

**ORDINANCE NO. 2888**

**AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING ORDINANCE 2352, THE LAND DEVELOPMENT REGULATIONS, BY REZONING APPROXIMATELY 0.36 ACRES LOCATED ON THE WEST SIDE OF NOVA ROAD BETWEEN ALCAZAR STREET AND ALABAMA AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM THE CURRENT COUNTY ZONING OF I-1 TO CITY ZONING CC-1 (COMMERCIAL CORRIDOR); PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City Commission of the City of Holly Hill, Volusia County, Florida, has adopted a comprehensive plan pursuant to, and in compliance with 163.3161 et. Seq., Florida Statutes; and

WHEREAS, the City Commission, as authorized by 163.3202, Florida Statutes, has enacted and does enforce Ordinance 2352, the Land Development Regulations, based on, related to, and as a means to implement its adopted comprehensive plan; and

WHEREAS, the City Commission has determined that it is necessary to amend its Land Development Regulations as herein provided in order to more effectively implement and is consistent with its adopted comprehensive plan.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF HOLLY HILL, FLORIDA:**

**Section 1.** The Official Zoning Map of the City of Holly Hill is hereby amended by changing the zoning classification for the property described in attached Exhibit A from County

zoning of I-1 to City zoning CC-1 (Commercial Corridor).

**Section 2.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

**Section 3.** That all ordinances made in conflict with this Ordinance are hereby repealed.

**Section 4.** That this Ordinance shall become effective upon the effective date of Ordinance No. 2888 which amends the Future Land Use Map of City's Comprehensive Plan by designating the properties described herein for "General Commercial" use.

**Section 5.** That this Ordinance shall be posted at City Hall as required by law.

The within and foregoing Ordinance was introduced and read on first reading before the City Commission of the City of Holly Hill, Florida, at its regular meeting held in Commission Chambers at City Hall on the 11<sup>th</sup> day of January, 2011.

It was moved by Commissioner Penny and seconded by Commissioner Glass that said Ordinance be approved on first reading. A roll call vote of the Commission held on said motion for approval of the Ordinance resulted as follows:

**ROLL CALL VOTE AS FOLLOWS: (Ordinance 2888):**

Mayor Roy Johnson	<u>Yes</u>
Commissioner John Penny	<u>Yes</u>
Commissioner Rick Glass	<u>Yes</u>
Commissioner Donnie Moore	<u>Yes</u>
Commissioner Liz Towsley Patton	<u>Yes</u>

**ADOPTED THIS 11<sup>th</sup> DAY OF JANUARY, 2011.**

The within and foregoing Ordinance was introduced and read on the second reading before the City Commission of the City of Holly Hill, Florida, at its regular meeting held in Commission Chambers at City Hall on the 25<sup>th</sup> day of January, 2011.

It was moved by Commissioner Moore and seconded by Commissioner Glass that said Ordinance be adopted. A roll call vote of the Commission held on said motion to adopt the Ordinance resulted as follows:

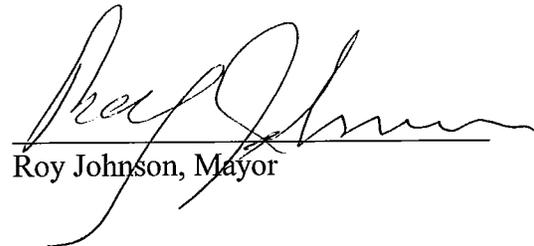
**ROLL CALL VOTE AS FOLLOWS: (Ordinance 2888):**

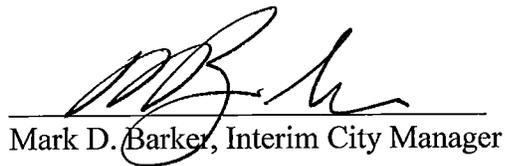
Mayor Roy Johnson	<u>Yes</u>
Commissioner John Penny	<u>Yes</u>
Commissioner Rick Glass	<u>Yes</u>
Commissioner Donnie Moore	<u>Yes</u>
Commissioner Liz Towsley Patton	<u>Yes</u>

**ADOPTED THIS 25<sup>th</sup> DAY OF JANUARY, 2011.**

WHEREUPON, the Mayor of the City of Holly Hill, Florida, has hereunto set his official signature, duly attested by the City Clerk, and has caused the official seal of said City to be affixed, all at City Hall in the City of Holly Hill, this 25<sup>th</sup> day of January, 2011 for the purpose of authenticity as is required by law.

CITY OF HOLLY HILL, FLORIDA

  
Roy Johnson, Mayor

  
Mark D. Barker, Interim City Manager

Attest:

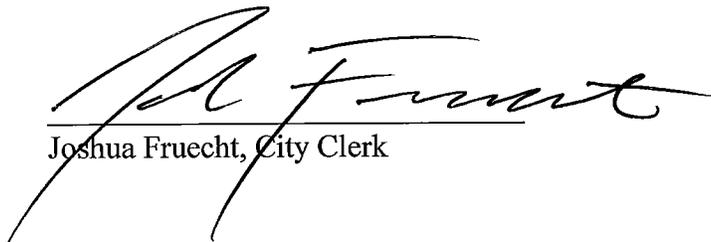
  
Joshua Fruecht, City Clerk

EXHIBIT A

LEGAL DESCRIPTION: LOTS 20 AND 21 EXC. PART IN HIGHWAY PER DB 542 PG 30  
BLK 1 HIGHLAND PARK, MD PG 64 FITCH GRANT PER OR 5345 PG 2487  
AND LOT 19 EXC PART IN HWY PER DB 543 PG 313 BLK 1 HIGHLAND PARK MB 10 PG 64  
FITCH GRANT PER OR 5254 PG 3976 PER OR 6010 PG 690

Volusia County Tax Parcels #4242-19-01-0200 AND 4242-19-01-0190