

SPECIAL EXCEPTION USE AFFIDAVIT OF COMPLIANCE WITH CONDITIONS OF APPROVAL

[ANGEL TOUCH THERAPY, LLC.] (25-SE-011)

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

I have read in its entirety the [ANGEL TOUCH THERAPY & 25-SE-011] 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 Special Exception Use Development Order for Education, Remedial tutoring is specifically granted to Ptolemaios Property LP for Angel Touch Therapy, LLC, operating within Unit 7173 W. Oakland Park Blvd. Pursuant to Article IV Section 4.10 "Conveyance of Uses that are subject to Special Exception Approval". Any change in ownership must re-apply for Special Exception.
2. The commercial space is restricted to the uses and described herein and the maximum floor area size is limited to 1,775 square feet as displayed on the floor plan. Consistent with land development regulations Article IV., Part 4.0., Section 4.3., the expansion, alteration, enlargement or removal to another location of the use is prohibited and shall be unlawful unless the City Commission amends this 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 uses to another location.
3. The days and hours of operation are limited to Monday through Friday from 8:00am to 6:00pm as indicated on the application. Should the operators desire to extend the days and hours of the operation, then an additional special exception use application will need to be filed with the Planning and Zoning Division and granted by the City Commission. Education, Remedial Use has the flowing criteria as follows:

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- i. They do not serve food and do not allow students to bring food to the facility;
 - ii. They do not offer classes lasting longer than two (2) hours; and
 - iii. They do not have individual students on premises for more than two (2) hours in one (1) day.
4. Subsequent to occupancy, if the Code Enforcement Division or Police Division receives three or more complaints against the use within any one-year period and such complaints are affirmed by the Code Enforcement Board, the City Commission may hold a duly noticed public to review the special exception use and may add, modify, suspend or revoke any conditions of approval or the development order.
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.

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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: _____