

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

[Play, Learn, and Grow of Tamarac, LLC] (24-SE-009)

I, Carolina E. Perez, being sworn, do hereby certify and affirm that the following statements are true:

I have read in its entirety the [Play, Learn, and Grow of Tamarac, LLC & 24-SE-009] 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 Lauderdale, 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 Lauderdale 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 development order for a child care use with before and after care services is specifically granted to Play, Learn, and Grow of Tamarac, LLC and such development order cannot be assigned, leased, subleased, transferred or otherwise conveyed to another person. Further, this special exception use development order shall automatically expire and become null and void if any person other than Play, Learn, and Grow of Tamarac, LLC operates the use. 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. This special exception use development order shall automatically expire and become null and void if the use shall cease to operate. Moreover, this special exception use development order shall automatically expire and become null and void if Play, Learn, and Grow of Tamarac, LLC is sold, assigned, transferred or otherwise conveyed to another person.
2. The child care use is restricted to a total of 3,500 square feet. 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 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



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authority to allow the expansion, enlargement, reduction or removal of the use to another location.

3. The general days and hours of operation are Monday through Friday from 7:00 a.m. to 6:00 p.m. Any increase in either the days or hours of operation or both is prohibited and shall be unlawful unless the City Commission amends this development order to allow such increase.
4. The maximum child capacity of the child care use is limited to the maximum child capacity set on the Broward County DCF childcare license and allowable by State Fire Code. It shall be unlawful to serve more than the specified maximum capacity unless the City Commission, sitting as the Board of Adjustment, amends the special exception use development order to allow such revisions.
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.

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

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special exception use application and any certificate of use associated with the special exception use approval.

Print your name: Carolina E. Perez

Sign your name: [Signature]

Date signed: 8/21/2024

The foregoing instrument was acknowledged before me this 21 day of August, 2024, by Carolina Elizabeth Perez, who is personally known to me or who has produced FDL #P620-105-91-690-C as identification and who did take an oath.

Notary public

Print your name: Christina Paola Bravo

Sign your name: [Signature]

State of Florida at Large Seal



My Commission Expires: 02/13/2027