

RESOLUTION NO. 19R-08-172

A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING TO MEDICAL SPECIALISTS OF SOUTH FLORIDA, LLC. A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT AN OFFICE, MEDICAL, CONTROLLED SUBSTANCE PROVIDER ON A 1.96± ACRE SITE ON PROPERTY LEGALLY DESCRIBED AS TRACT C, CITY OF LAUDERHILL, SECTION 1, ACCORDING TO THE PLAT THEROF, AS RECORDED IN PLAT BOOK 81, PAGE 4, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 4966 N. PINE ISLAND ROAD, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE

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

WHEREAS, pursuant to the Land Development Regulations (LDR), this use is permitted in this 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 Medical Specialists of South Florida, LLC. to allow an office, medical, controlled substance provider within the General Commercial (CG) Zoning District on an approximate ± 1.96 acre site on property legally described as Tract C, City of Lauderhill, Section 1, according to the Plat thereof, as recorded in Plat Book 81, Page 4, of the Public Records of Broward County, Florida, more commonly known as 4966 N. Pine Island Road, Lauderhill, Florida, is hereby approved subject to the following conditions:

1. This Special Exception Use development order for Office, Medical, with Controlled Substance Provider shall be specifically granted to Dr. Rodolfo Guevara of Medical Specialists of South Florida, 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 Medical Specialists of South Florida LLC operates the medical 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.

2. This Special Exception Use development order allows for no controlled substance prescriptions or refills to anyone other than a patient in connection with a medical appointment with the doctor.
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. 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 _____, 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