

RESOLUTION NO. 11R-10-232

A RESOLUTION GRANTING A SPECIAL EXCEPTION USE DEVELOPMENT ORDER TO THE JAMAICA EX-POLICE ASSOCIATION OF SOUTH FLORIDA, INC. (JEPASF), SUBJECT TO CONDITIONS, TO ALLOW A \pm 1,500 SQUARE FOOT NON-PROFIT SOCIAL CLUB WITH INDOOR LIVE ENTERTAINMENT AND ACCESSORY ON PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT ON A \pm 8.45 ACRE SITE LOCATED ON A PORTION OF TRACT B, PLAT OF INVEREALTY TRACT 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 111, PAGE 46 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND MORE COMMONLY KNOWN AS OAKBROOK PLAZA, 7153 WEST OAKLAND PARK BOULEVARD, 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 this Special Exception Use Development Order request;

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA:

Section 1. The Special Exception Use Development Order of The Jamaica Ex-Police Association of South Florida, Inc. (JEPASF), to allow a \pm 1,500 square foot non-profit social club with indoor live entertainment and accessory on premises consumption of alcoholic beverages in the General Commercial (CG) Zoning District on a \pm 8.45 acre site located on a portion of Tract B, Plat of Inverealty Tract 1, according to the Plat thereof, as recorded in Plat Book 111, Page 46 of the Public Records of Broward County, Florida, more commonly known as Oakbrook Plaza, 7153 West Oakland Park Boulevard, Lauderhill, Florida, is hereby approved subject to the following conditions:

1. This special exception use development order for a social club use with indoor live entertainment and accessory on premises consumption of alcoholic beverage is specifically granted to The Jamaica Ex-Police Association of South Florida, 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 The Jamaica Ex-Police Association of South Florida, Inc. operates the land uses.

2. The social club use with indoor live entertainment and accessory on premises consumption of alcoholic beverages is restricted to 1,500+ square feet of leasable space as shown on the floor plan, the street address being 7153 W. Oakland Park Blvd., Lauderdale, Florida. Consistent with Land Development Regulations 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 or grants a new 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, or removal of the uses to another location.
3. Alcoholic beverage sales and the outdoor consumption of alcoholic beverages are prohibited.
4. The days and hours of operation are restricted as follows:
 - a. *Social club.*
 - 1) Sunday through Thursday from 11:00 a.m. to midnight
 - 2) Friday and Saturday from 11:00 a.m. to 2:00 a.m. the following day
 - b. *Indoor live entertainment.*
 - 1) Sunday through Thursday from 11:00 a.m. to 10:30 p.m.
 - 2) Friday and Saturday from 11:00 a.m. to 1:30 a.m. the following day
 - c. *Accessory alcoholic beverage consumption.*
 - 1) Sunday through Thursday from 11:00 a.m. to 11:30 p.m.
 - 2) Friday and Saturday from 11:00 a.m. to 1:30 a.m. the following day

Any increase in the above-described hours of operation is prohibited, is unlawful and shall be considered a willful violation of this development order.

5. If the City receives three (3) or more noise complaints against the use, or if more than three (3) police reports are filed by at least three (3) different persons within any ninety (90) day period, the City Commission may hold a duly noticed public to review the special exception use and may add, modify, suspend or revoke any conditions of approval or the development order. Operation of all land uses shall comply with all other applicable laws, rules and regulations.
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.

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.

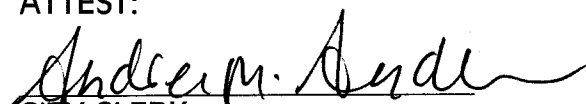
Section 3. This Resolution shall take effect immediately upon its passage.

DATED this 31st day of October, 2011.

PASSED AND ADOPTED on first reading this 31st day of October, 2011.


PRESIDING OFFICER

ATTEST:


CITY CLERK

MOTION
SECOND

Bates

Thurston

M. BATES
H. BENSON
H. BERGER
K. THURSTON
R. KAPLAN

Yes

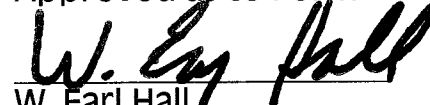
No

Yes

Yes

Yes

Approved as to Form


W. Earl Hall
City Attorney

CITY OF LAUDERHILL COMMISSION MEETING

Agenda Request

Indicate with an (x) this type of request:

☐ ORDINANCE
☒ RESOLUTION
☐ OTHER

Meeting Date: October 31, 2011

Requested Action: Adopt a resolution granting to The Jamaica Ex-Police Association of South Florida, Inc. a special exception use development order to allow in the General Commercial (CG) zoning district a 1,500± square foot non-profit social club with indoor live entertainment and accessory on premises consumption of alcoholic beverages on a 8.45± acre site legally described as a portion of Tract B, Plat of Inverreality Tract 1, according to the Plat thereof, as recorded in Plat Book 111, Page 46, of the public records of Broward County, Florida, more commonly known as Oakbrook Plaza, 7153 West Oakland Park Blvd., Lauderhill, Florida, subject to conditions.

Need: The Jamaica Ex-Police Association of South Florida, Inc. (JEPASF) has requested permission to operate a 1,500± square foot non-profit social club with live entertainment and alcoholic beverage sales and services. The proposed hours of operation for all uses are as follows:

- Sunday from 10:00 a.m. through 2:00 a.m. the following day; and
- Monday through Saturday from 10:00 a.m. through 4:00 a.m. the following day.

Each of these three land uses are special exception uses in the General Commercial (CG) zoning district and require City Commission approval.

Summary Background: The JEPASF is proposing to operate a non-profit social club with alcoholic beverage sales and service and indoor live indoor entertainment in Oakbrook Plaza, a commercial retail center located on the north side of Oakland Park Boulevard east of Inverrary Blvd. West. The JAPASF is a Florida-registered non-profit organization currently operating in the City of Lauderdale Lakes. Founded in 1992, its mission includes philanthropic activities such as an annual fundraising ball that helps provide scholarships for one American student and one Jamaican student. Larger functions are held offsite. This location will serve as a meeting place and social club for members and invited guests.

The Land Development Regulations allow alcoholic beverage sales from establishments that are separated by a minimum of five hundred (500) feet from main entrance to main entrance, as measured along the shortest route of ordinary pedestrian travel. King's Super Buffet, a restaurant that sells beer and wine, is located within Oakbrook Plaza and JEPASF has not met the burden of demonstrating that it is located more than 500 feet from the restaurant. Therefore, the on-site sales of alcoholic beverage are prohibited but not its consumption.

Staff Recommendation: Staff recommends the City Commission adopt the Resolution subject to the following conditions:

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CITY OF LAUDERHILL COMMISSION MEETING

Agenda Request

1. This special exception use development order for a social club use with indoor live entertainment and accessory on premises consumption of alcoholic beverage is specifically granted to The Jamaica Ex-Police Association of South Florida, Inc. and such development order can not 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 The Jamaica Ex-Police Association of South Florida, Inc. operates the land uses.
2. The social club use with indoor live entertainment and accessory on premises consumption of alcoholic beverages is restricted to 1,500+ square feet of leasable space as shown on the floor plan, the street address being 7153 W. Oakland Park Blvd., Lauderhill, Florida. Consistent with Land Development Regulations 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 or grants a new 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, or removal of the uses to another location.
3. Alcoholic beverage sales and the outdoor consumption of alcoholic beverages are prohibited.
4. The days and hours of operation are restricted as follows:
 - a. *Social club.*
 - 1) Sunday through Thursday from 11:00 a.m. to midnight
 - 2) Friday and Saturday from 11:00 a.m. to 2:00 a.m. the following day
 - b. *Indoor live entertainment.*
 - 1) Sunday through Thursday from 11:00 a.m. to 10:30 p.m.
 - 2) Friday and Saturday from 11:00 a.m. to 1:30 a.m. the following day
 - c. *Accessory alcoholic beverage consumption.*
 - 1) Sunday through Thursday from 11:00 a.m. to 11:30 p.m.
 - 2) Friday and Saturday from 11:00 a.m. to 1:30 a.m. the following day

Any increase in the above-described hours of operation is prohibited, is unlawful and shall be considered a willful violation of this development order.
5. If the City receives three (3) or more noise complaints against the use, or if more than three (3) police reports are filed by at least three (3) different persons within any ninety (90) day period, the City Commission may hold a duly noticed public to review the special exception use and may add, modify, suspend or revoke any conditions of approval

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CITY OF LAUDERHILL
COMMISSION MEETING

Agenda Request

or the development order. Operation of all land uses shall comply with all other applicable laws, rules and regulations.

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.

Attachments: (Number all attachments consecutively) Development Review Report

Cost Summary/ Fiscal Impact: (Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements) Staff finds the implementation of this resolution will not require a budget allocation or expenditure of City funds and concludes it does not have any direct fiscal impact on the City's budget.


ehahn

Oct 18 2011 4:19 PM

Recommended By:

(City Planner)

Recommended By:


dgiancoli

Oct 19 2011 9:02 AM

(Division Director)

Approved By:


khobbs

Oct 19 2011 11:00 AM

(Finance/Department Director)

Approved By:



(City Manager)

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**CITY OF LAUDERHILL
COMMISSION MEETING**

Agenda Request

(This agenda request is to be displayed with the Agenda announcement on the City's website)



Agenda Item No.

DEVELOPMENT REVIEW REPORT

The matter before the City Commission is a resolution granting to The Jamaica Ex-Police Association of South Florida, Inc. a special exception use development order to allow in the General Commercial (CG) zoning district a 1,500± square foot non-profit social club with indoor live entertainment and accessory on premises consumption of alcoholic beverages on a 8.45± acre site legally described as a portion of Tract B, Plat of Inverreality Tract 1, according to the Plat thereof, as recorded in Plat Book 111, Page 46, of the Public Records of Broward County, Florida, more commonly known as 7153 West Oakland Park Blvd., Lauderdale, Florida. The matter is before the City Commission because the Land Development Regulations provide that the City Commission makes the final determination on special exception use applications, and within the General Commercial (CG) zoning district social clubs and indoor live entertainment are special exception uses. *Planning and Zoning recommends the City Commission **adopt** a resolution granting to The Jamaica Ex-Police Association of South Florida, Inc., a special exception use development order with conditions to allow in the General Commercial (CG) zoning district a 1,500± square foot non-profit social club with indoor live entertainment and accessory on premises consumption of alcoholic beverages on a 8.45± acre site legally described as a portion of Tract B, Plat of Inverreality Tract 1, according to the Plat thereof, as recorded in Plat Book 111, Page 46, of the Public Records of Broward County, Florida, more commonly known as 7153 West Oakland Park Blvd., Lauderdale, Florida.*

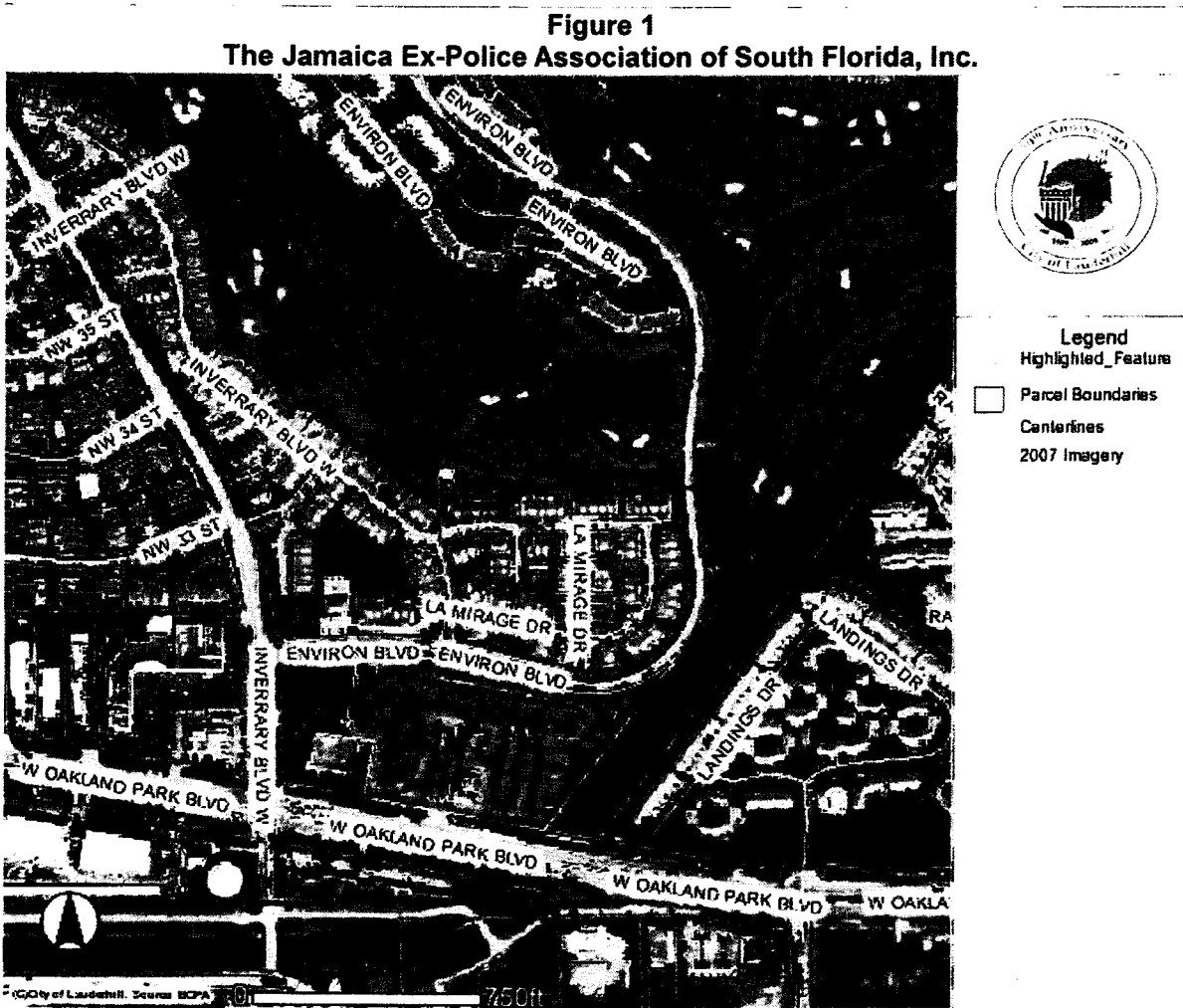
I. BACKGROUND

The Jamaica Ex-Police Association of South Florida, Inc. (JEPASF) is a Florida-registered non-profit organization currently operating in the City of Lauderdale Lakes with strong ties to the local community, as evidenced by the included letters of recommendation (See Attachment A). Founded in 1992, its mission statement, according to its website, is... "to develop and promote volunteerism and philanthropy, to help foster interpersonal relationship, to promote and enhance high civic pride and value through academic achievement and social functions." Philanthropic activities include an annual fundraising ball that helps provide scholarships for one American student and one Jamaican student. Larger functions, such as the fundraising ball, are held offsite. This location will serve as a meeting place and as a social club for members and invited guests.

JEPASF is proposing to relocate its club to Oakbrook Plaza, a commercial center located on the north side of Oakland Park Blvd., slightly east of Inverrary Blvd. West. The applicant has requested the following land uses:

- A 1,500± square foot non-profit social club;
- Hours of operation from 10:00 a.m. through 4:00 a.m., Monday through Sunday morning, and from 10 a.m. through 2:00 a.m. on Sunday through Monday morning;
- Alcoholic beverage sales and service (beer and wine) for members and their guests;
- Live indoor entertainment.

Figure 1 is an aerial photograph that highlights the subject property in red and that shows the abutting land uses.



II. SPECIAL EXCEPTION USE APPLICATION

A special exception use development order application (11-SE-010) filed by the Applicant, Alphonso Dunn, as authorized agent for the Jamaica Ex-Police Association of South Florida, Inc. to allow in the General Commercial (CG) zoning district a 1,500± square foot non-profit social club with indoor live entertainment and accessory on premises consumption of alcoholic beverages on a 8.45± acre site legally described as a portion of Tract B, Plat of Inveready Tract 1, according to the Plat thereof, as recorded in Plat Book 111, Page 46, of the Public Records of Broward County, Florida, more commonly known as 7153 West Oakland Park Blvd., Lauderdale, Florida. The application is on file in Planning and Zoning and is incorporated herein by reference.

III. DATA & ANALYSIS

Land Development Regulations (LDR) Article IV., Development Review Requirements, Part 1.0., generally addresses provisions on a pre-application conference for persons proposing to submit land development order applications, the review of land development order and permit applications for technical completeness, and the application review period. LDR Article IV., Part 4.0., generally addresses special exception uses. LDR Article III., Zoning Districts, Part 5.0., Special Regulations for Specific Land Use Classifications and Structures, Section 5.3. addresses alcoholic beverage uses.

- A. Special exception use filing requirements. LDR Article IV., Part 4.0., subsection 4.5.A. requires the application set forth in detail the proposed use, including a site plan, floor plan, response to standards of approval and an inventory of fixtures and equipment to be used on said premises and any other documentation required by Planning and Zoning.

The Applicant has provided standard documentation in accordance with LDR filing requirements (see Attachments B through E). Staff has determined that additional documentation is not necessary to make a recommendation to the special exception use application. Consequently, Staff concludes the application is in conformance with LDR Article IV., Part 4.0., Subsection 4.5.A.

- B. Application acceptance requirements. LDR Article IV., Part 4.0., Subsection 4.5.B. provides Staff shall not accept a special exception use application if the property is subject to unpaid city liens, fines or fees. Staff has confirmed with the Finance and Support Services Division that any open accounts (utility and Certificate of Use fees) were not filed against the Applicant. Thus, Staff concludes that the application has met the intent of LDR Article IV., Part 4.0., Subsection 4.5.B.
- C. Zoning requirements. LDR Article III, Section 2.2. addresses assignment of zoning districts. Staff finds the site is zoned General Commercial (CG) district on the City's Zoning District Map.
- D. Allowable land uses. LDR Article III, Sections 2.3. and 2.4., and Schedule B. respectively address permitted and special exception uses. Staff finds that social clubs, indoor live entertainment and alcoholic beverage service are allowed in the CG zoning district as special exception uses. Alcoholic beverage sales are allowed in the CG

zoning district as special exception uses, but are subject to distance separation requirements of 500 feet as measured by the shortest pedestrian pathway, from main entry to main entry.

- E. Review standards. LDR Article IV., Part 4.0., Section 4.6., Standards for approval, provides the City Commission, in reviewing any application for a special exception use, shall consider seven (7) specific standards. These standards are applied below to the proposed special exception use application.

1. *The effect of such use on surrounding properties.* Table A displays the Future Land Use Map Series designations, zoning districts, and existing uses for the site and adjacent areas.

**TABLE A
FUTURE LAND USE DESIGNATION, ZONING DISTRICT AND EXISTING USES**

Direction	Future Land Use	Zoning	Existing uses
Site	Commercial/Dashed line (Invetary Stipulated Settlement Agreement)	General Commercial (CG)	Oakbrook Plaza
North	Dashed line Residential (Invetary Stipulated Settlement Agreement)	Environ Blvd., then Residential Multi-Family (RM-18)	La Mirage
East	Dashed line Residential (Invetary Stipulated Settlement Agreement)	Canal, then Residential Multi-Family (RM-18)	Serramar
South	Commercial	Oakland Park Blvd., then General Commercial (CG)	Shoppes of Oakland
West	Commercial/Dashed line (Invetary Stipulated Settlement Agreement)	General Commercial (CG)	Walgreens

Sources: City Future Land Use Map, City Zoning District Map, site and vicinity windshield survey (September 2011).

Staff finds that noise, days and hours of operation, and unruly behavior can have a major impact and effect upon the surrounding properties.

Noise. To help mitigate noise between residential and commercial uses, Land Development Regulations, Article III, Part 5.0, Section 5.18.16 requires that wherever a district zoned commercial abuts a residential district or is separated from a residential district by a street, alley, canal or other open space, then any plot or parcel in such nonresidential district shall be buffered from the residential district by a wall of eight (8) feet high.

Currently, there is an approximately 6-1/2 foot high masonry wall at the rear of the property that separates the commercial uses from La Mirage, the residential use to the north. La Mirage is surrounded by an approximately 6-foot high masonry wall and landscaping. The uses are further separated by Environ Blvd., a 60-foot wide road.

Serramar, the residential use to the east, is buffered from the commercial uses by an approximately 5-foot high masonry wall, and is further separated by a canal that is approximately 165 feet wide at its narrowest point.

Although the commercial and residential zoning districts abut on the zoning map, in reality the distances from commercial rear building wall to the closest residential building wall to the north exceeds 150 feet, and the closest commercial side building wall to the closest residential building wall to the east is over 300 feet. Further, although the LDR establishes a minimum 25 feet rear building setback, Staff finds the site plan provides for a rear-building setback exceeding 60 feet. Staff concludes the additional building setback is another factor that helps to reduce vehicular related noise. Therefore, it seems reasonable to determine that the surrounding residential neighborhoods are sufficiently buffered. However, to help mitigate potentially negative effects of noise on the abutting residential uses, and due to the inability to properly monitor decibel levels, Staff recommends the following condition of approval:

- ***THIS SPECIAL EXCEPTION USE DEVELOPMENT ORDER FOR A SOCIAL CLUB USE WITH INDOOR LIVE ENTERTAINMENT AND ACCESSORY ON PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGE IS SPECIFICALLY GRANTED TO THE JAMAICA EX-POLICE ASSOCIATION OF SOUTH FLORIDA, INC. AND SUCH DEVELOPMENT ORDER CAN NOT 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 THE JAMAICA EX-POLICE ASSOCIATION OF SOUTH FLORIDA, INC. OPERATES THE LAND USES.***
- ***THE SOCIAL CLUB USE WITH INDOOR LIVE ENTERTAINMENT AND ACCESSORY ON PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES IS RESTRICTED TO 1,500+ SQUARE FEET OF LEASABLE SPACE AS SHOWN ON THE FLOOR PLAN, THE STREET ADDRESS BEING 7153 W. OAKLAND PARK BLVD., LAUDERHILL, FLORIDA. CONSISTENT WITH LAND DEVELOPMENT REGULATIONS 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 OR GRANTS A NEW 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, OR REMOVAL OF THE USES TO ANOTHER LOCATION.***

Days and Hours of Operation. To help mitigate potential incompatibilities, Staff recommends that the City Commission approve the special exception use for the following days and hours of operation:

- ***THE DAYS AND HOURS OF OPERATION ARE RESTRICTED AS FOLLOWS:***

- a. **SOCIAL CLUB.**
 - 1) **SUNDAY THROUGH THURSDAY FROM 11:00 A.M. TO MIDNIGHT**
 - 2) **FRIDAY AND SATURDAY FROM 11:00 A.M. TO 2:00 A.M. THE FOLLOWING DAY**
- b. **INDOOR LIVE ENTERTAINMENT.**
 - 1) **SUNDAY THROUGH THURSDAY FROM 11:00 A.M. TO 10:30 P.M.**
 - 2) **FRIDAY AND SATURDAY FROM 11:00 A.M. TO 1:30 A.M. THE FOLLOWING DAY**
- c. **ACCESSORY ALCOHOLIC BEVERAGE CONSUMPTION.**
 - 1) **SUNDAY THROUGH THURSDAY FROM 11:00 A.M. TO 11:30 P.M.**
 - 2) **FRIDAY AND SATURDAY FROM 11:00 A.M. TO 1:30 A.M. THE FOLLOWING DAY**

ANY INCREASE IN THE ABOVE-DESCRIBED HOURS OF OPERATION IS PROHIBITED, IS UNLAWFUL AND SHALL BE CONSIDERED A WILLFUL VIOLATION OF THIS DEVELOPMENT ORDER.

Staff concludes the application is **in conformance** with LDR Article IV, Part 4.0., Section 4.6. if approval is subject to the above recommended conditions.

2. *The suitability of the use in regard to its location, site characteristics, and intended purpose.*

- a. *Location.* Staff finds the proposed social club is located within an area designated as Commercial on the Future Land Use Map Series. Staff finds that recreation is allowed in the Commercial future land use designation. However, the abutting land uses to the north and east are Residential (governed by the Inverrary Stipulated Settlement Agreement) on the Future Land Use Map Series. The proximity of the proposed social club to the residential uses can cause land use incompatibilities unless appropriately mitigated.

Social club uses, including live entertainment confined to the interior of the building, with appropriate days and hours of operation, most likely will generate negligible additional noise. Therefore, Staff concludes the proposed social **may be suitable** with regard to its location.

- b. *Site characteristics.* Staff finds the proposed social club will be located within Oakbrook Plaza, a 8.45+ acre site. The site is developed facing Oakland Park Boulevard, with outparcels further buffering the center from the street. The proposed club is located in an interior bay of the center, with Minji's Café located on its east side and vacant space to the west.

There are no distinguishing site characteristics that make the site particularly appropriate or inappropriate for a social club. Therefore, Staff concludes the proposed social club **may be suitable** in regard to the site characteristics.

- c. *Intended purpose.* Staff finds the proposed social club is located within an area designated as General Commercial (CG) on the Zoning District Map. Staff finds the current Land Development Regulations do not provide a section on zoning district intent or purposes, as did the City's previously adopted code. The previous code provided the General Business (now General Commercial) zoning district is intended "to apply to arterial roads and trafficways where businesses primarily not of a neighborhood or community service type may properly locate to serve large sections of the City and metropolitan area. Such businesses generally require considerable ground area, do not cater to the pedestrian and need a conspicuous and accessible location convenient for motorists." Staff finds that the proposed use is located on Oakland Park Blvd., an arterial roadway that provides a conspicuous and accessible location convenient for motorists. Notwithstanding, the use does not require considerable ground area. Consequently, Staff concludes the proposed use **may be suitable** with regard to the intended purpose of the zoning district.
3. *Access, traffic generation and road capacities.* Staff finds that the site has vehicular, transit, and pedestrian access. Staff finds vehicular access is available for east and westbound traffic on Oakland Park Blvd. through one main central accessway on the property. Access is also available from Inverrary Blvd. West and Environ Blvd. Based on the above findings, Staff concludes the site has adequate vehicular access. Broward County provides public transit service along Oakland Park Boulevard via Route 72. Consequently, Staff concludes adequate transit access is available. A 5' sidewalk is available along Oakland Park Boulevard and Inverrary Boulevard West. Thus, Staff concludes that the site has adequate pedestrian access. It should be noted that under the County's new transportation concurrency system, conformance with the roadway level of service as a condition to granting a development order is no longer required. Instead, conformance with a transit-oriented level of service is required.
4. *Economic benefits or liabilities.* Staff finds the letter of intent shows the social club will be volunteer-based and there will be no paid employees. Staff further finds additional received economic benefits could be provided through sales taxes and expenditures by club members. Thus, Staff concludes the application is **in conformance** with LDR Article IV., Part 4.0., Section 4.6.
5. *Demands on utilities, community facilities, and public services.* Staff finds the proposed social club may generate additional demands for police services, although the actual impact of a social club on police services are unknown. Therefore, Staff concludes the application **may be in conformance** with LDR Article IV, Part 4.0., Section 4.6 provided proper security measures are enforced.
- **IF MORE THAN THREE (3) POLICE REPORTS ARE FILED BY AT LEAST THREE (3) DIFFERENT PERSONS WITHIN ANY NINETY (90) DAY PERIOD, THE MATTER WILL BE BROUGHT BEFORE THE CITY COMMISSION TO BE HEARD, AT WHICH TIME THE DEVELOPMENT ORDER MAY BE SUBJECT TO MODIFICATION, SUSPENSION OR REVOCATION.**

6. *Compliance with the Comprehensive Land Use Plans for Broward County and/or the City of Lauderdale.* The site has a future land use designation of Commercial on both the City's Future Land Use Map Series and the Broward County Land Use Plan Map Series. Recreation is allowed in both the City's and the County's Commercial future land use designations. Thus, Staff concludes the application is in conformance with LDR Article IV, Part 4.0., Section 4.6.

7. *Factors relating to safety, health, and general public welfare.* There is not any evidence demonstrating the safety, health and general public welfare will be adversely impacted. However, to ensure that the safety, health and general public welfare are safeguarded, Staff recommends the following condition be imposed:

- **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.**

Thus, Staff concludes the application is in conformance with LDR Article IV, Part 4.0., Section 4.6, provided the conditions are met.

F. Alcoholic beverage use. The applicants have indicated they intend to apply for a beer and wine license in order to sell beer and wine to its members and guests. Staff finds that Land Development Regulations, Article III. Zoning Districts, Part 5.0. Special Requirements for Specific Land Use Classifications, Section 5.3. Alcoholic Beverage Uses, regulates alcoholic beverage uses as follows:

1. *Responsible vendors of alcoholic beverages.* Subsection 5.3.1.(C)(7) provides that each vendor obtains a license to sell alcoholic beverages after the enactment of this subsection shall, within eighteen (18) months after obtaining a license to sell alcoholic beverages, provide proof to the City, in a form approved by the City, that the terms of this subsection are being complied with. No certificate of use or local business tax renewal shall be granted to that establishment until the terms have been complied with.
2. *Distances between establishments.* Subsection 5.3.2.(A)(3). provides that any establishment which sells alcoholic beverages for consumption on and off premises shall be located at least five hundred (500) feet from any other establishment which sells alcoholic beverages for consumption on or off premises. King's Super Buffet, also located in Oakbrook Plaza, appears to be located within 500 feet from the proposed social club as measured from main entrance to main entrance along the shortest route of ordinary pedestrian travel. Although the burden of proof for calculating exact distances is on the Applicant, Staff's general measurements indicate that alcoholic beverages sales would not be allowed in the social club.

Therefore, as a condition of approval:

- **ALCOHOLIC BEVERAGE SALES AND THE OUTDOOR CONSUMPTION OF ALCOHOLIC BEVERAGES ARE PROHIBITED.**

- G. Public hearing procedure. Public hearing procedures are addressed in Land Development Regulations Article IV., Part 4.0., Special Exception Uses, Section 4.9., Notice of Hearing and Section 163.3184, Florida Statutes. The Planning and Zoning Division has verified that the application is in compliance with public hearing procedures and requirements. Documentation is on file in the Planning and Zoning Division and is incorporated herein by reference.

IV. ATTACHMENTS

- Attachment A: Letters of Recommendation
Attachment B: Site Plan
Attachment C: Floor Plan
Attachment D: Application with Standards of Approval
Attachment E: Letter of Authorization from property owner/landlord

V. FINDINGS AND CONCLUSIONS

Based upon the information contained in this Development Review Report, the following findings of fact and conclusions of law are offered:

- A. Staff finds a special exception use application has been filed for The Jamaica Ex-Police Association of South Florida, Inc.
- B. Staff finds the site has a Future Land Use Map Series designation of Commercial on both the City's Future Land Use Map Series and the Broward County Land Use Plan Map Series. Staff further finds that recreational uses are allowed in both the City's and the County's Commercial future land use designations. Thus, Staff concludes the uses are consistent with the Comprehensive Plan.
- C. Staff finds the site is zoned General Commercial (CG) district and that zoning district is one of the zoning districts created to implement the Commercial future land use designation. Staff further finds the Land Development Regulations allow a social club and indoor live entertainment as special exception uses in the General Commercial (CG) zoning district.
- D. Staff finds the special exception use application and fee have been filed. Staff concludes the application is consistent with the requirements of LDR Article IV., Part 4.0., Subsection 4.5.A.
- E. Staff finds the site is not subject to any unpaid city liens, fines or fees and concludes the application is consistent with LDR Article IV., Part 4.0., Subsection 4.5.B.
- F. Staff finds the special exception use application is generally in compliance with Land Development Regulations Article IV., Part 4.0., Section 4.6., Standards for approval, subject to conditions.
- G. Staff finds the City Commission public hearing on the proposed special exception use application has been duly noticed: Staff has provided written mailed notice to all persons within a 300 feet radius of the site, the City Clerk has advertised the hearing in the Sun-Sentinel, and the Applicant has posted the property.

VI. ALTERNATIVE ACTIONS

LDR Article IV, Part 1.0., requires the City Commission to review the application and make its determination:

- A. That the application is in compliance with the LDR applicable standards and minimum requirements or that vested rights exist with regard to any non-compliance and that a development order is issued granting approval of the application.
- B. That the application is not in compliance with the LDR applicable standards and minimum requirements and that a development order not be issued approving the application.
- C. That the application is not in compliance with the LDR applicable standards and minimum requirements but conditions have been determined to be reasonably necessary to ensure compliance with the LDR applicable standards and minimum requirements and that vested rights exist with regard to any non-compliance and that a development order is issued granting approval of the application with said conditions.
- D. That the application be tabled for up to six months because the City Commission finds that available information is insufficient on which to base either approval or denial of the application and that a study is conducted to provide the City Commission with information sufficient to form a basis on which to approve or deny the application.

VII. RECOMMENDED ACTION

- A. Staff recommendation. Staff recommends the City Commission **adopt** a resolution granting to The Jamaica Ex-Police Association of South Florida, Inc., a special exception use development order to allow in the General Commercial (CG) zoning district a 1,500± square foot non-profit social club indoor live entertainment and accessory on premises consumption of alcoholic beverage, on a 8.45± acre site legally described as a portion of Tract B, Plat of Inverreality Tract 1, according to the Plat thereof, as recorded in Plat Book 111, Page 46, of the Public Records of Broward County, Florida, more commonly known as 7153 West Oakland Park Blvd., Lauderhill, Florida, subject to the following conditions:
 - 1. This special exception use development order for a social club use with indoor live entertainment and accessory on premises consumption of alcoholic beverage is specifically granted to The Jamaica Ex-Police Association of South Florida, Inc. and such development order can not 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 The Jamaica Ex-Police Association of South Florida, Inc. operates the land uses.
 - 2. The social club use with indoor live entertainment and accessory on premises consumption of alcoholic beverages is restricted to 1,500+ square feet of leasable space as shown on the floor plan, the street address being 7153 W. Oakland Park Blvd., Lauderhill, Florida. Consistent with Land Development

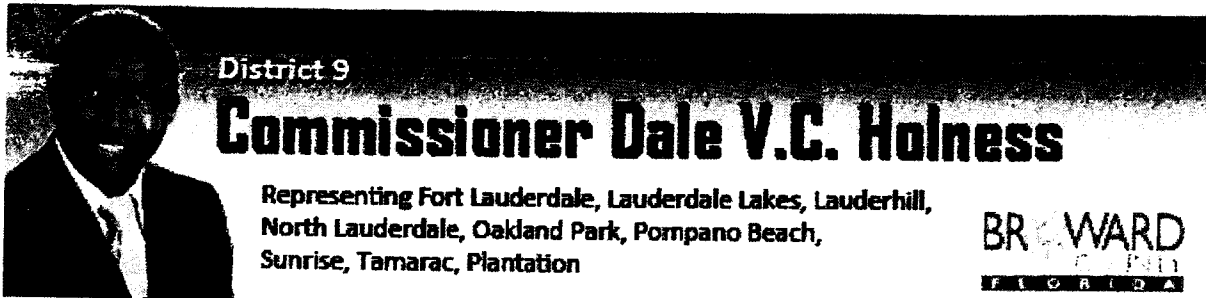
Regulations Article IV., Part 4.0., Section 4.3., the expansion, alteration, enlargement or removal to another location of these uses is prohibited and shall be unlawful unless the City Commission amends this development order or grants a new development order to allow such expansion, alteration, enlargement 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, or removal of the uses to another location.

3. Alcoholic beverage sales and the outdoor consumption of alcoholic beverages are prohibited.
4. The days and hours of operation are restricted as follows:
 - a. *Social club.*
 - 1) Sunday through Thursday from 11:00 a.m. to midnight
 - 2) Friday and Saturday from 11:00 a.m. to 2:00 a.m. the following day
 - b. *Indoor live entertainment.*
 - 1) Sunday through Thursday from 11:00 a.m. to 10:30 p.m.
 - 2) Friday and Saturday from 11:00 a.m. to 1:30 a.m. the following day
 - c. *Accessory alcoholic beverage consumption.*
 - 1) Sunday through Thursday from 11:00 a.m. to 11:30 p.m.
 - 2) Friday and Saturday from 11:00 a.m. to 1:30 a.m. the following day

Any increase in the above-described hours of operation is prohibited, is unlawful and shall be considered a willful violation of this development order.

5. If the City receives three (3) or more noise complaints against the use, or if more than three (3) police reports are filed by at least three (3) different persons within any ninety (90) day period, the City Commission may hold a duly noticed public to review the special exception use and may add, modify, suspend or revoke any conditions of approval or the development order. Operation of all land uses shall comply with all other applicable laws, rules and regulations.
 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.
- B. City Commission action. The City Commission is scheduled to consider the special exception use application at its duly noticed October 31, 2011 regular public meeting.

Attachment A



July 13, 2011

Dear Jamaica Ex-Police Association Members and Friends:

Congratulations to the Jamaica Ex-Police Association on obtaining a lease for office spaces in a shopping center at 7770 West Oakland Park Boulevard in the City of Lauderhill.

I know firsthand that your organization over the years has held many fundraising events to benefit local and Jamaican scholarships and the Jamaican Police Station refurbishing project. As you celebrate your 20th year of service to this community thank you and best wishes for continued success.

In your application to the City of Lauderhill for a special exemption use, I offer my full support in granting your organization the special exemption use. If my office can be of any further assistance in your application process, please do not hesitate to contact us.

Regards,

Dale V.C. Holness
Broward County Commissioner, District 9
954.357.7009 phone
954.357.5707 fax
<http://www.broward.org/Commission/District9>

Our Best.
Nothing Less.
BROWARD COUNTY



City of Lauderdale Lakes

From the Desk of Mayor Barrington Russell, Sr.

4300 N.W. 36th Street • Lauderdale Lakes, Florida 33319-5599

Phone (954) 535-2730 • Fax (954) 731-5857

www.lauderdalelakes.org

July 27, 2011

Honorable Mayor & City Commission
City of Lauderhill
5581 W Oakland Park blvd
Lauderhill, FL 33313-1411

Dear Mayor & City Commission:

It is my pleasure to recommend to you the Jamaica Ex-Police Association of South Florida, for the special exemption they seek for the building they are about to lease at 7153 West Oakland Park Boulevard in the City of Lauderhill.

Ever since the inception of the Jamaica Ex-Police Association of South Florida (JEPA), I have enjoyed a cordial relationship with the association both in my private life and as an elected official. This relationship dates back prior to my election as a City of Lauderdale Lakes Commissioner.

I know the association enjoys strong and competent leadership and it is highly respected by the Jamaican Consulate General, South Florida Alumni Associations, civic groups, the clergy and citizens of our South Florida communities. Through its charity endeavors, JEPA has touched and impacted the lives of many in our South Florida community in a positive way.

The Jamaica Ex-Police Association of South Florida has been in existence for approximately twenty years. The association is a community based charity organization. The association and members of the association are intimately involved with other American and Caribbean entities in the South Florida area. The Jamaica Ex-Police Association of South Florida also assists the Jamaica Constabulary Force in several areas.

In addition, annually the association awards a scholarship to a college student in the South Florida area and one to a high school student in Jamaica. The association also does an annual police station refurbishing project in Jamaica. This year, for the first time, the association launched its "Adopt a Basic School for a Day" project in Jamaica.

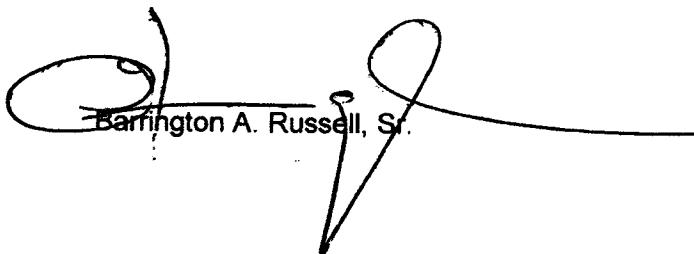
The association provides continuous support for elderly incapacitated ex-Jamaican police officers living in the South Florida area. The association members assist the City of Lauderdale Lakes annually in many capacities at the annual Unifest Concert. We have also provided assistance to handicapped persons in the South Florida

community and assisted Big Mama for the last two years with her annual Thanksgiving Turkey Giveaway. In times of disaster, Jamaica Ex-Police Association has also given financial assistance to charitable entities.

Members of the Jamaica Ex-Police Association of South Florida reside in the tri-county areas of Miami-Dade County, Broward County and Palm Beach County.

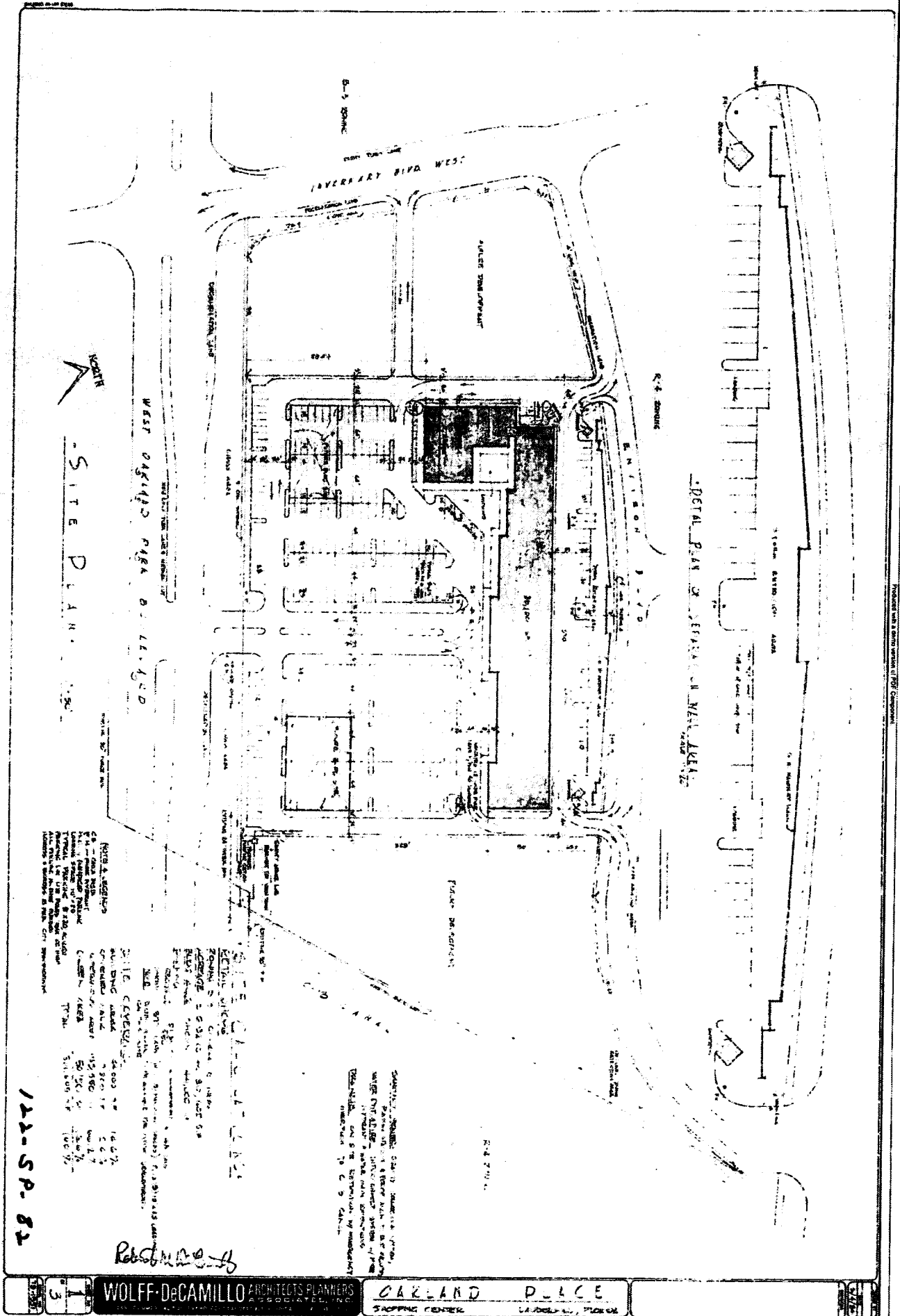
Honorable Mayor and Commissioners, I firmly believe that if granted the special status exemption to the Jamaica Ex-Police Association of South Florida, the rewards gained will be used to enrich the lives of members of our South Florida community.

Sincerely,



Barrington A. Russell, Sr.

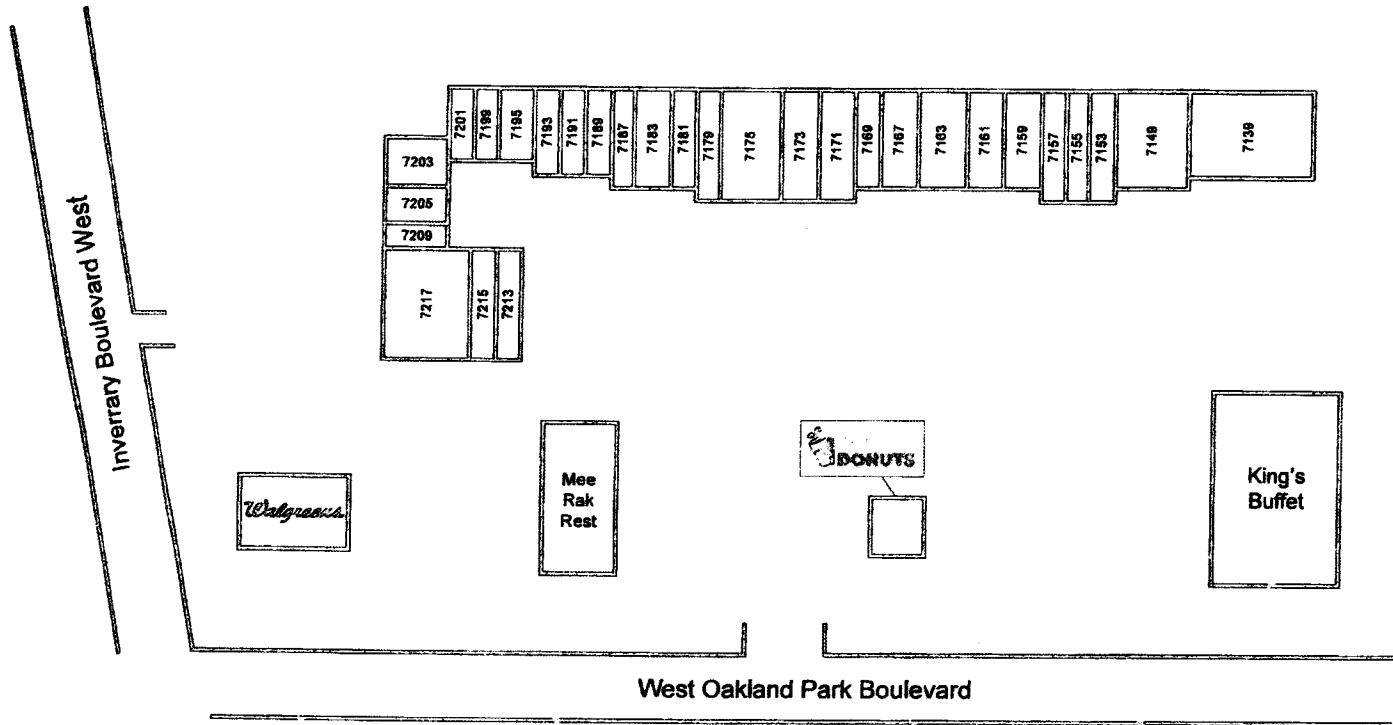
Attachment B



B-1

Oakbrook Plaza

For Lease



For More Information Contact:

Bryan Zenchyk, CCIM, SCLS | Director of Leasing
cell: 561-676-0342 | bzenchyk@in-rel.com

Jonathan Davison | Leasing Associate
cell: 561-718-7044 | jdavison@in-rel.com

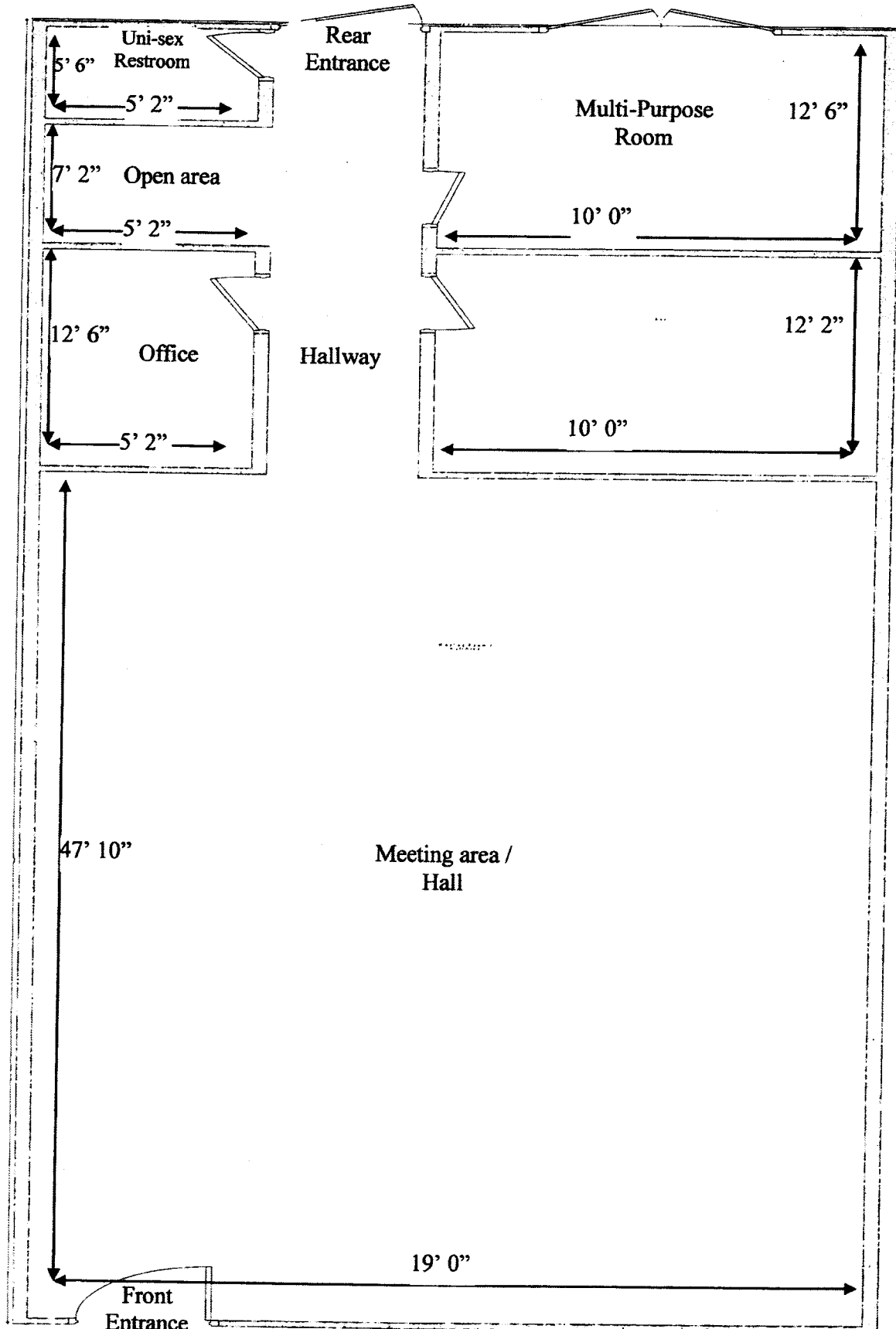


THE SPACE YOU NEED...TO SUCCEED

B-2

FLOOR PLAN.

Attachment C



Attachment D



APPLICATION NUMBER

11-SE-010

**SPECIAL EXCEPTION USE APPLICATION
FOR**

ENTER TYPE OF USE /BUSINESS: **Social Club with Alcoholic Beverage and Live Music**

Business Name: The Jamaica Ex-Police Association of South Florida, Inc.

Business Address: 9380 NW 39 Court, Sunrise, FL 33351 7153 W OPB 33313

Mailing Address: P.O Box 8605 Ft Lauderdale Florida 33301 (Oakbrook Plaza)

Business Telephone Number: 954 297-7062

Business Email: jepasouthflorida@yahoo.com

APPLICANT AND CONTACT INFORMATION

Applicant Name: Alphonso Dunn

Applicant Address: 3351 NW 40th Street, Lauderdale Lakes, FL 33309

Applicant Telephone Number: 954 258-5121

Applicant Email address: jonespen@bellsouth.net

**FILL IN BELOW THE CONTACT INFORMATION FOR ANYONE ELSE WHO SHOULD RECEIVE
COPIES OF NOTICES /CORRESPONDENCE:**

Name: Radcliffe Guy

Address: 970 SW 50th Way, Margate, FL 33068

Telephone Number: 954 257-0915

APPLICATION NUMBER

Email address: classicsprinklersinc@hotmail.com

Name: Edgton Wright

Address: 9380 NW 39 Court, Sunrise, FL 33351

Telephone Number: 954 258-2052

Email address: wright4353@comcast.net

INFORMATION ABOUT THE USE/ BUSINESS

Business Description (Please list all activities conducted at your business):

The Jamaica Ex-Police Association is a none-profit organization registered under the laws of Florida that: (1) promotes social activities for its members and guests; (2) Supports other none profit entities that give assistants to the communities; (3) Operates as a charity organization in South Florida and Jamaica.

Use includes: Business meetings; fund raising; indoor games; sale of beer and wine to its members and guests only.

Date the business opened or, is expected to be opened:

Tentatively scheduled for September 15, 2011

The Days and Hours of operation for the business:

**LIST NEXT TO EACH DAY, THE HOURS
YOU WILL BE OPEN**

**LIST NEXT TO EACH DAY THE
OF EMPLOYEES ON DUTY**

Sunday	10:00 AM to 2:00 AM	Volunteer members only
Monday	10:00 AM to 4:00 AM	Volunteer members only
Tuesday	10:00 AM to 4:00 AM	Volunteer members only
Wednesday	10:00 AM to 4:00 AM	Volunteer members only
Thursday	10:00 AM to 4:00 AM	Volunteer members only
Friday	10:00 AM to 4:00 AM	Volunteer members only
Saturday	10:00 AM to 4:00 AM	Volunteer members only

APPLICATION NUMBER

How many persons will the proposed business employ? *None. The facility will be managed and operated by its members.*

List the job titles and approximate salaries for the proposed employees?

No one will be paid. The facility will be managed and operated by the members on a volunteer basis.

Square footage of building space to be occupied by the business: *1500 sq ft*

INFORMATION ABOUT THE SITE

Property Owner Name: *Sampson investments INC. c/o In Rel management*

Property Owner Street Address: *2328 10th Avenue North suite 401*

City, State & Zip-Code: *Lake Worth Florida 33461-6615*

Telephone #: *561-383-2404*

Email: *jdavison@in-rel.com*

THE EFFECTS OF YOUR USE/BUSINESS ON THE COMMUNITY

Describe how your business will affect the residents who live close by:

The business will not affect the residents who reside close by, as all sounds and vibrations will not be amplified externally and will be contained on the inside. All attendees will be inside the facility.

Describe how this business/use will affect neighboring businesses:

With the expected increase in pedestrian traffic from our members and their guests neighboring businesses will be affected positively because they will experience increase exposure and support.

What site characteristics make this location suitable for your use/ business:

The parking is adequate, location is centrally located and is close to where our members are residing and the area is relatively crime free.

How will this use/ business affect the community economically?

There will be increased spending in the community, which will results in increased revenue for the merchants in the shopping center, so the effect economically will be positive.

ADDITIONAL DEMANDS ON UTILITIES, COMMUNITY FACILITIES, AND PUBLIC SERVICES

Describe any fire hazards associated with your business: None

Describe what security measures your business will require: None

Describe any chemicals, fluids, gases or potentially hazardous substances that your business will use or store on site: None

Describe any activity in your business that will use water other than normal washing and toilet use: None

Describe any activity in your business that will utilize City park facilities: None

Describe any activity in your business that will generate noise, light or vibration: None

Describe transit, automobile or pedestrian traffic that your business will create in the area:

There will be no significant change to the traffic pattern because of our business.

Describe any activity in your business that will involve alcohol, music or live entertainment:

The intention is to apply for a beer & Wine permit, these items will be served to our members and their guest, music will occasionally be played and the sound will be contained within.

Describe any other aspects of your business about which you feel that the reviewer should

know: The Jamaica Ex-Police Association, Inc, will continue to give scholarship to needy Students in USA and Jamaica, feed the needy at thanksgiving, assist sick and shut-in former Police officers from Jamaica who resides in our immediate communities. Added information is contained in the attached package.

APPLICATION NUMBER

ATTACH THESE DOCUMENTS TO THIS APPLICATION

1. *Site Plan*
2. *Floor Plan*
3. *Inventory of Fixtures and Equipment*
4. *Legal Description*

ADDITIONAL DOCUMENTS REQUIRED AT TIME OF SUBMISSION

5. *Certified Mailing list with two (2) sets of labels for all property owners within 300 feet of the site.*
6. *Copy of Lease (For Applicants who are renting)*
7. *Copy of Deed or Contract to Purchase (For Applicant who own or intends to own)*
8. *Letter from property owner authorizing you to apply for a special exception.*

APPLICATION NUMBER

AFFIDAVIT

I, ALPHONSO A DUNN, DO HEREBY SWEAR OR AFFIRM:

1. THAT ALL OF THE INFORMATION CONTAINED IN THIS APPLICATION AND THE ATTACHMENTS IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.
2. CONSISTENT WITH THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF LAUDERHILL, FLORIDA, SPECIFICALLY, SCHEDULE E, SUBSECTION 5. (9), PARAGRAPH (B), I WILL CAUSE A SIGN AT LEAST THREE (3) SQUARE FEET IN SIZE TO BE POSTED ON THE SUBJECT PROPERTY FACING AND VISIBLE FROM THE STREET AT LEAST TEN (10) DAYS PRIOR TO THE PUBLIC. MOREOVER, I CERTIFY THE SIGN WILL REMAIN POSTED FOR THE DURATION OF THE TIME REQUIRED FOR THE POSTING OF THE SUBJECT PROPERTY AND A PHOTOGRAPH OF THE SIGN POSTED ON THE SUBJECT PROPERTY WILL BE PROVIDED TO THE CITY OF LAUDERHILL PLANNING AND ZONING DEPARTMENT AT LEAST SEVEN (7) DAYS PRIOR TO THE PUBLIC HEARING.
3. I WILL CAUSE THIS SAME SIGN TO BE REMOVED WITHIN SEVEN (7) CALENDAR DAYS AFTER THE HEARING.

PRINT YOUR NAME: ALPHONSO DUNN

SIGN YOUR NAME: [Signature]

DATE: 8/14/11

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 14 DAY

OF August, 20 11, BY Alphonso Dunn, WHO IS

PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED _____

AS IDENTIFICATION AND WHO DID TAKE AN OATH.

NOTARY PUBLIC

SIGN: [Signature]

PRINT: CLIFTON FINDLAY

STATE OF FLORIDA AT LARGE SEAL

MY COMMISSION EXPIRES:



CLIFTON G. FINDLAY
MY COMMISSION # DO 879307
EXPIRES: April 9, 2013
Bonded Thru Budget Notary Services

Attachment E**Alphonso Dunn**

From: Edgton Wright [wright4353@comcast.net]
Sent: Thursday, August 11, 2011 7:04 AM
To: jonespen@bellsouth.net
Subject: FW: Oakbrook Plaza

From: Jonathan Davison [mailto:JDavison@in-rel.com]
Sent: Wednesday, August 10, 2011 4:45 PM
To: wright4353@comcast.net
Subject: Oakbrook Plaza

8/10/11

To Whom it May Concern with the City of Lauderhill,

Please let this email serve as permission for The Jamaica Ex-Police Association of South Florida, Inc. to occupy Suite 7153 at Oakbrook Plaza.

Attached is the site plan and below is the legal description:

Legal Description	PLAT OF INVEREALTY TRACT 1 111-46 B PT OF TR B DESC AS COMM AT C/L OF INVERRARY BLVD & W/L OF OAKLAND PARK BLVD,SELY 229.69 TO POB,NELY 456.64,ELY ALG CUR 422.11,SELY 268.74,ELY & NELY FOR 437.63,NE 0.02 TO NE COR TR B,SWLY 749.29 TO SE COR,WLY 705.1 TO POB LESS POR DESC IN OR 24826/860 & LESS POR DESC IN OR 29432/1730
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Jonathan Davison | Leasing Associate
In-Rel Properties | 2328 10th Avenue North | Suite 401
Lake Worth, FL 33461
561.383.2404 Direct | 561.716.7044 Cell | 561.249.1013 Fax
www.in-rel.com



8/11/2011