

**LAND USE AND ZONING COMMITTEE AMENDMENT**

The Land Use and Zoning Committee offers the following first amendment to File No. 2019-461:

- (1) On **page 1, line 6**, strike "CONCERNING" and insert "DENYING"; and
- (2) On **page 2, line 14**, after "Council." insert "Based on the competent substantial evidence in the record of proceedings, the Appeal is denied, the Planning Commission Final Order denying Application WLD-19-13 is upheld, and Application WLD-19-13 is denied. Pursuant to Section 166.033(2), *Florida Statutes*, the Council hereby finds:
  - (1) This Resolution shall serve as written notice to the appellant, Malih Properties, LLC (Banner Liquor, Inc.).
  - (2) Based on the competent substantial evidence in the record of proceedings, Application WLD-19-13 fails to meet the criteria that one or more circumstances exist which negate the necessity for compliance with the distance requirements pursuant to Section 656.133(a), *Ordinance Code.*"; and
- (3) On **page 2, line 14½**, 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

- (4) Renumber the remaining Section.
- (5) On **page 1, line 1**, amend the introductory sentence to add that the bill was amended as reflected herein.

Form Approved:

          /s/ Shannon K. Eller          

Office of General Counsel

Legislation Prepared By: Shannon K. Eller

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