

**ORDINANCE NO. 07-2021**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF AVON PARK, FLORIDA, AMENDING ONE (1) PARCEL OF LAND (PARCEL NUMBER: A-22-33-28-010-0420-0040) TOTALING 0.98 ACRES LOCATED AT 2 EAST MAIN STREET FROM THE CITY ZONING OF C-4 (MIXED USE COMMERCIAL DISTRICT) TO CITY PUD (PLANNED UNIT DEVELOPMENT); PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Avon Park held meetings and hearings regarding the property shown in Exhibit "A", with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including supporting documents; and

**WHEREAS**, in exercise of its authority the City Council has determined it necessary to amend the Official Zoning Map by changing the zoning assigned to the subject property from Mixed Use Commercial District (C-4) to City Planned Unit Development (PUD).

**NOW, THEREFORE**, be it enacted by the City Council of the City of Avon Park, Florida, as follows:

**Section 1.** The Official Zoning Map of the City of Avon Park is hereby amended so as to assign the zoning classification of Planned Unit Development (PUD) to the property located at 2 e. Main Street, identified by Parcel Number A-22-33-28-010-0420-0040, totaling 0.98 acres, and as shown in Exhibit "A" attached hereto.

**Section 2.** Conditions of Development Approval assigned as part of the PUD zoning change are attached hereto as Exhibit "B".

**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**Section 5.** **Conflict:** All existing ordinances or parts of existing ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 6.** **Certified Copy:** A certified copy of this enacting ordinance and certified copy of the City of Avon Park Official Zoning Map shall be located in the Office of the City Clerk of Avon Park. The City Clerk shall also make copies available to the public for a reasonable publication charge.

**Section 7.** **Effective Date:** The effective date of this Ordinance shall be the date of its adoption.

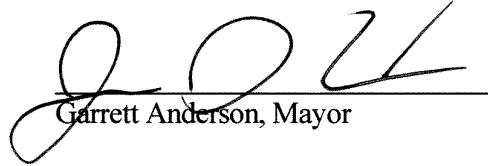
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**INTRODUCED AND PASSED** on First Reading at the regular meeting of the Avon Park City Council held on the APRIL day of 12, 2021.

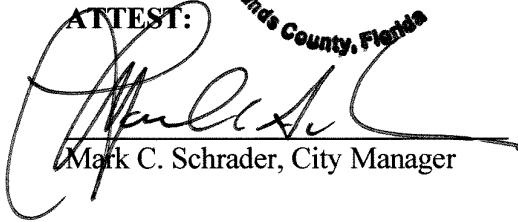
**PASSED AND DULY ADOPTED**, on second reading at the meeting of the Avon Park City Council duly assembled on the APRIL day of 26, 2021.




**CITY OF AVON PARK, FLORIDA**

  
Garrett Anderson, Mayor

ATTEST:

  
Mark C. Schrader, City Manager

Approved as to form:

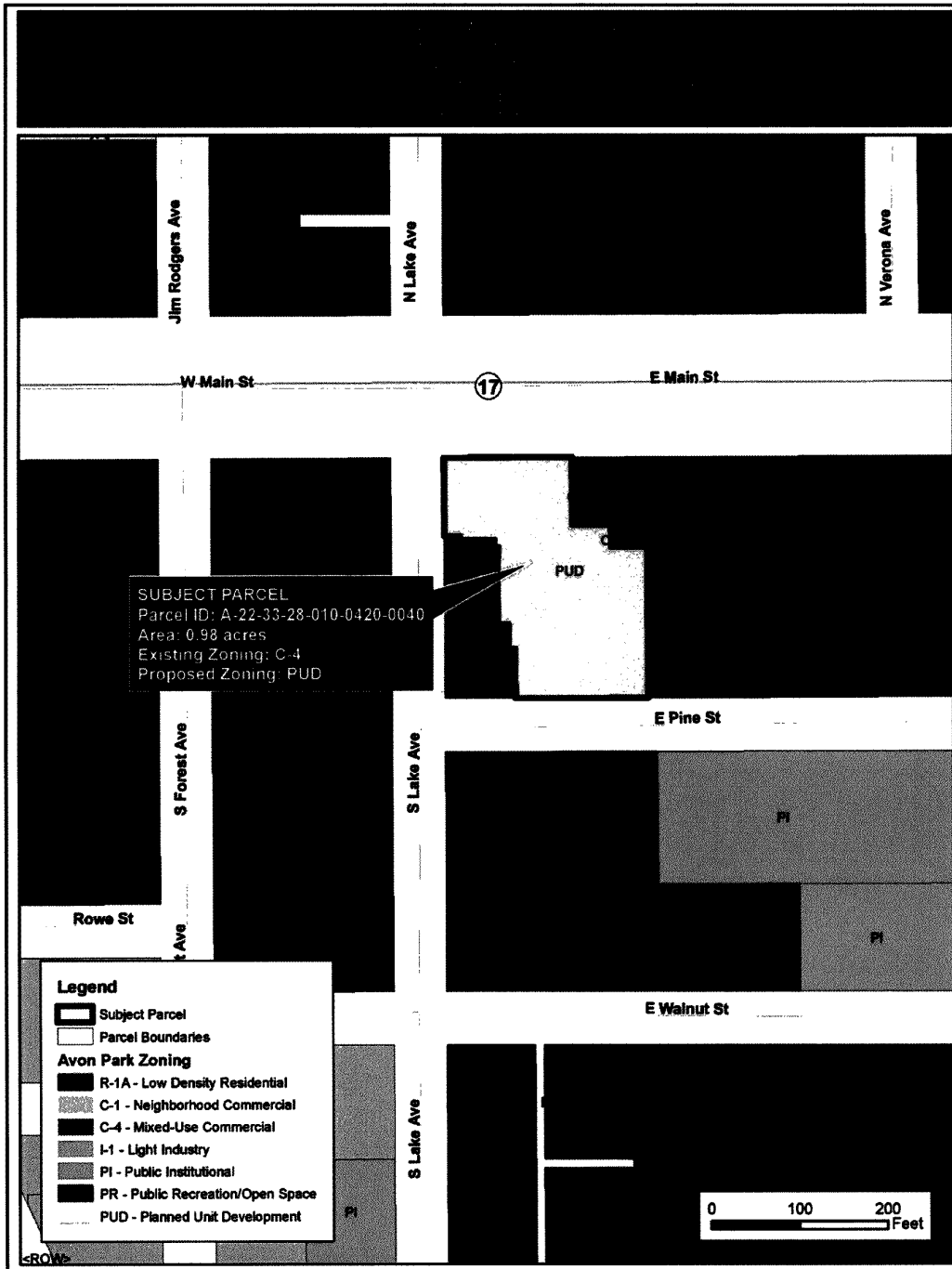
  
Gerald T. Buhr, City Attorney

Motion made by Deputy Mayor BARNARD seconded by Council Member JOHNSON.

The vote was 5 for 0 against with abstentions and 0 absent

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**EXHIBIT "A"**



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**EXHIBIT "B"**

**PUD Conditions of Development Approval**

1. Development on the subject property shall not exceed a maximum of 10 multi-family residential dwelling units.
2. In the event any portion of the subject property is divided, a minimum of 0.62 acres must be retained on the portion of property occupied by the existing building structure in order to permit a maximum density of 10 dwelling units. This requirement is consistent with the Downtown Commercial Future Land Use which permits up to 16 dwelling units per acre.
3. Any interior improvements made to support residential or nonresidential uses shall be required to meet all occupancy and building code requirements.
4. Any future development shall allow for commercial uses on the first and second floor, and multi-family residential on the second floor only.
5. In accordance with parking requirements of Section 3.03.02, Table 3.5, of the City's Land Development Code, parking spaces for residential units shall be provided within the on-site parking area of the approved PUD at a ratio of 1.7 spaces per each residential unit established.