

**RESOLUTION NO. 20R-12-249**

**A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING TO FIREWORKS LADY & CO. LLC A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT A HOLIDAY SALES USE ON A +/- 14.02 ACRE SITE WITH THE LEGALLY DESCRIPTION AS CONTAINED HEREIN, MORE COMMONLY KNOWN AS 7342 - 7562 W. COMMERCIAL BOULEVARD, LAUDERHILL, FLORIDA; PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR CONFLICTS; 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 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 Fireworks Lady & Co., LLC, to allow in the General Commercial (CG) Zoning District a holiday sales use on a 14.02 ± acre site legally described as provided herein and more commonly known as 7342-7562 W. Commercial Boulevard, is hereby approved subject to the following conditions:

1. This special exception use development order for Holiday Sales Use is specifically granted to FIREWORKS LADY & CO. LLC 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 FIREWORKS LADY & CO. LLC. operates the land use.
2. The Holiday Sales Use shall be restricted to the configuration and parameters established in the attached Site Plan and shall be subject to a Promotional License Approval.
3. The hours of operation are limited to Monday through Sunday from 10:00 AM to 10:00 PM and shall be restricted to December 15, 2020 to January 1, 2021. The Special Exception shall become null and void after January 1, 2021.
4. Only one (1) sign shall be allowed, which shall be professionally drawn.
5. All applicable building permits shall be obtained at least two (2) business days before the first day of the holiday sales event.

6. The local business tax shall be paid at least two (2) business days before the first day of the holiday sales event.
7. A five hundred dollar (\$500.00) cash bond made out to the City for clean-up costs shall be provided at least two (2) business days before the first day of the holiday sales event. If the applicant vacates the site within twenty-four (24) hours after the holiday sales event have terminated and the site is left in a clean condition, then the bond shall be returned to the person who posted same. If the applicant does not vacate the site within twenty-four (24) hours after the holiday sales event have terminated, or has not left the site in a clean condition, the bond shall be forfeited.
8. 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.

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. DUNN \_\_\_\_\_  
D. GRANT \_\_\_\_\_  
L. MARTIN \_\_\_\_\_  
S. MARTIN \_\_\_\_\_  
K. THURSTON \_\_\_\_\_

Approved as to Form

\_\_\_\_\_  
W. Earl Hall  
City Attorney