

ORDINANCE NO. 2962-14

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE LOW DENSITY RESIDENTIAL (R-2) ZONING TO MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL (R-3) DISTRICT ZONING ON THE PROPERTY AT THE NORTHWEST CORNER OF MICHIGAN AND SCHULTZ AVENUES AND CHANGING THE WEST 10 FEET OF 1245 MICHIGAN AVENUE FROM COMMERCIAL (C-3) TO MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL (R-3) DISTRICT, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the owner of a property on Michigan and Schultz Avenues has requested a Zoning map amendment consistent with the amended Comprehensive Plan, and the requested zoning text change will achieve conformance with the Comprehensive Plan for the property and such municipal zoning meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held; and

WHEREAS, the Planning and Zoning Board of the City of Winter Park has recommended approval of this Ordinance at their May 6, 2014 meeting; and

WHEREAS, the City Commission of the City of Winter Park held a duly noticed public hearing on the proposed zoning change set forth hereunder and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Winter Park Comprehensive Plan and that sufficient, competent, and substantial evidence supports the zoning change set forth hereunder; and

WHEREAS, the City Commission hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida.

NOW THEREFORE BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, AS FOLLOWS:

SECTION 1. Official Zoning Map Amendment. That Chapter 58 "Land Development Code", Article III, "Zoning" and the Official Zoning Map is hereby amended so as to change the zoning designation from Low Density Residential (R-2) District to Medium Density Multi-Family (R-3) District on the property at northeast corner of Michigan and Schultz Avenues, subject to the implementation of a voluntary development agreement for the property providing for limitations on development potential. The property is more particularly described as follows:

The West 210 feet of Lot 2, Henkel's Addition to the Town of Winter Park subdivision as recorded in Plat Book "F", Page 1 of the Public Records of Orange County, Florida.

SECTION 2. Official Zoning Map Amendment. That Chapter 58 "Land Development Code", Article III, "Zoning" and the Official Zoning Map is hereby amended so as to change the zoning designation from Commercial (C-3) District to Medium Density Multi-Family (R-3) District on the east 10 feet of the property at 1245 Michigan Avenue, subject to the implementation of a voluntary development agreement for the property providing for limitations on development potential. The property is more particularly described as follows:

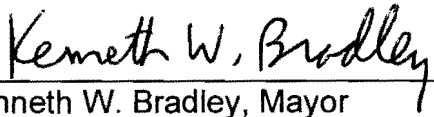
The East 10 feet of the West 310 feet of Lot 2, Henkel's Addition to the Town of Winter Park subdivision as recorded in Plat Book "F", Page 1 of the Public Records of Orange County, Florida.

SECTION 3. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 4. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

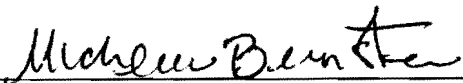
SECTION 5. Effective Date. This Ordinance shall become effective upon the effective date of Ordinance 2961-14. If Ordinance 2961-14 does not become effective, then this Ordinance shall be null and void.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this 23rd day of June, 2014.



Kenneth W. Bradley, Mayor

ATTEST:



For Cynthia S. Bonham, MMC, City Clerk