

ORDINANCE NO. 1389-17

**AN ORDINANCE OF THE CITY OF LAKE ALFRED, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LAKE ALFRED, FLORIDA; SPECIFICALLY, CHANGING THE ZONING CLASSIFICATION FROM SINGLE FAMILY DISTRICT CLUSTERED (R-1AC) AND (R-1AAC) TO SINGLE FAMILY DISTRICT (R-1B) ON APPROXIMATELY 14.01 ACRES OF LAND, KNOWN AS THE LAKES TRACT 4 AND 4A, LOCATED NORTH OF LAKE ROCHELLE, EAST OF GLENCRUITEN AVENUE, SOUTH OF THELMA STREET EAST, AND WEST OF LAKE HAINES (LOTS 1 THROUGH 3 AND LOTS 6 THROUGH 33, IN BLOCK 1 OF TRACT 4 THE LAKES AS RECORDED IN PLAT BOOK 146 PAGES 1 AND 2 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA AND LOTS 3 THROUGH 12 IN BLOCK 2 OF TRACT 4 THE LAKES AS RECORDED IN PLAT BOOK 146 PAGES 1 AND 2 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA AND LOTS 3 THROUGH 12 AND LOTS 10 THROUGH 13 IN BLOCK 3 OF TRACT 4 THE LAKES AS RECORDED IN PLAT BOOK 146 PAGES 1 AND 2 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA AND LOTS 19 THROUGH 21 IN BLOCK 4 OF TRACT 4 THE LAKES AS RECORDED IN PLAT BOOK 146 PAGES 1 AND 2 PUBLIC RECORDS OF POLK COUNTY, FLORIDA AND TRACT 4A THE LAKES AS RECORDED IN PLAT BOOK 149 PAGE 7 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA); REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Lake Alfred Land Partners, LLC requests a change of zoning from Single Family District Clustered (R-1AC) and (R-1AAC) to Single Family District (R-1B) on approximately 14.01 acres of land; and

**WHEREAS**, the requested acres are located within the existing platted subdivisions known as The Lakes Tract 4 (Lots 1 through 3 and Lots 6 through 33, in Block 1; Lots 3 through 12 in Block 2; Lots 3 through 12 and Lots 10 through 13 in Block 3; and Lots 19 through 21 in Block 4 all as recorded in Plat Book 146, Pages 1 and 2 of the Public Records of Polk County, Florida) and The Lakes Tract 4A as recorded in Plat Book 149, Page 7 of the Public Records of Polk County, Florida, generally located north of Lake Rochelle, east of Glencruiten Avenue, south of Thelma Street East, and west of Lake Haines; and

**WHEREAS**, since the zoning request includes lots within existing platted subdivisions, the zoning change would not increase the density allowed on the approximately 14.01 acres of land; and

**WHEREAS**, the property constitutes less than five percent (5%) of the municipally zoned area of the City; and

**WHEREAS**, the zoning change requested by the applicant is consistent with the Future Land Use Element of the Lake Alfred Comprehensive Plan; and

**WHEREAS**, in accordance with the procedures required by Sections 166.041 (3)(c)2, Florida Statutes, and other applicable law, the regulations contained within this ordinance were considered by the City's Planning Board, sitting as the Local Planning Agency (LPA) as designated by the City, at a duly advertised public meeting, at which time interested parties and citizens had the opportunity to be heard; and

**WHEREAS**, the City Commission of the City of Lake Alfred held meetings and hearings regarding the parcels shown on 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 the exercise of its authority, the City Commission of the City of Lake Alfred has determined it necessary to amend the Official Zoning Map to change the City zoning classification assigned to these properties.

**NOW THEREFORE, BE IT ORDAINED** by the City Commission of the City of Lake Alfred, Florida that this Ordinance is hereby passed for the protection and welfare of the citizens of Lake Alfred, and that:

**SECTION 1. OFFICIAL ZONING MAP.** The official zoning map of the City of Lake Alfred is hereby amended to add thereto a map amendment, as shown in Exhibit "A", so as to change the City zoning classification from Single Family District Clustered (R-1AC) and (R-1AAC) to Single Family District (R-1B) on approximately 14.01 acres of land, known as The Lakes Tract 4 (Lots 1 through 3 and Lots 6 through 33, in Block 1; Lots 3 through 12 in Block 2; Lots 3 through 12 and Lots 10 through 13 in Block 3; and Lots 19 through 21 in Block 4 all as recorded in Plat Book 146, Pages 1 and 2 of the Public Records of Polk County, Florida) and The Lakes Tract 4A as recorded in Plat Book 149, Page 7 of the Public Records of Polk County, Florida, generally located north of Lake Rochelle, east of Glencruiten Avenue, south of Thelma Street East, and west of Lake Haines; and.

**SECTION 2. CONFLICTS.** All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the City's Unified Land Development Code (ULDC), unless such repeal is explicitly set forth herein.

**SECTION 3. SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City of Lake Alfred, Florida, hereby declares that it would have passed this Ordinance, and each section,

subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**SECTION 4. CODIFICATION.** It is the intention of the City Commission that sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to, "section", or such other appropriate word or phrase in order to accomplish such intentions; and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or his or her designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk. This ordinance shall not be codified, but the City Clerk shall retain this ordinance as a permanent record of action taken by the City Commission of the City of Lake Alfred. The official zoning map of the City of Lake Alfred, Florida shall be updated to reflect the changes set forth herein.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall be effective immediately upon passage after second reading/public hearing.

**INTRODUCED AND PASSED** on first reading at a regular meeting of the Lake Alfred City Commission held this 7<sup>th</sup> day of August, 2017.

**PASSED AND FINALLY ADOPTED** on second reading/public hearing at the meeting of the Lake Alfred City Commission duly assembled on the 21<sup>st</sup> day August, 2017.

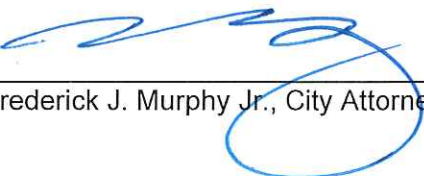
**CITY OF LAKE ALFRED  
CITY COMMISSION**

By:   
Charles O. Lake, Mayor

ATTEST:

By:   
Ameer Bailey-Speck, City Clerk

APPROVED AS TO FORM:

By:   
Frederick J. Murphy Jr., City Attorney

**Ordinance No. 1389-17  
Exhibit "A"**

**Zoning Map  
Page 1 of 1**

