

**City of Lauderhill**

Special Exception Application No.19-SE-002

Gothrig Health Care Services, LLC

**I. APPLICANT INFORMATION**

PETITIONER

Dr. Gardy Rigaud

STATUS OF PETITIONER

Business Owner

**II. BACKGROUND INFORMATION**

Requested Action

Request for a Special Exception Use General Development Order for an Office, Medical Controlled Substance Provider.

Applicable Land Development Regulations

Article IV, Part 4, Section 4.4. Approval for Special Exception Uses.

Article III, Section 2.3. Allowable land uses.

Article IV, 4.3 B. Existing zoning provisions and uses.

**III. SITE INFORMATION**

Location/Legal Description

SUNRISE PROFESSIONAL CENTER CONDO UNIT 207

2331 N. STATE ROAD 7, STE 207

Lauderhill, FL, 33313

FOLIO # 494125KB0310

**LOCATION MAP**



Land Use/Zoning:

Existing Land Use	Commercial
Future Land Use Designation	Commercial/Transit Oriented Corridor
Zoning Designation	CG

Adjacent Designations:

	Existing Use	Future Designation	Zoning
North	Village Center Plaza	Commercial	CG (General Commercial)
South	State Road 7 Laundry, LLC	Transit Oriented Corridor	CG (General Commercial)

East	N. State Rd 7, City of Lauderdale Lakes	Not within City limits	Not within City limits
West	NW 41 <sup>st</sup> Ave, then Cypress Tree Condominium	Multi-family Residential (more than 10 units)	RM-22(Residential Multi-family

**IV. ZONING HISTORY**

Existing Special Exceptions

None. This business is new to the City of Lauderdale

Violations

None.

Existing Variances

None

**V. 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 Lauderdale.
7. Factors relating to safety, health, and general public welfare.

The subject site is the Sunrise Professional Commercial Condominium plaza abutting a commercial plaza to the north and a commercial use to the east. This plaza frontage is the along the N. State Road 7 corridor, and the City of Lauderdale Lakes to the east. The site abuts a Multi-family residential zoning district (RM-22) to the west. This plaza,

located within the General Commercial (CG) zoning district, is suitable for medical, business and professional offices. The existing tenants within the plaza include and retail uses, personal services, as well as medical, business and professional offices.

Dr. Gardy Rigaud will be the only Doctor on staff, and will be providing multi-lingual Psychiatric and General Health Care services. Dr. Rigaud is licensed as An Area of Critical Need Medical Doctor from the Florida Department of Health Division of Medical Quality Assurance. He also holds a DEA licenses to prescribe controlled substances for **mental health and medical patients**.

Dr. Rigaud is in good standing with the Florida Board of Medicine, and has no complaints or disciplinary actions on file.

Based upon its review, staff finds the proposed use of a Medical office with controlled substance provider to be consistent with the above considerations. As such, staff recommends approval of the special exception request.

## **VI. RECOMMENDATION/ACTION**

Planning and Zoning recommends approval of the Special Exception Use application for an Office, Medical, Controlled Substance Provider.

Recommend approval of the special exception development order with the following conditions:

1. This Special Exception Use development order allows for no controlled substance prescriptions to anyone other than a medical and/or psychiatric patient in connection with a medical appointment or psychiatric appointment with the doctor licensed and approved to practice medicine on the premises.
2. This Special Exception Use development order allows for no controlled substance prescription refills to anyone other than the patient on the day that they are being seen by the doctor and approved to practice medicine on the premises.
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. This Special Exception Use development order for Office, Medical, Dental with Controlled Substance Provider shall be specifically granted to Gothrig Health Care Services, LL and shall cover the licensed Medical Doctor, Dr. Gardy Rigaud, and

(to include both employees and independent contractors working for Gothrig Health Care Services, LLC where for clarification, such independent contractor bills under the billing number of Gothrig Health Care Services, LLC and the patients are patients of record of Gothrig Health Care Services, 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 Gothrig Health Care Services, 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.

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.

**VII. ATTACHMENTS**

1. Application
2. Medical License
3. DEA Controlled Substances Prescriber License
4. SEU Conditions Affidavit

Prepared by: Shani Langrin, Planning & Zoning

Date: March 15, 2019