

**ORDINANCE NO. 2025-O-04**

**AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM COUNTY R-4W (URBAN SINGLE-FAMILY RESIDENTIAL) TO CITY R-3 (SINGLE FAMILY RESIDENTIAL) FOR .4 ± ACRES OF CERTAIN REAL PROPERTY LOCATED AT 131 POINCIANA ROAD (PARCEL IDENTIFICATION NUMBER 8413-04-00-3960), EDGEWATER, FLORIDA; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF EDGEWATER; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND APPLICABILITY; PROVIDING FOR AN EFFECTIVE DATE, RECORDING AND ADOPTION.**

**WHEREAS**, the City Council of the City of Edgewater, Florida, has made the following determinations:

1. Tyler Schmitz, is the owner of property located at 131 Poinciana Road, within Volusia County, Florida. Subject property contains approximately .4 ± acres.
2. The owner has submitted an application for a change in zoning classification from County R-4W (Urban Single-Family Residential) to City R-3 (Single Family Residential) for the property described herein.
3. On February 12, 2025, the Local Planning Agency (Planning and Zoning Board) considered the application for change in zoning classification.
4. The proposed change in zoning classification is consistent with all elements of the Edgewater Comprehensive Plan.
5. The proposed change in zoning classification is not contrary to the established land use pattern.
6. The proposed change in zoning classification will not adversely impact public facilities.
7. The proposed change in zoning classification will not have an adverse effect on the

natural environment.

8. The proposed change will not have a negative effect on the character of the surrounding area.

**NOW, THEREFORE, BE IT ENACTED** by the People of the City of Edgewater, Florida:

**PART A. CHANGE IN ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY WITHIN THE CITY OF EDGEWATER, FLORIDA.**

The zoning classification is hereby changed from County R-4W (Urban Single-Family Residential) to City R-3 (Single Family Residential), for the property described in **Exhibits “A” & B”**.

**PART B. AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF EDGEWATER, FLORIDA.**

The Development Services Director is hereby authorized and directed to amend the Official Zoning Map of the City of Edgewater, Florida, to reflect the change in zoning classification for the above described property.

**PART C. CONFLICTING PROVISIONS.**

All conflicting ordinances and resolutions, or parts thereof in conflict with this ordinance, are hereby superseded by this ordinance to the extent of such conflict.

**PART D. SEVERABILITY AND APPLICABILITY.**

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative, or void, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provisions thereof shall be held to be inapplicable to any person, property, or circumstances, such holding shall not affect its applicability to any other person, property, or circumstance.

**PART E. RECORDING.**

Upon approval and execution, this document shall be delivered to the Clerk of Court for recording into the public records of Volusia County, Florida.

**PART F. EFFECTIVE DATE.**

This Ordinance shall take place upon adoption.

**PART G. ADOPTION.**

**PASSED AND DULY ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Diezel DePew, Mayor

**ATTEST:**

\_\_\_\_\_  
Bonnie Zlotnik, CMC, City Clerk

Passed on first reading on the \_\_\_\_ day of \_\_\_\_\_, 2025

**REVIEWED AND APPROVED:** \_\_\_\_\_  
Aaron R. Wolfe, City Attorney

**EXHIBIT “A”**  
**LEGAL DESCRIPTION**

Lots 396 and 397, Waterway Park, Sec #2, according to the map or plat thereof, as recorded in Map Book 19, Page 270, of the Public Records of Volusia County, Florida, included vacated 15 feet Drainage right of way between Lots 396 and 397.

EXHIBIT “B”

