

**RESOLUTION NO. 20R-06-108**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA GRANTING A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO CAROM BILLIARDS TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT A BILLIARD OR POOL PARLOR USE ON A 3.12 ± ACRE SITE LEGALLY DESCRIBED AS BOULEVARD SHOPPES NO 106-45 1 B LOT 2,3,4 AND 5 BLK 4, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN OFFICIAL RECORDS BOOK 106, PAGE 45, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 5141 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 zoning district by Special Exception approval only; and

WHEREAS City Staff recommends that the City Commission vote IN FAVOR OF 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 Carom Billiards to allow in the General Commercial (CG) Zoning District a Billiard or Pool Parlor Use on a 3.12 ± acre site legally described as Boulevard Shoppes No. 106-45 1 B LOT 2,3,4 and 5 BLK 4, according to the Plat thereof, as recorded in the Official Public Records of Broward County, Florida, at Book 106, Page 45, more commonly known as 5141 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 Hall use is specifically granted to Carom Billiards, Inc. and such development order cannot be assigned, leased, subleased, transferred, or otherwise conveyed to another person or entity.

Further, this special exception use development order shall automatically expire and become null and void if any person or entity other than Carom Billiards, Inc. operates the land use.

2. The Billiard or pool Hall use is restricted to 1,622 square feet of leasable space as shown on the floor plan, the street address being 5141 N. University Drive, Lauderhill, Florida. Consistent with Land Development Regulation Article IV., Part 4.0, Section 4.3., the expansion, alteration, enlargement, or removal to another location of these uses is prohibited and shall be unlawful unless the City Commission amends this development order to allow such expansion, alteration, enlargement, or removal to another location.
3. The hours of operation are limited to Sunday through Thursday from 11:00A.M. until 11:00P.M. and Fridays and Saturdays from 11:00A.M. until 2:00A.M.
4. Alcoholic beverage sales and consumption are prohibited, unless and until a full restaurant license is issued by the State of Florida Department of Business and Professional Regulation at which time the sales of beer and/or wine would be allowed as a permitted use through the Certificate of Use review process, without the need for Special Exception Use approval.
5. If the City's Police Department or Code Department records more than three instances regarding noise, loitering, parking or criminal activity, either from observation by police officers or verified from complaints by three or more unrelated individuals, within any ninety (90) day period, the special exception use 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 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 development permit or site plan approval, if appropriate, is applied for within the one hundred eighty-day period.

- 8. 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

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 \_\_\_\_\_, 2020.

PASSED AND ADOPTED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
PRESIDING OFFICER

ATTEST:

\_\_\_\_\_  
CITY CLERK

MOTION \_\_\_\_\_  
SECOND \_\_\_\_\_

M. BATES \_\_\_\_\_  
H. BERGER \_\_\_\_\_  
R. CAMPBELL \_\_\_\_\_  
D. GRANT \_\_\_\_\_  
K. THURSTON \_\_\_\_\_

Approved as to Form

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W. Earl Hall  
City Attorney