

RESOLUTION NO. 23R-06-144

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA GRANTING TO 4571 BILLIARDS LLC. D/B/A CLASSIC BILLIARDS, A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT A BILLIARD OR POOL PARLOR USE ON A 1± ACRE SITE LEGALLY DESCRIBED AS PORTION OF TRACT G OF CITY OF LAUDERHILL SEC 1 PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 81 PAGE 4 OF THE OFFICIAL PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND MORE COMMONLY KNOWN AS 4569-4573 N. UNIVERSITY DRIVE 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 (CG) zoning district by Special Exception approval only; and

WHEREAS City Staff recommends APPROVAL and 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 4571 Billiards, LLC. d/b/a Classic Billiards to allow in the General Commercial (CG) Zoning District a billiard or pool parlor use on a ±1 acre site legally described as a Portion of Tract G of the City of Lauderhill Sec 1 Plat, according to the Plat thereof, as recorded in Plat Book 81, Page 4 of the Public Records of Broward County, more commonly known as 4569-4573 N. University Drive, Lauderhill, Florida, is hereby approved, subject to the following conditions:

1. This special exception use development order for a Billiard or Pool Parlor Use, is specifically granted to 4571 Billiards LLC and such development order cannot be assigned, leased, subleased, transferred or otherwise conveyed to another person. Further, this special exception use development order shall automatically expire and become null and void if change of ownership affecting 51% percent or more of the interest of the business or any of its assets in any manner shall trigger this provision, if the use shall cease to operate or if Classic Billiards is sold, assigned, transferred or otherwise conveyed to another person.
2. The Billiard or Pool Parlor Use is restricted to a total of 3,900 square feet site located at 4569-4573 N. University Drive. Consistent with the Land Development Regulations Article IV., Part 4.0., Section 4.3., the expansion, alteration,

enlargement or removal to another location of this use shall be unlawful unless the City Commission amends this development order to allow such expansion, alteration, enlargement or removal to another location. Seating must be consistent with state licensing requirements.

3. The hours of operation are limited to Sunday through Saturday from 1:00 P.M. until 2:00 A.M.
4. Alcoholic Beverage sales which are allowed by right in association with the existing Restaurant Bar Use must be in conformance with the requirement that 51% of sales must be food and nonalcoholic beverages.
5. Seating must be consistent with state licensing requirements.
6. Live Entertainment is prohibited unless a Special Exception is applied for and granted for said use.
7. Gambling is prohibited.
8. A maximum number of six (6) amusement devices are permitted on premises. The City must be notified if any such devices are to be utilized so they can be included within the Certificate of Use.
9. If there are any code enforcement violations or liens, this Special Exception Use Development Order may be brought before the City Commission to be reconsidered, at which time the development order, or the conditions of approval, may be subject to modification, suspension and/or revocation.
10. 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.
11. If the use which has been granted a Special Exception shall cease to operate for a period of one (1) year, the Special Exception Use approval shall expire.
12. 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 _____, 2023.

PASSED AND ADOPTED on first reading this _____ day of _____,
2023.

PRESIDING OFFICER

ATTEST:

CITY CLERK

MOTION
SECOND

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

Approved as to Form

Angel Petti Rosenberg
City Attorney