



# City of Lauderhill

City Commission  
Chambers at City Hall  
5581 W. Oakland Park  
Blvd.  
Lauderhill, FL, 33313  
www.lauderhill-fl.gov

## File Details

**File Number: 25R-6239**

**File ID:** 25R-6239

**Type:** Resolution

**Status:** Review Paused

**Version:** 1

**Reference:**

**In Control:** City Commission Meeting

**File Created:** 07/02/2025

**File Name:** 25-SE-005 1249-1267 NW 40 Ave. Lauderhill Mall  
Dental, PA

**Final Action:**

**Title:** RESOLUTION NO. 2025R-07-125: A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA, GRANTING LAUDERHILL MALL DENTAL, P.A., A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT A DENTAL OFFICE WHICH INCLUDES A MEDICAL PROVIDER AUTHORIZED TO PRESCRIBE CONTROLLED SUBSTANCE, WITHIN A 1,500 SQ. FT UNIT ON A 27.59± ACRE SITE LOCATED AT 1249 & 1267 NW 40 AVE LAUDERHILL, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

### Notes:

### Sponsors:

**Enactment Date:**

**Attachments:** RES 25R-07-125 Resolution 25-SE-005 - Lauderhill Dental - Special Exception, Attachment A - Application, Attachment B - Development Review Report (DRR) 25-SE-005, Attachment C - Narrative, Attachment D - Floor Plan, Attachment E - Public Notice Affidavit, Attachment F - Conditions of Approval

**Enactment Number:**

### Contact:

**Hearing Date:**

\* **Drafter:** dlindsay@Lauderhill-fl.gov

**Effective Date:**

## History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File 25R-6239

## RESOLUTION NO. 2025R-07-125: A RESOLUTION OF THE CITY COMMISSION OF

**LAUDERHILL, FLORIDA, GRANTING LAUDERHILL MALL DENTAL, P.A., A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT A DENTAL OFFICE WHICH INCLUDES A MEDICAL PROVIDER AUTHORIZED TO PRESCRIBE CONTROLLED SUBSTANCE, WITHIN A 1,500 SQ. FT UNIT ON A 27.59± ACRE SITE LOCATED AT 1249 & 1267 NW 40 AVE LAUDERHILL, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**Request Action:**

Consider a Special Exception Use with conditions for a medical office with controlled substance providers for a dental office, as requested by Lauderhill Mall Dental, P.A., within a 1,500 sq. ft unit at the Lauderhill Mall on a site approximately 27.59 acres in size at the subject property along NW 40th AVE (US 441/SR 7), between NW 16th Street and NW 12th Street, commonly known as 1249 and 1267 NW 40th Ave.

**Need/Summary Explanation/Background:**

The Applicant (Natalie Jacome, representative of Lauderhill Mall Dental, P.A.) is requesting special exception approval to allow a dental office with providers authorized to prescribe controlled substances at the subject property (1249 and 1267 NW 40th Ave, Lauderhill, FL). If approved by the City Commission, the proposed tenant will commence operation.

The Planning and Zoning Department recommends the City Commission approve this “Dental Office with Controlled Substance Providers” subject to the following conditions:

1. This special exception use development order allows for no controlled substance prescriptions to anyone other than a dental patient in connection with a dental procedure performed or to be performed and no prescription refills.
2. This special exception use development order is granted to the property owner, LAUDERHILL MALL INVESTMENT LLC. The property owner may delegate authority of the approval to tenants to operate a doctor's office on-premise. Pursuant to 1.3.11. Transfer of Development Orders or Approvals, should the property be sold, transferred or otherwise re-assigned the new owner shall notify the Development Services Department of the City updated contact information within five (5) days of change of ownership.
3. The dental office, which includes a medical provider authorized to prescribe controlled substance use is restricted to 1,500 square feet of leasable space located at 1249 and 1267 NW 40th Ave, Lauderhill, Florida 33313. 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.

4. This Special Exception Use development order to allow a dental office, which includes a medical provider authorized to prescribe controlled substances is specifically granted the property owner. Each medical office is required to obtain a Certificate of Use (COU) and each dentist is required to apply for a Certificate of Use, as well as maintain an active and valid dental license at all times. 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.
5. The general days and hours of operation are (6) days a week, Monday - Friday 9am - 6pm and Saturdays 9am - 3pm. Any increase in hours of operation is prohibited and shall be unlawful unless the City Commission amends this development order to allow such increase.
6. If there are any code enforcement violations or liens, Police or Florida Board of Medicine complaints, or any disciplinary actions by the Department of Health, they are grounds for this Special Exception Use Development Order to 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.
7. 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.
8. 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.
9. 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. Pursuant to Article IV Section 5.3.11. of the Land Development Regulations, a discontinuance of operations for a period of one year would forfeit any legal nonconformities related to the proximity of residential zoning districts.
10. The owner shall execute a trespass agreement for the police department to keep on file for enforcement.

**Cost Summary/Fiscal Impact:**

The Department finds the implementation of this Resolution/Ordinance will not require a budget allocation or expenditure of City funds and concludes it does not have any direct fiscal impact on the City's budget.

**Attachments:**

- Attachment A - Application
- Attachment B - Development Review Report (DRR)
- Attachment C - Narrative
- Attachment D - Floor Plan
- Attachment E - Public Notice Affidavit
- Attachment F - Conditions of Approval

Resolution