

RESOLUTION NO. 2025R-07-128

A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA, GRANTING BOYE'S GAS STATION SERVICE INC., A SPECIAL EXCEPTION USE DEVELOPMENT ORDER TO ALLOW IN THE LIGHT INDUSTRIAL (IL) ZONING DISTRICT AN OUTDOOR STORAGE USE AND BULK STORAGE OF GAS, OIL AND OTHER FUELS ON AN APPROXIMATELY 0.91± NET ACRE VACANT PARCEL, GENERALLY LOCATED ON THE SOUTH SIDE OF NW 16TH STREET BETWEEN NW 34 TERRACE AND NW 38TH AVENUE, WITHIN THE CITY OF LAUDERHILL, FLORIDA (3550 NW 16TH STREET); PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the property owner, Boye's Gas Service, Inc., on behalf of Sharp Energy Inc., is requesting special exception use development order to allow, in the light industrial (IL) zoning district, an outdoor storage use and bulk storage of gas, oil, and other fuels on an approximately 0.91± net acre vacant parcel; and

WHEREAS, the subject property is legally described as A PORTION OF TRACT "E", "INDUSTRIAL '100' UNIT TWO", ACCORDING TO THE PLAT THEREFORE RECORDED IN THE PLAT BOOK 85, PAGE 2, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, and generally located on the south side of NW 16th Street between NW 34th Terrace and NW 38th Avenue (aka 3550 NW 16th Street); and

WHEREAS, City Staff has analyzed the application and the City's Code of Ordinances and finds that the request meets the criteria as set forth in the code of ordinances.

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

Section 1. The above recitations are true and incorporated herein.

Section 2. The City Commission having considered all testimony and evidence presented at the Commission meeting, including the staff report, and pursuant to the City's Code of Ordinances, hereby finds that the request meets the criteria as set forth in section Article IV, Section 4.6 of the City's Code of Ordinances.

Section 3. The Special Exception Use Development Order for Property generally located on the south side of NW 16th Street between NW 34th Terrace and NW 38th Avenue is hereby approved, subject to the following conditions:

1. This special exception use development order is granted to Boye's Gas Service, Inc., on behalf of Sharp Energy, Inc. All tenants, employees, agents, and independent contractors are subject to, and covered by, the express terms and conditions of this Special Exception Development Order.

2. Within 180 days of the date of the development order Sharp Energy, Inc., will obtain Site Plan approval and associated permits for required site improvements to include but not be limited to: fencing, screening, landscaping, lighting, and drainage.
3. Sharp Energy, Inc. will obtain the associated permits, consistent with the approved site plan, for all improvements associated with the outdoor storage/distribution and fulfillment center/bulk storage of gas, oil and other fuels, for the storage of commercial vehicles and equipment use within one (1) year from the date of approval.
4. A site plan layout shall be provided at the time of application of the updated Certificate of Use required for outdoor storage/distribution and fulfillment center/bulk storage of gas, oil and other fuels, for the storage of commercial vehicles and equipment use permissions. This floorplan shall be reviewed by the Planning and Zoning division as well as Fire Department for safety of exterior layout.
5. All areas used for outdoor storage shall be constructed with a hard and bonded surface that avoids dust and safeguard groundwater, subject to approval of the Development Services Director and City Engineer.
6. The use approval for Outdoor Storage shall allow for the storage of commercial vehicles for a period greater than 24 hours. The storage of vehicles as accessory to a new or used vehicle dealer is prohibited. The use of automotive, wrecking or junkyard is prohibited.
7. Complaints to Code Enforcement or may cause the SEU approval to be reviewed by the City Commission for possible revocation.
8. 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 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This Resolution shall take effect immediately upon its passage.

PASSED AND APPROVED this _____ day of _____, 2025.

DENISE D. GRANT, MAYOR
PRESIDING OFFICER

ATTEST:

ANDREA M. ANDERSON, MMC
CITY CLERK

MOTION _____
SECOND _____

Approved as to Form

R. CAMPBELL _____
M. DUNN _____
D. GRANT _____
J. HODGSON _____
S. MARTIN _____

Hans Ottinot
City Attorney