



Legislation Details (With Text)

File #: 12545
Type: Resolution **Status:** Adopted
File created: 7/14/2023 **In control:** Board of County Commissioners
On agenda: 8/8/2023 **Final action:** 8/8/2023
Enactment date: 8/8/2023 **Enactment #:** RES-2023-160
Title: Resolution Ratifying Denial of Rezoning Petition Submitted by Oak Development Group, LLC, on Behalf of Lesa Bruger, as Trustee of Land Trust No. One U/A/D February 2001 (H2276)

Sponsors:

Indexes:

Code sections:

Attachments: 1. H-22-76 BOCC Action 7.11.2023, 2. H-22-76 BOCC Action 2.14.2023, 3. H-22-76 P&Z Action 6.12.2023, 4. H-22-76 Staff Report, 5. H-22-76 Oak Development Group, LLC Rezoning Petition, 6. H-22-76 Revised Master Plan, 7. H-22-76 Maps, 8. H-22-76 Non-Binding Capacity Analysis, 9. H-22-76 Application Packet, 10. H-22-76 Rezoning Application Narrative, 11. H-22-76 Denial Resolution, 12. H-22-76 Proof of Publication, 13. Approved Resolution No. 2023-160

Date	Ver.	Action By	Action	Result
8/8/2023	1	Board of County Commissioners	adopted	Pass

TITLE

Resolution Ratifying Denial of Rezoning Petition Submitted by Oak Development Group, LLC, on Behalf of Lesa Bruger, as Trustee of Land Trust No. One U/A/D February 2001 (H2276)

BRIEF OVERVIEW

Request:

Rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP (SU)/Planned Development Project (Special Use) with deviations.

Request:

Rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP (SU)/Planned Development Project (Special Use) with deviations.

General Location:

Eastern terminus of Godwit Avenue and Gyrafalcon Avenue and south of Seely Lane

P&Z Action:

On June 12, 2023, 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 AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) with deviations and with revised modified performance conditions. Subsequent to the Planning and Zoning meeting, a request was received from the applicant to withdraw the application due to the fact that the petitioner was no longer under contract to purchase the subject parcel.

Hearing Detail:

On July 12, 2023, the Board of County Commissioners acknowledged the withdrawal request and voted 5-0 to deny the petitioner's request for a rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with deviations on this basis.

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 to the Planned Development District and applicable PDP master plan must be consistent with the Comprehensive Plan.

RECOMMENDATION

It is recommended the Board adopt and authorize the Chairman's signature on the attached resolution ratifying the Board's action to deny the petitioner's request for a Rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) with deviations and with revised performance conditions.