

## **RESOLUTION NO. 4017-21**

**A RESOLUTION OF THE CITY OF OVIEDO, FLORIDA, APPROVING SPECIAL EXCEPTION USE ORDER NO. 203-20 TO ALLOW A MOTOR VEHICLE REPAIR AND MAINTENANCE (NO BODY WORK) USE ON THE PROPERTY ASSIGNED PARCEL IDENTIFICATION NUMBER 16-21-31-300-034D-0000 IN A COMMERCIAL (C-2) ZONING DISTRICT; AUTHORIZING THE MAYOR TO EXECUTE SAID SPECIAL EXCEPTION USE ORDER; AND PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS, SCRIVENER'S ERRORS, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City received an application to locate a motor vehicle repair and maintenance (no body work) land use on property assigned Parcel Identification No. 16-21-31-300-034D-0000; and

**WHEREAS**, said property is designated Commercial on the City's Comprehensive Plan Future Land Use Map and C-2, Commercial, on the City's Official Zoning Map; and

**WHEREAS**, Section 4.10, Table 4.1 of the City's Land Development Code (LDC) provides that motor vehicle repair and maintenance (no body work) land use may be permitted in the Commercial (C-2) zoning district with the issuance of a Special Exception Use Order in accordance with LDC Section 3.3(D); and

**WHEREAS**, City Staff reviewed said application per the criteria in LDC Section 3.3(D) and recommends approval of Special Exception Use Order No. 203-20; and

**WHEREAS**, the Local Planning Agency (LPA) conducted a public hearing on Tuesday, December 15, 2020, and thereat recommended approval of Special Exception Use Order No. 203-20; and

**WHEREAS**, the City Council of the City of Oviedo, Florida, conducted a public hearing on January 19, 2021 to consider Special Exception Use Order 203-20.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OVIEDO, FLORIDA, AS FOLLOWS:**

**SECTION 1.** Approval of Special Exception Use Order. The City Council approves Special Exception Use Order No. 203-20 provided in Exhibit I to allow a motor vehicle repair and maintenance (no body work) land use in the Commercial (C-2) zoning district.

**SECTION 2.** Authorization to Execute. The City Council authorizes the Mayor to execute Special Exception Use Order No. 203-20 provided in Exhibit I.

**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 Resolution. 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.** Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the City Clerk and City Attorney, may be corrected.

**SECTION 5.** Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

**SECTION 6.** Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

**SECTION 7.** Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

**PASSED AND ADOPTED this 1<sup>st</sup> day of February, 2021.**

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**MEGAN SLADEK**  
**MAYOR of the City of Oviedo, Florida**

**ATTEST:**

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**BARBARA J. BARBOUR**  
**CITY CLERK**