

ORDINANCE NO. 2026-O-09

AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM VOLUSIA COUNTY B-4 AND R-3 TO CITY OF EDGEWATER B-3 HIGHWAY COMMERCIAL FOR 2.95± ACRES OF CERTAIN REAL PROPERTIES GENERALLY LOCATED WEST OF STARBOARD AVENUE AND EAST OF SAN REMO SUBDIVISION (PARCEL IDENTIFICATION NUMBERS 8412-02-08-0010, 8412-02-08-0040, and 8412-02-08-0090), 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. Jeffrey P. Seyler, Applicant, on behalf of Hanford & Miller Inc. for the properties generally located south of Roberts Road (Tax Parcel No.'s 8412-02-08-0010, 8412-02-08-0040, and 8412-02-08-0090) within Volusia County, Florida. Subject properties contain approximately 2.95± acres.
2. The owner has submitted an application for a change in zoning classification from Volusia County B-4 and R-3 to B-3 Highway Commercial for the property described herein.
3. On Wednesday, May 13, 2026, the Local Planning Agency (Planning and Zoning Board) made a favorable recommendation to City Council with seven (7) members in support and zero (0) in opposition.
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 Volusia County B-4 and R-3 to B-3 Highway Commercial, 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 _____, 2026.

Diezel DePew, Mayor

ATTEST:

Monique Toupin, CMC, Acting City Clerk

Passed on first reading on the ____ day of _____, 2026

REVIEWED AND APPROVED: _____
Anthony Sabatini, Esq., City Attorney

**EXHIBIT “A”
LEGAL DESCRIPTION**

***LOTS 1 THROUGH 14, BLOCK H, BELLA VISTA, ACCORDING TO THE PLAT
THEREOF AS RECORDED IN PLAT BOOK 10, PAGE 155, OF THE PUBLIC RECORDS
OF VOLUSIA COUNTY, FLORIDA.***

EXHIBIT "B"

