

SPECIAL EXCEPTION USE AFFIDAVIT OF COMPLIANCE WITH CONDITIONS OF APPROVAL

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

I, Karl Michael Gordon, 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 approval. Failure to obtain SPM approval and complete required work will result in the revocation of this SEU approval.

SPECIAL EXCEPTION USE AFFIDAVIT OF COMPLIANCE WITH CONDITIONS OF APPROVAL

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

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: Sunday from 7:00 am to 12:00 am and Monday through Saturday from 7:00 a.m. to 2:00 a.m.. Based on the hours of operation alcohol sales would not be permitted (should the Applicant wish to seek alcohol sales, service or consumption then the hours of operation must be revised to comply with the Land Development Regulations Article III Section 5.3 – Alcoholic beverage uses).
7. Walk-up window hours of operation are limited to: Sunday from 7:00 am to 12:00 am and Monday through Saturday from 7:00 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

SPECIAL EXCEPTION USE AFFIDAVIT OF COMPLIANCE WITH CONDITIONS OF APPROVAL

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

12. The owner shall execute a trespass agreement for the police department to keep on file for enforcement.
13. The owner shall coordinate with the City of Lauderdale police department to install security cameras and license plate readers. The security cameras shall be compatible with and provide access to Broward Sheriff's Office (BSO) Real Time Crime Center.
14. The use is limited to a restaurant with drive-thru service and walk-up window. Any live entertainment must be approved through a promotional event permit.

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: Karl Gordon
Sign your name: [Signature]
Date signed: 6/11/24

The foregoing instrument was acknowledged before me this 11th day of June, 2024, by Karl Michael Gordon, who is personally known to me or who has produced FL DL as identification and who did take an oath.

Notary public



Print your name: Katrinn L Reese
Sign your name: [Signature]
State of Florida at Large Seal

My Commission Expires: 01/27/2026