



## Legislation Details (With Text)

**File #:** 13384  
**Type:** Resolution **Status:** Agenda Ready  
**File created:** 12/17/2023 **In control:** Board of County Commissioners  
**On agenda:** 1/9/2024 **Final action:**  
**Enactment date:** **Enactment #:**  
**Title:** Rezoning Petition Submitted by Rebecca Murphy and Ricky Murphy on Behalf of MFM Construction Corp. (H2361)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. H2361 Application Packet, 2. H2361 Staff Report, 3. H2361 Site Plan, 4. H2361 Maps, 5. H2361 P&Z Action, 6. H2361 Resolution, 7. Affidavit of Publication of Legal Ad PD-23-45, 8. Approved Resolution No. 2024-014, 9. Summary of BOCC Action

Date	Ver.	Action By	Action	Result
1/9/2024	1	Board of County Commissioners		

### TITLE

Rezoning Petition Submitted by Rebecca Murphy and Ricky Murphy on Behalf of MFM Construction Corp. (H2361)

### BRIEF OVERVIEW

#### Request:

Rezoning from PDP(OP)/ Planned Development Project (Office Professional) and AG (Agricultural) to PDP(GC)/ Planned Development Project (General Commercial) with deviations

#### General Location:

West side of U.S. 41 (Broad Street) approximately 2,000 feet from its intersection with Southern Hills Boulevard

#### P&Z Action:

On December 11, 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 PDP (OP)/ Planned Development Project (Office Professional) and AG (Agricultural) to PDP(GC)/ Planned Development Project (General Commercial) with deviations and unmodified performance conditions.

#### Hearing Detail:

The following members were present at the December 11, 2023, Planning and Zoning Commission meeting: Chairman Jonathan McDonald; Vice Chairman W. Steve Hickey; Kathryn Birren, Nicholas Holmes, and Gregory Arflack.

### 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**

It is recommended that the Board adopt a resolution approving the petitioner's request for a rezoning from PDP(OP)/ Planned Development Project (Office Professional) and AG (Agricultural) to PDP (GC)/ Planned Development Project (General Commercial) with deviations. It is further recommended that the Board authorize the Chairperson's signature on the attached associated resolution.