



Legislation Details (With Text)

File #: 12845
Type: Agenda Item **Status:** Adopted
File created: 9/15/2023 **In control:** Board of County Commissioners
On agenda: 10/24/2023 **Final action:** 10/24/2023
Enactment date: **Enactment #:**
Title: Rezoning Petition Submitted by Brightwork Real Estate, Inc., on Behalf of Kenneth L. Haber, Martha Haber, Gary Haber, and Evelyn Haber (H2167)

Sponsors:

Indexes:

Code sections:

Attachments: 1. H2167 Application, 2. H2167 P&Z Action 03.14.2022, 3. H2167 BOCC Action 04.12.2022, 4. H2167 Staff Report 04.12.2022, 5. H2167 Staff Report 07.11.2023, 6. H2167 BOCC Action 08.08.2023, 7. H2167 Maps, 8. H2167 Public Comment 10.10.2023, 9. H2167 Public Inquiry WorkShop 12.07.2021, 10. H2167 Revised Master Plan, 11. H2167 Petitioner Proposed Revised Conditions of Approval, 12. H2167 Traffic Analysis 01.2023, 13. H2167 Traffic Analysis 03.2023, 14. H2167 Resolution, 15. Affidavit of Publication of Legal Ad CLK23-154, 16. Affidavit of Publication of Legal Ad PD-23-34 CLK23-149, 17. Citizen Representative Geor Angelidas - Handout to Commisioners, 18. Rezoning Petition Submitted by Brightwork Real Estate, Inc. - Exhibits, 19. Public Comment Form - Jim Olle, 20. Public Comment Form - John Kokkas, 21. Public Comment Form - Kalyn Lehr, 22. Public Comment Form - Rhys Cosma, 23. Public Comment Form - Tom St Clair

Date	Ver.	Action By	Action	Result
10/24/2023	1	Board of County Commissioners	adopted	Pass

TITLE

Rezoning Petition Submitted by Brightwork Real Estate, Inc., on Behalf of Kenneth L. Haber, Martha Haber, Gary Haber, and Evelyn Haber (H2167)

BRIEF OVERVIEW

Request:

Rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(GC)/Planned Development Project (General Commercial) with Specific C-2 Uses and Deviations

General Location:

Northeast corner of Commercial Way and Spring Hill Drive

BOCC Action:

On August 8, 2023, the Board of County Commissioners voted 5-0 to postpone the petitioner’s request for a rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(GC)/Planned Development Project (General Commercial) with Specific C-2 uses and deviations, indefinitely while the petitioner coordinated details of the traffic study and provided ample time for the opposing party to attend.

Subsequent to the hearing, the application was fully readvertised for the October 24, 2023, Board of

County Commissioner hearing.

Hearing Detail:

This petition was postponed from the August 8, 2023 BCC hearing. This petition was fully readvertised for the October 24, 2023, public hearing.

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 Board adopt a resolution approving the petitioner's request for a rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(GC)/ Planned Development Project (General Commercial) with Specific C-2 uses and deviations with modified performance conditions. It is further recommended that the Board approve and authorize the Chairman's signature on the attached associated resolution.