

ORDINANCE # 2019-2161

AN ORDINANCE REZONING APPROXIMATELY .32 ACRES OF PROPERTY LOCATED ON THE SOUTHEAST CORNER OF U.S. HIGHWAY 19 AND MAIN STREET FROM: DOWNTOWN ZONING CATEGORY TO: HIGHWAY COMMERCIAL ZONING CATEGORY; FURTHER DESCRIBED HEREIN AND IN EXHIBIT A; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Growth Management Act of 1985 requires that each municipality in the state shall prepare and adopt a Comprehensive Plan of the type and in the manner set out in the act; and

WHEREAS, the City of New Port Richey has adopted a Comprehensive Plan pursuant to the Growth Management Act of 1985; and

WHEREAS, the Land Development Review Board (Local Planning Agency) and the City Council of New Port Richey has reviewed this rezoning as REZ2019-01, also attached as Exhibit A, as set forth under Chapter 163 F.S. and Chapter 166 F.S.; and

WHEREAS, the City Council of the City of New Port Richey finds and declares that this rezoning, also attached as Exhibit A, is consistent with the adopted Comprehensive Plan;

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

SECTION I.

That the real property described in Exhibit A is hereby rezoned from: Downtown Zoning Category to: Highway Commercial Zoning Category and further described herein:

A portion of Lots 11, 12 and 13, Block 207 and Lot 1, Block 210, TOWN OF NEW PORT RICHEY, recorded in Plat 2, page 27, of the Public Records of Pasco County, Florida, together with vacated alley lying between said lots, being more particularly described as follows:

Commence at a point lying on the intersection of the East boundary line of said Lot 11 and the Southerly right-of-way line of Main Street; thence N89°50'47"W, along the Southerly right-of-way line of Main Street, a distance of 33.90 feet to the point of beginning; thence S00°06'55"W, a distance of 275.27 feet; thence N89°51'02"W, a distance of 241.29 feet; thence along the Easterly right-of-way line of U.S. Highway 19 (S.R. 55) for the following four (4) courses: (1) N00°07'28"E, a distance of 98.18 feet; (2) S89°53'10"E, a distance of 10.00 feet; (3) N00°06'55"E, a distance of 162.10 feet; (4) N45°08'04"E, a distance of 21.21 feet; thence S89°50'47"E, along the Southerly right-of-way line of Main Street, a distance of 216.27 feet to the point of beginning.

Together with the perpetual, non-exclusive easement described as follows:

Commence at the intersection of the East line of Lot 11, Block 207, TOWN OF NEW PORT RICHEY, recorded in Plat Book 2, page 27, of the Public Records of Pasco County, Florida and the South right-of-way line of Main Street; thence N89°50'45"W, along said right-of-way line, a distance of 33.90 feet; thence S00°06'55"W, a distance of 15.84 feet to the point of beginning; thence S89°29'28"E, a distance of 16.25 feet; thence S00°46'48"W, a distance of 271.34 feet; thence N89°51'02"W, a distance of 241.40 feet; thence S76°55'25"W, a distance of 13.35 feet to the East right-of-way line of U.S. Highway 19 (S.R. 55, Section 14030-2151); thence N00°07'28"E, along said East right-of-way line, a distance of 15.05 feet; thence S89°51'02"E, a

distance of 241.29 feet; thence N00°06'55"E, a distance of 259.43 feet to the point of beginning.

SECTION II. Severability.

If any phrase or portion of this Ordinance, or the particular application thereof, shall be held invalid or unconstitutional by any court, administrative agency or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases and their application shall not be affected thereby.

SECTION III. Effective Date.

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 \_\_\_\_\_, 2019.

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 \_\_\_\_\_, 2019.

ATTEST:

CITY OF NEW PORT RICHEY,  
FLORIDA

(SEAL)

\_\_\_\_\_  
Judy Meyers, City Clerk

\_\_\_\_\_  
Rob Marlowe, Mayor - Councilmember

APPROVED AS TO LEGAL FORM AND CONTENT

\_\_\_\_\_  
Timothy P. Driscoll, City Attorney

## EXHIBIT A

