

RESOLUTION NO. 19R-10-243

A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING THE SPECIAL EXCEPTION USE DEVELOPMENT ORDER TO JAMAICA HOUSE RESTAURANT BROWARD, INC. D/B/A JAMAICA HOUSE RESTAURANT II, SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT A RESTAURANT, FAST FOOD WITH DRIVE THROUGH WITH OUTDOOR SEATING USE ON A 0.48 ± ACRE SITE LEGALLY DESCRIBED AS TRACTS A AND B, BROWNS BROWARD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN OFFICIAL RECORDS BOOK 103, PAGE 48, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 3351 WEST BROWARD 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 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 Jamaica House Restaurant Broward, Inc., d/b/a Jamaica House Restaurant II, to allow within the General Commercial (CG) Zoning District a Restaurant, Fast Food with Drive Through with Outdoor Seating Use on a 0.48± acre site legally described as Tracts A&B, Browns Broward, according to the Plat thereof, as recorded in Official Records Book 103, Page 48, of the Public Records of Broward County, Florida, more commonly known as 3351 West Broward Boulevard, Lauderhill, Florida, is hereby approved subject to the following *amended* conditions:

1. This Special Exception Use development order for a single lane drive through in connection with a Restaurant, Fast Food Use with outdoor seating shall be specifically granted to Jamaica House Restaurant Broward, Inc. d/b/a Jamaica House Restaurant II and such

development order cannot be assigned, leased, subleased, transferred or otherwise conveyed to another entity without further Special Exception approval from the City Commission. Further, this special exception use development order shall automatically expire and become null and void if any entity other than Jamaica House Restaurant Broward, Inc. d/b/a Jamaica House Restaurant II operates the use.

2. The single drive through lane is limited to the location and configuration as depicted on an approved site plan. Any expansion, alteration, enlargement or removal to another location of this use shall require an additional special exception use development order from the City Commission.
3. The hours of operation are limited to the following: Sunday through Saturday from 7:00 a.m. to 12:00 a.m.
4. A trash receptacle shall be located between the service window where food is dispensed and the end of the drive through driveway.
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.
6. Outdoor seating is not permitted, unless approved by the City Commission.
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 _____, 2019.

PASSED AND ADOPTED on first reading this _____ day of _____, 2019.

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