

RESOLUTION NO. 20R-02-55

A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING THE SPECIAL EXCEPTION USE DEVELOPMENT ORDER TO SOUTH FLORIDA CUSTOMZ, SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT AN OFFICE, AUTOMOTIVE REPAIR USE ON A 0.51 ± ACRE SITE LEGALLY DESCRIBED AS PROVIDED HEREIN, AS RECORDED IN THE OFFICIAL PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AT BOOK 31, PAGE 49, AND MORE COMMONLY KNOWN AS 1391 N.W. 31ST AVENUE, 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 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 South Florida Customz, to allow in the General Commercial (CG) Zoning District an Office, Automotive Repair Use on a 0.51 ± acre site legally described as provided herein, as recorded in the Official Public Records of Broward County, Florida, at Book 31, Page 49, and more commonly known as 1391 N.W. 31st Avenue, Lauderhill, Florida, is hereby approved subject to the following conditions:

1. This Special Exception Use development order for an Automotive, Repair Use shall be specifically granted to South Florida Customz 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 South Florida Customz operates the use. Any change of corporate ownership affecting 51% or more of the interest of the business or any of its assets in any manner shall trigger this provision.

2. The Automotive, Repair use is restricted to a 0.51± acre site identified in the legal description. Consistent with 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.
3. This Special Exception Use development order is issued with the applicant's understanding and agreement that in the event the City Commission should vote to amortize the use in the future this Special Exception Use development order will be null and void on the date set for amortization by the City Commission and the operator shall cease to operate the use.
4. This development order is for the sale and installation of tires and rims and the sale and installation of automotive sound systems. Minor repair work beyond these specified activities is prohibited. Major repair work is prohibited.
5. All work of sales and installation shall take place within the building where the business operates.
6. The outdoor storage of vehicles, tires, and equipment is prohibited.
7. The days and hours of operation are limited to Sunday from 10:00 a.m. to 5:00 p.m. and Monday through Saturday from 9:00 a.m. to 6:00 p.m..
8. The sound levels at the residential property line shall not exceed 55 decibels, and the sound levels within the abutting and adjoining commercially zoned areas shall not exceed 65 decibels on weekdays from 8:00 a.m. to 6:00 p.m.; and 55 decibels at all other times.
9. Should the property owner receive more than three violations for excessive noise, within a one year period, the City Commission may hold a public hearing to review the Special Exception Use and may modify or add conditions or suspend or revoke this development order.
10. 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. BATES _____
H. BERGER _____
R. CAMPBELL _____
D. GRANT _____
K. THURSTON _____

Approved as to Form

W. Earl Hall
City Attorney