

ORDINANCE #ORD2016-05

AN ORDINANCE OF THE CITY OF DUNNELLON, FLORIDA; CHANGING THE ZONING CLASSIFICATION FROM RESIDENTIAL MEDIUM DENSITY (R-3A) TO PUBLIC (P) OF PARCEL 3350-050-000 (LOTS 50, 51, 59, 60) COMPRISING 3.77 ACRES AND PARCEL 3350-081-000 (LOT 1911 AND N 125 FEET OF LOT 81) COMPRISING .79 ACRES LOCATED AT THE NORTHWEST AND SOUTHWEST CORNERS OF THE POWELL ROAD 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, First Baptist Church, requested a rezoning of their Property from Residential Medium Density (R-3A) zoning to Public (P); and

WHEREAS, the Property lies within the municipal limits of the City of Dunnellon and consists of 3.77 and .79 acres, more or less, and is located at the northwest and southwest corners of the Powell Road and Cedar Street intersection; and

WHEREAS, the property has a proposed land use designations of Traditional Neighborhood, Public and Residential Medium Density as shown on the City of Dunnellon Comprehensive Plan Future Land Use Map; and

WHEREAS, a Public (P) zoning is consistent with the City of Dunnellon Comprehensive Plan's land use designation of the Property; and

WHEREAS, the City of Dunnellon City Council finds 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:

SEC 35 TWP 16 RGE 18
PLAT BOOK A, PAGE 174
DUNNELLON
LOT 1911, MARION COUNTY, FL

SEC 26 TWP 16 RGE 18
PLAT BOOK C PAGE 049
HILLSDALE
LOTS 50.51.59.60 & N 125 FT OF LOT 81 MARION COUNTY, FL.

Section 3: Zoning Classification; Directions to the City Manager. The Property shall hereafter be classified on the Official Zoning Map as Public (P) 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 13th day of June, 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 11th day of July, 2016.

Ordinance Posted on the City's website on June 10, 2016. Public hearing advertised on the City's website on June 10, 2016 and advertised in the Riverland News on June 30, 2016. Thirty day notice sent to property owners and surrounding property owners on June 1, 2016.

ATTEST:

CITY OF DUNNELLON

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 10th day of June 2016.

Dawn M. Bowne M.M.C.
City Clerk