



## Legislation Details (With Text)

**File #:** 11096  
**Type:** Resolution **Status:** Adopted  
**File created:** 9/19/2022 **In control:** Board of County Commissioners  
**On agenda:** 10/11/2022 **Final action:** 10/11/2022  
**Enactment date:** 10/11/2022 **Enactment #:** RES-2022-193  
**Title:** Rezoning Petition Submitted by DemiSar Properties, LLC, on Behalf of Larry J. Davis (H2253)  
**Sponsors:**  
**Indexes:**  
**Code sections:**

**Attachments:** 1. H-22-53 P&Z Action, 2. H-22-53 Staff Report, 3. H-22-53 Maps, 4. H-22-53 Application Package, 5. H-22-53 Approval Resolution, 6. Affidavit of Publication of Legal Ad PD-22-43, 7. Approved Resolution No. 2022-193, 8. Summary of BOCC Action

Date	Ver.	Action By	Action	Result
10/11/2022	1	Board of County Commissioners	adopted	Pass

### TITLE

Rezoning Petition Submitted by DemiSar Properties, LLC, on Behalf of Larry J. Davis (H2253)

### BRIEF OVERVIEW

#### Request:

Rezoning from R-1A (Residential) to PDP(HC)/Planned Development Project (Highway Commercial)

#### General Location:

South side of Cortez Blvd, approximately 218' west of Colorado Street.

#### P&Z Action:

On September 12, 2022, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from R-1A (Residential) to PDP (HC)/Planned Development Project (Highway Commercial) with deviations and unmodified performance conditions.

#### Hearing Detail:

The following members were present at the September 12, 2022, Planning and Zoning Commission meeting: Interim Chairman Jonathan McDonald; Interim Vice Chairman W. Steve Hickey; Mark Johnson (an alternate member present in a voting capacity due to the absence of Mike Fulford) and John T. Carroll (an alternate member present in a voting capacity due to the absence of Jerry Campbell).

### FINANCIAL IMPACT

A matter of policy. No financial impact.

### LEGAL NOTE

The Board has the authority to make the requested rezoning decision pursuant to Chapters 125 and 163 Florida Statutes. The Applicable Criteria for a Zoning District Amendment are contained in Appendix A (Zoning Code), Article VI. The Applicable Criteria for a PDP are found in Appendix A (Zoning Code), Article VIII. The Zoning District Amendment must be consistent with the Comprehensive Plan.

## **RECOMMENDATION**

It is recommended that the recommend the Board adopt a resolution approving the petitioner's request for a rezoning from R-1A (Residential) to PDP (HC)/Planned Development Project (Highway Commercial) with deviations and unmodified performance conditions in accordance with the attached staff report. It is further recommended that the Board authorize the Chairman's signature on the attached associated resolution.