

ORDINANCE NO. 3114-18

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 PARKING LOT (PL) DISTRICT ZONING ON A PORTION OF THE PROPERTY AT 301 NORTH PENNSYLVANIA AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

**WHEREAS**, the owner of property at 301 North Pennsylvania Avenue has requested a Zoning map amendment that is consistent with the Comprehensive Plan, and the requested zoning text change will achieve conformance with the Comprehensive Plan for the property and such municipal zoning does meet 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 July 10, 2018 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

**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 Low Density Residential (R-2) District zoning to Parking Lot (PL) District zoning on a portion of the property at 301 North Pennsylvania Avenue, more particularly described as follows:

THE WEST 67 FEET OF LOT 11, BLOCK E, CAPENS ADDITION TO WINTER PARK, AS RECORDED IN PLAT BOOK "A", Page 95 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

**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 3113-18. If Ordinance 3113-18 does not become effective, then this Ordinance shall be null and void. Furthermore, this Ordinance shall only become effective upon the completion and issuance of a certificate of occupancy for the home to be built for the Hannibal Square Community Land Trust (HSCLT) and fee simple transfer of the home and land to the HSCLT on the property described as: The East 33 feet of Lot 11, Block E, for the Capens Addition to Winter Park, as recorded in Plat Book "A", page 95 of the public records of Orange County, Florida.

**ADOPTED** at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this 9th day of July, 2018.

  
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Mayor Steve Leary

Attest:

  
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City Clerk Cynthia Bonham