

ORDINANCE 2013-05

AN ORDINANCE OF THE CITY OF BUNNELL, FLORIDA AMENDING THE CITY OF BUNNELL COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE MAP FROM FLAGLER COUNTY COMMERCIAL LOW INTENSITY TO CITY OF BUNNELL COMMERCIAL MEDIUM INTENSITY FOR ±1.01 ACRES OF LAND GENERALLY LOCATED ON COUNTY ROAD 305 AND FURTHER DESCRIBED HEREIN; PROVIDING FOR FINDINGS OF CONSISTENCY; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND APPLICABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Flagler Westside Development Company Inc. is the owner of the property located on County Road 305; and

WHEREAS, the City of Bunnell has authorized the filing of an application to amend the Future Land Use Map of the Comprehensive Plan of the City of Bunnell in the manner set forth herein; and

WHEREAS, the City must assign a land use which is in accordance with the City's Comprehensive Plan; and

WHEREAS, the City Commercial Medium Intensity classification is consistent with surrounding lands and appropriate for this parcel; and

WHEREAS, the City provided legal notice in accordance with Chapter 166.041(3)(c) F.S. and the City of Bunnell Land Development Code.

WHEREAS, the Planning, Zoning and Appeals Board reviewed this application at the January 15, 2013 meeting and recommended approval.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF BUNNELL:

Section 1. FINDINGS.

That the application from Flagler Westside Development Company Inc. to amend the City of Bunnell Future Land Use Map to change the designation of Flagler County Commercial Low Intensity to City of Bunnell Commercial Medium Intensity for ±1.01 acres located on County Road 305 and legally described in Exhibit "A" and location map in Exhibit "B" attached hereto and made a part hereof, is consistent with the standards of Chapter 163.3177, F.S., Rule 9J-5.006, F.A.C. and the City of Bunnell Comprehensive Plan.

Section 2. CITY OF BUNNELL FUTURE LAND USE MAP CHANGE.

The Future Land Use Map of the City of Bunnell is hereby amended from Flagler County Commercial Low Intensity to City of Bunnell Commercial Medium Intensity for land described in Exhibit "A" and location map in Exhibit "B". The Future Land Use Map of the City of Bunnell shall be amended to reflect this change.

Section 3. CONFLICTING PROVISIONS.

All conflicting Ordinances and Resolutions, or parts thereof in conflict with this Ordinance, are hereby superseded by this Ordinance to the extent of such conflicts.

Section 4. SEVERABILITY AND APPLICABILITY.

If any portion of this Ordinance is for any reason held or declared to be unconstitutional, inoperative, or void, such holding shall not affect the remaining portions of this Ordinance. If this Ordinance or any provisions thereof shall be held to be inapplicable to any person, property, or circumstance, such holding shall not affect its applicability to any other person, property, or circumstance.

Section 5. EFFECTIVE DATE.

This ordinance shall become effective upon adoption.

First Reading: approved on this 28th day of January 2013.

Second Reading: adopted on this 11th day February 2013.

CITY COMMISSION, City of Bunnell, Florida.

By: Catherine D. Robinson
Catherine D. Robinson, Mayor

Approved for form and content by:

Sidney M. Nowell
Sidney M. Nowell, Esq., City Attorney

Attest:

Daniel E. Davis
Daniel E. Davis, MMC, City Clerk

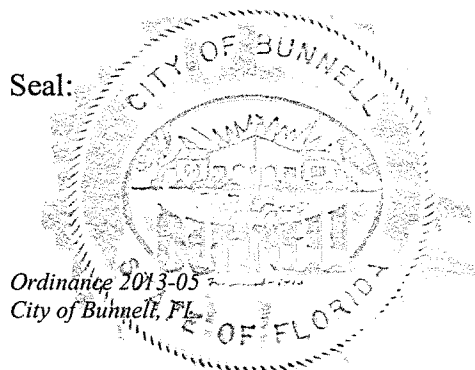


Exhibit “A”

Legal Description

**Lots 20 & 21, Block 128, Daytona North Subdivision,
a subdivision, according to the plat or map, thereof
described in the Plat Book 10, at Page(s) 1-15,
of the Public Records of Flagler County, Florida.**

Exhibit "B"

Location Map

