



## Legislation Text

File #: 17-0571, Version: 1

**ZI 2017-01, Bright Steps Forward**, generally located south of Pines Boulevard, west of University Drive, zoning interpretation request. (Dean)

### SUMMARY EXPLANATION AND BACKGROUND:

Bright Steps Forward (Bernice Phillips - Agent) is requesting a Zoning Interpretation to allow a school at 1431 N Palm Avenue, an individual bay of a shopping center.

Bright Steps Forward is registered with the Florida Department of Education, and due to their operation, they must be classified as Educational (school) under the Florida Building Code. As Bright Steps Forward must submit City Building Permit Application(s), and their Local Business Tax Receipt (business license) as Educational (school) Staff's interpretation was that Bright Steps Forward must meet all requirements of Section 155.283 (Special Exceptions) of the code of ordinances (see attached copy of Section 155.283).

Bernice Phillips, as agent, has submitted documentation to show that due to the specific nature of the operation(s) of Bright Steps Forward, the students being serviced and the very limited number of students being enrolled, that Bright Steps Forward should not be considered a school having to meet the requirements of Section 155.283 and be allowed to locate as a tenant in a shopping center.

### Variance Request Summary:

Application	Code Section	Required/Allowed	Request
ZI 2017-01	32.082(B)(4)	Interpretation	Allow a school as a tenant of a shopping center

### Interpretation Request Details:

- 1. ZI 2017-01)** To allow a school as a tenant of a shopping center

Code Reference: § 32.082 DUTIES AND RESPONSIBILITIES.

(B) For all non-single-family residential applicants, the Planning and Zoning Board shall perform the following duties and responsibilities: (4) Permit or authorize a use which is not specifically or implicitly prohibited in a zoning district, when the Board finds that the use is similar in character to a use permitted in that district and is not listed as a permitted use in a less restricted district.

### Interpretation Determination:

The Planning and Zoning Board shall not grant any variances, permits, or make any decision, finding, and determination unless it first determines that:

Its decision and action taken is in harmony with the general purposes of the zoning ordinances of the city and is not contrary to the public interest, health, or welfare, taking into account the character and use of adjoining buildings and those in the vicinity, the number of persons residing or working in the buildings, and traffic conditions in the vicinity.