family Dental & Oral Surgery, LLC., to allow in the General Commercial (CG) Zoning District an Office, Medical, Dental, with Controlled Substance Provider on a 43,269 square feet parcel with an existing 10,347 square feet shopping plaza, on a site legally described as City Shoppes 107-44 B LOT 6 and more commonly described as Oakbrook Plaza 7351 West Oakland Park Boulevard, Lauderhill, Suite 102, Florida, is hereby approved subject to the following conditions:

1. This Special Exception Use development order allows for no controlled substance prescriptions to anyone other than a dental patient in connection with a dental procedure performed or to be performed.
2. This Special Exception Use development order allows for no prescription refills.

3. Complaints to Code Enforcement, Police or the Florida Board of Medicine may cause the SEU approval to be reviewed by the City Commission for possible revocation.
  
4. This Special Exception Use development order for Office, Medical, and Dental with Controlled Substance Provider shall be specifically granted to TAMARAC FAMILY DENTAL & ORAL SURGERY LLC. and shall cover the licensed dentists, Dr. William Mathurin (to include both employee dentists and independent contractor dentists working for TAMARAC FAMILY DENTAL & ORAL SURGERY LLC. where for clarification, such independent contractor bills under the billing number of TAMARAC FAMILY DENTAL & ORAL SURGERY LLC. and the patients are patients of record of TAMARAC FAMILY DENTAL & ORAL SURGERY LLC. and such development order cannot be assigned, leased, subleased, transferred or otherwise conveyed to another entity. Further, this special exception use development order shall automatically expire and become null and void if any entity other than TAMARAC FAMILY DENTAL & ORAL SURGERY LLC. operates the dentist office. All doctors, employees, agents and independent contractors are subject to, and covered by, the express terms and conditions of this Special Exception Use Development Order.
  
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 herein. 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 \_\_\_\_\_, 2020.

PASSED AND ADOPTED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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

ATTEST:

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

MOTION \_\_\_\_\_  
SECOND \_\_\_\_\_

M. BATES \_\_\_\_\_  
H. BERGER \_\_\_\_\_  
R. CAMPBELL \_\_\_\_\_  
D. GRANT \_\_\_\_\_  
K. THURSTON \_\_\_\_\_

Approved as to Form

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