

**ORDINANCE NO. \_\_\_\_\_**

**PROPOSED ORDINANCE NO. 20-002**

**AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; APPROVING A CONDITIONAL USE TO ALLOW FOR THE CONSTRUCTION OF A GARAGE APARTMENT ON PROPERTY LOCATED AT 829 PENNSYLVANIA AVENUE; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, an application has been filed by Alton Masters, for a conditional use to allow the construction of a garage apartment on property located at 829 Pennsylvania Avenue, as more particularly described on Attachment "A" and graphically depicted on Attachments "B," "C," and "D," attached hereto; and

**WHEREAS**, on December 17, 2019, the Planning and Zoning Board held a public hearing on the request of the applicant to have such conditional use granted; and

**WHEREAS**, the Planning and Zoning Board approved the application on December 17, 2019, and recommended to the City Commission that the conditional use be granted;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA:**

**SECTION 1.** The foregoing findings are incorporated herein by reference and made a part hereof.

**SECTION 2.** A garage apartment on property more particularly described on Attachment “A” and graphically depicted on Attachments “B,” “C” and “D,” attached hereto, is hereby approved, subject to the following conditions:

General Conditions:

1. **Development Standards:** In accordance with the RA-4 zoning classification and the South Lake Morton SPI, Ordinance 3050, as amended.
2. **Maximum Living Area:** The maximum living area, including the interior enclosed stairwell, shall be 707 square-feet.
3. **Site Development Plan:** The project shall be developed in substantial accordance with the site development plan, Attachment “C.”
4. **Architectural Elevations:** The project shall be developed in substantial accordance with the architectural elevations, Attachment "D".
5. **Parking:** A minimum of three (3) off-street parking places will be required to accommodate the existing single-family detached dwelling and the accessory dwelling unit.

**SECTION 3.** The City Commission does hereby expressly find that the provisions of this Ordinance are in conformity with the Comprehensive Plan of the City of Lakeland adopted by Ordinance 5188.

**SECTION 4.** If any word, sentence, clause, phrase, or provision of this Ordinance, for any reason, is held to be unconstitutional, void, or invalid, the validity of the remainder of this Ordinance shall not be affected thereby.

**SECTION 5.** This Ordinance shall take effect immediately upon its passage.

**PASSED AND CERTIFIED AS TO PASSAGE** this 21st day of January, A.D.

2020.

\_\_\_\_\_  
H. WILLIAM MUTZ, MAYOR

ATTEST: \_\_\_\_\_  
KELLY S. KOOS, CITY CLERK

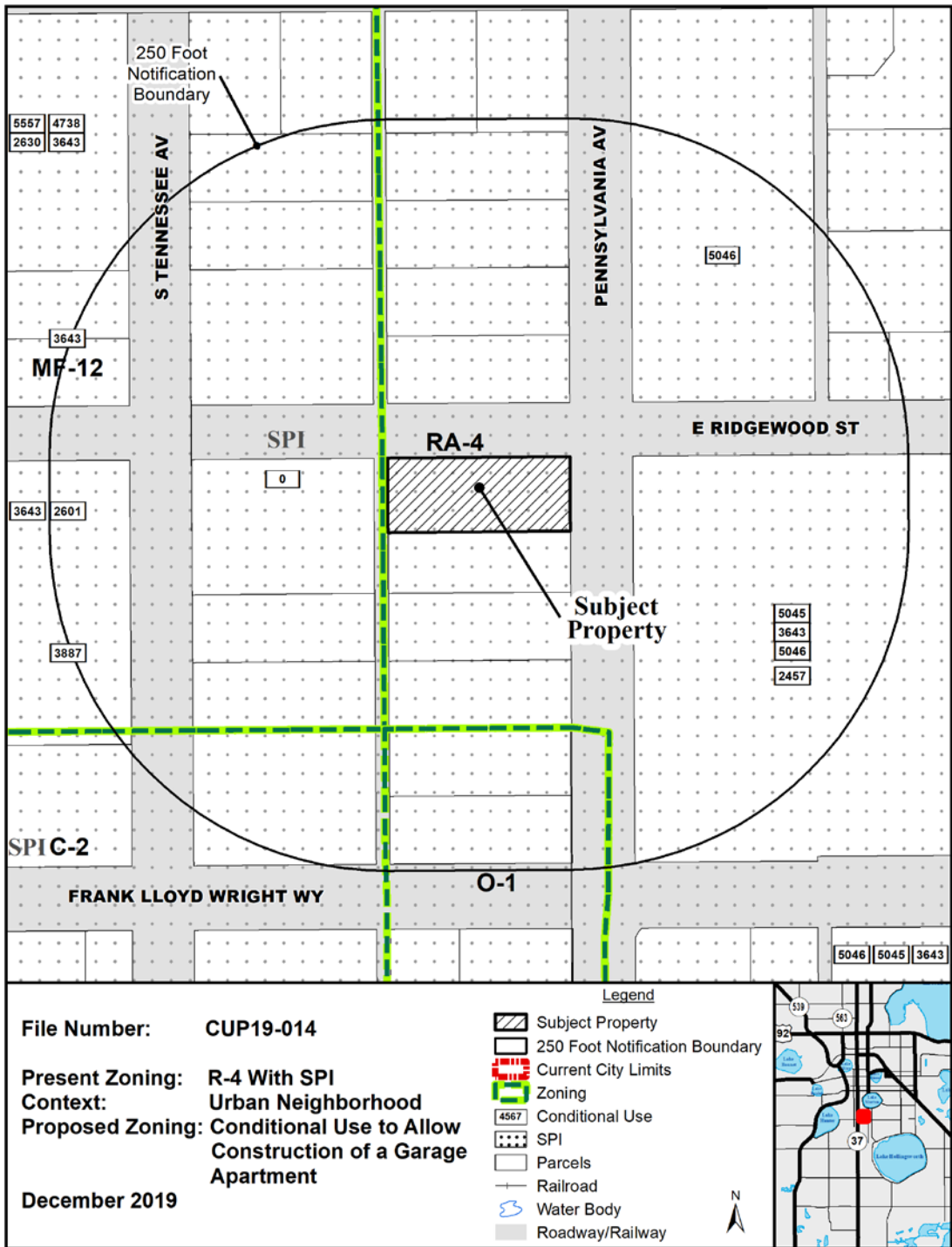
APPROVED AS TO FORM AND CORRECTNESS: \_\_\_\_\_  
PALMER C. DAVIS  
INTERIM CITY ATTORNEY

ATTACHMENT "A"

**Legal Description:**

SCOTTS LAKELAND HEIGHTS DB 75 PG 15 BLK 4 LOTS 11 N 5 FT & ALL 12

ATTACHMENT "B"





ATTACHMENT "D"

