

ORDINANCE NO. 3014-15

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE FROM OFFICE (O-1) DISTRICT ZONING TO COMMERCIAL (C-2) DISTRICT ZONING ON THE PROPERTY AT 652 WEST MORSE BOULEVARD, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the owner of a property at 652 West Morse Boulevard 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 September 1, 2015 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:

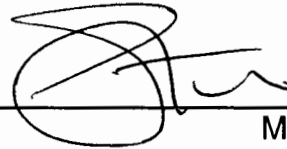
SECTION 1. Official Zoning Map Amendment. That Chapter 58 "Land Development Code", Article III, "Zoning" and the Official Zoning Map is hereby amended so as to change the zoning designation from Office (O-1) District to Commercial (C-2) District on the property at 652 West Morse Boulevard, identified with the Parcel ID# of 06-22-30-1168-11-030 and as more particularly described in Exhibit "A" to this Ordinance.

SECTION 2. 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 3. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 4. Effective Date. This Ordinance shall become effective upon the effective date of Ordinance No. 3013-15. If Ordinance No. 3013-15 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 12th day of October, 2015.



Mayor Steve Leary

ATTEST:



Cynthia S. Bonham, City Clerk

Exhibit A

The land referred to herein below is situated in the County of Orange, State of Florida, and is described as follows:

Lot 3, Block K, CAPEN'S ADDITION TO WINTER PARK, as recorded in Plat Book A, Page 95, Public Records of Orange County, Florida, less the following portion thereof, to wit:

Begin at the Northwest corner of said Lot 3; thence run North 90°00'00" East along the North boundary of said Lot 3 a distance of 60.00 feet; thence run South 00°45'09" East parallel with the West boundary of said Lot 3, a distance of 45.00 feet, thence run South 90°00'00" West 45.00 feet; thence run South 00°45'09" East 261.00 feet to the South boundary of said Lot 3; thence run South 90°00'00" West 15.00 feet to the Southwest corner of said Lot 3, thence run North 00°45'09" West 306.00 feet to the point of beginning.

AND

The Westerly 50 feet of the North 106 feet of Lot 2, Block K, CAPEN'S ADDITION TO WINTER PARK, according to the plat thereof, as recorded in Plat Book "A", Page 95, Public Records of Orange County, Florida.

AND

The North 45 feet of the West 60 feet, less the West 40 feet thereof, Lot 3, Block K, CAPEN'S ADDITION TO WINTER PARK, according to the plat thereof as recorded in Plat Book "A", Page 95, Public Records of Orange County, Florida.

AND

A three foot (3') by four foot (4') tract of land lying in Lot 3, Block K, CAPEN'S ADDITION TO WINTER PARK, according to the plat thereof as recorded in Plat Book "A", Page 95, Public Records of Orange County, Florida, and more particularly described as follows:

Commencing at the Northwest corner of said Lot 3, Block K, CAPEN'S ADDITION TO WINTER PARK, for a point of reference; thence East, 40.00 feet along and with the South right-of-way line of Morse Boulevard and the North line of said Lot 3; thence S 00°45'09" E, 3.00 feet to the Point of Beginning; thence continue S 00°45'09" E, 3.00 feet; thence West, 4.00 feet; thence N 00°45'09" W, 3.00 feet; thence East, 4.00 feet to the Point of Beginning.

LESS

The South 19 feet of the North 64 feet of the West 40 feet, less the West 15 feet thereof, Lot 3, Block K, CAPEN'S ADDITION TO WINTER PARK, according to the plat thereof as recorded in Plat Book "A", Page 95, Public Records of Orange County, Florida.

LESS

The East 8.5 feet of the South 50 feet, Lot 3, Block K, CAPEN'S ADDITION TO WINTER PARK, according to the plat thereof as recorded in Plat Book "A", Page 95, Public Records of Orange County, Florida.

AND LESS

A tract of land lying in Lot 3, Block K, CAPEN'S ADDITION TO WINTER PARK, according to the plat thereof as recorded in Plat Book "A", Page 95, Public Records of Orange County, Florida, and more particularly described as follows:

Commencing at the Southwest corner of said Lot 3, Block K, CAPEN'S ADDITION TO WINTER PARK, for a point of reference; thence East, 15.00 feet along and with the South line of said Lot 3 to the Southwest corner of the tract being described and the Point of Beginning; thence North, parallel to the West line of said Lot 3, 15.00 feet to the Northwest corner of the tract being described; thence East, parallel to the South line of said Lot 3, 6.00 feet; thence South, parallel to the West line of said Lot 3, 9.00 feet; thence East, parallel to the South line of said Lot 3, 24.00 feet; thence South parallel to the West line of said Lot 3, 6.00 feet to the South line of said Lot 3; thence West, along and with the South line of said Lot 3, 30.00 feet to the Point of Beginning.