

# *City of Lauderhill*

Special Exception Application No.24-SE-006

Earley Royse, LLC for Coco Flow Caribbean Restaurant

## **I. APPLICANT INFORMATION**

### PETITIONER

John Rapp on behalf of Karl Gordon for Earley Rosye, LLC. D/B/A Coco Flow Caribbean Restaurant

### STATUS OF PETITIONER

Agent for Business and Landowner, Karl Gordon

## **II. BACKGROUND INFORMATION**

### Requested Action

Request for a Special Exception Use development order to allow within the General Commercial (CG) Zoning District the conveyance of a Special Exception Use approval for an existing Restaurant, Fast Food, with drive through Use with double lane drive through with Walk Up window Use.

Applicable Land Development Regulations

- Article III, Section 2.3- Allowable land uses.
- Article III, Section 5.32.1- Restaurant, in-line
- Article III, Section 5.32.2- Restaurant, fast food with or without drive-through and high turnover with drive-through
- Article IV, Section 4.3 B- Existing zoning provisions and uses
- Article IV, Section 4.4- Approval for Special Exception Uses
- Article IV, Section 4.6- Standards for approval
- Article IV, Section 4.10- Conveyance of uses that are subject to special exception approval
- Schedule B- Allowable Uses

## **III. SITE INFORMATION**

### Address

1550 N. State Road 7 (NW 40<sup>th</sup> Ave/ N ST RD 7)

Lauderhill Florida 33313

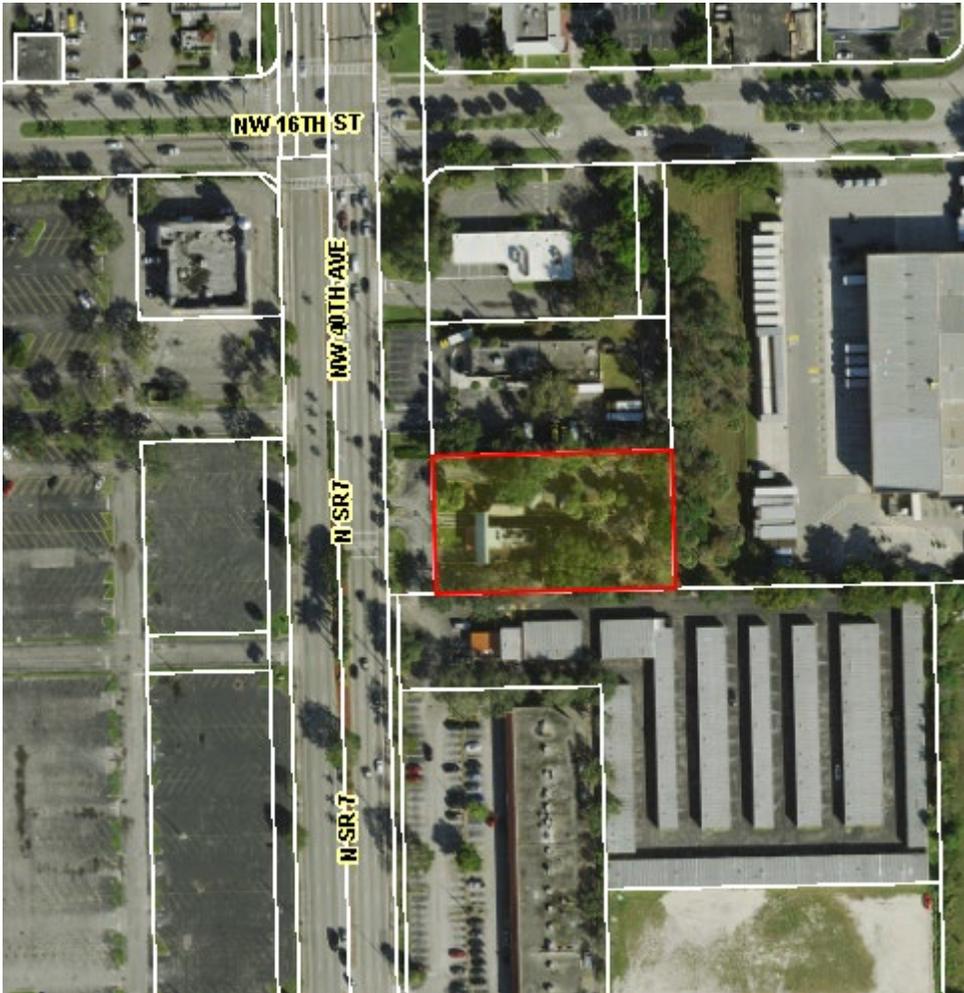
Legal Description

Tract B, Industrial 100 Unit 2 according to the plat thereof as recorded in Plat Book 85 Page 2 of the public records of Broward County, Florida

Folio

4942-31-24-0010

**Figure 1, Restaurant Site with Double Drive Through, Walk Up Window,**



Land Use/Zoning:

Existing Land Use	Commercial
Future Land Use	Commercial
Zoning Designation	(CG) Commercial General/ Transect Zone Overlay

Adjacent Designations:

	Existing Use	Future Designation	Zoning
North	Automotive, accessories sales and installation	TOC, Transit Oriented Corridor	TOC, Transit Oriented Corridor and General Commercial (CG)
South	Self-Service Storage Facility Public Storage	TOC, Transit Oriented Corridor	TOC, Transit Oriented Corridor and General Commercial (CG)
East	UPS Customer Center	TOC, Transit Oriented Corridor	TOC, Transit Oriented Corridor and Light Industrial (IL)
West	N ST RD 7 ROW then The Lauderhill Mall and in construction Broward County Bus terminal	TOC, Transit Oriented Corridor	TOC, Transit Oriented Corridor and General Commercial (CG)

**IV. ZONING HISTORY**

Existing Special Exceptions

Resolution **NO. 01R-06-85** was granted in 2001 to Bau Bau Brothers, Inc. to allow the reuse of an existing restaurant with dual drive through lanes.

Resolution **NO. 20R-09-208** was granted in 2020 to Snapper’s Restaurant D/B/A Hip Hop Fish and Chicken and BBQ. This applicant proposed to continue this use as tenants of Bau Bau Brothers, to operate the Restaurant, Fast Food use with existing dual drive though and walk up window and with the addition of outdoor cooking and outdoor seating which are permitted as accessory uses to restaurant uses when approved through the site plan modification process. This restaurant begun renovations which were left incomplete during the Covid pandemic and this restaurant never began formal operations.

This location, both land and business, have been purchased by Mr. Karl Gordon via Earley Royse, LLC on behalf of Coco Flow Restaurant. The owner/applicant plans to make site improvements to revitalize the restaurant site.

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 Zoning Department 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 generally located on the east side of North State Road 7 (NW 40<sup>th</sup> Avenue) and south of NW 16<sup>th</sup> Street and north of NW 12<sup>th</sup> Street. The site is directly across the street from the Lauderhill Mall and the site of the future Broward County Bus terminal. The subject site as well as all surrounding parcels are located within the TOC, Transit Oriented Corridor/Transect Zone Overlay.

The site has a stand-alone building and is bordered to the north and south by commercially zoned sites with active commercial businesses. The building was built in 1990 as a Fast Food restaurant with dual drive through lanes use. The first operator of the site was Hot N' Now Hamburgers, which remained open for 5 years. The subject site has direct access to the west from North State Road 7 (AKA: US 441).

Following "Hot N' Now Hamburgers," subsequent operators have maintained the property as various fast food restaurants included but not limited to: Monster Burger, Dolphin Fish and Chicken, Captain Shrimp, La Granja, and Father and Sons Smoke til u Choke BBQ.

The property was developed with two drive through lanes and a walk up window, which are still in existence, but the restaurant building was not designed with indoor seating. The applicant proposes to create a new outdoor seating area which will require the approval of the Development Review Committee.

Staff recommends the requirement of a Site Plan Modification application to the Planning and Zoning division to address all exterior improvements, existing and proposed. This may include but not be limited to; the outdoor cooking structure, the outdoor seating area, landscaping, lighting.

Based upon its review, staff finds the proposed use to be consistent with the above considerations. As such, staff recommends approval of the special exception request subject to the conditions outlined in section VI. Recommendation/Action.

## **VI. RECOMMENDATION/ACTION**

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

1. This Special Exception Use (SEU) development order for a double drive through lane and walk up window connection with a Restaurant, Fast Food Use, with Drive Through and Outdoor Cooking and Seating shall be specifically granted to Earley Royse, LLC and such development order cannot be assigned, leased, subleased, transferred or otherwise conveyed to another entity without further Special Exception approval from the City Commission. Further, this special exception use development order shall automatically expire and become null and void if any entity other than Earley Royse, LLC operates the use.
2. The double drive through lane is limited to the location and configuration as depicted on an approved site plan. Any expansion, alteration, enlargement or removal to another location of this use shall require an additional special exception use development order from the City Commission.
3. Within 90 days of the date of this approval a Site Plan Modification (SPM) application must be filed to address: outdoor seating, landscaping, lighting, outdoor cooking structure, modified chickee hut and any additional exterior improvements identified at the site, as required by the City of Lauderhill Development Review Committee. The associated permitting must be filed and work completed within 180 days of this approval. Failure to obtain SPM approval and complete required work will result in the revocation of this SEU approval.
4. Outdoor cooking may not be operated until the outdoor cooking area has been approved as an accessory use through the Certificate of Use (COU) process.
5. City Manager approval of DRC approved Outdoor seating configuration is required at time of Certificate of Use (COU) review.
6. Drive Through hours of operation are limited to the following:  
Drive through lanes: Sunday from 12:00pm to 12:00 am and Monday through Saturday from 11:00 a.m. to 2:00 a.m..
7. Walk-up window hours of operation are limited to: Sunday from 12:00pm to 12:00 am and Monday through Saturday from 11:00 a.m. to 12:00 a.m., until such time as a Site Plan Modification application is approved allowing for the CPTED (Crime Prevention Through Environmental Design) review of the walk-up window configuration from the DRC to include the Lauderhill Police Department. Should the DRC approve the proposed configuration, the walk-up window hours of operation

may be extended until up to 2:00am to be consistent with that of the drive-through. Should the DRC oppose, hours of operation for the walk up window shall be restricted to the above.

8. A trash receptacle shall be located between the service windows where food is dispensed and the end of the drive through driveways for each drive through lane.
9. 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.
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. 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.
11. If a Use which has been granted a special exception shall cease to operate for a continuous period of one (1) year, the special exception approval shall expire
12. The owner shall execute a trespass agreement for the police department to keep on file for enforcement.

**VII. ATTACHMENTS**

- A. Application submission for SEU
- B. Application Narrative
- C. Resolutions 01R-06-85 & 20R-09-208, historical SEU approvals
- D. Site Plan
- E. Floor Plan
- F. Affidavit of Conditions

Prepared by: Molly Howson  
City Planner  
Date: May 20, 2024



**City of Lauderhill**  
 Planning & Zoning Department  
 5581 W. Oakland Park Blvd., Lauderhill, FL 33313  
 Phone: 954.730.3050

## Special Exception – Application

**DEADLINE:** Initial paper submission and fee must be received by 5:00 PM on the day of the deadline. *Electronic file submission must be provided on a USB with the submittal.* Refer to the Department Meeting Schedule & Submittal Deadline” document provided on the City’s website for submission deadlines. **To ensure quality submittal, this project will only be added to the agenda when a complete submission has been provided. If a complete submission is not uploaded by the deadline, the application will be notified via email with an itemized list of outstanding items and/or corrections.**

### Application Review Process:

Application Type	Step 1	Step 2	Step 3	Step 4	Step 5
<b>Special Exception</b>	Pre-Application Meeting with Staff	Staff Review	City Commission Review	Resolution from the City Commission	Applicant addresses any conditions & proceeds with the Certificate of Use (COU) application / process

**APPLICATION SUBMISSION PROCESS:** Upon reception of the **PAPER SUBMISSION** (see below) by Staff. Staff will review to ensure a complete submittal with 5 business days.

### SUBMISSION: The following paper documents must be submitted:

PAPER	✓	One (1) completed application with original signatures (All Owners of Record must sign)
	✓	One (1) Affidavit (must be completed by the Landowner)
	✓	One (1) Letter of Authorization (signed by the Landowner), <i>if the Applicant is not the Landowner</i>
	✓	One (1) Letter of Authorization from the Condominium Association, <i>if the property is a condominium</i>
	✓	Application Fee as established by the City Commission. Refer to Chapter 6 – Section. 6-10 – Enumeration of permit fees, regulations and inspection fees. Checks must be made payable to the “City of Lauderhill.”
	✓	A certified copy of the Mailing list of all property owners within 500 feet of the site
	✓	Copy of Deed or Contract to Purchase
	✓	Copy of Lease (for Applicants who are renting)
	✓	Written Narrative addressing each review standard & description of the proposed business/use operation
✓	Legal description of the property (i.e. the subdivision, block & lot; or metes & bounds description)	
USB	✓	One (1) electronic version of the special exception package

**Is the property for this application subject to unpaid city liens, fines or fees?**  Yes  No  
*If so, the Landowner must resolve all fees prior to placement on the City Commission agenda.*

# ATTACHMENT "A"



**City of Lauderhill**  
 Planning & Zoning Department  
 5581 W. Oakland Park Blvd., Lauderhill, FL 33313  
 Phone: 954.730.3050

## Special Exception – Application

Property Description		
Street Address:	Folio Number(s):	
1550 N State Road 7, Lauderhill	4942 31 24 0010	
Nearest Cross Street:		
16 <sup>th</sup> Street + State Road 7		
Subdivision:	Block:	Lot:
Industrial 100	PT TRC	2

Business Information	
Business Name (if applicable):	Business Owner:
COCO Flow Caribbean Restaurant LLC	Karl Gordon
Mailing Address:	City, State & Zip Code:
1550 N State Road 7, Lauderhill, FL 33313	33313
Phone Number:	Email:
(954) 260-6215	KarlMG@Bellsouth.net

Applicant, Owner's Representative or Agent	Landowner (Owner of Record)
Business Name (if applicable):	Business Name (if applicable):
Rapp Realty, Inc.	Earley Roycse LLC
Name and Title:	Name and Title:
John Rapp - President	Karl Gordon, MGR
Signature:	Signature:
<i>John J. Rapp</i>	<i>[Signature]</i>
Date:	Date:
5/7/24	5/8/24
Mailing Address:	Mailing Address:
2811 North Cypress Road	1933 Banks Road
City, State & Zip:	City, State & Zip Code:
Pompano Beach, FL 33062	Margate, FL 33063
Phone Number:	Phone Number:
(954) 520-3823	(954) 260-6215
Email:	Email:
JJ2Rapp@aol.com	Karlmg@bellsouth.net
All communication will be sent to the Landowner (Owner of Record) and Applicant.	

# ATTACHMENT "A"



**City of Lauderhill**  
 Planning & Zoning Department  
 5581 W. Oakland Park Blvd., Lauderhill, FL 33313  
 Phone: 954.730.3050

## Special Exception – Application

Architect	Engineer
<b>Business Name (if applicable):</b> <i>N/A</i>	<b>Business Name (if applicable):</b> <i>N/A</i>
<b>Name and Title:</b>	<b>Name and Title:</b>
<b>Signature:</b>	<b>Signature:</b>
<b>Date:</b>	<b>Date:</b>
<b>Mailing Address:</b>	<b>Mailing Address:</b>
<b>City, State &amp; Zip:</b>	<b>City, State &amp; Zip Code:</b>
<b>Phone Number:</b>	<b>Phone Number:</b>
<b>Email:</b>	<b>Email:</b>

Attorney	Other
<b>Business Name (if applicable):</b> <i>N/A</i>	<b>Business Name (if applicable):</b> <i>N/A</i>
<b>Name and Title:</b>	<b>Name and Title:</b>
<b>Signature:</b>	<b>Signature:</b>
<b>Date:</b>	<b>Date:</b>
<b>Mailing Address:</b>	<b>Mailing Address:</b>
<b>City, State &amp; Zip:</b>	<b>City, State &amp; Zip Code:</b>
<b>Phone Number:</b>	<b>Phone Number:</b>
<b>Email:</b>	<b>Email:</b>

**ATTACHMENT "A"**



City of Lauderhill  
Planning & Zoning Department  
5581 W. Oakland Park Blvd., Lauderhill, FL 33313  
Phone: 954.730.3050

**Special Exception – Application**

**Site Data**

Development / Project Name:

*Co Co Flow Caribbean Restaurant*

Briefly describe the special exception requested (a project narrative must be submitted separately that explains in greater detail the request & address each review standard 4.6. Standards for approval):

*We are asking For approval of a drive thru Restaurant, walk up service window and outdoor seating.*

**Additional Information**

Have any other applications been submitted for this site?



Yes



No

If so, list the other applications & provide reference to the Meeting Date/ Results:

*Resolution # NO. 01R-06-85 June 11<sup>th</sup> 2006 ~ Approved*

Pre-Application Conference Date:

*5/7/24*



City of Lauderhill
Planning & Zoning Department
5581 W. Oakland Park Blvd., Lauderhill, FL 33313
Phone: 954.730.3050

Special Exception – Application

AFFIDAVIT

I AM THE LANDOWNER OF RECORD (OR I HAVE FURNISHED THE CITY OF LAUDERHILL WITH A NOTARIZED LETTER FROM THE LANDOWNER AUTHORIZING ME TO SUBMIT THIS APPLICATION ON THEIR BEHALF), AND DO HEREBY SWEAR OR AFFIRM THE FOLLOWING:

- 1. THAT ALL OF THE INFORMATION CONTAINED IN THIS APPLICATION AND THE ATTACHMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.
2. CONSISTENT WITH THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF LAUDERHILL, FLORIDA, 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 (15) DAYS PRIOR TO THE PUBLIC HEARING. 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. I WILL CAUSE THIS SAME SIGN TO BE REMOVED WITHIN SEVEN (7) CALENDAR DAYS AFTER THE HEARING.
3. CONSISTENT WITH THE LAND DEVELOPMENT REGULATIONS, I WILL PROVIDE WRITTEN NOTICE TO ALL PROPERTY OWNERS WITHIN 500 FEET OF THE SUBJECT PROPERTY POSTMARKED NO FEWER THAN 15 CALENDAR DAYS BEFORE THE HEARING DATE. THE SAME WRITTEN NOTICE WILL BE PROVIDED TO ALL LARGE ASSOCIATIONS, BASED ON THE E-MAIL DISTRIBUTION LIST FURNISHED BY THE CITY.

Landowner's Name: John Rapp
(or Authorized Official – Owner's Authorization Letter required if not the Owner of Record)

Address: 2811 North Cypress Road
Pompano Beach, FL 33064
(City) (State) (Zip Code)

Signature of Owner or Authorized Representative: John J. Rapp

SWORN AND SUBSCRIBED before me this 9th day of MAY, 2024 by means of physical presence or online notarization.

NOTARY PUBLIC, STATE OF FLORIDA
George Rounds
Comm. HH 463409
Expires: Feb. 19, 2028

(Name of Notary Public: Print, stamp, or type as Commissioned.)

Produced identification: FL/DC 12100-470-58-211-0
(Type of Identification Produced)

**NARRATIVE FOR SPECIAL EXCEPTION****1550 NORTH STATE ROAD 7**

The business will be a quick service restaurant with double drive thru and a walk up window serving Caribbean food with outdoor seating only for 130 patrons. We hope to be open June 10th, 2024. The business will have operating hours 7 days a week from 7:00 AM to 2:00 AM and will employ 15 people and operate with two shifts per day with approximately 7 to 8 people per shift. The restaurant will employ Servers at \$12.00/ hour, Chefs at \$15.00/ hour and Managers at \$15/ hour. According to the Broward County Property Appraiser the building is 1422 SF in size.

The property is bordered by Commercial buildings to the North and South along State Road 7 and to the East by the UPS Property with more industrial properties behind that and to the West by 441 and then the Lauderhill mall. There are virtually no residential properties anywhere near this property making the effects on nearby residents minimal if at all. The effect on the neighboring business will be minimal as well since a drive thru restaurant has been in operation at this location for three decades or more with no ill effects. The neighboring business will be happy to have the good food available to them for breakfast, lunch and dinner provided by an experienced operator with a great reputation for his service and food quality at a reasonable price. This location is in the hub of the Caribbean population and the low cost and easy access provided by the drive thru and walk up window will provide for a successful business for years to come.

Karl Gordon started his first of 16 restaurants in Jamaica at the Port of Falmouth. His first experience in the food industry was with the cruise line business and he still has connections in the industry. His plans are to have Royal Caribbean make this location a stop from Port Everglades on the shuttle on the way to the Saw Grass Mall. This will bring hopefully thousands of international visitors to the City of Lauderhill with the positive economic impact that will bring.

I can think of no fire hazards associated with this business other than the use of gas cooking appliances associated with all restaurants. The owners' headquarters are right next door to this property so he will have a birds' eye view of any security issues that may arise. There are no

# ATTACHMENT "B"

hazardous materials stored on site. The water demands at the site will be of normal use of the bathrooms and sinks. The business will not be utilizing City park facilities for any part of the operation. There will not be any noise, light or vibrations generated from the business other than the conversation of the patrons and the proper lighting for safety and security.

We are hopeful that the business will bring in international travelers to the site from the Royal Caribbean shuttle bus when docked at Port Everglades. The design of the double drive thru lanes with ample que space will not create a backup of traffic on 441 and we do not expect much in the way of pedestrian traffic due to the distance of any residential homes from the site.

We will not be serving alcohol at this time nor providing live entertainment or music.

**RESOLUTION NO. 01R-06-85**

**A RESOLUTION APPROVING THE SPECIAL EXCEPTION USE DEVELOPMENT ORDER OF BAU BAU BROTHERS, INC., SUBJECT TO CONDITIONS, TO ALLOW THE REUSE OF AN EXISTING RESTAURANT WITH DUAL DRIVE THRU LANES ON AN APPROXIMATE 0.8294 ACRE SITE LOCATED ON A PORTION OF TRACT C, INDUSTRIAL 100 UNIT 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 85, PAGE 2, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS THE FORMER "HOT N' NOW" AND "MONSTER BURGER" RESTAURANTS AT 1550 NORTH STATE ROAD 7, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, this property is zoned General Commercial (C-3) by the City of Lauderhill Zoning Map; and

WHEREAS, pursuant to Schedule B-2 of the Land Development Regulations (LDR), the reuse of an existing restaurant with dual drive thru lanes is permitted in the General Commercial (C-3) District by Special Exception approval only;

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

Section 1. The Special Exception Use Application of Bau Bau Brothers, Inc. to allow the reuse of an existing restaurant with dual drive thru lanes on an approximate 0.8294 acre site located on a portion of Tract C. Industrial 100 Unit 2, according to the Plat thereof, as recorded in Plat Book 85, Page 2, of the Public Records of Broward County, Florida, is hereby approved subject to the conditions recommended in the Staff Report, a copy of which is attached hereto and incorporated herein, is hereby approved.

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 11th day of June, 2001.

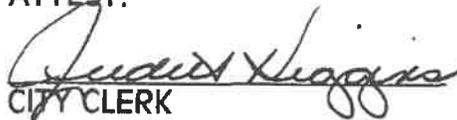
PASSED AND ADOPTED on first reading this 11th day of June, 2001.

**ATTACHMENT "C"**



PRESIDING OFFICER

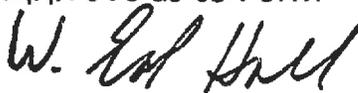
ATTEST:



CITY CLERK

MOTION	<u>Elfers</u>
SECOND	<u>Jones</u>
M. BATES	<u>Off Dais</u>
W. ELFERS	<u>Yes</u>
T. JONES	<u>Yes</u>
L. MIRSKY	<u>Yes</u>
R. KAPLAN	<u>Yes</u>

Approve as to Form



W. Earl Hall  
City Attorney

**RESOLUTION NO. 20R-09-208**

**A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANT THE SPECIAL EXCEPTION USE DEVELOPMENT ORDER TO SNAPPER'S RESTAURANT D/B/A HIP HOP FISH, CHICKEN AND BBQ, SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT, THE CONVEYANCE OF A RESTAURANT, FAST FOOD WITH DRIVE THROUGH USE, WITH DOUBLE LANES AND OUTDOOR SEATING ON A ± .83 ACRE SITE LEGALLY DESCRIBED AS INDUSTRIAL 100 UNIT 2 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 85, PAGE 2 OF THE OFFICIAL PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; MORE COMMONLY KNOWN AS 1550 N. STATE ROAD 7, 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 Snappers Restaurant d/b/a Hip Hop Fish, Chicken and BBQ, to allow within the General Commercial (CG) Zoning District the conveyance of a Restaurant, Fast Food with Drive Through Use, with Double Lanes and Outdoor Seating on a ± .83 acre site legally described as Industrial 100 Unit 2, according to the Plat thereof, as recorded in Plat Book 85, Page 2, of the Official Public Records of Broward County, Florida, more commonly known as 1550 N. State Road 7, Lauderhill, is hereby approved subject to the following conditions:

1. This Special Exception Use development order for a double drive through lane drive in connection with a Restaurant, Fast Food Use, with Drive Through and Outdoor Cooking and Seating shall be specifically granted to Hip Hop Fish Chicken and BBQ and such development order cannot be assigned, leased, subleased, transferred

or otherwise conveyed to another entity without further Special Exception approval from the City Commission. Further, this special exception use development order shall automatically expire and become null and void if any entity other than Hip Hop Fish Chicken and BBQ operates the use.

2. The double drive through lane is limited to the location and configuration as depicted on an approved site plan. Any expansion, alteration, enlargement or removal to another location of this use shall require an additional special exception use development order from the City Commission.
3. Within 90 days of the date of this approval a Sit Plan Modification application must be filed to address landscaping, lighting, outdoor cooking structure, modified chickee hut and any additional exterior improvements identified as required by the City of Lauderhill Development Review Committee, at the site. The associated permitting must be filed and work completed within 180 days of this approval. Failure to obtain SPM approval and complete required work will result in the revocation of this SEU approval.
4. Outdoor cooking may not be operated or approved on a COU unless and until a Site Plan Modification approval and has been obtained from DRC approving the siting and construction of the outdoor cooking facilities, required building permits have been obtained, inspected and closed out, and the outdoor cooking has been approved as an accessory use through the Certificate of Use (COU) process.
5. Approval of Outdoor seating configuration is required at time of Certificate of Use (COU) review.
6. Drive Through hours of operation are limited to the following:

Drive through lanes: Sunday from 12:00pm to 12:00 am and Monday through Saturday from 11:00 a.m. to 2:00 a.m..

7. Walk-up window hours of operation are limited to: Sunday from 12:00pm to 12:00 am and Monday through Saturday from 11:00 a.m. to 12:00 a.m., until such time as a Site Plan Modification application is approved allowing for the CEPTED (Crime Prevention Through Environmental Design) review of the walk-up window configuration from the DRC to include the Lauderhill Police Department. Should the DRC approve the proposed configuration, the walk-up window hours of operation may be extended until up to 2:00am to be consistent with that of the drive-through. Should the DRC oppose, hours of operation for the walk-up window shall be restricted to the above.
8. A trash receptacle shall be located between the service window where food is dispensed and the end of the drive through driveway for each drive through lane.
9. 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.
10. Any special exception approval granted by the City Commission shall expire one hundred eighty (180) days after the date of approval, unless a development permit or site plan approval is applied for within the one hundred eighty-day period.

- 11. If a use which has been granted a special exception shall cease to operate for a continuous period of one (1) year, the special exception approval shall expire.
- 12. The owner shall execute a trespass agreement for the police department to keep on file for enforcement.

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 29 day of September, 2020.

PASSED AND ADOPTED on first reading this 29 day of September, 2020.

  
 \_\_\_\_\_  
 PRESIDING OFFICER

ATTEST:

  
 \_\_\_\_\_  
 CITY CLERK

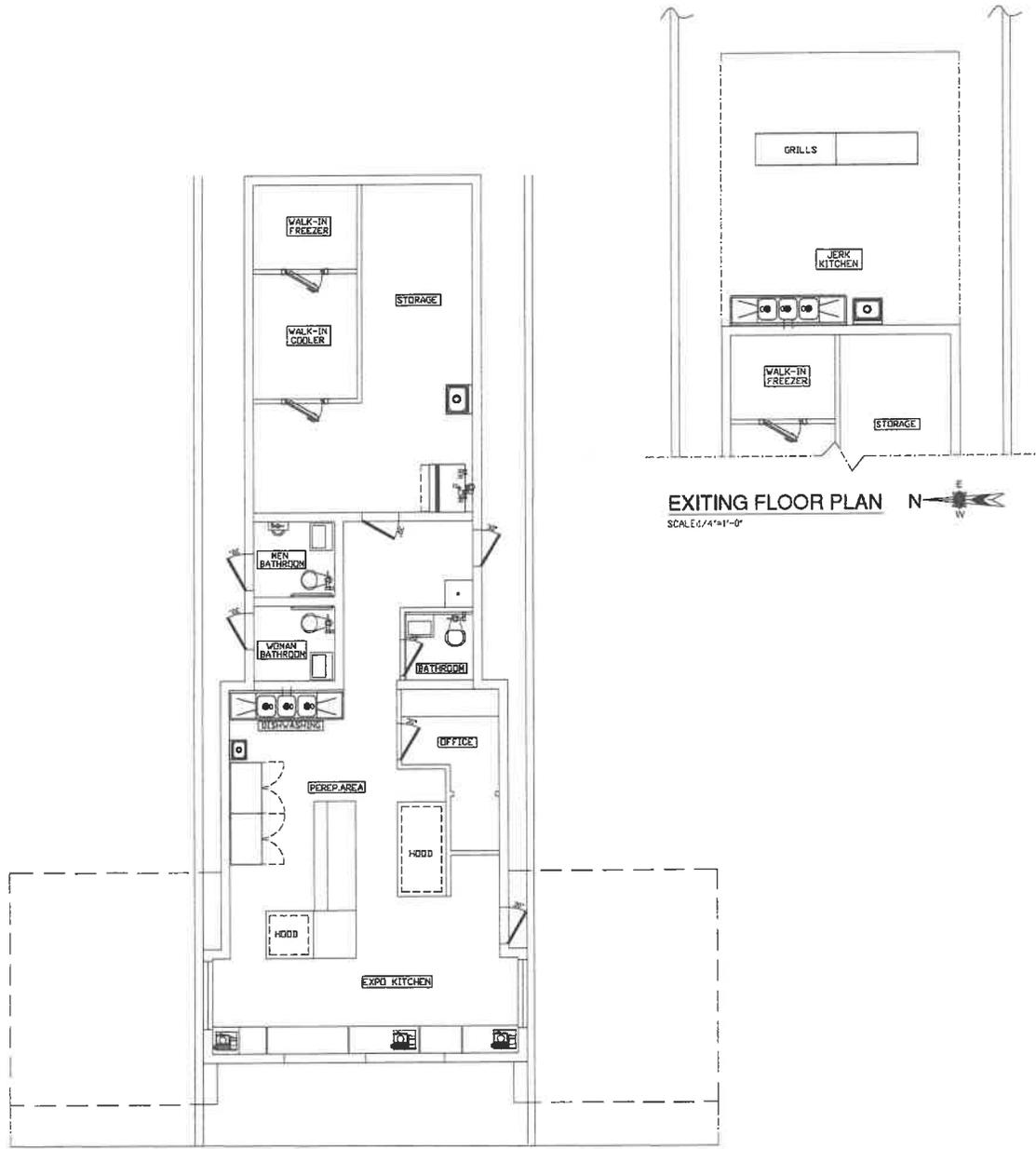
MOTION Bates  
 SECOND Thurston

M. BATES Yes  
 H. BERGER Yes  
 R. CAMPBELL Yes  
 D. GRANT Yes  
 K. THURSTON Yes

Approved as to Form

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





**EXISTING FLOOR PLAN**  
SCALE: 1/4"=1'-0"

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**GENERAL NOTES**

**GENERAL REQUIREMENTS:**

1. ALL WORK PERFORMED UNDER THIS CONTRACT SHALL COMPLY WITH THE FOLLOWING:
  - A. THESE GENERAL NOTES UNLESS OTHERWISE NOTED ON PLANS OR ANY SPECIFICATIONS.
  - B. FLORIDA BUILDING CODE (7TH EDITION)
    - NFPA 1 (2021 Ed.)
    - NFPA 101 (2021 Ed.)
    - NFPA 72 (2022 Ed.)
  - C. ALL APPLICABLE FEDERAL, STATE AND LOCAL ORDINANCES, AND REGULATIONS.
2. CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS PRIOR TO FABRICATION OR INSTALLATION OF ANY COMPONENT OF THE WORK. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT OF ANY DISCREPANCIES BEFORE ERECTING OR FABRICATING ANY COMPONENT OF THE WORK.
3. PRIOR TO THE START OF ANY WORK THE CONTRACTOR AND ALL SUBCONTRACTORS SHALL BECOME FAMILIAR WITH THE SITE AND ALL EXISTING CONDITIONS AND NOTIFY THE ARCHITECT OF ANY ITEMS THAT REQUIRE CLARIFICATION.
4. THE CONTRACTOR SHALL KEEP THE JOB SITE CLEAN AND CLEAR OF ALL DEBRIS. ALL DEBRIS SHALL BE PROPERLY DISPOSED IN A DUMPSTER WHICH SHALL BE EMPTIED WHEN FULL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR KEEPING THE SITE SAFE AND HAZARD FREE.
5. IF THERE IS A DISCREPANCY BETWEEN THE DRAWINGS OR SPECIFICATIONS, THE STRICTER OF THE TWO SHALL GOVERN.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQ'D PERMITS AND/OR APPROVALS TO CARRY OUT THE WORK DESCRIBED IN THE CONSTRUCTION DOCUMENTS.
7. NO WORK SHALL BE PERFORMED OUTSIDE THE PROJECT LIMITS WITHOUT PRIOR WRITTEN APPROVAL FROM THE BUILDING OWNER.
8. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE WORK OF ALL TRADES AS REQUIRED FOR COMPLETION OF WORK.
9. G. C. SHALL PROVIDE A SAFE WORKING ENVIRONMENT AS WELL AS REQUIRED MEANS OF EGRESS FOR ALL PERSONNEL ON THE PROJECT SITE.
10. THE GENERAL CONTRACTOR SHALL SUBMIT SHOP DRAWINGS, PRODUCT DATA AND SAMPLES TO THE ARCHITECT FOR APPROVAL PRIOR TO FABRICATION. SUBCONTRACTORS SHALL VISIT THE PROJECT SITE TO VERIFY CONDITIONS, DIMENSIONS, ETC. THE G. C. SHALL ALLOW A MINIMUM OF 14 DAYS TURNAROUND FOR THE ARCHITECT TO PROCESS SHOP DRAWINGS. THE GENERAL CONTRACTOR SHALL SUBMIT 10 COPIES OF ALL SUBMITTALS. S. G. C. SHALL REVIEW ALL SUBMISSIONS PRIOR TO SUBMITTING FOR THE ARCHITECTS APPROVAL.

**TYPICAL PARTITION NOTES:**

1. EXTEND STEEL STUDS TO UNDERSIDE OF ROOF ON FLOOR STRUCTURE ABOVE AND ANCHOR TOP PLATE TO THE SAME.
2. WHERE FIRE RATED OR SOUND RATED PARTITIONS ARE CALLED FOR, EXTEND FULL RATED CONSTRUCTION BOTH BEHIND AND UNDER GORE OF SLAB ABOVE. FILL ALL VOIDS IN PARTITIONS BETWEEN AND PERPENDICULAR TO JOISTS AND AROUND MECHANICAL, ELECTRICAL AND PENETRATIONS OF ANY OTHER TRADES. CAULK AS REQUIRED FOR FIRE AND SOUND RATED SYSTEMS.
3. WHERE PARTITIONS ARE NOT INDICATED IN REFLECTED CEILING PLANS TO BE CARRIED IN FULL TO UNDERSIDE OF SLAB ABOVE, TERMINATE GYPSUM WALL BOARD 2" ABOVE HIGHEST ADJUTING CEILING.
4. REFER TO FINISH SCHEDULE FOR SPECIFIC FINISHES.
5. REFER TO FLOOR PLANS FOR NOMINALLY DIMENSIONED WALL THICKNESS.
6. SHAFT WALL SYSTEM TO BE INSTALLED AS PER MANUFACTURER'S SPECIFICATIONS.
7. NOT ALL CONDITIONS HAVE BEEN DETAILED. CONSTRUCT THOSE AREAS AS PER NEAREST SIMILAR DETAIL DRAWING.
8. SEE TYPICAL WALL SECTIONS FOR EXTERIOR WALLS.

REVISIONS		
No	DATE	BY
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DESCRIPTION	
Date:	MAY 2024
Drawn By:	D.F.
Approved By:	J.F.

PROJECT LOCATION: 1350 NW 40TH AVE LAUDERHILL, FLORIDA 33313
OWNER: COCO FLOW CARIBBEAN RESTAURANT

**EXISTING FLOOR PLAN**

SEAL
A1 SHEET 1

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

[Earley Royse, LLC dba Coco Flow Caribbean Restaurant] (24-SE-006)

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I, \_\_\_\_\_, being sworn, do hereby certify and affirm that the following statements are true:

I have read in its entirety the [Earley Royse LLC & 24-SE-003] 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:

**I. RECOMMENDATION/ACTION**

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

1. This Special Exception Use (SEU) development order for a double drive through lane and walk up window connection with a Restaurant, Fast Food Use, with Drive Through and Outdoor Cooking and Seating shall be specifically granted to Earley Royse, LLC and such development order cannot be assigned, leased, subleased, transferred or otherwise conveyed to another entity without further Special Exception approval from the City Commission. Further, this special exception use development order shall automatically expire and become null and void if any entity other than Earley Royse, LLC operates the use.
2. The double drive through lane is limited to the location and configuration as depicted on an approved site plan. Any expansion, alteration, enlargement or removal to another location of this use shall require an additional special exception use development order from the City Commission.
3. Within 90 days of the date of this approval a Site Plan Modification (SPM) application must be filed to address: outdoor seating, landscaping, lighting, outdoor cooking structure, modified chickee hut and any additional exterior improvements identified at the site, as required by the City of Lauderhill Development Review Committee. The associated permitting must be filed and work completed within 180 days of this

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approval. Failure to obtain SPM approval and complete required work will result in the revocation of this SEU approval.

4. Outdoor cooking may not be operated until the outdoor cooking area has been approved as an accessory use through the Certificate of Use (COU) process.
5. City Manager approval of DRC approved Outdoor seating configuration is required at time of Certificate of Use (COU) review.
6. Drive Through hours of operation are limited to the following:  
Drive through lanes: Sunday from 12:00pm to 12:00 am and Monday through Saturday from 11:00 a.m. to 2:00 a.m..
7. Walk-up window hours of operation are limited to: Sunday from 12:00pm to 12:00 am and Monday through Saturday from 11:00 a.m. to 12:00 a.m., until such time as a Site Plan Modification application is approved allowing for the CPTED (Crime Prevention Through Environmental Design) review of the walk-up window configuration from the DRC to include the Lauderhill Police Department. Should the DRC approve the proposed configuration, the walk-up window hours of operation may be extended until up to 2:00am to be consistent with that of the drive-through. Should the DRC oppose, hours of operation for the walk up window shall be restricted to the above.
8. A trash receptacle shall be located between the service windows where food is dispensed and the end of the drive through driveways for each drive through lane.
9. 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.
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. 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.

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11. If a Use which has been granted a special exception shall cease to operate for a continuous period of one (1) year, the special exception approval shall expire

12. 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: \_\_\_\_\_

Sign your name: \_\_\_\_\_

Date signed: \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_\_, by \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.

Notary public

Print your name: \_\_\_\_\_

Sign your name: \_\_\_\_\_

State of Florida at Large Seal

My Commission Expires: \_\_\_\_\_