

ORDINANCE NO. 1736

AN ORDINANCE OF THE CITY OF OVIEDO, FLORIDA, AMENDING THE ZONING MAP OF APPROXIMATELY THIRTEEN POINT EIGHT ONE (13.81) ACRES OF LAND GENERALLY LOCATED APPROXIMATELY 476 FEET SOUTH OF WINTER SPRINGS BOULEVARD AND APPROXIMATELY 150 FEET WEST OF WEST BROADWAY STREET: FROM OFFICE COMMERCIAL (O-C) TO RESIDENTIAL (R-3); PROVIDING FOR CONFLICTS, SEVERABILITY; CODIFICATION AS WELL AS THE CORRECTION OF SCRIVENER'S ERRORS; AND AN EFFECTIVE DATE

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF OVIEDO, FLORIDA, AS FOLLOWS:

SECTION 1. Legislative Findings and Intent.

(a). The City of Oviedo has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

(b). This Ordinance is internally consistent with the goals, objectives and policies of the *Comprehensive Plan of the City of Oviedo*.

(c). The exhibits to this Ordinance are incorporated herein as if fully set forth herein verbatim.

SECTION 2. Amendment To The Official Zoning Map.

(a). Section 4.1 of the City of Oviedo's Land Development Code (LDC), said Section being the Official Zoning Map of the City of Oviedo, Florida, and the property described in Exhibit A and depicted in Exhibit B to this Ordinance are hereby changed and transferred from the approximately thirteen-point-eight-one (13.81) acres from Office Commercial (O-C) to Residential (R-3). Exhibit C depicts the currently assigned zoning district, and Exhibit D depicts the proposed zoning district.

(b). All exhibits to this Ordinance are incorporated into the text and substance of this Ordinance as if fully set forth herein verbatim.

SECTION 3. Implementing Administrative Actions. The City Manager is hereby authorized and directed to take such actions as he may deem necessary and appropriate in order to implement the provisions of this Ordinance. The City Manager may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed effectual and prudent.

SECTION 4. Savings. The prior actions and activities of the City of Oviedo relating to the comprehensive planning and land development regulatory programs and actions of the City are hereby ratified and affirmed.

SECTION 5. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Manager, or designee, without the need for a public hearing.

SECTION 6. Conflicts. All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed; provided, however, that any code or ordinance that provides for an alternative process to effectuate the general purposes of this Ordinance shall not be deemed a conflicting code or ordinance.

SECTION 7. Severability. If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 8. Effective Date. This Ordinance shall become effective immediately upon adoption.

FIRST READING: August 21, 2023

SECOND READING: September 7, 2023

PASSED AND ADOPTED this _____ day of _____, 2023.

MEGAN SLADEK
MAYOR of the City of Oviedo, Florida

ATTEST:

ELIANNE RIVERA
CITY CLERK

Exhibit A: Legal Description

Sugarmill Apartments

Parcel 1

The North 1/2 of the West 1/2 of the South 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 16, Township 21 South, Range 31 East, located in Seminole County, Florida.

LESS a part of the Northwest 1/4 of Section 16, Township 21 South, Range 31 East, Seminole County, being more particularly described as follows:

Commence at a 4"x4" concrete monument marking the Northwest corner of the Northwest 1/4 of said Section 16; thence run South 00°47'59" East along the West line of the Northwest 1/4 of said Section 16 a distance of 1997.81 feet to the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of said Section 16 for a Point of Beginning; thence run South 89°57'51" East along the North line of the Southwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of said Section 16 a distance of 375.12 feet; thence departing said North line run South 16°19'01" West a distance of 347.01 feet to a point on the South line of the North 1/2 of the Southwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of said Section 16; thence run North 89°55'51" West along said South line a distance of 272.98 feet to the Southwest corner of the North 1/2 of the Southwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of said Section 16; thence run North 00°47'59" West along the West line of the Northwest 1/4 of said Section 16 a distance of 332.97 feet to the Point of Beginning.

Parcel 2

The Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 16, Township 21 South, Range 31 East, lying in Seminole County, Florida.

LESS a part of the Northwest 1/4 of Section 16, Township 21 South, Range 31 East, Seminole County, being more particularly described as follows:

Commence at a 4"x4" concrete monument marking the Northwest corner of the Northwest 1/4 of said Section 16; thence run South 00°47'59" East along the West line of the Northwest 1/4 of said Section 16 a distance of 1331.87 feet to the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of said Section 16 for a Point of Beginning; thence run North 89°58'11" East along the North line of the Southwest 1/4 of the Northwest 1/4 of said Section 16 a distance of 594.30 feet to a point on a curve concave Westerly having a radius of 15428.87 feet and a chord bearing of South 17°33'38" West; thence departing said North line run Southerly along the arc of said curve through a central angle of 02°25'52" a distance of 654.66 feet; thence departing said curve on a non-tangent line run South 16°19'01" West a distance of 44.12 feet to

a point on the South line of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of said Section 16; thence run North 89°57'51" West along said South line a distance of 375.12 feet to the Southwest corner of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of said Section 16; thence run North 00°47'59" West along the West line of the Northwest 1/4 of said Section 16 a distance of 665.94 feet to the Point of Beginning.

Parcel 3

The South 474.13 feet of the West 478.12 feet of the Northeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 16, Township 21 South, Range 31 East, Seminole County, Florida.

LESS:

The East 70.77 feet of the South 405.34 feet conveyed to the State of Florida Department of Transportation in Official Records Book 5349, Page 669, Public Records of Seminole County, Florida. Said portion conveyed to the State of Florida Department of Transportation being more particularly described as that part of:

The South 474.13 feet of the West 478.12 feet of the Northeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 16, Township 21 South, Range 31 East, Seminole County, Florida, being a portion of the lands described in Official Records Book 3826, Page 1231, Public Records of Seminole County, Florida, being described as follows:

Commence at an 80D nail and disk stamped "LB 5777", marking the West 1/4 corner of Section 16, Township 21 South, Range 31 East, Seminole County, Florida; thence South 89°53'55" East along the South line of the Northwest 1/4 of said Section 16, a distance of 1,532.59 feet to the intersection of said South line with the centerline of survey of State Road 426, as shown on Florida Department of Transportation Right of Way Map, Section 77060, F.P. No. 404525 1; thence along said centerline of survey North 01°18'27" West, a distance of 667.79 feet to the intersection of said centerline with the South line of the North 1/2 of the Southeast 1/4 of the Northwest 1/4 of said Section 16; thence departing said centerline North 89°58'35" West, along said South line, a distance of 50.01 feet to the intersection of said South line with the Westerly existing right of way line of said State Road 426; thence, departing said Westerly existing right of way line, continue North 89°58'35" West, along said South line, a distance of 137.60 feet to the Southeast corner of the Northeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of said Section 16, said point also being the Northwest corner of Green's Commercial Addition to Oviedo, Fla., as recorded in Plat Book 29, Page 95, Public Records of Seminole County, Florida; thence North 89°57'34" West, along the South line of said Northeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 16, a distance 191.22 feet to the Point of Beginning; thence continue North 89°57'34" West, along said South line, a distance of 70.77 feet; thence departing said South line, North 00°48'19" West, a distance of 405.34 feet; thence North 89°58'34" East, a distance of 70.77 feet; thence South 00°48'19" East, a distance of 405.42 feet to the Point of Beginning.

Parcel 4

The Northeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 16, Township 21 South, Range 31 East, Seminole County, Florida, LESS the South 474.13 feet of the West 478.12 feet thereof.

LESS:

That part of the Northeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 16, Township 21 South, Range 32 East, Seminole County, Florida, LESS the South 474.13 feet of the West 478.12 feet thereof, being a portion of the lands described in Official Records Book 4013, Page 1377, of the Public Records of Seminole County, Florida, being described as follows:

Commence at an 80D nail and disk stamped "LB 5777", marking the West 1/4 corner of Section 16, Township 21 South, Range 31 East, Seminole County, Florida; thence South 89°53'55" East along the South line of the Northwest 1/4 of said Section 16, a distance of 1,532.9 feet to the intersection of said South line with the centerline of survey of State Road 426, as shown on Florida Department of Transportation Right of Way Map, Section 77060, F.P. No. 404525 1; thence along said centerline of Survey North 01°18'27" West, a distance of 667.79 feet to the intersection of said centerline with the South line of the North 1/2 of the Southeast 1/4 of the Northwest 1/4 of said Section 16; thence departing said centerline North 89°58'35" West, along said South line, a distance of 50.01 feet to the intersection of said South line with the Westerly existing right of way line of said State Road 426; thence departing said Westerly existing right of way line, continue North 89°58'35" West, along said South line, a distance of 137.60 feet to the Southeast corner of the Northeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of said Section 16, said point also being the Northwest corner of Green's Commercial Addition to Oviedo, Fla., as recorded in Plat Book 29, Page 95, Public Records of Seminole County, Florida, and the Point of Beginning; thence North 89°57'34" West, along the South line of said Northeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 16, a distance of 191.22 feet; thence departing said South line, North 00°48'19" West, a distance of 405.42 feet; thence North 89°58'54" East, a distance of 69.23 feet; thence South 11°39'11" East, a distance of 208.35 feet; thence South 57°51'31" East, a distance of 98.67 feet to a point on the East line of said Northeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 16; thence South 00°47'19" East, along said East line, a distance of 149.00 feet to the Point of Beginning.

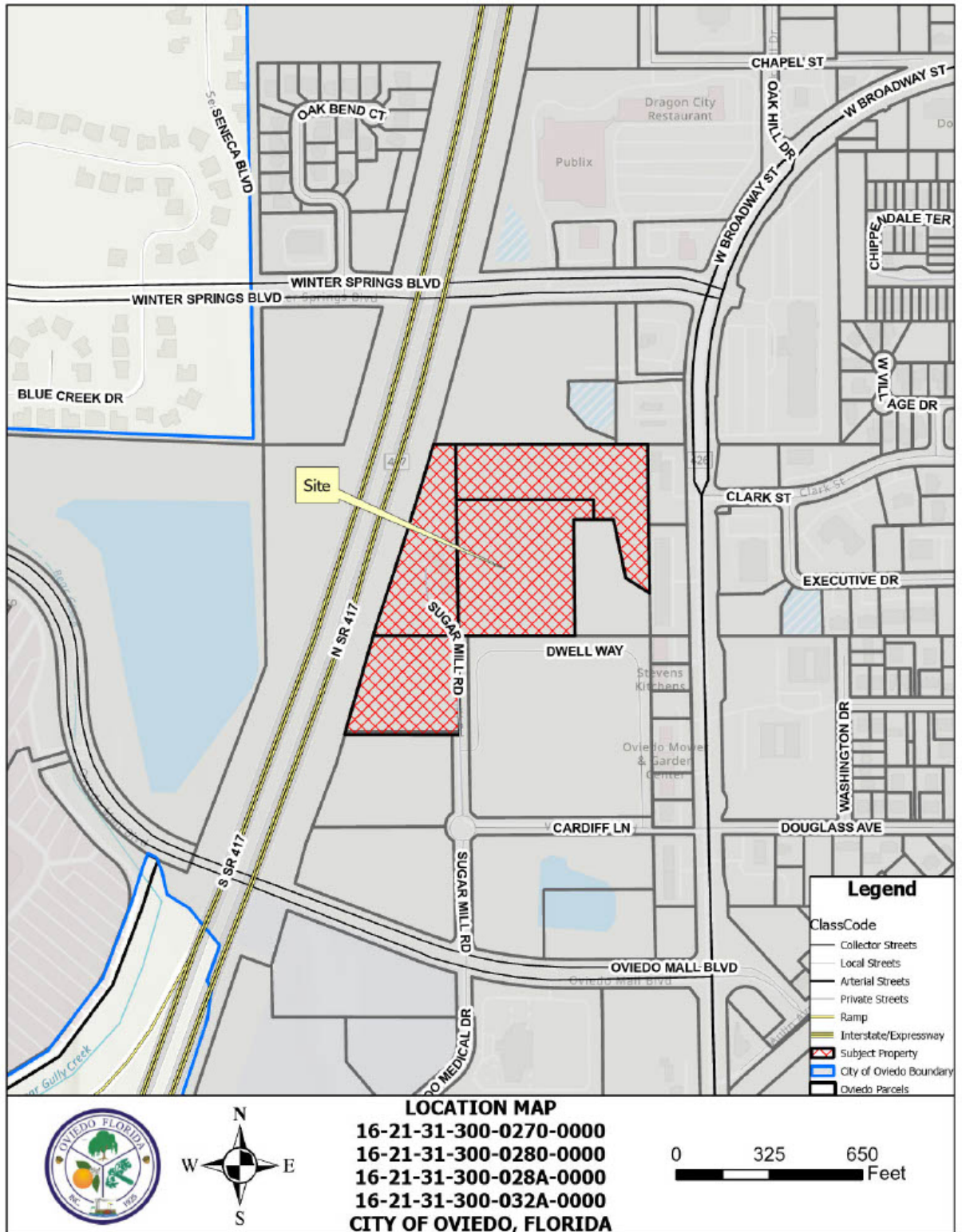
Parcel 5

TOGETHER WITH: Non-Exclusive Easement for ingress and egress for the benefit of Parcels 1, 2 and 3 as set forth and created by the Easement Agreement recorded January 31, 1978 in Official Records Book 1154, Page 1072, Public Records of Seminole County, Florida, being more particularly described as follows:

The South 15 feet of the East 1/2 of the Southwest 1/4 of the Northwest 1/4; the West 15 feet of the East 1/2 of the South 1/2 of the Southwest 1/4 of the Northwest 1/4; the East 15 feet of the West 1/2 of the South 1/2 of the Southwest 1/4 of the Northwest 1/4 and Beginning at a point 15 feet East and 45 feet North of the Southwest corner of the East 1/2 of the South 1/2 of the Southwest 1/4 of the Northwest 1/4 run South 30 feet; thence East 20 feet; thence Northwesterly 36.3 feet more or less to the Point of Beginning, all in Section 16, Township 21 South, Range 31 East, Seminole County, Florida.

Exhibit B: Subject Property Location Map

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Exhibit C: Existing Zoning Map

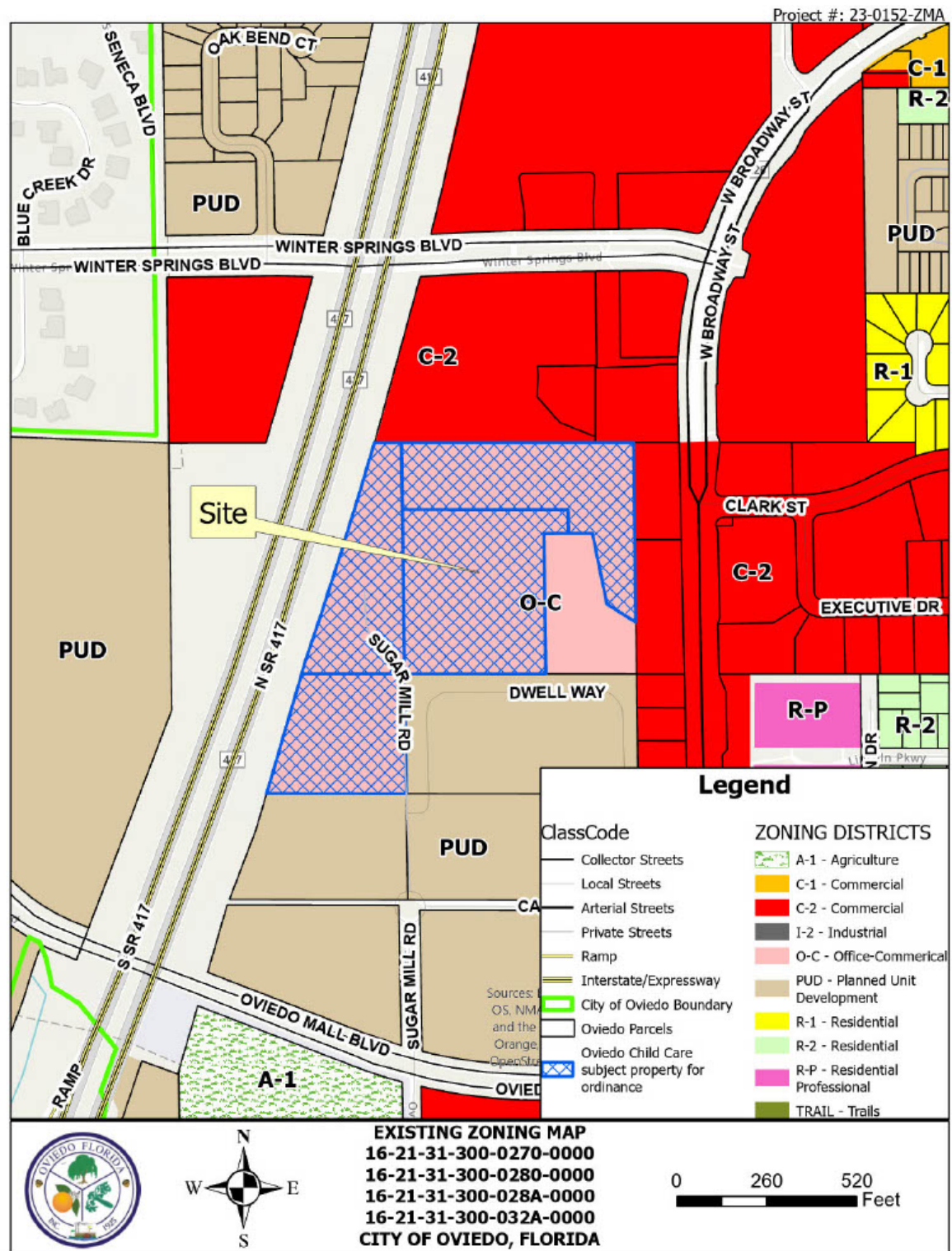


Exhibit D: Proposed Zoning Map

