

ORD. NO. 2023-2276

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, TO APPROVE, PURSUANT TO SECTION 5.02.06 OF THE LAND DEVELOPMENT CODE, A SPECIAL EXCEPTION FOR THE DEVELOPMENT OF AN ATTACHED SINGLE-FAMILY TOWNHOME PROJECT WITHIN THE R-3 ZONING DISTRICT AND DOWNTOWN FUTURE LAND USE CLASSIFICATION FOR PROPERTY LOCATED AT 5928 CENTRAL AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, on November 17, 2020, the City Council approved Ordinance 2020-2210, which amended the R-3 zoning district to allow the City Council to approve special exceptions pursuant to Section 5.02.00 of the Land Development Code for proposed attached single-family townhome projects within the Downtown and Downtown Core future land use classifications;

WHEREAS, Capital Towers II, LTD (Applicant), owner of property located at 5928 Central Avenue, New Port Richey, Florida, as more particularly described herein, (Subject Property) submitted an application to the City for the consideration of approval of a four-unit attached single-family townhome project on the property (SE-23-03-0001);

WHEREAS, the Subject Property is located within the R-3 zoning district and Downtown future land use classification, which is consistent with the requirements of Ordinance 2020-2210;

WHEREAS, the special use application for 5928 Central Avenue was publicly noticed as required by Section 5.02.03 and Section 5.02.04 of the Land Development Code;

WHEREAS, on February 16, 2023, the City's Development Review Committee reviewed the special exception and recommended approval of the special exception to City Council;

NOW, THEREFORE, THE CITY OF NEW PORT RICHEY, FLORIDA HEREBY ORDAINS:

SECTION I. The property which is the subject of this ordinance is located at 5928 Central Avenue New Port Richey, Florida, and is legally described as follows (hereinafter “Property”):

**Lots 7, 8, 9 and 10, Block 73, City of New Port Richey, said lots and block being numbered and designated in accordance with the revised plat of said City, as recorded in Plat Book 4, Page 49, Public Records of Pasco County, Florida.
(PARCEL 05-26-16-0030-07300-0070)**

SECTION II. Based on the City staff report presented and testimony provided by the Applicant and public at the public hearings, the City Council finds that the plans provided in Attachment “A”, as may be amended by City Council, are compliant with the requirements of Ordinance 2020-2210 for the approval of a special exception for an attached single-family townhome project within the R-3 zoning district and Downtown future land use classification on the Property. In addition, the City Council finds that the approval of the special exception is consistent with the seven (7) required findings provided in Section 5.02.10 of the Land Development Code.

SECTION III. The plans provided in Attachment “A” are approved, as may be amended by City Council, and provide the approved development standards for the project on the Property. All development shall be in substantial compliance with the approved plans.

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

SECTION V. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, then such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION VI. This Ordinance shall become effective as provided by law.

The above and foregoing Ordinance was read and approved on first reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida, this ____ day of ____, 2023.

The above and foregoing Ordinance was read and approved on second reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida, this ____ day of ____, 2023.

ATTEST:

CITY OF NEW PORT RICHEY, FLORIDA

Judy Meyers, CMC, City Clerk

Alfred E. Davis, Mayor – Councilmember

(SEAL)

APPROVED AS TO LEGAL FORM AND CONTENT

Timothy P. Driscoll, City Attorney

5928 Central Avenue - Special Exception

