

ORDINANCE 2017- 10
REZONING APPLICATION NO. 3321
149 LAKEVIEW BLVD.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP AS ESTABLISHED IN SECTION 2.06 OF THE CITY OF PALM COAST UNIFIED LAND DEVELOPMENT CODE; AMENDING THE OFFICIAL ZONING MAP FOR 3.02± ACRES OF CERTAIN REAL PROPERTY DESCRIBED AS TAX PARCEL IDENTIFICATION NUMBER 07-11-31-7037-ORPOA-0070, GENERALLY LOCATED BETWEEN LAKEVIEW BLVD. AND LEWIS DRIVE, AND BEING MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT A, FROM MULTIFAMILY RESIDENTIAL-1 (MFR-1) TO SINGLE FAMILY RESIDENTIAL-2 (SFR-2) ZONING DISTRICT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Palm Coast, as the governing body of the City, pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes and the City of Palm Coast Unified Land Development Code, is authorized and empowered to consider applications relating to zoning; and

WHEREAS, the notice and public hearing requirements, as provided for in Chapter 2 (Review Authority, Enforcement, and Procedures) of the City of Palm Coast Unified Land Development Code have been satisfied; and

WHEREAS, the City Council of the City of Palm Coast has considered the evidence and testimony presented by the applicant and other interested parties, the recommendations of the various City reviewing departments, and the recommendation of the Planning and Land Development Regulation Board (PLDRB); and

WHEREAS, the City Council has considered the findings in the staff report and the following findings of fact:

1. The rezoning is consistent with the purposes, goals, objectives, and policies of the City of Palm Coast Comprehensive Plan;
2. The rezoning is compatible as defined in the Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for rezoning;
3. The rezoning will result in a logical, timely and orderly development pattern;

4. The staff report has demonstrated sufficient justification that there are changed circumstances, which would require the rezoning request.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY OF PALM COAST, FLORIDA:

SECTION 1. Legislative and Administrative Findings. The above recitals (whereas clauses) are hereby adopted as the legislative and administrative findings of the City Council.

SECTION 2. Official Zoning Map Amended. The 3.02 +/- acres of land, identified as tax parcel identification number **11-31-7037-ORPOA-0070**, located AT 149 Lakeview Blvd., legally described in "Exhibit A" and as depicted in "Exhibit B," attached hereto, is hereby amended from the Multifamily Residential-1 (MFR-1) zoning district to Single Family Residential-2 (SFR-2) zoning district.

SECTION 3. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

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

SECTION 5. Effective Date. This Ordinance shall become effective immediately upon its passage and adoption.

Approved on first reading this 18th day of July 2017.

Adopted on the second reading after due public notice and hearing City of Palm Coast this 1st day of August 2017.

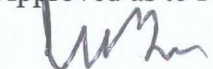
CITY OF PALM COAST, FLORIDA


MILISSA HOLLAND, MAYOR

ATTEST:


VIRGINIA A. SMITH, CITY CLERK

Approved as to Form and Legality


WILLIAM E. REISCHMANN, JR., ESQ.

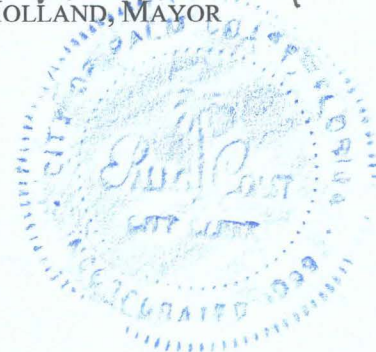
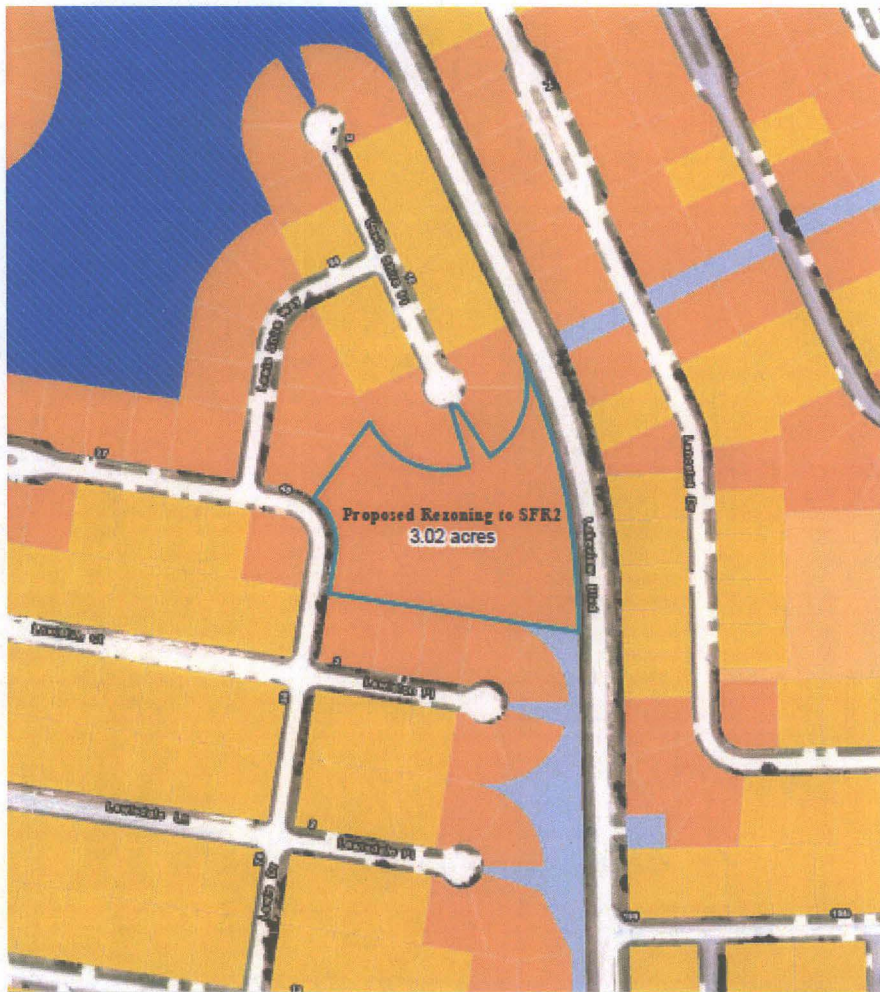


EXHIBIT "A"
LEGAL DESCRIPTION

3.0218 AC PART OF RP-N3 PART 219 OR 553 PG 1539 OR 771 OR 771 PG 1412-
ERROR IN LEGAL OR 803 PG 1135-CD OR 839 PG 1913 OR 1207/811 OR 2061/151



EXHIBIT "B"
ORDINANCE No. 20117-XX



Zoning Map

149 Lakeview Blvd

Proposed rezoning to SFR2

Parcel #0711317037DRPOA0070

Palm Coast Zoning Districts

- MFR-1
- SFR-2
- PSP
- SFR-3
- SFR-1
- MDD MDD per 11.16-08 designation



Map Provided by the GIS Division

Date: 8/8/2017

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