

LAND USE AND ZONING COMMITTEE AMENDMENT

The Land Use and Zoning Committee offers the following amendment to File No. 2022-203:

- (1) On **page 1, line 5**, strike "CONCERNING" and insert "GRANTING";
- (2) On **page 1, line 17**, after "COMMITTEE;" insert "PROVIDING FOR NOTICE;"; and
- (3) On **page 2, line 23**, after "Council." insert "Based on the competent substantial evidence in the record of proceedings, including the Planning and Development Department Staff Reports, the appeal is granted. The Planning Commission Final Order denying Application E-22-01 and the Planning Commission Final Order denying companion Application AD-22-01 are overturned, and Applications E-22-01 and AD-22-01 are approved, subject to the conditions outlined herein. Pursuant to Section 166.033, *Florida Statutes*, the Council hereby finds:

(1) This Resolution shall serve as written notice to the appellant/applicant, Fitoz, LLC.

(2) Based on the competent substantial evidence in the record of proceedings, Application E-22-01 meets, to the extent applicable, the standards and criteria for an Exception set forth in Section 656.131(c), *Ordinance Code*, and is approved.

(3) Based on the competent and substantial evidence in the record of proceedings, Application AD-22-01 meets

each of the criteria for an Administrative Deviation set forth in Section 656.109(h), *Ordinance Code*, and is approved.

(4) The Council's grant of this appeal, and its approval of Applications E-22-01 and AD-22-01, is subject to the following condition:

(a) Development of the property shall be subject to the Revised Site Plan dated February 24, 2022, **attached hereto as Exhibit 1.**";

(4) On **page 2, line 23^½**, **insert** a new Section 2 to read as follows:

"Section 2. Notice. Legislative Services is hereby directed to mail a copy of this Resolution, as adopted, to the appellant/applicant, and any other parties to this matter who testified before the Land Use and Zoning Committee, or otherwise filed a qualifying written statement as defined in Section 656.140(c), *Ordinance Code.*"; and

(5) Renumber the remaining Section;

(6) On **page 1, line 1**, amend the introductory sentence to add that the bill was amended as reflected herein.

Form Approved:

 /s/ Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared By: Mary E. Staffopoulos

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