

ORDINANCE NO. 2023-O-21

AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM COUNTY A-3 (TRANSITIONAL AGRICULTURE) TO CITY RT (RURAL TRANSITIONAL) FOR 6.87± ACRES OF CERTAIN REAL PROPERTY LOCATED SOUTH OF CLINTON CEMETERY ROAD AND EAST OF THE FEC RAILROAD (PARCEL IDENTIFICATION NUMBER 8424-00-00-0070), 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. Carl Carder, applicant on behalf of Robert and Susan Cloer, owners, are owners of property located south of Clinton Cemetery Road and east of the FEC Railroad, within Volusia County, Florida. Subject property contains approximately 6.87± acres.
2. The owner has submitted an application for a change in zoning classification from County A-3 (Transitional Agriculture) to City RT (Rural Transitional) 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.

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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 A-3 (Transitional Agriculture) to City RT (Rural Transitional), 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

The West 960 feet of the North 247.7 feet of the Northwest 1/4 of the Southeast 1/4 and the East 249.2 feet of the North 247.7 feet of the Northeast 1/4 of the Southwest 1/4, Section 24, Township 18 South, Range 34 East, Volusia County, Florida.

EXHIBIT "B"



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