

ORDINANCE NO. 3084-17

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE PUBLIC, QUASI-PUBLIC (PQP) DISTRICT ZONING TO PARKS AND RECREATION (PR) DISTRICT ZONING ON THE PROPERTY LOCATED BETWEEN 652 AND 700 WEST MORSE BOULEVARD, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

**WHEREAS**, the owner of the subject property 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 August 1, 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 Public, Quasi-Public (PQP) District to Parks and Recreation (PR) district the property between 652 and 700 West Morse Boulevard, more particularly described as follows:

The East 15.00 feet, (less the North 64.00 feet) of Lot 4, Block "K" and The West 15.00 feet, (less the North 64.00 feet) of 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: 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.

**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 3083-17. If Ordinance 3083-17 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 25th day of September, 2017.



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Mayor Steve Leary

ATTEST:

  
City Clerk Cynthia S. Bonham