

ORDINANCE NO. 418

AN ORDINANCE OF THE CITY OF ORANGE CITY, FLORIDA, AMENDING SECTION 8.3 OF THE CITY'S LAND DEVELOPMENT CODE, SAID SECTION BEING THE OFFICIAL ZONING MAP OF THE CITY OF ORANGE CITY, FLORIDA, SAID AMENDMENT CHANGING THE ZONING CLASSIFICATION OF VILLA TUSCANY ASSISTED LIVING FACILITY, CONSISTING OF APPROXIMATELY 4.65 ACRES GENERALLY LOCATED NORTH OF VETERANS MEMORIAL PARKWAY APPROXIMATELY 2,300 FEET SOUTH OF GRAVES AVENUE, FROM ITS PRESENT ZONING CLASSIFICATION OF MIXED USE, SUBURBAN (MX-2) TO BUSINESS PLANNED UNIT DEVELOPMENT (BPUD), CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Jerry Cutrona, representing Monroe Investments, LLC, is the applicant for certain real property generally located immediately north of Veterans Memorial Parkway approximately 2,300 feet south of Graves Avenue, containing approximately 4.65 acres, and

WHEREAS, the applicant desires to change the zoning classification of said property from its classification of Mixed Use, Suburban (MX-2) to Business Planned Unit Development (BPUD) in conjunction with the creation of a Assisted Living Facility, and in order to be consistent with the City's adopted Future Land Use Map, and

WHEREAS, the City Council finds such rezoning consistent with the City's Comprehensive Plan and deems it in the best interest of the inhabitants of said City to amend aforesaid Revised Official Zoning Map as hereinafter set forth:

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF ORANGE CITY, FLORIDA:

Florida, is hereby amended, and a certain 4.654 acre property is hereby changed and transferred from its present zoning classification of MX-2 to BPUD. Said properties are more particularly described in the Attachment "A" Legal Descriptions.

SECTION 2. REPEALER: That all ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed, as well as any portion of the Official Zoning Map of the City of Orange City, Florida, in conflict herewith.

SECTION 3. SEVERABILITY: If any section, part of a section, paragraph, clause, phrase or word of this ordinance is declared invalid, the remaining provisions of this ordinance shall not be affected.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its adoption by the City Council of the City of Orange City, Florida.

ROLL CALL VOTE AS FOLLOWS:

First Reading, this 23rd day of March, 2010.

O. William Crippen	<u>yes</u>	Anthony Pupello	<u>yes</u>
Gary A. Blair	<u>yes</u>	Tom Abraham	<u>yes</u>
Jeff Allebach	<u>yes</u>	Tom Laputka, Vice Mayor	<u>yes</u>
Harley Strickland, Mayor	<u>yes</u>		

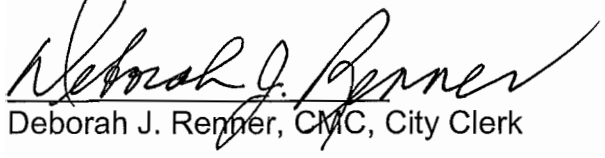
ROLL CALL VOTE AS FOLLOWS:

Second Reading, this 13th day of April, 2010.

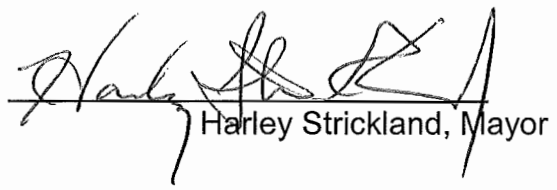
O. William Crippen	<u>yes</u>	Anthony Pupello	<u>yes</u>
Gary A. Blair	<u>yes</u>	Tom Abraham	<u>yes</u>
Jeff Allebach	<u>yes</u>	Tom Laputka, Vice Mayor	<u>yes</u>
Harley Strickland, Mayor	<u>yes</u>		

PASSED and ADOPTED this 13th day of April, 2010.


ATTEST:


Deborah J. Renner, CMC, City Clerk

AUTHENTICATED:


Harley Strickland, Mayor

Approved as to form and legal sufficiency:



William E. Reischmann, Jr., City Attorney

ATTACHMENT A

LEGAL DESCRIPTION:

Lot 19, North of Veterans Memorial Parkway, and Lot 20, North of Veterans Memorial Parkway, Country Woods, according to the plat thereof as recorded in Map Book 37, Pages 112 and 113, of the Public Records of Volusia County, Florida, Lying in Section 12, Township 18 South, Range 30 East, Being more specifically described as follows.

Begin at the Northwest corner of aforesaid Lot 20; Thence run North $89^{\circ}48'25''$ East along the north line of said Lot 20, for a distance of 670.16 feet to the Northeast corner of said Lot 20, also being a point on the West line of ORANGE CITY HEIGHTS "Section A", according to the Plat thereof as recorded in Map Book 19, Page 6 of the Public Records of Volusia County, Florida; Thence run South $00^{\circ}10'42''$ East along said West line and East line of aforesaid Lot 20, for a distance of 156.86 feet to a point on the North right of way line of Veterans Memorial Parkway, also being a point on a curve concave to the Northwest, having a radius of 1840.00 feet, Thence from a tangent bearing of North $57^{\circ}20'35''$ East, run Southwesterly along the arc of said curve also being the North right of way line of Veterans Memorial Parkway, through a central angle of $16^{\circ}27'37''$ and an arc length of 528.61 feet to a point of curvature; Thence run South $73^{\circ}48'12''$ East, for a distance of 153.81 feet to a point on the West line of aforesaid Lot 19; Thence departing aforesaid North right of way line, run North $12^{\circ}04'40''$ West along aforesaid West line, also being the East line of Lot 18, COUNTRY WOODS, according to the Plat thereof as recorded in Map Book 37, Pages 112 through 113 of the Public Records of Volusia County, Florida, for a distance of 280.21 feet to the Northwest corner of aforesaid Lot 19, also being the Northeast corner of aforesaid Lot 18, also being a point on the cul-de-sac right of way of OAKLAND COURT, as described in COUNTRY WOODS, according to the Plat thereof as recorded in Map Book 37, Pages 112 through 113 of the Public Records of Volusia County, Florida, also being a point on a curve concave to the Northwest, having a radius of 68.00 feet, Thence from a tangent bearing of North $77^{\circ}42'52''$ East, run Northeasterly along the arc of said curve also being the right of way line of aforesaid OAKLAND COURT, through a central angle of $131^{\circ}36'33''$ and an arc length of 156.20 feet to a point of reverse curvature, concave to the Northeast, having a radius of 25.00 feet, Thence run Northwesterly along the arc of said curve through a central angle of $53^{\circ}44'37''$, for a distance of 23.45 feet to the aforesaid Point of Beginning.

Containing 202,775.19 square feet or 4.654 acres more or less.

PARCEL ID: 8012-04-00-0190

Monroe Investments Property Status Report

Ownership Status

Property Owner	Monroe Investments LLC				
Applicants Name	Jerry Cutrona				
Mailing Address	248 Via Tuscany Lane				
City	Lake Mary	State	Florida	Zip	32746

General Description of Current Property Status :

Property Location	Located on the north side of Veterans Memorial Parkway approximately 2,300 feet south of East Graves Avenue.				
Property Address	Veterans Memorial Parkway				
Size of Property	Width:	Irregular	Depth:	Irregular	Acres: 4.65
Total Acres	4.65				
Population	None				
Number of Structures	None				
Dwelling Units	None				
Building Square Feet	None				
Parcel Number	8012-04-00-0190 and 8012-04-00-0200				
Legal Description	See Attachment A Legal Description to Ordinance 418				

Current Revenue Status

	Volusia County	Orange City
Total Millage Rate	(19.38832)	(19.26027)
City Millage Rate	N/A	(4.48000)
Assessed Land Value	270,323	270,323
Assessed Building Value	0	0
Exemption	0	0
Taxable Value	270,323	270,323
Stormwater	0	N/A
Total Ad Valorem	5,241.11	5,206.49
City Ad Valorem	N/A	1,211.05

The above revenues are based on the current assessed property value as listed in the Volusia County 2008 Tax Roll.

Subject Property Current Land Use and Zoning Description

The subject property currently maintains the following:	
Land Use Designation	(Volusia County) ULI Urban Low Intensity
Zoning	(Volusia County) RR Rural Residential
The property is vacant and undeveloped.	

Detailed Subject Property Proposed Land Use and Zoning Description

The subject property is proposed to be changed to the following:	
Land Use Designation	(Orange City) MX Mixed Use
Zoning	(Orange City) MX-2 Mixed Use
The proposed property usage is unknown at this time.	