

ORDINANCE NO. 2016-02

AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, VOLUSIA COUNTY, FLORIDA, ASSIGNING THE RMF-3 MULTI-FAMILY RESIDENTIAL DISTRICT (LOW DENSITY) ZONING CLASSIFICATION TO ANNEXED PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF THE 3800 BLOCK OF S. ATLANTIC AVENUE, SHORT TAX PARCEL ID 6302-05-07-0150; PROVIDING MODIFICATION OF THE OFFICIAL ZONING MAP; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR NON-CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Daytona Beach Shores is committed to planning and managing the future growth of the City; and

WHEREAS, the property described in Section One herein was annexed into the City of Daytona Beach Shores on December 8, 2015 and an appropriate City zoning classification must be assigned to the real property in accordance with the requirements of controlling law; and

WHEREAS, the City Council of the City of Daytona Beach Shores has received recommendation from staff and the Planning and Zoning Board for the assignment of zoning classification to said annexed property and has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance; and

WHEREAS, the City Council of the City of Daytona Beach Shores finds such rezoning consistent with the *City of Daytona Beach Shores Comprehensive Plan* and deems it in the best interest of the inhabitants of said City to amend the Official Zoning Map as hereinafter set forth,

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, as follows:

SECTION ONE: REZONING OF REAL PROPERTY. The property described hereinafter which was annexed into the City of Daytona Beach Shores pursuant to Ordinance No. 2015-07 is hereby rezoned and assigned the zoning classification as follows:

Short Tax Parcel ID #6302-05-07-0150, as described in Exhibit "A" as attached, is assigned the RMF-3, Multi-family Residential District (Low Density) Zoning Classification.

SECTION TWO: AMENDMENT OF OFFICIAL ZONING MAP. The Official City Zoning Map is hereby amended to conform with the rezoning assigned herein.

SECTION THREE. IMPLEMENTING ADMINISTRATIVE ACTIONS. The City Manager, or designee, is authorized to take any and all required administrative actions to

implement the provisions of this Ordinance including, but not limited to, providing notice of this rezoning to the Volusia County Council in accordance with applicable law.

SECTION FOUR. NON-CODIFICATION. This Ordinance shall be not be codified in the *City Code of the City of Daytona Beach Shores* or the *Land Development Code of the City of Daytona Beach Shores*; provided, however, that the actions taken herein shall be depicted on the Official Zoning Map of the City of Daytona Beach Shores by the City Manager, or designee.

SECTION FIVE: EFFECTIVE DATE. This Ordinance shall take effect immediately upon enactment.

CITY OF DAYTONA BEACH SHORES, FLORIDA

HARRY JENNINGS, MAYOR

MICHAEL T. BOOKER, CITY MANAGER

CHERI SCHWAB, CITY CLERK

Approved as to form and legality:

LONNIE GROOT, CITY ATTORNEY

Passed on first reading this _____ day of _____, 2016.

Adopted on second reading this _____ day of _____, 2016.

EXHIBIT A

A PARCEL OF LAND LYING WITHIN SECTION 2, TOWNSHIP 16 SOUTH, RANGE 33 EAST, VOLUSIA COUNTY, FLORIDA, COMPRISING LOTS 14 THROUGH 16, INCLUSIVE, BLOCK 7, OCEAN VIEW SECTION OF HALIFAX ESTATES, AS RECORDED IN MAP BOOK 11, PAGE 100 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEASTERLY CORNER OF SAID LOT 14, BLOCK 7, SAID OCEAN VIEW SECTION OF HALIFAX ESTATES, RUN SOUTHERLY ALONG THE EASTERLY LINE OF SAID BLOCK 7, A DISTANCE OF 150.00 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 16, BLOCK 7; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 16, BLOCK 7, A DISTANCE OF 204.85 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 16, BLOCK 7; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID BLOCK 7, A DISTANCE OF 150.00 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 14, BLOCK 7; THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID LOT 14, BLOCK 7, A DISTANCE OF 204.78 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 14, BLOCK 7, AND THE POINT OF BEGINNING.
CONTAINING 0.71 ACRES OF LAND, MORE OR LESS.