

**RESOLUTION NO. 20R-12-250**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, GRANTING A SPECIAL EXCEPTION DEVELOPMENT ORDER TO THREE AMIGOS LAUDERHILL, LLC TO ALLOW IN THE RESIDENTIAL MULTIFAMILY (RM-40) ZONING DISTRICT A MULTIFAMILY DWELLING UNITS, ATTACHED USE ON A ± 13.73 ACRE PARCEL WITH THE LEGAL DESCRIPTION AS PROVIDED HEREIN; MORE COMMONLY KNOWN AS 7730 W. COMMERCIAL BOULEVARD, LAUDERHILL, FLORIDA; PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, DESORAE GILES-SMITH)**

WHEREAS, this property is zoned Residential Multifamily (RM-40) by the City of Lauderhill Zoning Map; and

WHEREAS, pursuant to the Land Development Regulations (LDR), this use is permitted in the Residential Multifamily (RM-40) 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 Three Amigos Lauderhill, LLC., to allow in the Residential Multifamily (RM-40) Zoning District a multifamily dwelling units attached use on a 13.73 ± acre parcel legally described as provided herein and more commonly known as 7730 W. Commercial Boulevard, is hereby approved subject to the following conditions:

1. This application approval shall be contingent upon the approval of the Land Use Plan Amendment Application from a Commercial Future Land Use Designation to an Irregular Residential (35.3 du/acre) Future Land Use Designation by the City of Lauderhill`s City Commission. This Ordinance shall become null and void if the requested Land Use Plan Amendment Application is denied by the Broward County Commission or the Lauderhill City Commission.
2. A Maintenance agreement shall be provided before the issuance of any Development Order.
3. A recorded Shared Access/ Shared Parking agreement shall be provided before the issuance of any Development Order.

4. 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.
5. Any special exception approval granted by the City Commission shall expire one hundred eighty (180) days after the date of approval, unless a development permit or site plan approval is applied for within the one hundred eighty-day period.
6. If a use which has been granted a special exception shall cease to operate for a continuous period of one (1) year, the special exception approval shall expire.
7. The owner shall execute a trespass agreement for the police department to keep on file for enforcement.

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:

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CITY CLERK

MOTION \_\_\_\_\_

SECOND

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M. DUNN  
D. GRANT  
L. MARTIN  
S. MARTIN  
K. THURSTON

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Approved as to Form

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W. Earl Hall  
City Attorney