



Legislation Details (With Text)

File #: 13739
Type: Agenda Item **Status:** Adopted
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On agenda: 3/12/2024 **Final action:** 3/12/2024
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Title: Rezoning Petition Submitted by Oak Development Group, LLC, on Behalf of Panther I, LLC (H2354)

Sponsors:

Indexes:

Code sections:

Attachments: 1. H2354 Application Packet, 2. H2354 Site Plan, 3. H2354 Maps, 4. H2354 P&Z Action 12-11-23, 5. H2354 Staff Report, 6. H2354 BOCC Action, 7. H2354 P&Z Action, 8. Lake Mirage Subdivision Roadway Review, 9. Staff Report for H2354, 10. Lake Mirage Subdivision Traffic Summary, 11. Stearns Weaver – Lake Mirage Presentation (LS13739).pdf, 12. Public Comment Form - Robert Contorno, 13. Public Comment Form - Charles Willis, 14. Public Comment Form - Therese Babraitis, 15. Public Comment Form - Frederick L. Deloach

Date	Ver.	Action By	Action	Result
3/12/2024	1	Board of County Commissioners	defeated	Fail
3/12/2024	1	Board of County Commissioners	adopted	Pass
3/12/2024	1	Board of County Commissioners	adopted	Pass

TITLE

Rezoning Petition Submitted by Oak Development Group, LLC, on Behalf of Panther I, LLC (H2354)

BRIEF OVERVIEW

Request:

Rezoning from AR (Agricultural/Residential) and AG (Agricultural) to PDP(SF)/ Planned Development Project (Single Family) with deviations.

General Location:

Between the east side of Eakin Street, approximately 230' from its intersection with Atlanta Avenue, and the west side of Lomita Wren Road, approximately 300' from its intersection with Mirage Avenue

P&Z Action:

On February 12, 2024, the Planning and Zoning Commission voted 4-1 to recommend the Board of County Commissioners denying the petitioner’s request for a rezoning from AR (Agricultural/Residential) and AG (Agricultural) to PDP(SF)/ Planned Development Project (Single Family). Chairman Nicholas Holmes was the dissenting vote.

Hearing Detail:

The following members were present at the February 12, 2024, Planning and Zoning Commission meeting: Chairman Nicholas Holmes; Acting Vice Chairman Mike Fulford; Kathryn Birren, Donald Whiting, and Gregory Arflack. Chairman Nicholas Holmes was the dissenting vote.

BOCC Action:

On January 9, 2024, the Board of County Commissioners voted 5-0 to postpone the petitioner's request for a rezoning from AR (Agricultural/Residential) and AG (Agricultural) to PDP(SF)/ Planned Development Project (Single Family) with deviations, in order to allow the petitioner additional time to discuss the proposed development with County staff.

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.

Appendix A, Article VI, Section 2 provides that the governing body may convert a conventional zoning amendment to a planned development district.

RECOMMENDATION

Based on the recommendation of the Planning and Zoning Commission at its February 12, 2024, Public Hearing, it is recommended that the Board deny the petitioner's request for rezoning from AR (Agricultural/Residential) and AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family). The final action of the Board, whether for approval or denial will require a ratification of resolution at a future hearing.