

ORDINANCE NO. 2023-O-32

AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM CITY B-4 (TOURIST COMMERCIAL) TO CITY R-1 (SINGLE FAMILY RESIDENTIAL) FOR .51± ACRES OF CERTAIN REAL PROPERTY LOCATED AT 205 BOSTON ROAD (PARCEL IDENTIFICATION NUMBER 8402-37-01-0080), 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. McGregor Love, Esquire, applicant on behalf of Paul Hampton owner of property located at 205 Boston Road, within Volusia County, Florida. Subject property contains approximately .51± acres.
2. The applicant has submitted an application for a change in zoning classification from B-4 (Tourist Commercial) to City R-1 (Single Family Residential) for the property described herein.
3. On September 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 B-4 (Tourist Commercial) to City R-1 (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All conflicting ordinances and resolutions, or parts thereof in conflict with this ordinance, are hereby superseded by this ordinance to the extent of such conflict.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 _____, 2023.

Diezel DePew, Mayor

ATTEST:

Bonnie Zlotnik, CMC, City Clerk

Passed on first reading on the _____ day of _____, 2023

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

**EXHIBIT “A”
LEGAL DESCRIPTION**

LOT 8 EXC W 150 FT & INC ADJ N 1/2 OF VACATED BOSTON RD PER EDGEWATER
ORD 2021-R-17 BLK 1 RIVEREDGE ACRES MB 9 PG 260 PER OR 3717 PG 3599 PER OR
8095 PG 4321 PER OR 8436 PG 3243

EXHIBIT “B”

