



Development Review Report (DRR)

To: Daniel T. Keester-O'Mills, AICP, *Planning & Zoning Director*
From: Dominic Lindsay, *Planning & Zoning Analyst*
RE: Special Exception Application No. 24-SE-004 (2099 N State Road 7)
Date: June 17, 2024

The applicant (Andres Robles - business representative/ prospective tenant) has filed a special exception application. The applicant is requesting approval to continue operations of a service station with convenience store on behalf of Petroleum Consolidators, Inc. d/b/a 441 Marathon. The subject property is located at 2099 N State Road 7, Lauderhill, Florida within the Commercial General (CG) zoning district on an approximately 0.68± acre site. The following information has been prepared for your consideration:

I. BACKGROUND INFORMATION

Requested Action

The Petitioner requests conveyance of a Special Exception Use to Petroleum Consolidators, Inc. to allow continued use within the Commercial General (CG) zoning district of an Existing Service Station with Convenience Store on an approximately 0.68± acre site located at 2099 N State Road 7, Lauderhill, Florida.

Figure 1 below that provides an aerial of the subject site located on the SW corner of NW 21st ST and N State Road 7:

Figure 1



Applicable Land Development Regulations

LDR Article IV., Part 1.0., Subsection 1.3.1., addresses the pre-application conference

LDR Article IV., Part 1.0., Subsection 1.3.2., provides for the Department to review any land development order application

LDR Article IV., Part 1.0., Subsection 1.4.4., provides that within 45 days from the acceptance of the application for development subject to major review

LDR Article IV., Part 4.0., subsection 4.5.A. requires the application set forth in detail the proposed use

LDR Article IV., Part 4.0., Subsection 4.5.B. provides the Department shall not accept a special exception use application if the property is subject to unpaid city liens, fines or fees

LDR Article III, Section 2.2., addresses assignment of zoning districts

LDR Article III, Sections 2.3 and 2.4., and Schedule B. respectively address permitted and special exception uses

Article IV., Part 4.0., Section 4.6., Standards for approval, provides the City Commission, in reviewing any application for a special exception use, shall consider seven (7) specific standards

LDR Article III, Sections 5.15.a (Amended, Ordinance No. 160-04-113, April 25, 2016), Convenience Store

LDR Article III, Sections 5.35- Service Stations

LDR Article IV, Section 4.10- Conveyance of uses that are subject to special exception approval.

II. SITE INFORMATIONLegal Description

PHILLIPS LAUDERHILL 67-12 B PARCEL A LESS THAT PORTION AS SHOWN ON MMB 9-64 B OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 2099 N STATE ROAD 7, LAUDERHILL, FLORIDA..

Address

2099 N State Road 7, Lauderhill, Florida

Land Use/Zoning:

Existing Land Use:	Commercial
Future Land Use Designation:	Transit Oriented Corridor
Zoning Designation:	General Commercial (CG)

Adjacent Designations:

	Existing Use	Future Designation	Zoning
North	Commercial	Transit Oriented Corridor	CG
South	Commercial	Transit Oriented Corridor	CG
East	Commercial	Transit Oriented Corridor	City of Lauderdale Lakes
West	Commercial	Transit Oriented Corridor	CG

III. ZONING HISTORY

Existing Special Exceptions

Resolution No. 02R-04-72 – New Service Station with Convenience Store Use in CG Zoning District

Violations

None

Existing Variances

None

IV. PLANNING ANALYSIS

As stipulated in the Land Development Regulations, Article IV, Section 4.6, Standards for Approval, The Planning and Development Division has reviewed the proposed request pursuant to the following special exception considerations:

1. The effect of such use on surrounding properties.
2. The suitability of the use in regard to its location, site characteristics, and intended purpose.
3. Access, traffic generation and road capacities.
4. Economic benefits or liabilities.
5. Demands on utilities, community facilities, and public services.
6. Compliance with the Comprehensive Land Use Plans for Broward County and/or the City of Lauderhill.
7. Factors relating to safety, health, and general public welfare.

Based upon its review, staff finds the proposed use to be generally consistent with the above considerations. As such, staff recommends approval of the special exception request.

LDR Article III, Sections 2.3 and 2.4., and Schedule B. respectively address permitted and special exception uses. The LDR classifies a Service Station with Convenience Store, which is allowed in the General Commercial (CG) zoning district as a special exception use.

1. **The effect of such use on surrounding properties:** The subject property and all of the surrounding properties are designated Transit Oriented Corridor in the Future Land Use Map Series. The property is zoned General Commercial (CG) on the City of Lauderhill Zoning Map and located along State Road 7. The Applicant is proposing to take over an existing Service Station with Convenience Store Use. As the Service Station with Convenience Store Use is existing, there will not be an adverse effect to the surrounding properties. As such, Staff concludes that this is an appropriate location for the proposed use as it pertains to the use's effect on the surrounding properties.

2. **The suitability of the use in regards to its location, site characteristics, and intended purpose and access:** The existing Service Station with Convenience Store is located on the SW Corner of NW 21st St and SR7. The existing Service Station with Convenience Store is along a major thoroughfare (SR 7). The intended purpose is to continue to provide a service where the immediate community can continue to purchase everyday essential products and fuel their vehicles. Since the property was rebuilt in 2003 specifically to be a Service Station and Convenience Store and the proposed Use is in existence, Staff finds that the Use is suitable in regard to location, characteristics and purpose.
3. **Access, traffic generation and road capacities:** Staff finds that there is existing access along NW 21st Street and SR7. The proposed Use will continue to exist with the same square footage and is not proposing any changes to the site. As such, Staff concludes conforms to this criteria as the intensity of the use will remain the same in regards to Access, traffic generation and road capacities.
4. **Economic benefits or liabilities:** Staff concludes that the proposed convenience store provides both direct and indirect economic benefits. The direct benefits are the continuation of jobs within the City of Lauderhill. The applicant advised that Petroleum Consolidators Inc. will have up to 12 employees on staff with salaries ranging from \$13.00/hour - \$30.00/hour. An additional benefit is the collected sales tax and local business receipt tax. The indirect economic benefits could include sales taxes collected due to employee expenditures within the City. The economic liabilities would include the continued use of public services.
5. **Demands on utilities, community facilities, and public services:** Staff finds that the Service Station with Convenience Store is an existing use and concludes that the continued operation of the use would not generate a greater demand on utilities and community facilities.
6. **Compliance with the Comprehensive Land Use Plans for Broward County and/or the City of Lauderhill:** Staff finds that a Service Station with Convenience Store is a commercial use. The site and all abutting sites within the City of Lauderhill are designated Transit Oriented Corridor on the City's Future Land Use Map and the Future Broward County Land Use Plan. Both the City and the County plans allow for convenience stores within the Transit Oriented Corridor designation. Staff finds that the proposed use is in conformance with the City and County Comprehensive plans.
7. **Factors relating to safety, health, and general public welfare:** Staff concludes that a convenience store can adversely impact the public safety, health, and general welfare unless such adverse impacts are substantially mitigated. Staff concludes that as opposed to other commercial uses, a convenience store is susceptible to increased crime. Staff concludes that the convenience store use shall be operated consistent with all applicable Florida State Statutes governing Convenience Businesses and regarding Security and training to include but not be limited to Florida State Statute Sections 812.171, 812.173, and 812.174. Staff concludes that through Special Exception Use conditions the adverse impacts of such can be substantially mitigated and that this application is in conformance with LDR Article IV, Part 4.0, Section 4.6.

In order to help prevent crime, the proposed Convenience Store Use must also comply with all provisions required in Article VII Section 12-106- Convenience Stores of the Code of Ordinances and Article III Sec 5.15.A of the Land Development Code. Petroleum Consolidators Inc. currently has 24 security cameras and an alarm system connected with the Lauderhill Police Department.

V. RECOMMENDATION/ACTION

Staff recommends approval of this special exception request for conveyance of a Service Station with Convenience Store.

In order to ensure potential effects on the surrounding area is minimized, staff recommends the following conditions be imposed:

1. This special exception use development order to allow the Service Station with Convenience Store is specifically granted to Petroleum Consolidators Inc. d/b/a 441 Marathon and such development order cannot be conveyed to another person or entity. Any change of corporate ownership affecting 51% percent or more of the interest of the business or any of its assets in any manner shall trigger this provision. Notwithstanding, the service station and convenience stores may be operated by other business entities so long as there is no change in ownership as specified herein.
2. The Service Station with Convenience Store use is restricted to 2,626 square feet of leasable space located at 2099 N State Road 7 Lauderhill, Florida. 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 is prohibited and shall be unlawful unless the City Commission amends this development order or grants a new development order to allow such expansion, alteration, enlargement or removal to another location. Notwithstanding the above, through the site plan modification process, the City Commission delegates to the Development Review Committee (DRC) the authority to allow the floor plan to be altered; however, the DRC is without authority to allow the expansion, enlargement, or removal of the use to another location.
3. The Service Station with Convenience Store days and hours of operation are Sunday through Saturday 24 Hours. Alcoholic beverage sales will be limited to beer and wine on the days and hours imposed by Land Development Regulations Article III., Part 5.0., Subsection 5.3.1.A.
4. Petroleum Consolidators Inc. shall comply with all of the requirements of Section 812.173, Florida Statutes regarding security at convenience stores as well as comply with all provisions required in Article VII Section 12-106- Convenience Stores of the Code of Ordinances and Article III Sec 5.15.A of the Land Development Code. Such conditions must be met and required at time of Certificate of Use.

5. 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.
6. 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.
7. Any special exception approval granted by the City Commission shall expire one hundred eighty (180) days after the date of approval, unless a Certificate of Use (COU) is submitted and subsequently approved within the one hundred eighty-day period.
8. 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.
9. The owner shall execute a trespass agreement for the police department to keep on file for enforcement.
10. Property Owner or Operator must provide a security plan that demonstrates how they will prevent and reduce the amount of police calls associated with trespassing or the presence of other loitering. In addition to said security plan the property owner or operator shall also provide a property maintenance plan that demonstrates how they will maintain cleanliness in compliance with the Code of Ordinances.

VI. ATTACHMENTS

1. SEU application
2. Floor Plan
3. SEU Conditions Affidavit



City of Lauderhill
Planning & Zoning Department
5581 W. Oakland Park Blvd., Lauderhill, FL 33313
Phone: 954.730.3050

Special Exception – Application

Property Description		
Street Address: 2099 N State Rd 7	Folio Number(s):	
Nearest Cross Street:		
Subdivision:	Block:	Lot:

Business Information	
Business Name (if applicable): 441 Marathon	Business Owner: Petroleum Consolidators Inc
Mailing Address: 2099 N state Rd 7	City, State & Zip Code: Lauderhill, FL 33313
Phone Number: 954-245-7273	Email: arobles.investments@gmail.com

Applicant, Owner's Representative or Agent	Landowner (Owner of Record)
Business Name (if applicable): 441 Marathon	Business Name (if applicable): Sunshine Gasoline Distributors Inc
Name and Title: Andres Robles / President	Name and Title:
Signature: 	Signature:
Date: 03/22/24	Date: 03/22/24
Mailing Address: 2099 N State Rd 7	Mailing Address: 1650 NW 87th Ave
City, State & Zip: Lauderhill, FL 33313	City, State & Zip Code: Doral, FL 33172
Phone Number: 954-245-7273	Phone Number: 305-477-5800
Email: arobles.investments@gmail.com	Email:
All communication will be sent to the Landowner (Owner of Record) and Applicant.	



City of Lauderhill
Planning & Zoning Department
5581 W. Oakland Park Blvd., Lauderhill, FL 33313
Phone: 954.730.3050

Special Exception – Application

Architect	Engineer
Business Name (if applicable):	Business Name (if applicable):
Name and Title:	Name and Title:
Signature:	Signature:
Date:	Date:
Mailing Address:	Mailing Address:
City, State & Zip:	City, State & Zip Code:
Phone Number:	Phone Number:
Email:	Email:

Attorney	Other
Business Name (if applicable):	Business Name (if applicable):
Name and Title:	Name and Title:
Signature:	Signature:
Date:	Date:
Mailing Address:	Mailing Address:
City, State & Zip:	City, State & Zip Code:
Phone Number:	Phone Number:
Email:	Email:



Planning & Zoning Department
5581 W. Oakland Park Blvd., Lauderhill, FL 33313
Phone: 954.730.3050

Special Exception – Application

Site Data

Development / Project Name:

Briefly describe the special exception requested (a project narrative must be submitted separately that explains in greater detail the request & address each review standard 4.6. Standards for approval):

Additional Information

Have any other applications been submitted for this site? ☐ Yes ☒ No

If so, list the other applications & provide reference to the Meeting Date/ Results:

Pre-Application Conference Date:



City of Lauderhill
Planning & Zoning Department
5581 W. Oakland Park Blvd., Lauderhill, FL 33313
Phone: 954.730.3050

Special Exception – Application

AFFIDAVIT

I AM THE LANDOWNER OF RECORD (OR I HAVE FURNISHED THE CITY OF LAUDERHILL WITH A NOTARIZED LETTER FROM THE LANDOWNER AUTHORIZING ME TO SUBMIT THIS APPLICATION ON THEIR BEHALF), AND DO HEREBY SWEAR OR AFFIRM THE FOLLOWING:

1. THAT ALL OF THE INFORMATION CONTAINED IN THIS APPLICATION AND THE ATTACHMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.
2. CONSISTENT WITH THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF LAUDERHILL, FLORIDA, I WILL CAUSE A SIGN AT LEAST THREE (3) SQUARE FEET IN SIZE TO BE POSTED ON THE SUBJECT PROPERTY FACING AND VISIBLE FROM THE STREET AT LEAST TEN (15) DAYS PRIOR TO THE PUBLIC HEARING. MOREOVER, I CERTIFY THE SIGN WILL REMAIN POSTED FOR THE DURATION OF THE TIME REQUIRED FOR THE POSTING OF THE SUBJECT PROPERTY AND A PHOTOGRAPH OF THE SIGN POSTED ON THE SUBJECT PROPERTY WILL BE PROVIDED TO THE CITY OF LAUDERHILL PLANNING AND ZONING DEPARTMENT AT LEAST SEVEN (7) DAYS PRIOR TO THE PUBLIC HEARING. I WILL CAUSE THIS SAME SIGN TO BE REMOVED WITHIN SEVEN (7) CALENDAR DAYS AFTER THE HEARING.
3. CONSISTENT WITH THE LAND DEVELOPMENT REGULATIONS, I WILL PROVIDE WRITTEN NOTICE TO ALL PROPERTY OWNERS WITHIN 500 FEET OF THE SUBJECT PROPERTY POSTMARKED NO FEWER THAN 15 CALENDAR DAYS BEFORE THE HEARING DATE. THE SAME WRITTEN NOTICE WILL BE PROVIDED TO ALL LARGE ASSOCIATIONS, BASED ON THE E-MAIL DISTRIBUTION LIST FURNISHED BY THE CITY.

Landowner's Name: Andres Robles
(or Authorized Official – Owner's Authorization Letter required if not the Owner of Record)

Address: 2099 N State Rd 7
Lauderhill FL 33313
(City) (State) (Zip Code)



[Signature]
Signature of Owner or Authorized Representative

SWORN AND SUBSCRIBED before me this 11th day of April, 2024 by means of
☐ physical presence or ☐ online notarization.

[Signature]
NOTARY PUBLIC, STATE OF FLORIDA

Katrina L Reese
(Name of Notary Public: Print, stamp, or Type as Commissioned.)

☐ Personally know to me, or
☒ Produced identification: FL DL R142 D13 84 053-1
(Type of Identification Produced)

24-SE-004



SPECIAL EXCEPTION USE APPLICATION FOR

ENTER TYPE OF USE /BUSINESS:

Business Name: 441 Marathon
Business Address: 2099 N State Road 7
Lauderhill, FL 33313
Business Telephone Number: 954-245-7273 / 954-440-2390
Business Email: aroblesinvestments@gmail.com

APPLICANT AND CONTACT INFORMATION

Applicant Name: Petroleum Consolidators Inc
Applicant Address: 2099 N State Rd 7
Lauderhill, FL 33313
Applicant Telephone Number: 954-440-2390
Applicant Mobile Telephone Number 954-245-7273
Applicant Email address: arobles.investments@gmail.com

FILL IN BELOW THE CONTACT INFORMATION FOR ANYONE ELSE WHO SHOULD
RECEIVE COPIES OF NOTICES /CORRESPONDENCE

Name: _____

Address: _____

Telephone Number: _____ Mobile _____

Email address: _____

APPLICANT NUMBER

Name: _____

Address: _____

Telephone Number: _____ Mobile _____

Email address: _____

INFORMATION ABOUT THE USE/ BUSINESS

Business Description (Please list all activities conducted at your business):

Gas station with convenience store & deli

Date the business opened or is expected to be opened: _____

The Days and Hours of operation for the business:

LIST NEXT TO EACH DAY, THE HOURS
YOU WILL BE OPEN

LIST NEXT TO EACH DAY THE
OF EMPLOYEES ON DUTY

Sunday	_____ to _____	<u>24 hours</u>	<u>3</u>
Monday	_____ to _____	<u>24 hours</u>	<u>3</u>
Tuesday	_____ to _____	<u>24 hours</u>	<u>3</u>
Wednesday	_____ to _____	<u>24 hours</u>	<u>3</u>
Thursday	_____ to _____	<u>24 hours</u>	<u>3</u>
Friday	_____ to _____	<u>24 hours</u>	<u>3</u>
Saturday	_____ to _____	<u>24 hours</u>	<u>3</u>

How many persons will the proposed business employ?

Approximately 12 persons

APPLICATION NUMBER

List the job titles and approximate salaries for the proposed employees?

Cashiers \$13 - 16 dollars per hour

Baker \$ 30 per hour

Stocker \$ 17 per hour

Assistant Manager \$ 22.50 per hour / Manager \$ 6,000 monthly salary

Square footage of building space to be occupied by the business : 2,600 sq

INFORMATION ABOUT THE SITE

Property Owner Name: Sunshine Gasoline Distributors Inc

Property Owner Street Address: 1650 NW 87th Ave

City, State & Zip Code: Doral, FL 33172

Telephone #: 305-477-5800

Email

STANDARDS FOR APPROVAL THE EFFECTS OF YOUR USE/BUSINESS ON THE COMMUNITY

Describe how your business will affect the residents who live close by: The residents will benefit from my business because I always keep my gas prices competitive and most of the time below my competitors. In addition I always keep the property clean and very well maintained and well-lit. Also we don't allow loitering around the property to avoid unnecessary situations. In general we make the city look better to the residents of this city.

Describe how this business/use will affect neighboring businesses: Instead of affecting, it will benefit neighboring businesses because we bring a lot of people even from neighboring cities to get gas and take advantage of our competitive prices, that means more people in the area who can become prospective customers to other businesses.

What site characteristics make this location suitable for your use/ business:

This property was built specifically for a gas station.

How will this use/ business affect the community economically?

Since we keep our prices below our competitors especially from gas stations located in our neighboring cities, we bring residents from other cities to use our gas and products.

ADDITIONAL DEMANDS ON UTILITIES, COMMUNITY FACILITIES, AND PUBLIC SERVICES

Describe any fire hazards associated with your business:

Describe what security measures your business will require: Our property is very well-lit and we have 24 security cameras recording 24/7. We also have an alarm system connected with the Lauderdale police department.

Describe any chemicals, fluids, gases or potentially hazardous substances that your business will use or store on site:

Describe any activity in your business that will use water other than normal washing and toilet use: n/a

Describe any activity in your business that will utilize City park facilities: n/a

Describe any activity in your business that will generate noise, light or vibration: n/a

APPLICATION NUMBER

Describe transit, automobile or pedestrian traffic that your business will create in the area:

It will just create regular traffic like any other business.

Describe any activity in your business that will involve alcohol, music or live entertainment:

As a convenience store we sell prepackaged beer to be consumed off premises.

Describe any other aspects of your business about which you feel that the reviewer should know:

ATTACH THESE DOCUMENTS TO THIS APPLICATION

1. Site Plan
2. Floor Plan
3. Inventory of Fixtures and Equipment
4. Legal Description - molly
5. Certified Mailing list with two (2) sets of labels for all property owners within 300 feet of the site.
6. Copy of Lease (For Applicants who are renting)
7. Copy of Deed or Contract to Purchase (For Applicant who own or intends to own)
8. Letter from property owner authorizing you to apply for a special exception.

NOTE: STAFF MAY REQUIRE ADDITIONAL INFORMATION.

AFFIDAVIT

I, _____, DO HEREBY SWEAR OR AFFIRM

1. THAT ALL OF THE INFORMATION CONTAINED IN THIS APPLICATION AND THE ATTACHMENTS IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.
2. CONSISTENT WITH THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF LAUDERHILL, FLORIDA, SPECIFICALLY, SCHEDULE E, SUBSECTION 5.(9), PARAGRAPH (B), I WILL CAUSE A SIGN AT LEAST THREE (3) SQUARE FEET IN SIZE TO BE POSTED ON THE SUBJECT PROPERTY FACING AND VISIBLE FROM THE STREET AT LEAST TEN (10) DAYS PRIOR TO THE PUBLIC. MOREOVER, I CERTIFY THE SIGN WILL REMAIN POSTED FOR THE DURATION OF THE TIME REQUIRED FOR THE POSTING OF THE SUBJECT PROPERTY AND A PHOTOGRAPH OF THE SIGN POSTED ON THE SUBJECT PROPERTY WILL BE PROVIDED TO THE CITY OF LAUDERHILL PLANNING AND ZONING DEPARTMENT AT LEAST SEVEN (7) DAYS PRIOR TO THE PUBLIC HEARING.
3. I WILL CAUSE THIS SAME SIGN TO BE REMOVED WITHIN SEVEN (7) CALENDAR DAYS AFTER THE HEARING.

PRINT YOUR NAME: Andres Robles

SIGN YOUR NAME: [Signature]

DATE: 04/11/24

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 11th DAY

OF April, 20 24, BY Andres Robles, WHO IS

PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED FLDL R142013840531

AS IDENTIFICATION AND WHO DID TAKE AN OATH.

NOTARY PUBLIC

SIGN: [Signature]

PRINT: Katrina L Reese

STATE OF FLORIDA AT LARGE SEAL

MY COMMISSION EXPIRES

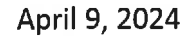


YOUR SUBMISSION

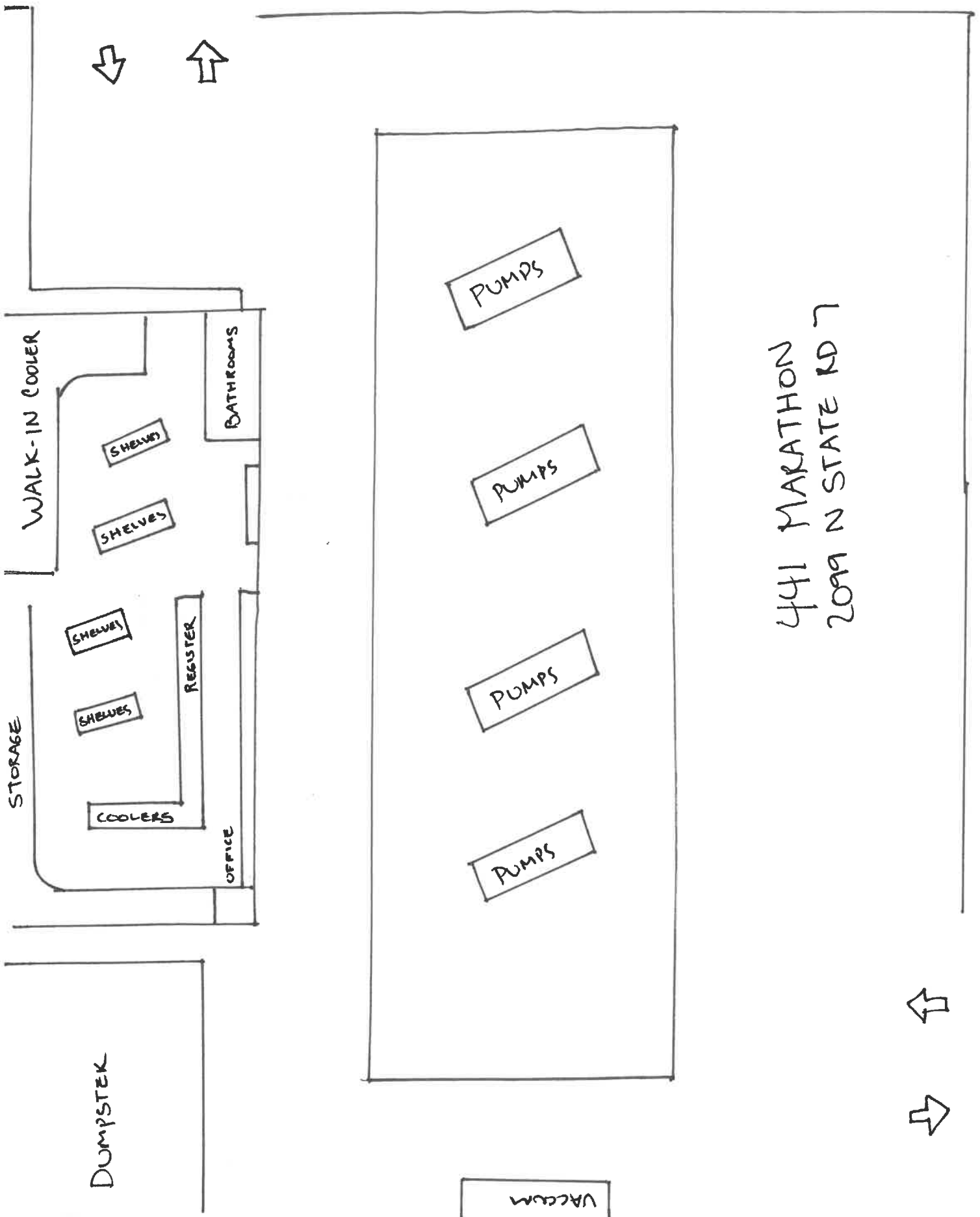
1. The original application with Attachments 1 -8 .
2. A check made payable to the City of Lauderhill for the appropriate fee amount.

INVENTORY OF FIXTURES AND EQUIPMENT
441 MARATHON

1. (2) CASH REGISTERS
2. WALK-IN COOLER
3. FREEZER
4. DISPLAY DELI COOLER
5. OVEN
6. DISPLAY WARMER
7. ICE CREAM FREEZERS
8. ICE MACHINE
9. SECURITY CAMERAS
10. SHELVES
11. SLUSHY MACHINES
12. FOUNTAIN DRINKS MACHINE
13. JUICE DISPENSER
14. HOT DOG MACHINE
15. COFFEE MACHINE



1650 N.W. 87TH AVENUE, DORAL, FL 33172
PHONE (305) 477-5800 FAX (305) 503-9292



SPECIAL EXCEPTION USE AFFIDAVIT
COMPLIANCE WITH CONDITIONS OF APPROVAL
[PETROLEUM CONSOLIDATORS, INC.] (24-SE-004)

I, _____, being sworn, do hereby certify and affirm that the following statements are true:

I have read in its entirety the [PETROLEUM CONSOLIDATORS, INC. & 24-SE-004] Development Review Report, any Supplemental Development Review Reports, and all attachments and exhibits associated with the special exception use application filed with the City of Lauderhill, Florida Planning and Zoning Division and understand its contents. *I further acknowledge that Special Exception Use applications are reviewed and will be subject to approval by the Lauderhill City Commission in a quasi-judicial hearing and my attendance at the hearing, or the attendance of my representative or designee, is required to ensure all facts pertaining to the matter are put on record.*

I have read and understand the below described conditions of approval and voluntarily agree to comply with all said conditions. I understand that no Special Exception will be executed or approved in final until and unless this signed Affidavit is submitted to the City:

1. This special exception use development order to allow the Service Station with Convenience Store is specifically granted to Petroleum Consolidators Inc. d/b/a 441 Marathon and such development order cannot be conveyed to another person or entity. Any change of corporate ownership affecting 51% percent or more of the interest of the business or any of its assets in any manner shall trigger this provision. Notwithstanding, the service station and convenience stores may be operated by other business entities so long as there is no change in ownership as specified herein.
2. The Service Station with Convenience Store use is restricted to 2,626 square feet of leasable space located at 2099 N State Road 7 Lauderhill, Florida. 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 is prohibited and shall be unlawful unless the City Commission amends this development order or grants a new development order to allow such expansion, alteration, enlargement or removal to another location. Notwithstanding the above, through the site plan modification process, the City Commission delegates to the Development Review Committee (DRC) the authority to allow the floor plan to be altered; however, the DRC is without authority to allow the expansion, enlargement, or removal of the use to another location.
3. The Service Station with Convenience Store days and hours of operation are Sunday through Saturday 24 Hours. Alcoholic beverage sales will be limited to beer and wine on the days and hours imposed by Land Development Regulations Article III., Part 5.0., Subsection 5.3.1.A.

SPECIAL EXCEPTION USE AFFIDAVIT
COMPLIANCE WITH CONDITIONS OF APPROVAL
[PETROLEUM CONSOLIDATORS, INC.] (24-SE-004)

4. Petroleum Consolidators Inc. shall comply with all of the requirements of Section 812.173, Florida Statutes regarding security at convenience stores as well as comply with all provisions required in Article VII Section 12-106- Convenience Stores of the Code of Ordinances and Article III Sec 5.15.A of the Land Development Code. Such conditions must be met and required at time of Certificate of Use.
5. 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.
6. 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.
7. Any special exception approval granted by the City Commission shall expire one hundred eighty (180) days after the date of approval, unless a Certificate of Use (COU) is submitted and subsequently approved within the one hundred eighty-day period.
8. 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.
9. The owner shall execute a trespass agreement for the police department to keep on file for enforcement.
10. Property Owner or Operator must provide a security plan that demonstrates how they will prevent and reduce the amount of police calls associated with trespassing or the presence of other loitering. In addition to said security plan the property owner or operator shall also provide a property maintenance plan that demonstrates how they will maintain cleanliness in compliance with the Code of Ordinances.

Any violation of these conditions may result in a public hearing before the City Commission in order to determine whether this special exception use development order should be revoked, suspended or modified.

I understand that I am swearing or affirming under oath the truthfulness of the claims made in this affidavit and that the punishment for knowingly making a false statement

SPECIAL EXCEPTION USE AFFIDAVIT
COMPLIANCE WITH CONDITIONS OF APPROVAL

[PETROLEUM CONSOLIDATORS, INC.] (24-SE-004)

may include the modification, suspension or revocation of any resolution adopting the special exception use application and any certificate of use associated with the special exception use approval.

Print your name: _____

Sign your name: _____

Date signed: _____

The foregoing instrument was acknowledged before me this _____ day of _____, 202_____, by _____, who is personally known to me or who has produced _____ as identification and who did take an oath.

Notary public

Print your name: _____

Sign your name: _____

State of Florida at Large Seal

My Commission Expires: _____