

ORDINANCE NO. 3074-17

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE SINGLE FAMILY RESIDENTIAL (R-1A) DISTRICT ZONING TO LOW DENSITY RESIDENTIAL (R-2) DISTRICT ZONING ON THE PROPERTY AT 524 COUNTRY CLUB DRIVE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

**WHEREAS**, the owners of property at 524 Country Club Drive have 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 March 7, 2017 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 of Single Family Residential (R-1A) District to Low Density Residential (R-2) District zoning on the property at 524 Country Club Drive, more particularly described as follows:

LORDS SUB P/89 THAT PART OF DESC: THAT PT OF LOT 4 LYING W OF E SHORE OF LAKE KILLARNEY & BEG 215.56 FT W & 74.7 FT S OF NE COR LOT 4 RUN S 75 DEG W 185 FT M/L TO WATERS EDGE SLY ALONG WATER 40 FT M/L E 198 FT M/L N 75 FT TO POB (LESS PART ASSESSED TO LOTS IN KILLARNEY POINT DD 905/93) & (LESS BEG AT NW COR

LOT 4 RUN E 400 FT S 825 FT N 66 DEG W TO W LINE LOT 4 N TO POB) & (LESS FROM SE COR OF NW1/4 OF SE1/4 SEC 1-22-29 RUN W 1229.5 FT N 240.17 FT N 58 DEG W 185 FT N 55 DEG W 300 FT FOR POB TH RUN N 55 DEG W 56.04 FT N 41 DEG W 20 FT S 48 DEG W 225 FT TO PT IN LAKE RTN TO POB TH S 31 DEG W 225 FT TO PT IN LAKE NWLY TO END 1ST COURSE) LYING E OF A LINE DESC AS COMM SE COR LOT 4 TH N89-38-57W 81.60 FT N89-39-52W 928.30 FT TO BEGINNING OF LINE TH RUN N00-04-19E 883.70 FT N14-47-59W 22.80 FT N33-09-48W 15.10 FT N50-24-21W 34.70 FT N00-03-22E 191.40 FT N00-26-22E 203.80 FT TO END OF LINE

Property Tax ID # 01-22-29-5224-00-000

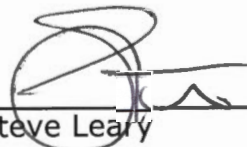
**SECTION 2. Consent to Development Restrictions Imposed.** In response to the consent of the property owner, the City thereby establishes as a condition of approval of this Ordinance, to run with title to the land that notwithstanding the provisions of R-2 zoning, the total size or floor area of the single family home per the City's zoning definition of floor area ratio may not exceed 49% floor area ratio or 4,444 square feet. Such development restriction may only be released or modified by a subsequent action of the City Commission.

**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 3073-17. If Ordinance 3073-17 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 10th day of April, 2017.

  
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Mayor Steve Leary

ATTEST:

  
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City Clerk Cynthia Bonham