

RESOLUTION NO. 25R-08-144

A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA, GRANTING ECM-BG2-LAUDERHILL, FL-1-UT, LLC, ON BEHALF OF BOCA GAS COMPANY HOLDINGS 2, LLC, A SPECIAL EXCEPTION USE DEVELOPMENT ORDER TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT THE CONVEYANCE OF USE OF AN EXISTING SERVICE STATION WITH CONVENIENCE STORE AND CAR WASH USE ON A 0.91± ACRE SITE LEGALLY LOCATED AT 1901 N. STATE ROAD 7, LAUDERHILL, FLORIDA AND MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the property owner, ECM BG2 LAUDERHILL FL 1 UT LLC, on behalf of Boca Gas Company Holdings 2, LLC, is requesting a special exception use order to allow the continued operations of a service station with convenience store and car wash within the General Commercial (“CG”) zoning district on a on an approximately 0.91± acre site located at 1901 N State Road 7; and

WHEREAS, the subject property is also legally described as 25-49-41 COMM AT SE COR OF SE1/4,N 145.13 W 50 TO POB,W 200,N 200,E 200,S 200 TO POB; 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.

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, Standards for Approval, of the City’s Code of Ordinances.

Section 3. The Special Exception Use Order for property located at 1901 N State Road 7, is hereby approved, subject to the following conditions:

1. This special exception use development order to allow the conveyance of use of a service station with convenience store and car wash is specifically granted to ECM BG2 LAUDERHILL FL 1 UT LLC, on behalf of Boca Gas Company Holdings 2, LLC. Pursuant to Land Development Regulations Article IV., Part 4.0., Section 4.10, Conveyance of uses that are subject to special exception approval, should the property

be sold, transferred or otherwise re-assigned, the new owner must file a special exception application to obtain approval from the City Commission.

2. The Service Station with Convenience Store and Car Wash Use is restricted to 2,279 square feet of leasable space located at 1901 N State Road 7 Lauderhill, 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.
3. The Service Station with Convenience Store and Car Wash days and hours of operation are 7 days per week 6:00am – 11:00pm. 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.
4. The property owner, ECM-BG2-LAUDERHILL, FL-1-UT, LLC is responsible for obtaining site plan approval from the DRC and associated permits from the Building Department for the renovation of the carwash prior to operating the carwash at the subject location
5. The property owner, ECM-BG2-LAUDERHILL, FL-1-UT, LLC and all subsequent tenants shall comply with all of the requirements of Section 812.173, Florida Statutes, regarding security at convenience stores as well as comply with all provisions required in Article VII Section 12-106- Convenience Stores of the Code of Ordinances and Article III Sec 5.15.A of the Land Development Code. Such conditions must be met and required at time of Certificate of Use.
6. 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.
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.
- 10. The owner shall execute a trespass agreement for the police department to keep on file for enforcement.
- 11. The property owner must review the approved landscaping plan on file with the city & ensure that the property is in compliance with the landscaping & lighting requirements, within 90 days of this approval.

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 _____

Approved as to Form

R. CAMPBELL _____
 M. DUNN _____
 D. GRANT _____
 J. HODGSON _____
 S. MARTIN _____

 Hans Ottinot
 City Attorney