

BUSINESS ITEM 5

ORDINANCE NO.: 1327-17

AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA AMENDING THE MASTER PLAN FOR SILVER OAKS PLANNED UNIT DEVELOPMENT (“PUD”); IN ACCORDANCE WITH THE PROVISIONS OF SECTION 166.041, FLORIDA STATUTES; PROVIDING FOR CODIFICATION, CONFLICT SEVERABILITY, AND AN EFFECTIVE DATE. (SILVER OAKS).

WHEREAS, on December 10th, 2001, the City Council of the City of Zephyrhills, Florida (hereinafter the “City Council”) adopted Ordinance 784-01, which approved a modification to the Silver Oaks PUD Master Plan; and

WHEREAS, The City received a request on behalf of CBD Real Estate Investment, LLC for approval of an additional amendment permitting modifications to the Silver Oaks PUD Master Plan; and

WHEREAS, Planning and Zoning have reviewed the application and have approved the proposed amendments and modifications with certain conditions; and

WHEREAS, the City Council, as the governing body of the City of Zephyrhills, Florida, pursuant to the authority in Chapter 163 and Chapter 166, Florida Statutes, and the City’s Land Development Regulations, is authorized and empowered to consider petitions related to zoning and land development orders; and

WHEREAS, the City Council has considered the evidence and testimony presented by the Applicant and other interested parties and the recommendations of the various City of Zephyrhills review agencies and staff; and

WHEREAS, the City Council deems approval of this Ordinance to be in the best interest of the health, safety, and welfare of the residents and citizens of the City of Zephyrhills, and the public at large.

NOW THEREFORE BE IT ENACTED AND ORDAINED BY THE CITY COUNCIL OF ZEPHYRHILLS, FLORIDA AS FOLLOWS:

Section 1: The above Whereas clauses are hereby adopted and incorporated herein.

Section 2: The City Council for the City of Zephyrhills has determined that the amending and modifying of the Silver Oaks PUD Master Plan would promote the general welfare and encourage proper development within the City, and that the following described lands, lying and being situated in Pasco County, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND INCORPORATED BY REFERENCE AS EXHIBIT “A”.

SILVER OAKS MASTER PLAN MODIFICATION SKETCH IS ATTACHED HERETO AND INCORPORATED BY REFERENCE AS EXHIBIT “B”.

Section 3: The Silver Oaks PUD Master Plan is hereby amended as to area “G” as follows:

1. The use for area “G” is changed from duplexes to single family residential.
2. The side yard setback is reduced from 7.5 feet to 5 feet.
3. The amendments in this section have the following conditions:
 - a. Area “G” is authorized only as a 55 and older community pursuant to Florida Law. Any change in use shall require review and approval from the City.
 - b. Home elevations shall be limited to one story and no more than two consecutive lots with the same elevation.

Exhibit "A"

A parcel of land lying within Section 34, Township 25 South, Range 21 East, and Sections 3 & 4, Township 26 South, Range 21 East, all of Pasco County, Florida, being more particularly described as follows:

For a POINT OF REFERENCE commence at the Southwest corner of the East ½ of the Northeast ¼ of said Section 4; thence along the West boundary of the East ½ of the Northeast ¼ of said Section 4, N. 02°34'22" E., a distance of 783.21 feet; thence N. 82°42'19" E., a distance of 29.86 feet to the Easterly boundary of that certain parcel described in Official Records Book 4514, Page 406, of the public records of Pasco County, Florida, for a POINT OF BEGINNING; thence along the boundary of said certain parcel, the following six (6) courses and distances: 1) N. 02°30'46" E., a distance of 1,755.87 feet to a point of curvature; 2) Northeasterly 52.58 feet along the arc of a curve to the right, said curve having a radius of 35.00 feet, a central angle of 86°04'18", and a chord bearing and distance of N. 45°32'55" E., 47.77 feet; 3) N. 88°35'04" E., a distance of 522.87 feet; 4) N. 01°24'56" W., a distance of 29.03 feet; 5) S. 87°50'14" W., a distance of 516.24 feet to a point of curvature; 6) Southwesterly 96.91 feet along the arc of a curve to the left, said curve having a radius of 71.90 feet, a central angle of 77°13'26", and a chord bearing and distance of S. 49°13'31" W., 89.74 feet to the aforementioned West boundary of the East ½ of the Northeast ¼ of said Section 4; thence along said West boundary, N. 02°34'22" E., a distance of 84.99 feet to the Northwest corner of the East ½ of the Northeast ¼ of said Section 4; thence along the North boundary of the Northeast ¼ of said Section 4, S. 89°32'05" E., a distance of 1,324.26 feet to the Northeast corner of said Section 4, the same being the Southwest corner of Lot "A", FORT KING ACRES, according to the plat thereof recorded in Plat Book 6, Page 109, of the public records of Pasco County, Florida; thence along the boundary of Lot "A" of said FORT KING ACRES, the following five (5) courses and distances: 1) N. 00°36'31" E., a distance of 474.84 feet to a non-tangent point of curvature; 2) Southeasterly 222.15 feet along the arc of a curve to the left, said curve having a radius of 444.15 feet, a central angle of 28°39'26", and a chord bearing and distance of S. 38°38'58" E., 219.84 feet; 3) S. 52°58'41" E., a distance of 373.12 feet to a point of curvature; 4) Southeasterly 182.47 feet along the arc of a curve to the left, said curve having a radius of 539.12 feet, a central angle of 19°23'31", and a chord bearing and distance of S. 62°40'26" E., 181.60 feet; 5) 89°31'58" W., a distance of 208.97 feet; thence S. 00°28'02" W., a distance of 71.25 feet to the Northerly boundary of that certain parcel described in Official Records Book 1981, Page 1733, of the public records of Pasco County, Florida; thence along the boundary of said certain parcel, the following eleven (11) courses and distances: 1) N. 87°51'32" W., a distance of 566.00 feet; 2) S. 09°55'42" W., a distance of 285.77 feet; 3) S. 89°37'57" W., a distance of 201.28 feet; 4) N. 21°51'01" E., a distance of 100.11 feet; 5) N. 40°22'48" W., a distance of 240.28 feet; 6) S. 81°06'41" W., a distance of 75.12 feet; 7) S. 43°35'29" W., a distance of 348.69 feet; 8) S. 17°13'15" W., a distance of 401.78 feet; 9) S. 10°59'17" W., a distance of 410.18 feet; 10) S. 65°23'40" E., a distance of 79.94 feet; 11) N. 27°37'48" E., a distance of 434.67 feet to the Northwest corner of that certain parcel described in Official Records Book 4084, Page 1934, of the public records of Pasco County, Florida; thence along the boundary of said certain parcel the following two (2) courses and distances: 1) S. 72°22'48" E., a distance of 198.83 feet; 2) S. 20°54'05" W., a distance of 458.71 feet; thence S. 22°48'08" W., a distance of 34.53 feet to the Northern most corner of that certain parcel described in Official Records Book 4084, Page 1929, of the public records of Pasco County, Florida; thence along the Easterly boundary and the Southerly extension of said certain parcel, S. 14°08'23" E., a distance of 467.69 feet; thence S. 82°42'19" W., a distance of 729.88 feet to the POINT OF BEGINNING.

Together with Easement for the benefits of the above mentioned parcel as contained in the Easement Agreement by and between Smith Cattle & Groves, Inc., a Florida corporation and Silver Oaks Golf and Country Club, Inc. recorded in Official Records Book 1981, Page 1744, as amended by Supplemental Easement Agreement recorded in Official Records Book 3746, Page 1486, of the Public Records of Pasco County, Florida, over, under and across the lands described therein.

Also together with Easement for the benefit of the above mentioned parcel as contained in the Compensating Storage Easement Agreement as recorded in Official Records Book 6703, Page 758, of the Public Records of Pasco County, Florida, over, under and across the lands described therein.

Also together with Easement for the benefit of the above mentioned parcel as contained in the Easement Agreement between The Links of Silvers Oaks, LLC and S & R Development, LLC recorded in Official Records Book 6699, Page 1935, of the Public Records of Pasco County, Florida, over, under and across the lands described therein.

