

# **SPECIAL EXCEPTION USE AFFIDAVIT OF COMPLIANCE WITH CONDITIONS OF APPROVAL**

[Jamaica Ex- Police Association of South Florida, Inc.] (23-SE-002)

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

I have read in its entirety the [Jamaica Ex- Police Association of South Florida, Inc. & 23-SE-002] 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 further acknowledge that Special Exception Use applications are reviewed and will be subject to approval by the Lauderhill City Commission in a quasi-judicial hearing and my attendance at the hearing, or the attendance of my representative or designee, is required to ensure all facts pertaining to the matter are put on record.*

I have read and understand the below described conditions of approval and voluntarily agree to comply with all said conditions. I understand that no Special Exception will be executed or approved in final until and unless this signed Affidavit is submitted to the City:

1. This amended special exception use development order to add alcoholic beverage sales to the existing use by a Social Club, is specifically granted to Jamaica Ex-Police Association of South Florida, Inc. and such amended development order cannot be assigned, leased, subleased, transferred or otherwise conveyed to another person. Further, this amended special exception use development order shall automatically expire and become null and void if change of ownership affecting 51% percent or more of the interest of the business or any of its assets in any manner shall trigger this provision, if the use shall cease to operate or if Jamaica Ex-Police Association of South Florida, Inc. is sold, assigned, transferred or otherwise conveyed to another person.
2. The alcoholic beverage sales by a Social Club is restricted to a total of 1,500 square feet site located at 7153 W Oakland Park Blvd. Consistent with the Land Development Regulations Article IV., Part 4.0., Section 4.3., the expansion, alteration, enlargement or removal to another location of this use shall be unlawful unless the City Commission amends this development order to allow such expansion, alteration, enlargement or removal to another location.
3. Alcoholic Beverage Consumption is permitted and is limited to indoors.
4. Alcoholic Beverages Sales, solely for the purpose of charitable fundraising, is limited to operating a maximum of twelve (12) one to three day temporary permits per year. Under an approved State of Florida Temporary Permit for alcohol sales.

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5. JEPA must obtain a City of Lauderhill Special Event permit approval for each event, prior to obtaining zoning approval of a Temporary Permit for alcohol sales for such event, subject to the maximum of twelve (12) fundraising events per calendar year.
6. Day and Hours of operation are as follows:
  - a. Social Club: Sunday through Thursday from 11:00 a.m. to midnight. Friday and Saturday from 11:00 a.m. to 2:00 a.m. the following day.
  - b. Indoor Live Entertainment: Sunday through Thursday from 11:00 a.m. to 10:30 p.m. Friday and Saturday from 11:00 a.m. to 1:30 a.m. the following day
  - c. Accessory alcoholic beverage consumption and/or sales: Sunday through Thursday from 11:00 a.m. to 11:30 p.m. Friday and Saturday from 11:00 a.m. to 1:30 a.m. the following day.
7. If there are any code enforcement violations or liens, 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 and/or revocation.
8. 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.
9. Any violation of the conditions of this amended special exception use development order approval and/or any violation of the terms and conditions relating to the temporary permit for the sale of alcohol for fundraising purposes only may result in a public hearing before the City Commission and may result in the modification, suspension or revocation of this amended special exception use development order or its conditions or both.
10. If the use which has been granted a Special Exception shall cease to operate for a period of one (1) year, the Special Exception Use approval shall expire.

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11. The owner shall execute a trespass agreement for the police department to keep on file for enforcement.

Any violation of these conditions may result in a public hearing before the City Commission in order to determine whether this special exception use development order should be revoked, suspended or modified.

I understand that I am swearing or affirming under oath the truthfulness of the claims made in this affidavit and that the punishment for knowingly making a false statement may include the modification, suspension or revocation of any resolution adopting the special exception use application and any certificate of use associated with the special exception use approval.

Print your name: ALPHONSO DUNN

Sign your name: [Signature]

Date signed: 5/8/2023

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of May, 2023, by Alphonso Dunn, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.

Notary public

Print your name: KEITH THOMAS

Sign your name: [Signature]

State of Florida at Large Seal

My Commission Expires: 5/6/2027

