ORDINANCE NO. 2024-O-03

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 108 AZALEA ROAD (PARCEL IDENTIFICATION NUMBER 8413-05-00-1400), 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.   Janette Lefkowitz, is the owner of property located at 108 Azalea 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 December 13, 2023, 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All conflicting ordinances and resolutions, or parts thereof in conflict with this ordinance, are hereby superseded by this ordinance to the extent of such conflict.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.

2024-O-03

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 _____, 2024.

_____
Diezel DePew, Mayor

ATTEST:

_____
Bonnie Zlotnik, CMC, City Clerk

Passed on first reading on the _____ day of _____, 2024

REVIEWED AND APPROVED: _____
Aaron R. Wolfe, City Attorney

EXHIBIT "A"
LEGAL DESCRIPTION

BEGINNING AT THE SOUTHEAST CORNER OF LOT 141, WATER PARK SEC. NO. 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 19, PAGE 279, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE SOUTH 69º09'40" WEST 100.00 FEET TO THE SOUTHWEST CORNER OF LOT 140, THENCE NORTH 20º50'20" WEST 175.00 FEET TO THE CENTERLINE OF AZALEA ROAD; THENCE, ALONG SAID CENTERLINE, NORTH 69º09'40" EAST 100.00 FEET; THENCE SOUTH 20º50'20" EAST 175.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 17,500 SQ. FT. OR .40 ACRES +.

SAID LAND SITUATED, LYING AND BEING IN VOLUSIA COUNTY, FL.

S Ridgewood Ave

Godfrey Rd

Azalea Rd

Flamingo Rd

Canal Rd

Hibiscus Rd

Pine Brook Dr

City of EDGEWATER

Subject Property

Date: 11/2/2023

2024-O-03