

RESOLUTION NO. 19R-03-58

A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING TO GOTHRIK HEALTH CARE SERVICES, LLC. A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT AN OFFICE, MEDICAL, CONTROLLED SUBSTANCE PROVIDER ON A 2.06± ACRE SITE ON PROPERTY DESCRIBED AS SUNRISE PROFESSIONAL CENTER CONDOMINIUM UNIT 207, ACCORDING TO THE DECLARATION OF CONDOMINIUM THEREOF, RECORDED IN OFFICIAL RECORDS BOOK 40983, PAGE 1208, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 2331 N. STATE ROAD 7, SUITE 207, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, this property is zoned General Commercial (CG) Zoning District by the City of Lauderhill Zoning Map; and

WHEREAS, pursuant to the Land Development Regulations (LDR), this use is permitted in this zoning district by Special Exception approval only; and

WHEREAS City Staff recommends 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 Gothrig Health Care Services, LLC. to allow an office, medical, controlled substance provider within the General Commercial (CG) Zoning District on an approximate ± 2.06 acre site on property described as Sunrise Professional Center Condominium Unit 207, according to the Declaration of Condominium thereof, recorded in Official Records Book 40983, Page 1208, of the Public Records of Broward County, Florida, more commonly known as 2331 N. State Road 7, Suite 207, Lauderhill, Florida, is hereby approved subject to 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.

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 _____, 2019.

PASSED AND ADOPTED on first reading this _____ day of _____, 2019.

PRESIDING OFFICER

ATTEST:

CITY CLERK

MOTION
SECOND

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

Approved as to Form

W. Earl Hall
City Attorney