



Legislation Details (With Text)

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| File #: | 12010 | Status: | Adopted |
| Type: | Agenda Item | In control: | Board of County Commissioners |
| File created: | 3/14/2023 | Final action: | 4/11/2023 |
| On agenda: | 4/11/2023 | Enactment #: | |
| Enactment date: | | Title: | Rezoning Petition Submitted by Maya Motels, Inc. (H2283) |
| Sponsors: | | | |
| Indexes: | | | |
| Code sections: | | | |
| Attachments: | 1. H-22-83 BCC Action, 2. H-22-83 P&Z Action, 3. H-22-83 Application Packet, 4. H-22-83 Staff Report, 5. H-22-83 Maps, 6. H-22-83 Master Plan, 7. H2283 Applicant Email, 8. Affidavit of Publication of Legal Ad PD-23-08 | | |

| Date | Ver. | Action By | Action | Result |
|-----------|------|-------------------------------|---------|--------|
| 4/11/2023 | 1 | Board of County Commissioners | adopted | Pass |

TITLE

Rezoning Petition Submitted by Maya Motels, Inc. (H2283)

BRIEF OVERVIEW

Request:

Rezoning from C-1 (General Commercial) and C-2 (Highway Commercial) to PDP(MF)/Planned Development Project (Multifamily) with deviations

General Location:

North side of Cortez Boulevard (SR 50), approximately 300' west of Deltona Boulevard

P&Z Action:

On January 9, 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 C-1 (General Commercial) and C-2 (Highway Commercial) to PDP(MF)/Planned Development Project (Multifamily) with deviations with performance conditions in accordance with the staff report.

Hearing Detail:

This petition was postponed from the February 14, 2023, BCC hearing. This petition was fully readvertised for the April 11, 2023, public hearing.

On February 15, 2023, the Board of County Commissioners voted 5-0 to postpone the petitioner's request for a Rezoning from C-1 (General Commercial) and C-2 (Highway Commercial) to PDP (MF)/Planned Development Project (Multifamily) with deviations to the April 11, 2023, hearing with the applicant incurring all re-advertising costs.

Subsequent to the BOCC meeting on February 15, 2023, staff reached out to the applicant regarding

the concerns identified by the Board. The petitioner confirmed plans to attend the April 11, 2023, meeting; however, no revised master plan or updated narrative documents were received for the Board's consideration.

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.

RECOMMENDATION

It is recommended that the Board deny the petitioner's request for a rezoning from C-1 (General Commercial) and C-2 (Highway Commercial) to PDP(MF)/Planned Development Project (Multifamily) with deviations due to the layout creating incompatibility with the surrounding residential land uses. If the Board denies the request, a resolution ratifying the denial will be brought back to the Board at the next available hearing.