

ORDINANCE NO. 1482-24

AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA ANNEXING ADDITIONAL TERRITORY TO BE INCLUDED WITHIN THE BOUNDARIES OF SAID CITY DESCRIBED AS 37518 GEIGER ROAD, ZEPHYRHILLS, FL 33542, IN ACCORDANCE WITH SECTION 171.044, FLORIDA STATUTES, AS AMENDED.

WHEREAS, Providence Village, LLC, owner of the lands hereinafter described in Section 1 below, and have requested and consented through a Petition for Annexation for approximately 3.00 acres of property (MOL) described in Section 1 below to be annexed into the boundaries of the City of Zephyrhills; and

WHEREAS, the City Council has determined that said property is contiguous to the municipal boundaries of the City, that the area of annexation is reasonably compact, and currently lies within unincorporated Pasco County, and that the annexation of said property will not result in the creation of any enclave; and

WHEREAS, the City is authorized by Section 171.044, Florida Statutes, to annex contiguous and infill areas, and to extend the City limits upon receipt of written consent of the landowner together with the approval of the City Council after published notice and public hearings; and

WHEREAS, the City Council finds that the Ordinance number, heading, brief description of the area to be annexed and a map depicting where the lands are to be annexed are located was properly published and advertised as request by Florida Statutes; and

WHEREAS, all other procedural and notice requirements mandated by Florida Statutes and the City's Land Development Code has been followed and satisfied; and

WHEREAS, the City Council has reviewed and evaluated the Petition submitted and has determined that all owners of said lands have signed the Petition and that the annexation of said lands into the City is in the public interest and is consistent with the City's Comprehensive Plan and Land Development Code.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Zephyrhills, Florida, as follows:

Section 1. Recitals.

The Whereas Clauses above are true and accurate and are incorporated by reference and made a part of this Ordinance.

Section 2. Authority.

The City of Zephyrhills, Florida, is authorized by the legislature of the State of Florida, pursuant to Section 171.044, Florida Statutes, and pursuant to the Charter of the City of Zephyrhills, to annex contiguous or infill areas and to extend the City limits or territorial boundaries upon receipt of written consent of all owners of land contained in the area to be annexed, together with the approval of the City Council of the City of Zephyrhills, of said annexation duly expressed by Ordinance.

Section 3. Annexation.

The following described lands, lying and being situated in Pasco County, to wit:

Parcel/Tax I.D. Number: 10-26-21-0000-00400-0000

Physical Address: 37518 Geiger Road, Zephyrhills, FL 33542.

Legal Description: The West 1/2 of the Northwest 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 10, Township 26 South, Range 21 East, Pasco County, Florida. LESS the West 120 feet thereof, the North 25 feet thereof, and the East 90 feet of the North 150 feet thereof.

Acreage: 3.00 Acres, more or less.

It is the intention of the City Council of the City of Zephyrhills, Florida to annex the above-described lands to said City within its territorial limits and the boundary lines of said City are hereby redefined and extended so as to include said area of lands within its territorial limits upon the final passage of this Ordinance, subject to the following conditions:

1. Applicant is hereby notified that the City makes no guarantee that potable water will be available for any residential project on said lands upon final completion and request for a Certificate of Occupancy ("CO").
2. The City shall receive adequate assurances prior to the issuance of any CO, (as determined by the City), that Pasco County commits to make significant roadway improvements to Gieger Road, including, but not limited to a Full Depth Reclamation and other safety upgrades as determined by the City and agreed-upon by Pasco County.
3. The owner will enter into a Developer's Agreement with the City prior to Site Plan Approval to construct a trail from Massey Road east to Harriet Street or contribute to the sidewalk mitigation fund in an amount equal to the cost of construction of said trail. If the right of way is not sufficient, as determined by the City, to construct the proposed trail or a portion thereof, a sidewalk may be constructed in lieu of a trail for that portion or portions of the proposed trail.
4. At the Site Development Plan review stage, the owner, owner's arborist, and Staff shall walk the property and identify trees to be saved (with the aid of a completed arborist report). Pursuant to Section 7.06.04 Tree Removal Guidelines, of the City of Zephyrhills Land Development Code, a maximum of 50% of trees shall be allowed to be removed.

Section 4. Prerequisites Satisfied.

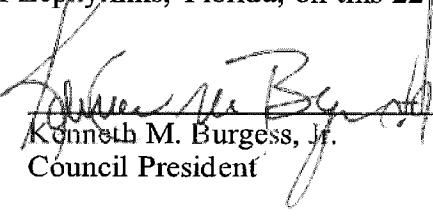
Said lands are contiguous to or is infill of the present City limits of the City of Zephyrhills. That said lands are now unincorporated and lie in the same County as said City, and when annexed would form a compact addition to the incorporated territory of said City. That the owners of said lands contained in the said area to be annexed have given written consent to have such annexation for said area.

Section 5. Effective Date.

This Ordinance shall become effective upon passage on the second reading and signing by the Mayor.

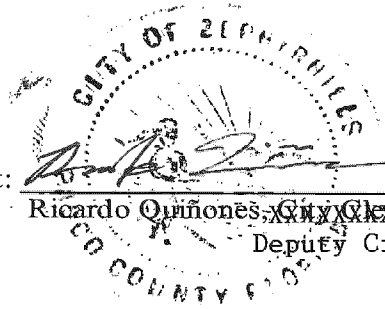
The foregoing Ordinance No. 1482-24 was read and passed on the first reading in an open and regular meeting of the City Council of the City of Zephyrhills, Florida, on this 22nd day of July 2024.

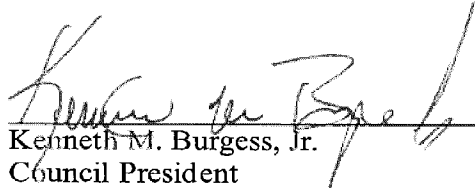
Attest: 
Tori L. Hillman, City Clerk, MMC


Kenneth M. Burgess, Jr.
Council President

The foregoing Ordinance No. 1482-24 was read and passed on the second reading, following a public hearing, in an open and regular meeting of the City Council of the City of Zephyrhills, Florida, on this 12th day of August 2024.

Attest: 
 Ricardo Quiñones, City Clerk
 Deputy City Clerk





 Kenneth M. Burgess, Jr.
 Council President

The foregoing Ordinance No: 1482-24 was approved by me on this 12th day of August 2024.


 Melonie Bahr Monson, Mayor

Approved as to legal form and content
for the reliance of the City of Zephyrhills only:


 Matthew E. Maggard, Esq.
 City Attorney