

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT, 1525 PALM BEACH LAKES BLVD., WEST PALM BEACH, FL 33401

August 26, 2008

CASE NO.: 4D07-4459

L.T. No. : 07-4106 25

BARBARA TURCOTTE,
ET AL.

v.

CITY OF COCONUT CREEK,
ETC.

Appellant / Petitioner(s),

Appellee / Respondent(s).

BY ORDER OF THE COURT:

ORDERED that the petition for writ of certiorari is denied. The circuit court correctly applied section 380.06(19)(b), Florida Statutes (2005), when it determined that the subject ordinance, which simply expanded the definition of a permitted use to include a hotel, did not constitute a substantial deviation under the statute. This order is without prejudice to the petitioners' rights under the statute at such time as the developer seeks additional approvals in connection with the number of hotel rooms and any impact on traffic; further,

ORDERED that petitioners' March 28, 2008, request for oral argument is hereby denied.

WARNER, STEVENSON and DAMOORGIAN, JJ., Concur.

I HEREBY CERTIFY that the foregoing is a true copy of the original court order.

Served:

Gary C. Rosen
Alan B. Koslow
Kenneth G. Spillias

Daniel L. Wallach
Andrew J. Baumann
Glenn N. Smith

Kevin Markow
John H. Pelzer
Hon. Carol-Lisa Phillips

dl

Marilyn Beuttenmuller
MARILYN BEUTTENMULLER, Clerk
Fourth District Court of Appeal

