

ORDINANCE NO. 2026-O-11

AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM B-3 HIGHWAY COMMERCIAL TO R-4 RESIDENTIAL FOR 0.75± ACRES OF CERTAIN REAL PROPERTY GENERALLY LOCATED AT EDGEWATER DRIVE (PARCEL IDENTIFICATION NUMBERS 8402-28-02-0075, 8402-28-02-0074, AND 8402-28-02-0072), 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. Brad Hansen, owner, on behalf of property generally located at Edgewater Drive (Tax Parcel No.'s 8402-28-02-0075, 8402-28-02-0074, and 8402-28-02-0072) within Volusia County, Florida. Subject properties contain approximately 0.75± acres.
2. The owner has submitted an application for a change in zoning classification from B-3 Highway Commercial to R-4 Residential for the property described herein.
3. On Wednesday, June 10, 2026, 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 B-3 Highway Commercial to R-4 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All conflicting ordinances and resolutions, or parts thereof in conflict with this ordinance, are hereby superseded by this ordinance to the extent of such conflict.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 _____, 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

Commence at the Northwest corner of said Lot 7; thence South 0°58' East 491.25 feet along the West line of said lot for the Point of Beginning; Thence North 75° 29' 30" East 117.32 feet; Thence South 10°48'30" East 80 feet; Thence South 76°23'40" West 130.9 feet to the West line of said Lot 7 to a point which is 65.2 feet Northerly of the Northwest corner of Lot 8, said Lowd's Subdivision; Thence North 0°58' East 80 feet to the Point of Beginning. All being in Lot 7, Lowd's Subdivision as recorded in Map Book 3, page 81, of the Public Records of Volusia County, Florida.

Together with

PROPERTY IN LOTS 7 AND 8 LOWD'S SUBDIVISION, AS RECORDED IN MAP BOOK 3, PAGE 81; AS RECORDED IN PLAT BOOK 16, PAGE 50, PRVC DESCRIBED AS FOLLOWS: BEGIN AT A POINT ON THE WEST LINE OF LOT 8, LOWD'S SUBDIVISION, AS RECORDED IN MAP BOOK 3, PAGE 81; AS RECORDED IN PLAT BOOK 16, PAGE 50 OF THE PRVC: SAID POINT BEING 14.8 FEET SOUTHERLY FROM THE NORTHWEST CORNER OF SAID LOT 8, THENCE NORTH 77°7' EAST 149 FEET; THENCE NORTH 14°3' WEST 80 FEET; THENCE SOUTH 76°23'40" WEST 130.9 FEET TO THE WEST LINE OF SAID LOT 7; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID LOTS 7 AND 8 80 FEET TO THE POINT OF BEGINNING.

Together with

That part of Lots 7 and 8, LOWD'S SUBDIVISION, according to the plat thereof as recorded in Map Book 3, page 18 of the Public Records of Volusia County, Florida, and being more particularly described as follows: Beginning at a point on the West line of said Lot 8, said point being 89.6 feet Southerly from the Northwest corner of said Lot 8; thence North 7° 40' East, 16 feet; thence North 14° 03' West, 57 feet; thence South 7° 40' West, 150 feet to West line of said Lot 8; thence South along West line of said Lot 8 to the Point of Beginning, lying in Lots 7 and 8 of said Lowd's Subdivision.

EXHIBIT “B”

