



## Legislation Details (With Text)

**File #:** 10652  
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**On agenda:** 8/9/2022 **Final action:** 8/9/2022  
**Enactment date:** 8/9/2022 **Enactment #:**  
**Title:** Rezoning Petition Submitted by Shutts & Bowen, LLP on Behalf of Temple Beth David Jewish Center, Inc., to Establish Public Service Facility Overlay District for Communication Tower (H2210)  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. H-22-10 BCC Action, 2. H-22-10 Citizen Exhibit, 3. H-21-10 P&Z Action, 4. H-22-10 Staff Report, 5. H-22-10 Maps, 6. H-22-10 Application Packet, 7. H-22-10 Public Correspondence, 8. H-22-10 Approval Resolution, 9. Affidavit of Publication of Legal Ad PD-22-23, 10. Public Comment - Ryan Maloney Handout, 11. Petitioner Exhibit by Lee Pallardy, Inc., 12. Public Comment - Todd Pressman Presentation, 13. Public Comment - Ryan Maloney Exhibits, 14. Public Comment Forms, 15. Public Comment - Petition, 16. Summary of BOCC Action

Date	Ver.	Action By	Action	Result
8/9/2022	1	Board of County Commissioners	adopted	Pass

### TITLE

Rezoning Petition Submitted by Shutts & Bowen, LLP on Behalf of Temple Beth David Jewish Center, Inc., to Establish Public Service Facility Overlay District for Communication Tower (H2210)

### BRIEF OVERVIEW

#### Request:

Public Service Facility Overlay District for a Communication Tower

#### General Location:

East of Linden Road, South of Antelope Street and north of Feather Street

#### P&Z Action:

On May 9, 2022, the Planning and Zoning Commission voted 4-1 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a Public Service Facility Overlay District for a Communication Tower with performance conditions. Commissioner McDonald was the dissenting vote.

#### Hearing Detail:

This petition was postponed from the June 14, 2022, BOCC meeting to a date and time certain of August 9, 2022, at 9:00 A.M.

The following members were present at the May 9, 2022, Planning and Zoning Commission meeting: Chairman Mike Fulford; Vice Chairman Jerry Campbell; Jonathan McDonald, W. Steve Hickey; John Carroll (an alternate member present in a voting capacity due to the absence of Mike Kierzynski);

and Mark Johnson (an alternate member present in a non-voting capacity).

## **FINANCIAL IMPACT**

A matter of policy.

## **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 Public Service Facility (PSF) Overlay District Standards are contained in Article IV, Section 11 together with Communication Tower standards in Article II, Section 2(F). The Zoning District Amendment must be consistent with the Comprehensive Plan.

## **RECOMMENDATION**

It is recommended the Board adopt a resolution approving the petitioner's request for a Public Service Facility Overlay District for a Communication Tower with performance conditions in accordance with the recommendation of the Planning and Zoning Commission. It is further recommended that the Board approve and authorize the Chairman's signature on the attached associated resolution.