

RESOLUTION NO. 23R-07-183

A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING PRIMARY CARE DENTAL PARTNERS, P.A. A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG), ZONING DISTRICT AN OFFICE, MEDICAL, DENTAL, WITH CONTROLLED SUBSTANCE PROVIDER IN A ± 1,604 SQUARE FEET SITE LOCATED AT 5950 W. OAKLAND PARK BLVD AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, this property is zoned General Commercial (CG) by the City of Lauderhill Zoning Map; and

WHEREAS, pursuant to the Land Development Regulations (LDR), this use is permitted in the General Commercial (CG) zoning district by Special Exception approval only; and

WHEREAS City Staff recommends that the City Commission vote IN FAVOR OF of this Special Exception Use Development Order request, subject to the following conditions;

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

Section 1. The Special Exception Use Order of Primary Care Dental Partners, P.A., to allow in the General Commercial (CG) Zoning District an office, medical, dental, with Controlled Substance Provider in a ± 1,604 square feet site located at 5950 W. Oakland Park Blvd. as legally described herein, is hereby approved, subject to the following conditions:

1. This Special Exception Use development order allows for no controlled substance prescriptions to anyone other than a dental patient in connection with a dental procedure performed or to be performed.
2. This Special Exception Use development order allows for no prescription refills.
3. The Office, Medical, with Controlled Substance Provider use is restricted to a total of 1,604± square feet as indicated on the proposed site plan. 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 authority to allow the expansion, enlargement, reduction or removal of the use to another location

4. The general days and hours of operation are five (5) days a week, Monday through Friday 8:30 a.m. to 5:00 p.m., Any increase in hours of operation is prohibited and shall be unlawful unless the City Commission amends this development order to allow such increase.
5. Complaints to Code Enforcement, Police or the Florida Board of Medicine may cause the SEU approval to be reviewed by the City Commission for possible revocation.
6. This Special Exception Use development order for Office, Medical, and Dental with a Controlled Substance Provider shall be specifically granted to Primary Dental Partners P.A. and shall cover the licensed dentists. In addition to Primary Dental Partners P.A. receiving a certificate of use, each dentist is required to apply for a certificate of use. This special exception use development order shall automatically expire and become null and void if any entity other than Primary Dental Partners P.A. operates the dentist office. All doctors, employees, agents and independent contractors are subject to, and covered by, the express terms and conditions of this Special Exception Use Development Order.
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. Complaints to Code Enforcement, Police or the Florida Board of Medicine may cause the SEU approval to be reviewed by the City Commission for possible revocation.
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 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.
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.

12. The owner shall execute a trespass agreement for the police department to keep on file for enforcement.

Section 2. The Staff Report, as prepared by City staff, and all other substantial competent evidence presented at the Commission meeting, is incorporated herein and is hereby adopted as the findings of fact as to this special exception.

Section 3. This Resolution shall take effect immediately upon its passage.

DATED this _____ day of _____, 2023.

PASSED AND ADOPTED on first reading this _____ day of _____, 2023.

PRESIDING OFFICER

ATTEST:

CITY CLERK

MOTION
SECOND

M. DUNN
D. GRANT
L. MARTIN
S. MARTIN
K. THURSTON

Approved as to Form

Angel Petti Rosenberg
City Attorney