

City of Lauderhill

Special Exception Application No.19-SE-006

Medical Specialists of South Florida, LLC

I. APPLICANT INFORMATION

PETITIONER

Dr. Rodolfo Guevara

STATUS OF PETITIONER

Business Owner

II. BACKGROUND INFORMATION

Requested Action

Request for a Special Exception Use General Development Order for an Office, Medical, with Controlled Substance Provider Use.

Applicable Land Development Regulations

Article IV, Part 4, Section 4.4. Approval for Special Exception Uses.

Article III, Section 2.3. Allowable land uses.

Article IV, 4.3 B. Existing zoning provisions and uses.

III. SITE INFORMATION

Location/Legal Description

CITY OF LAUDERHILL, Section 1 81-4 B Tract C

4966 NW 88 AVE (N. Pine Island Road)

Lauderhill, FL 33351

FOLIO # 4941 16 01 9200

LOCATION MAP



Land Use/Zoning:

Existing Land Use	Commercial
Future Land Use Designation	Commercial
Zoning Designation	(CG) General Commercial

Adjacent Designations:

	Existing Use	Future Designation	Zoning
North	B-Plaza, Commercial Condos	Commercial	CG(General Commercial)
South	Single Family Residential	Low Density (5) Residential	(RS-4) Residential Single Family at 4 units per acre
East	Single Family Residential	Low Density (5) Residential	(RS-4) Residential Single Family at 4 units per acre
West	NW 88 AVE (N. Pine Island Road ROW then City of Sunrise, FL	Public ROW	Public ROW

IV. ZONING HISTORY

Existing Special Exceptions

None. This business is new to the City of Lauderhill

Violations

None.

Existing Variances

None

V. PLANNING ANALYSIS

As stipulated in the Land Development Regulations, Article IV, Section 4.6 Standards for Approval, the Planning and Development Division has reviewed the proposed request pursuant to the following special exception considerations:

1. The effect of such use on surrounding properties.
2. The suitability of the use in regard to its location, site characteristics, and intended purpose.
3. Access, traffic generation and road capacities.
4. Economic benefits or liabilities.
5. Demands on utilities, community facilities, and public services.
6. Compliance with the Comprehensive Land Use Plans for Broward County and/or the City of Lauderhill.
7. Factors relating to safety, health, and general public welfare.

The subject site is the Atrium Plaza, a commercial plaza located on the South East corner of NW 88 AVE (N. Pine Island Road) and NW 50th Street. Bordering this plaza to the East and South is a single family residential zoning district at 4 dwelling units per acre (RS-4). This plaza borders NW 50th Street and B-Plaza a commercial plaza to the North and NW 88th AVE (N. Pine Island Road) and the City of Sunrise to the East.

The proposed location is the former site of an Office, Medical with Controlled Substance Provider Use, a practice operated by Dr. Bob Gajraj from 1993 to 2018, under Certificate of Use #624.

This plaza, located within the General Commercial (CG) zoning district, is suitable for medical, business and professional offices. The existing tenants within the plaza include and retail uses, personal services, as well as business and professional offices.

Dr. Rodolfo Guevara will be the only Doctor on staff, and will be providing General Health Care services. Dr. Rodolfo Guevara is a Florida Department of Health Division of Medical Quality Assurance licensed Medical Doctor. He also holds a DEA license to prescribe controlled substances to medical patients.

Dr. Rodolfo Guevara is in good standing with the Florida Board of Medicine, and has no complaints or disciplinary actions on file.

Based upon its review, staff finds the proposed use of an Office, Medical, with Controlled Substance Provider to be consistent with the above considerations. As such, staff recommends approval of the special exception request and recommends the conditions provided for in section VI. Recommendation/Action.

VI. RECOMMENDATION/ACTION

Planning and Zoning recommends approval of the Special Exception Use application for an Office, Medical, with Controlled Substance Provider Use.

Recommend approval of the special exception development order with the following conditions:

1. This Special Exception Use development order for Office, Medical, with Controlled Substance Provider shall be specifically granted to Dr. Rodolfo Guevara of Medical Specialists of South Florida, 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 Medical Specialists of South Florida

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.

2. This Special Exception Use development order allows for no controlled substance prescriptions or refills to anyone other than a patient in connection with a medical appointment with the doctor.
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. 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.

VII. ATTACHMENTS

1. Application
2. Medical License and DEA Controlled Substances Prescriber License
3. Floor Plan
4. SEU Conditions Affidavit

Prepared by: Molly Howson, Associate Planner

Date: August 15, 2019