

SPECIAL EXCEPTION USE AFFIDAVIT OF COMPLIANCE WITH CONDITIONS OF APPROVAL

Special Exception Application No. 19-SE-011

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

I have read in its entirety the Pedipeec, Inc (19-SE-011) 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 have read and understand the below described conditions of approval and voluntarily agree to comply with all said conditions:

1. This special exception use development order for a child care use with before and after care services is specifically granted to Pedipeec, Inc and such development order cannot be assigned, leased, subleased, transferred or otherwise conveyed to another person. Further, this special exception use development order shall automatically expire and become null and void if any person other than Pedipeec, Inc, operates the uses. 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. This special exception use development order shall automatically expire and become null and void if the use shall cease to operate. Moreover, this special exception use development order shall automatically expire and become null and void if Pedipeec, Inc. is sold, assigned, transferred or otherwise conveyed to another person.

2. The child care use is restricted to a total of 1,662 square feet as indicated on the proposed site plan within the fenced outdoor area between both existing buildings (**Attachment A**). 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 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, reduction or removal of the use to another location.

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3. The general days and hours of operation are Monday through Friday from 7:00 a.m. to 7:00 p.m. Any increase in either the days or hours of operation or both is prohibited and shall be unlawful unless the City Commission amends this development order to allow such increase.
4. The Childcare use with before and after care shall be ancillary to the Primary Medical Office Use (With Non-Controlled Substance Practitioner).
5. Within 45 days of the effective date of this development order, the applicant shall file a site plan modification application for all site plan related modifications. Said improvements (not related to ADA) shall be constructed within 180 days of receipt of the site plan modification application, any improvements to meet State of Florida ADA requirements shall be constructed within 90 days of receipt of the site plan modification application.
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. Pedipec, Inc. shall provide to the Finance Department evidence that a state Prescribed Pediatric Extended Care facility license has been granted for child care consistent with this development order before a Certificate of Use (COU) of a Local Business Tax Receipt (LBTR) is issued for the use. Pedipec, Inc. shall annually file with its City LBTR application a copy of their valid state child care licenses.
8. If the City's Code Enforcement Board assesses a lien for landscaping, trash or other unsightly or unsafe conditions, 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 or revocation.
9. 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.

