

RESOLUTION NO. 25R-04-86

A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA, GRANTING SALMOS 23 NO. 8, LLC, A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, WITH CONDITIONS, TO ALLOW A SPECIAL RESIDENTIAL FACILITY (CATEGORY 3 WITH 128 BEDS) IN THE RESIDENTIAL MULTI-FAMILY (RM-18) ZONING DISTRICT ON AN APPROXIMATELY 4.09± NET ACRE SITE, LEGALLY DESCRIBED AS THE CALCUTTA FIRST ADDITION PLAT, A PORTION OF TRACT B AS RECORDED IN THE OFFICIAL RECORDS OF BROWARD COUNTY, FLORIDA IN PLAT BOOK 80 PAGE 17, MORE COMMONLY KNOWN AS 2801 NW 55 AVENUE, LAUDERHILL, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the subject property, located at 2801 Northwest 55th Avenue, Lauderdale, FL, and located one block south of West Oakland Park Blvd, is zoned Special Residential Facility (Category 3) within the Residential Multi-Family (RM-18) zoning district and located on a 4.09 ± acre site legally described as Calcutta First Addition Portion of Tract B plat book 80 page 17 of the Public Records of Broward County, Florida ("Property"); and

WHEREAS, the Applicant, Cornerstone Health Management for Salmos 23 NO. 8, LLC, has filed a Special Exception Application on behalf of the property owner Sarepta No. 6, to allow continued use of an existing Assisted Living Facility (ALF) use on the Property; and

WHEREAS, the Applicant proposes to increase the number of beds from the current 105 to 128, to care for elderly patients; and

WHEREAS City Staff recommends that the City Commission VOTE IN FAVOR OF this Special Exception Use Development Order subject to conditions.

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 Special Exception Use Order for Property located at 2801 Northwest 55th Avenue, Lauderdale, FL, to allow continued use of an existing Assisted Living Facility (ALF) use on the Property is hereby approved, subject to the following conditions:

1. This Special Exception Use Development order shall be specifically granted to Salmos 23 NO. 8 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 Salmos 23 NO. 8 operates this Special Residential Facility (SRF). All

employees, agents and independent contractors are subject to, and covered by, the express terms and conditions of this Special Exception Use Development Order.

2. Consistent with Land Development Regulations Article IV., Part 4.0., Section 4.3., the expansion, alteration, enlargement or removal to another location of this use shall require the City Commission to grant an additional Special Exception Use Development Order.
3. Maintain existing generators to provide power source for all basic mechanical operations of the facility sufficient to cover a large enough living area to accommodate all of its occupants with the basic necessities of life for a minimum of ninety-six (96) hours shall be installed in the following businesses located within the geographical boundaries of the city: Long-term Care Facilities, nursing homes and other related health care facilities that are required to be licensed under Florida Statutes, Chapter 400, as may be amended from time to time.
4. 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.
5. The owner shall execute a trespass agreement for the police department to keep on file for enforcement.
6. 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 conditions of approval, may be subject to modification, suspension and/or revocation.
7. 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 3. The Staff Report, as prepared by City staff, and all other substantial competent evidence presented at the Commission meeting, are incorporated herein and hereby adopted as the findings of fact as to this special exception.

Section 4. 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
Interim City Attorney