

RESOLUTION NO. 25R-12-230

A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA, GRANTING PTOLEMAIOS PROPERTY, LP, FOR ANGEL TOUCH THERAPY, LLC, A SPECIAL EXCEPTION USE DEVELOPMENT ORDER TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT AN EDUCATION, REMEDIAL USE (TUTORING) ON A 8.47± ACRE SITE LOCATED AT 7173 W. OAKLAND PARK BLVD., LAUDERHILL, FLORIDA, AND MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the property owner, Ptolemaios Property LP, on behalf of its tenant, Angel Touch Therapy, LLC, is requesting a special exception use development order within the General Commercial (CG) zoning district on an approximate 8.47± acre site to provide tutoring to primary and secondary age students some of which maybe home-schooled students, on property located at 7173 W. Oakland Park Blvd., Lauderhill, Florida; and

WHEREAS, the subject property is legally described as PLAT OF INVEREALTY TRACT 1 111-46 B TR B LESS PT DESC AS: COMM SE COR SAID TR B, NW 334, NE 37.50 TO POB NE 127.33, SE 100.17, SW 127.33, NW 100.17 TO POB, LESS POR DESC IN OR 29432/1730 & LESS POR DESC IN OR 36815/553, in the Public Records of Broward County, Florida; and

WHEREAS, City Staff has analyzed the application and the City's Code of Ordinances and finds that the request meets the criteria as set forth in the code of ordinances; and

WHEREAS, approval of a special exception use requires four (4) affirmative votes of the City Commission.

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, THAT:

Section 1. The above recitations are true and incorporated herein.

Section 2. The City Commission having considered all testimony and evidence presented at the Commission meeting, including the staff report, and pursuant to the City's Code of Ordinances, hereby finds that the request meets the criteria as set forth in section Article IV, Section 4.6 of the City's Code of Ordinances.

Section 3. The Special Exception Use Development Order for Property generally located at located at 7173 W. Oakland Park Blvd., Lauderhill, Florida, is hereby approved, subject to the following conditions:

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 following criteria as follows:
 - 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.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This Resolution shall take effect immediately upon its passage.

PASSED AND APPROVED this _____ day of _____, 2025.

DENISE D. GRANT, MAYOR
PRESIDING OFFICER

ATTEST:

ANDREA M. ANDERSON, MMC

CITY CLERK

MOTION _____

SECOND _____

R. CAMPBELL _____

M. DUNN _____

D. GRANT _____

J. HODGSON _____

S. MARTIN _____

Approved as to Form

Hans Ottinot

City Attorney