

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2018-36**

**Ordinance to Re-Zone Property Located
West of the intersection of Lake Front & Bayview Drive
Lots 131 and 135 Lake Front Drive
Alex Yeoman and Raymond Harris**

WHEREAS, Alex Yeoman and Raymond Harris as the owners of certain real property located within the City of Daphne, have requested that said property that is currently under zoning as R-3, High Density Single Family Residential District, to be Re-Zoned as R-7(A) Apartment District; and

WHEREAS, said real property is located at the west of the intersection of Lake Front & Bayview Drive Lots 131 and 135 Lake Front Drive, and more particularly described as follows:

Legal Description for Re-Zone:

131 Lake Front Drive:

Lot 83, Unit 7, Lake Forest Subdivision, as per plat recorded in Plat Book 7, page 94 in the Office of the Judge of Probate, Baldwin County, Alabama, containing 0.21 acres, more or less, and lying in Section 37, Township 4 South, Range 2 East.

135 Lake Front Drive:

Lot 82, Unit 7, Lake Forest Subdivision, as per plat recorded in Plat Book 7, page 94 in the Office of the Judge of Probate, Baldwin County, Alabama, containing 0.27 acres, more or less and lying in Section 37, Township 4 South, Range 2 East.

WHEREAS, at the regular Planning Commission meeting on July 26, 2018, the Commission considered said request and set forth a favorable recommendation; and,

WHEREAS, due notice of said proposed re-zoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on September 17, 2018; and,

WHEREAS, the City Council of the City of Daphne after due consideration and upon consideration of the notes of the Planning Commission, deemed that said application for re-zoning of the above described real property is proper and in the best interest of the health, safety and welfare of the citizens of the City of Daphne, Alabama; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, as follows:

SECTION I: ZONING

That above described real property is hereby rezoned from R-3, High Density Single

Family Residential District, to be Re-Zoned as R-7(A) Apartment District, and that the zoning ordinance and zoning map be amended to reflect the said zoning change.

SECTION II: REPEALER.

All other City Ordinances or parts thereof in conflict with the provisions of this Ordinance, in so far as they conflict, are hereby repealed.

SECTION III: SEVERABILITY.

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence, or part thereof shall be held unconstitutional or invalid, such decision shall not affect or impair the remainder of said Ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence, and part thereof separately and independently of each other.

SECTION IV: EFFECTIVE AND EXPIRATION DATE.

This Ordinance shall take effect and be in force from and after the date of its approval by the City Council of the City of Daphne and after publication as required by law.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS 1ST day of OCTOBER, 2018.



**Dane Haygood,
Mayor**

ATTEST:



**Candace G. Antinarella,
City Clerk**