

Attachment D: Affidavit

SPECIAL EXCEPTION USE AFFIDAVIT OF COMPLIANCE WITH CONDITIONS OF APPROVAL

7-Eleven, Inc. c/o Heidi Davis Knapik - Gunster, (17-SE-001)

I, HEIDI DAVIS KNAPIK, as Agent for 7-Eleven, Inc., being sworn, does hereby certify and affirm that the following statements are true:

1. I have read in its entirety the 7-Eleven (17-SE-001) 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 Lauderdale, Florida Planning and Zoning Division and understand its contents.
2. I have read and understand the below described conditions of approval and voluntarily agree to comply with all said conditions:
 - a. This special exception use development order to allow the a service station and convenience store is specifically granted to 7-Eleven, in care of the applicant, Heidi Davis Knapik - Gunster, 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.
 - b. The convenience store use is restricted to 4,285 square feet of leasable space in a standalone building as shown on the floor plan, the street address being 5590 West Oakland Park Boulevard, Lauderdale, 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.
 - c. The service station and convenience store days and hours of operation are seven days per week, 24 hours per day. 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.

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- d. 7-Eleven shall provide an area of at least 33% (1414 square feet) of the 4,285 square feet building to be used for the preparation, display, sale and consumption of fresh or freshly prepared food and drinks. This area does not include canned, frozen, boxed, etc., products.
 - e. 7-Eleven shall comply with all of the requirements of Section 812.173, Florida Statutes regarding security at convenience stores.
 - f. If the City's Code Enforcement Board assesses a lien for landscaping, trash or other unsightly or unsafe conditions, 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 or revocation.
 - g. If the City's Police 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.
 - h. 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.
3. 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: HEIDI DAVIS KNAPIK

Sign your name: _____

Date signed: _____


2/21/17

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The foregoing instrument was acknowledged before me this 21st day of February, 2017, by Heidi Davis Knapik, who is personally known to me or who has produced _____ as identification and who did take an oath.

Notary public

Print your name: MARY H. HARGREAVES

Sign your name: Mary H. Hargreaves

State of Florida at Large Seal



My Commission Expires: 9-14-2019