

**ORDINANCE #ORD2016-02**

**AN ORDINANCE OF THE CITY OF DUNNELLO, FLORIDA; CHANGING THE ZONING CLASSIFICATION FROM RESIDENTIAL BUSINESS OFFICE (RBO) TO CENTRAL BUSINESS (B-3) OF THAT PARCEL (LOT 1846) COMPRISING .14 ACRES LOCATED AT THE NORTHEAST CORNER OF THE WALNUT STREET AND CEDAR STREET INTERSECTION; PROVIDING DIRECTIONS TO THE CITY MANAGER; PROVIDING FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the owners and applicants, William Dane and Nancy Myers, requested a rezoning of their Property from Residential Business Office (RBO) zoning to Central Business (B-3); and

**WHEREAS**, the Property lies within the municipal limits of the City of Dunnellon and consists of .14 acres, more or less, and is located at the northeast corner of the Walnut street and Cedar street intersection; and

**WHEREAS**, the property has a proposed land use designation of Commercial as shown on the City of Dunnellon Comprehensive Plan Future Land Use Map; and

**WHEREAS**, a Central Business (B-3) zoning is consistent with the City of Dunnellon Comprehensive Plan's land use designation of the Property; and

**WHEREAS**, the City of Dunnellon Planning Commission, sitting as the Local Planning Agency, recommended approval of a change in the zoning classification of the Property and found that the rezoning is consistent with the City's Comprehensive Plan;

**WHEREAS**, the City of Dunnellon has followed all statutory and Code requirements for noticing and advertising this rezoning Ordinance and public hearings associated with the rezoning; and

**WHEREAS**, the City Council has received public input on the rezoning and a recommendation from staff; and

**WHEREAS**, the City Council of the City of Dunnellon finds that the applicants have met the criteria for rezoning under Section 13.11 of the Code and that rezoning will not adversely affect the public interest.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Dunnellon, Florida, as follows:

**Section 1: Findings.** The "Whereas" clauses above are the findings of the City of Dunnellon.

**Section 2: Legal Description.** The legal description of the Property is:

Lot 1846, of the Townsite Dunnellon, according to the Plat thereof, as recorded in Plat Book A, Page 174, of the Public Records of Marion County, Florida.

Parcel Identification No. 3380-1844-00.

**Section 3: Zoning Classification; Directions to the City Manager.** The Property shall hereafter be classified on the Official Zoning Map as Central Business (B-3) in accordance with the Land Development Code of the City of Dunnellon, Florida. The City Manager or designee is hereby directed to amend, alter, and implement the Official Zoning Map of the City of Dunnellon, Florida, to include said classification of the Property consistent with this Ordinance.

**Section 4: Severability.** If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**Section 5: Conflicts.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 6: Effective Date.** This Ordinance shall be effective immediately upon adoption at the second reading/public hearing.

**Upon motion duly made and carried,** the foregoing Ordinance was approved upon the first reading on the 8<sup>th</sup> day of February, 2016.

**Upon motion duly made and carried,** the foregoing Ordinance was approved and passed upon the second and final reading and public hearing on the 14th day of March, 2016.

Ordinance Posted on the City's website on February 4, 2016. Public hearing advertised on the City's website on February 4, 2016 and advertised in the Riverland News on March 3, 2016.

ATTEST:

**CITY OF DUNNELON**

\_\_\_\_\_  
Dawn M. Bowne, M.M.C.  
City Clerk

\_\_\_\_\_  
Nathan Whitt, Mayor

Approved as to Form and Legal Sufficiency:

\_\_\_\_\_  
Andrew Hand, City Attorney

**I HEREBY CERTIFY** that copies of the foregoing Ordinance were posted at City Hall, the Chamber of Commerce, and the Dunnellon Library, in the City of Dunnellon, Florida, and on the City's Official Website this 4th day of February 2016.

\_\_\_\_\_  
Dawn M. Bowne M.M.C.  
City Clerk



## CITY OF DUNNELLO

20750 River Drive  
Dunnellon, FL 34431  
(352) 465-8500  
FAX (352) 465-8505

February 4, 2016

Application PZ1516-022

Mr. and Mrs. William Dane Myers  
10925 SW 186<sup>th</sup> Circle  
Dunnellon, FL 34332

RE: Quasi Judicial hearing before City Council: application for Rezoning #REZ2015-02,  
Ordinance #ORD2016-02, from Residential Business Office (RBO) to Central Business (B3)  
20799 Walnut Street, Parcel 3380-1844-00, Lot 1846 comprising of .14 acres

Dear Applicant:

Please take notice that your application for rezoning will be heard by the Dunnellon City Council during a quasi judicial hearing on Monday, March 14, 2016 at 5:30 p.m., or soon thereafter as can be heard, in the Council Chambers at Dunnellon City Hall, 20750 River Drive, Dunnellon, Florida 34431. If necessary, this hearing may be continued to a time and date certain by announcement at the scheduled hearing without any further written notice to you. **Please be advised that your failure to appear at this public hearing will likely result in your application being denied.**

Your application, together with any back-up materials, may be reviewed during normal business hours 8:00 a.m. to 4:00 p.m. at Dunnellon City Hall. For further information please contact the Community Development Department at (352) 465-8500, ext. 1010.

Pursuant to the City's Land Development Regulations, owners of property within 300 feet of your property have been sent notice of the quasi judicial hearing on your application. Interested parties may appear at the hearing and be heard with respect to your application. Please be advised that all oral and written communications concerning your application prior to the public hearing between any member of the City Council and an applicant or interested person is strongly discouraged under Florida law.

A person who decides to appeal any decision made by any board, agency, or council with respect to any matter considered at such meeting or hearing, will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is

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Myers #REZ2015-02, 20799 Walnut Street

made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105).

The City of Dunnellon Land Development Regulations are available for inspection at City Hall, during normal business hours, 8:00 a.m. to 4:00 p.m. Persons with disabilities needing assistance to participate in this hearing should contact Dawn Bowne, City Clerk at (352) 465-8500 at least 48 hours prior to the date of the scheduled hearing.

Sincerely,

A handwritten signature in black ink, appearing to read "Dawn M. Bowne". The signature is written in a cursive style and is enclosed within a hand-drawn oval.

Dawn M. Bowne, MMC  
City Clerk



## CITY OF DUNNELLON

20750 River Drive  
Dunnellon, FL 34431  
(352) 465-8500  
FAX (352) 465-8505

February 4, 2016

### NOTICE OF QUASI JUDICIAL HEARING FOR REZONING #REZ2015-02, #ORD2016-02

Dear Property Owner:

The Dunnellon City Council will hold a quasi judicial hearing to consider a rezoning application submitted by W. Dane & Nancy Myers at 20799 Walnut Street, for that parcel number 3380-1844-00 located at the northeast corner of the Walnut Street and Cedar Street intersection, Lot 1846, comprising of 0.14± acres, from Residential Business Office (RBO) to Central Business (B3), pursuant to the Land Development Regulations, Section 7.1, Table of Permitted Uses. The hearing will be held at Dunnellon City Hall, 20750 River Drive, Dunnellon, FL 34431, on **Monday, March 14, 2016, at 5:30 p.m.**, or as soon thereafter as can be heard. If necessary, this public hearing may be continued to a time and date certain by announcement at the scheduled hearing without any further written notice to you.

The application, filed under application number PZ1516-022, submitted by W. Dane & Nancy Myers, together with any back-up materials may be reviewed during normal business hours 8:00 a.m. to 4:00 p.m. at Dunnellon City Hall. For further information please contact the Community Development Department at (352) 465-8500, ext. 1010.

Interested parties may appear at the meetings and be heard with respect to this matter. Please be advised that all oral and written communications prior to the hearing concerning the case between any member of the City Council and the applicant or the public are strongly discouraged under Florida law.

A person who decides to appeal any decision made by any board, agency, or council with respect to any matter considered at such meeting or hearing, will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105).

The City of Dunnellon Land Development Regulations are available for inspection at City Hall, during normal business hours, 8:00 a.m. to 4:00 p.m. Persons with disabilities needing assistance to participate in any of these proceedings should contact Dawn Bowne, City Clerk at (352) 465-8500 at least 48 hours prior to the date of the scheduled hearing.

Sincerely,

  
Dawn M. Bowne, MMC  
City Clerk