

ORDINANCE NO. 2025-O-16

AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM B-3 HIGHWAY COMMERCIAL TO R-4 RESIDENTIAL FOR 0.58± ACRES OF CERTAIN REAL PROPERTY GENERALLY LOCATED AT 3 PELICAN DRIVE (PARCEL IDENTIFICATION NUMBERS 8402-00-00-0200 AND 8402-44-00-0011), 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. James C Carder, on behalf of the owner of the property generally located at 3 Pelican Drive (Tax Parcel No.'s 8402-00-00-0200 and 8402-44-00-0011) within Volusia County, Florida. Subject properties contain approximately 0.58± 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, November 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 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All conflicting ordinances and resolutions, or parts thereof in conflict with this ordinance, are hereby superseded by this ordinance to the extent of such conflict.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 _____, 2025.

Diezel DePew, Mayor

ATTEST:

Monique Toupin, CMC, Acting City Clerk

Passed on first reading on the ____ day of _____, 2025

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

EXHIBIT "A"
LEGAL DESCRIPTION

PART OF TRACT ONE, AND PART OF LOT 2, BLOCK "A", PELICAN COVE SUBDIVISION, AS RECORDED IN MAP BOOK 35, PAGE 66 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, TOGETHER WITH A PORTION OF U.S. LOT 6, SECTION 2, TOWNSHIP 18 SOUTH, RANGE 34 EAST BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 50.00 FEET NORTH 89°58'36" EAST OF THE SOUTHEAST CORNER OF SAID TRACT ONE, RUN SOUTH 89°58'36" WEST, ALONG THE NORTH RIGHT OF WAY LINE OF PELICAN DRIVE, A DISTANCE OF 193.65 FEET TO A POINT ON THE EAST LINE OF PARCEL ID: 34-18-02-4400-0030; THENCE NORTH 00°06'36" EAST, ALONG SAID EAST LINE A DISTANCE OF 156.22 FEET; THENCE SOUTH 89°58'39" WEST A DISTANCE OF 10.00 FEET, THENCE NORTH 00°06'36" EAST A DISTANCE OF 5.00 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT ONE; THENCE NORTH 89°58'39" EAST A DISTANCE OF 103.08 FEET; THENCE NORTH 26°24'15" WEST A DISTANCE OF 22.32 FEET; THENCE NORTH 89°58'39" EAST A DISTANCE OF 129.80 FEET TO A POINT ON THE WEST LINE PARCEL ID: 34-18-02-4401-0010; THENCE SOUTH 00°00'00" WEST, ALONG SAID WEST LINE, A DISTANCE OF 20.00 FEET TO THE NORTHEAST CORNER OS PARCEL ID: 34-18-02-0000-0220; THENCE SOUTH 89°58'39" WEST, ALONG THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 99.95 FEET TO THE NORTHWEST CORNER OF SAID PARCEL; THENCE RUN SOUTH 26°29'31" EAST, ALONG THE WEST LINE OF SAID PARCEL A DISTANCE OF 180.09 FEET TO THE POINT OF BEGINNING.

EXHIBIT “B”

