

RESOLUTION NO. 24R-07-144

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA GRANTING A SPECIAL EXCEPTION USE DEVELOPMENT ORDER TO FLORIDA GRANTING PETROLEUM CONSOLIDATORS, INC., SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG), ZONING DISTRICT THE CONVEYANCE OF AN EXISTING SERVICE STATION WITH CONVENIENCE STORE USE ON A 0.68± ACRE SITE LEGALLY DESCRIBED AS PHILLIPS LAUDERHILL 67-12 B PARCEL A LESS THAT PORTION AS SHOWN ON MMB 9-64 B OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; MORE COMMONLY KNOWN AS 2099 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 (CG) 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 Florida Granting Petroleum Consolidators, Inc., to allow in the General Commercial (CG) Zoning District the conveyance of an existing service station with convenience store on a +/- 0.68 acre site legally described as Phillips Lauderhill 67-12 B Parcel A less that portion as shown on MMB 9-64 B of the Public Records of Broward County, Florida, more commonly known as 2099 N. State Road 7, Lauderhill, Florida, is hereby approved, subject to the following conditions:

1. This special exception use development order to allow the Service Station with Convenience Store is specifically granted to Petroleum Consolidators Inc. d/b/a 441 Marathon and such development order cannot be conveyed to another person or entity. Any change of corporate ownership affecting 51% percent or more of the interest of the business or any of its assets in any manner shall trigger this provision. Notwithstanding, the service station and convenience stores may be operated by other business entities so long as there is no change in ownership as specified herein.

2. The Service Station with Convenience Store use is restricted to 2,626 square feet of leasable space located at 2099 N State Road 7 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 this use 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 use to another location.

3. The Service Station with Convenience Store days and hours of operation are Sunday through Saturday 24 Hours. Alcoholic beverage sales will be limited to beer and wine on the days and hours imposed by Land Development Regulations Article III., Part 5.0., Subsection 5.3.1.A.

4. Petroleum Consolidators Inc. shall comply with all of the requirements of Section 812.173, Florida Statutes regarding security at convenience stores as well as comply with all provisions required in Article VII Section 12-106- Convenience Stores of the Code of Ordinances and Article III Sec 5.15.A of the Land Development Code. Such conditions must be met and required at time of Certificate of Use.

5. 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.

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 use development order or its conditions or both.

7. Any special exception approval granted by the City Commission shall expire one hundred eighty (180) days after the date of approval, unless a Certificate of Use (COU) is submitted and subsequently approved within the one hundred eighty-day period.

8. 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.

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

10. Property Owner or Operator must provide a security plan that demonstrates how they will prevent and reduce the amount of police calls associated with trespassing or the presence of other loitering. In addition to said security plan the property owner or operator shall also provide a property maintenance plan that demonstrates how they will maintain cleanliness in compliance with the Code of Ordinances.

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 _____, 2024.

PASSED AND ADOPTED on first reading this _____ day of _____, 2024.

PRESIDING OFFICER

ATTEST:

CITY CLERK

MOTION
SECOND

M. DUNN
D. GRANT
L. MARTIN
S. MARTIN
K. THURSTON

Approved as to Form

Angel Petti Rosenberg
City Attorney