

**SPECIAL EXCEPTION USE AFFIDAVIT OF  
COMPLIANCE WITH CONDITIONS OF APPROVAL**

[4 AM LOUNGE BAR AND GRILL] (24-SE-020)

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

I have read in its entirety the [4 AM Lounge Bar and Grill & 24-SE-020] 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 to allow a Hookah Lounge as an accessory use to the existing Restaurant Bar is specifically granted to 4 AM Lounge Bar and Grill 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.
2. The accessory Hookah Lounge Use is restricted to 4,200 square feet of space located at 3974 NW 19 ST 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 hours of operation of the accessory Hookah Lounge are limited to the hours of operation approved on the Certificate of Use (COU) for the principal use (Restaurant Bar): Sunday 12 PM – 2 AM, Closed Mondays, Tuesday – Saturday: 2 PM – 2 AM.
4. 4 AM Lounge Bar and Grill shall submit permits demonstrating compliance with the applicable requirements contained in the Florida Building Code related to mechanical ventilation for smoking lounges, prior to approval of an amended COU.
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,

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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 development permit or site plan approval is applied for 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. 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.

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.

*[ Remainder intentionally left blank – signatures on next page ]*

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[4 AM LOUNGE BAR AND GRILL] (24-SE-020)

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: \_\_\_\_\_