



## Legislation Details (With Text)

**File #:** 10944  
**Type:** Agenda Item      **Status:** Adopted  
**File created:** 8/16/2022      **In control:** Board of County Commissioners  
**On agenda:** 9/13/2022      **Final action:** 9/13/2022  
**Enactment date:**      **Enactment #:**

**Title:** Master Plan Petition Submitted by Todd Mooney (H2213)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. H-22-13 BCC Action, 2. H-22-13 P&Z Action, 3. H-22-13 Staff Report, 4. H-22-13 Maps, 5. H-22-13 Application Packet, 6. H-22-13 PIW Packet, 7. H-22-13 Non-Binding School Analysis, 8. H-22-13 P&Z Citizen Exhibits, 9. H-22-13 P&Z Petitioner Exhibits, 10. H-22-13 P&Z Staff Exhibits, 11. Affidavit of Publication of Legal Ad PD-22-30, 12. Public Comment Forms, 13. Summary of BOCC Action

Date	Ver.	Action By	Action	Result
9/13/2022	1	Board of County Commissioners	adopted	Pass
9/13/2022	1	Board of County Commissioners	adopted	Pass

### TITLE

Master Plan Petition Submitted by Todd Mooney (H2213)

### BRIEF OVERVIEW

#### Request:

Revision to a Master Plan with a rezoning from PDP(OP)/Planned Development Project (Office Professional) and PDP(SF)/Planned Development Project (Single Family) to PDP(MF)/Planned Development Project (Multifamily) and PDP(OP)/Planned Development Project (Office Professional) with specific C-1 uses and Deviations

#### General Location:

South side of Cortez Boulevard, approximately 700' east of Nightwalker Road

#### P&Z Action:

On June 13, 2022, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners adopt a resolution denying the petitioner's request to revise a Master Plan with a rezoning from PDP(OP)/Planned Development Project (Office Professional) and PDP(SF)/Planned Development Project (Single Family) to PDP(MF)/Planned Development Project (Multifamily) and PDP(OP)/Planned Development Project (Office Professional) with specific C-1 uses and deviations.

The following members were present at the June 13, 2022, Planning and Zoning Commission meeting: Chairman Mike Fulford; Vice Chairman Jerry Campbell; W. Steve Hickey; Mike Kierzynski; Jonathan McDonald, Mark Johnson (an alternate member present in a non-voting capacity) and John T. Carroll (an alternate member present in a non-voting capacity).

**Hearing Detail:**

This petition was postponed from the July 12, 2022, Board hearing to a date and time certain of September 13, 2022, hearing at 9:00 a.m.

**FINANCIAL IMPACT**

A matter of policy. No financial impact.

**LEGAL NOTE**

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

**RECOMMENDATION**

It is recommended the Board deny the petitioner's request to revise a Master Plan with a rezoning from PDP(OP)/Planned Development Project (Office Professional) and PDP(SF)/Planned Development Project (Single Family) to PDP(MF)/Planned Development Project (Multifamily) and PDP(OP)/Planned Development Project (Office Professional) with specific C-1 uses and Deviations in accordance with the recommendation of the Planning and Zoning Commission. An associated resolution will be presented for ratification at a future Board of County Commissioners meeting on the consent agenda.