

**City of Coconut Creek
City Commission
Order on Appeal of Administrative Decision**

Appellant: AutoBuilders General Contracting Services, Inc. on behalf of property owner Pompano Autoplex, LLC

Administrative Decision On Appeal:

Amendment of site plan for removal and replacement of trees where the changes substantially alter the intent and character of an approved site plan cannot be approved administratively, under 13-549, *Modifications to Approved Site Plans*.

Issued by: Director of Sustainable Development on August 1, 2023

Relevant City Code Language: City of Coconut Creek Land Development Code, Sec. 13-549. Modifications to approved site plan.

Modifications to an approved site plan may be permitted by the administrative approval of the director of sustainable development. Such approval will only be granted in accordance with the following standards:

- (1) The modification does not substantially alter the intent and character of an approved site plan;
- (2) Any additional structures contemplated by any modification shall clearly be accessory to a principal use or structure;
- (3) Any modification shall not generate additional off-street parking or intrude into approved off-street parking areas;
- (4) Any modification shall not substantially alter approved on- or off-site schematic engineering.
- (5) Enhancement landscape plans that do not substantially alter the intent and character of an approved landscape plan.

Procedure: On August 9, 2023, the Planning and Zoning Board found that the decision of the Director of Sustainable Development was correct. Pompano Autoplex appealed the Planning and Zoning Board decision to the City Commission. Any decision of the City Commission is final. Any appeal of the City Commission decision shall be handled exclusively by judicial review in the Seventeenth Judicial Circuit Court, in and for Broward County, Florida, and shall be filed within thirty (30) days from the date of the filing of the City Commission's written order with the city clerk.

FINDINGS OF THE CITY COMMISSION:

1. The decision of the Director of Sustainable Development **is / is not** correct.
2. The site plan amendment proposing to remove and replace trees on Sample Road, as shown on the *Existing Tree Disposition Plan Markup* **cannot / can** be approved administratively, under 13-549, *Modifications to Approved Site Plans*.

Adopted this _____ day of _____, 2023.

Joshua Rydell, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

Rydell _____

Welch _____

Railey _____

Brodie _____

Wasserman _____