

ORDINANCE NO. _____

PROPOSED ORDINANCE NO. 19-006

AN ORDINANCE RELATING TO ZONING; PROVIDING FOR A CHANGE IN ZONING CLASSIFICATION FROM RA-4 (SINGLE-FAMILY) AND O-1 (LOW IMPACT OFFICE) TO O-3 (MODERATE IMPACT OFFICE) ON 18.79 ACRES LOCATED SOUTH OF E. BELLA VISTA STREET, NORTH OF PARKVIEW PLACE, EAST OF N. FLORIDA AVENUE AND WEST OF LAKELAND HILLS BOULEVARD; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board held a public hearing on January 15, 2019 to consider the request of Timothy Campbell with Clark, Campbell, Lancaster & Munson, P.A. to change the zoning classification from RA-4 (Single-Family) and O-1 (Low Impact Office) to O-3 (Moderate Impact Office) on 18.79 acres located south of E. Bella Vista Street, North of Parkview Place, East of N. Florida Avenue and West of Lakeland Hills Boulevard, more particularly described in Attachment "A" and graphically depicted on Attachment "B"; and

WHEREAS, the Planning and Zoning Board approved the zoning change on February 19, 2019, and recommended said change to the City Commission; and

WHEREAS, the City Commission of the City of Lakeland, Florida, after publication of a notice of its consideration of this ordinance, has determined that it is in the best interests of the City of Lakeland to approve O-3 (Moderate Impact Office) zoning for property located south of E. Bella Vista Street, North of Parkview Place, East of N. Florida Avenue and West of Lakeland Hills Boulevard; and

WHEREAS, the City Commission, having held a public hearing pursuant to said notice, where interested parties were given opportunity to be heard, finds the property should be classified or zoned as recommended by the Planning and Zoning Board;

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

SECTION 1. The property legally described in Attachment “A”, owned by Watson Clinic and Lakeland Community Redevelopment Agency and located within the City of Lakeland, is classified or zoned O-3 (Moderate Impact Office) as set forth in Attachment “B”.

SECTION 2. The City Commission does hereby expressly find that the provisions of this ordinance are in conformity with the Comprehensive Plan of the City of Lakeland adopted by Ordinance 5188.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. If any word, sentence, clause, phrase, or provision of this ordinance, for any reason, is held to be unconstitutional, void, or invalid, the validity of the remainder of this ordinance shall not be affected thereby.

SECTION 5. This ordinance shall take effect immediately upon adoption.

PASSED AND CERTIFIED AS TO PASSAGE this 18th day of March, A.D.

2019.

H. WILLIAM MUTZ, MAYOR

ATTEST: _____
KELLY S. KOOS, CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS: _____
TIMOTHY J. McCAUSLAND
CITY ATTORNEY

EXHIBIT "A"

Legal Description:

Description:

(Proposed Zoning Legal)

A parcel of land being a portion of the Northwest 1/4 of the Northwest 1/4 of Section 7, Township 28 south, Range 24 East, Polk County, Florida and all of Lots 11 through 18, inclusive, Block A and Lots 1 through 18, inclusive, Block B, LAKELAND HILLS UNIT 2, as recorded in Plat Book 36, Page 44, Public Records of Polk County, Florida, being described as follows:

Commence at the Northeast corner of said Lot 18, Block B for the Point of Beginning; thence South 20°57'24" West, a distance of 149 feet, more or less, to the centerline of North Drive, said centerline being 25 feet north of the northerly line of said Block A; thence North 89°54'13" East, along said centerline of North Drive, a distance of 15 feet, more or less, to a point of curvature to the right having a radius of 45 feet; thence Southeasterly, along the arc of said curve and centerline of North Drive, a distance of 71 feet, more or less, to the centerline of East Lane, being 25 feet east of the easterly line of aforesaid Block A; thence South 00°00'24" East, along said centerline of East Lane, a distance of 282 feet, more or less, to the easterly extension of the South line of Lot 18, of said Block A; thence South 89°50'30" West, along said easterly extension and the south line of said Lot 18, a distance of 142 feet, more or less, to the southwest corner of said Lot 18; thence North 00°00'24" West, along the west line of said Lot 18, a distance of 65 feet, more or less, to the northwest corner of said Lot 18, also being the southeast corner of Lot 11 of said Block A; thence South 89°50'30" West, along the south line of said Lot 11 and its westerly extension, a distance of 142 feet, more or less, to the centerline of West Lane, said centerline being 25 feet west of the westerly line of said Block A; thence South 00°00'24" East, along said centerline of West Lane, a distance of 593 feet, more or less, to the centerline of Crawford Street, said centerline being 30 feet south of the southerly line of said Block A; thence South 89°50'30" West, along said centerline of Crawford Street, a distance of 152 feet, more or less, to the centerline of a 20 foot alley as shown on the plat of FUSSELLS BUSINESS ADDITION, as recorded in Plat Book 35, Page 33, Public Records of Polk County, Florida; thence North 00°00'24" West, along said centerline of said 20 foot alley, a distance of 999 feet, more or less, to the westerly extension of the north line of aforesaid Block B; thence South 89°28'45" East, along said westerly extension and north line of Block B, a distance of 428 feet, more or less, to the Point of Beginning.

Description:

(Proposed Zoning Legal)

A parcel of land being Lots 10–15, inclusive, and the North 407 feet of Parcel "B", Block 3, LAKELAND HILLS, as recorded in Plat Book 34, Page 11, Public Records of Polk County, Florida, being more particularly described as follows:

Commence at the southwest corner of said Lot 10, for the Point of Beginning, said point being on a curve to the left, having a radius of 100 feet; thence Northeasterly along the arc of said curve and the easterly right-of-way line of East Lane, a distance of 60 feet, more or less; thence North 00°21'01" West, along said easterly right-of-way line, a distance of 264 feet, more or less, to a point on a non-tangent curve to the right, having a radius of 25 feet; thence Northeasterly, along the arc of said curve, a distance of 39 feet, more or less, to the south right-of-way line of Channing Road; thence North 89°38'59" East, along said south right-of-way line, a distance of 241 feet, more or less, to a point on a non-tangent curve to the right, having a radius of 30 feet; thence Southeasterly, along the arc of said curve, a distance of 47 feet, more or less, to the westerly right-of-way line of Lakeland Hills Boulevard; thence South 00°21'01" East, along said westerly right-of-way line, a distance of 377 feet, more or less, to the south line of the North 407 feet of aforesaid Parcel "B", Block 3, LAKELAND HILLS; thence South 89°38'59" West, along said south line of the North 407 feet, a distance of 180 feet, more or less, to the west line of said Parcel "B"; thence North 00°21'01" West, along said west line of Parcel "B", a distance of 18 feet, more or less; thence South 44°38'59" West, along the southerly boundary of aforesaid Lot 10, a distance of 40 feet, more or less; thence North 56°01'36" West, along said southerly line of Lot 10, a distance of 127 feet, more or less, to the POINT OF BEGINNING.

Description:

(Proposed Zoning Legal)

Parcel 1

A parcel of land being Lots 1-12, inclusive, Block 1, LAKELAND HILLS, as recorded in Plat Book 34, Page 11, Public Records of Polk County, Florida, being described as follows:

Commence at the intersection of the south right-of-way line of Crawford Street and the westerly right-of-way line of Morrell Drive as recorded in Official Records Book 9520, Page 1920, Public Records of Polk County, Florida, said point being the Point of Beginning; thence South 04°11'31" East, a distance of 226 feet, more or less, to a point on the northerly right-of-way line of West Lane, said point being on a non-tangent curve to the right, having a radius of 25.00 feet; thence Southwesterly along the arc of said curve, a distance of 11 feet, more or less; thence South 89°40'36" West, along said northerly right-of-way line, a distance of 157 feet, more or less, to a point on a non-tangent curve to the left, having a radius of 100.00 feet; thence Southwesterly along the arc of said curve and northerly right-of-way line, a distance of 157 feet, more or less, to the southeast corner of said Lot 12; thence South 89°20'11" West, along the south line of said Lot 12, a distance of 126 feet, more or less, to a line 10 feet west of and parallel with said west line of Block 1; thence North 00°25'34" West, along said line, a distance of 327 feet, more or less, to the south right-of-way line of Crawford Street; thence North 89°30'01" East, along said south right-of-way line, a distance of 379 feet, more or less, to a point of curvature to the right having a radius of 30.00 feet; thence Southeasterly, along the arc of said curve and south right-of-way line of Crawford Street, a distance of 0.6 feet, more or less, to the Point of Beginning.

Parcel 2

Lot 3, Block 4, LAKELAND HILLS, as recorded in Plat Book 34, Page 11, Public Records of Polk County, Florida, being further described as follows:

Commence at the southwest corner of said Lot 3 for the Point of Beginning; thence along the boundary of said Lot 3 for the following five (5) courses; (1) thence North 00°19'17" West, a distance of 116 feet, more or less, to the southerly right-of-way of West Lane; thence North 89°41'46" East, along said southerly right-of-way line, a distance of 60 feet, more or less, to the point of curvature to the right having a radius of 25.00 feet; thence Southeasterly along the arc of said curve and southerly right-of-way line of West Lane, a distance of 39 feet, more or less, to the westerly right-of-way line of Morrell Drive; thence South 00°19'17" East, along said westerly right-of-way line, a distance of 91 feet, more or less; thence South 89°41'46" West, a distance of 85 feet, more or less, to the Point of Beginning.

Description:

(Proposed Zoning Legal)

A parcel of land being a portion of the Southwest 1/4 of the Northwest 1/4 of Section 7, Township 28 south, Range 24 East, Polk County, Florida, and Lots 1 through 16, inclusive, Block 2, LAKELAND HILLS, as recorded in Plat Book 34, Page 11, Public Records of Polk County, Florida, described as follows:

Commence at the southeast corner of said Lot 1, Block 2, for the Point of Beginning; thence South 89°28'59" West, along the north right-of-way line of Channing Road, a distance of 111 feet, more or less, to a point on a non-tangent curve to the right, having a radius of 25 feet; thence Northwesterly, along the arc of said curve, a distance of 39 feet, more or less, to the easterly and northerly right-of-way line of East Lane; thence North 00°22'42" West, along said right-of-way line, a distance of 246 feet, more or less, to a point on a non-tangent curve to the left, having a radius of 100 feet; thence Northwesterly, along the arc of said curve and said right-of-way line, a distance of 157 feet, more or less; thence South 89°41'46" West, along said right-of-way line, a distance of 158 feet, more or less, to a point on a non-tangent curve to the right, having a radius of 25 feet; thence Northwesterly, along the arc of said curve, a distance of 39 feet, more or less, to the easterly right-of-way line of Morrell Drive; thence North 00°19'17" West, along said easterly right-of-way line, a distance of 173 feet, more or less, to a point on a non-tangent curve to the right, having a radius of 30 feet; thence Northeasterly, along the arc of said curve, a distance of 47 feet, more or less, to the south right-of-way line of Crawford Street; thence North 89°29'56" East, along said south right-of-way line, a distance of 519 feet, more or less, to a point on a non-tangent curve to the right, having a radius of 30 feet; thence Southeasterly, along the arc of said curve, a distance of 47 feet, more or less, to the west right-of-way line of Lakeland Hills Boulevard; thence South 00°21'15" East, along said west right-of-way line, a distance of 270 feet, more or less, to the south line of the North 300 feet of the Southwest 1/4 of the Northwest 1/4 of said Section 7; thence South 89°29'56" West, along said south line, a distance of 160 feet, more or less; thence South 00°22'42" East, a distance of 300 feet, more or less, to the Point of Beginning.

EXHIBIT "B"

