

ORDINANCE NO. 1374

AN ORDINANCE AMENDING ORDINANCE 1143, KNOWN AS "THE 2009 AMENDED AND RESTATED PANAMA CITY BEACH COMPREHENSIVE GROWTH DEVELOPMENT PLAN"; ACTING UPON THE APPLICATION OF SEAHAVEN CONSTRUCTION LLC AND DENNIS PLEDGER; DESIGNATING FOR TOURIST LAND USE CERTAIN PARCELS OF LAND LYING WITHIN THE CITY OF PANAMA CITY BEACH, FLORIDA, CONSISTING OF APPROXIMATELY 4.43 ACRES; SAID PARCELS LOCATED AT 8752 THOMAS DRIVE AND 3011 JOAN AVENUE, NEAR THE NORTHWEST CORNER OF THE INTERSECTION OF JOAN AVENUE AND THOMAS DRIVE, AS MORE PARTICULARLY DESCRIBED IN THE BODY OF THE ORDINANCE; AMENDING THE CITY'S FUTURE LAND USE MAP FOR TOURIST DESIGNATION FOR THE PARCELS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AS PROVIDED BY LAW.

WHEREAS, the Panama City Beach Council approved Ordinance No. 1143 (the "2009 Amended and Restated Panama City Beach Comprehensive Growth Development Plan") on December 10, 2009; and

WHEREAS, the City Council desires to amend the Future Land Use Map (the "FLUM") contained within the City of Panama City Beach Comprehensive Growth Development Plan to make a land use designation for certain parcels of land voluntarily annexed into the City; and

WHEREAS, the owners of the voluntarily annexed parcels, Seahaven Construction LLC and Dennis Pledger (the "Applicants"), have requested that the

parcels be designated as "Tourist;" and

WHEREAS, the Panama City Beach Planning Board reviewed the land use change request, conducted a public hearing on November 9, 2015, and recommended approval of the foregoing designation by a vote of 6-0; and

WHEREAS, the Applicants and the City have agreed that the parcels should be designated "Tourist;" and

WHEREAS, the City Council conducted a public hearing and two separate readings of the Applicants' request; and

WHEREAS, on January 14, 2016, the City Council conducted a properly noticed adoption hearing as required by Section 163.3184(11), Florida Statutes, and adopted this Ordinance in the course of that hearing;

WHEREAS, the subject parcels involve a use of ten (10) acres or less and the cumulative effect of the acreage for all small scale amendments adopted by the City this calendar year, including the subject parcel, does not exceed one hundred twenty (120) acres, and the subject parcel otherwise qualifies for a small scale amendment pursuant to Section 163.3187(1), Florida Statutes; and

WHEREAS, all conditions required for the enactment of this Ordinance to amend the 2009 Amended and Restated Panama City Beach Comprehensive Growth Development Plan to make the respective FLUM designations for the subject parcels have been met;

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF

PANAMA CITY BEACH, FLORIDA:

SECTION 1. The following described parcels of real property situated within the municipal limits of the City of Panama City Beach, Florida, is designated for Tourist land use under the City's Comprehensive Plan, to-wit,

SEE EXHIBIT "A" ATTACHED HERETO

and the City's Future Land Use Map is amended accordingly.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 3. This ordinance shall take effect as provided by law.

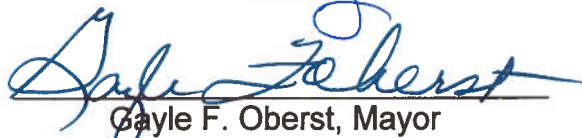
PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this 14TH of January, 2016.


Gayle F. Oberst, Mayor

ATTEST:


Diane Fowler, City Clerk

EXAMINED AND APPROVED by me this 14TH day of January, 2016.


Gayle F. Oberst, Mayor

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December, 2015.

POSTED on pcb.gov.com on the 18th day of January, 2016.^(2.15)



Diane Fowler, City Clerk

PARCEL 1:

BEGIN AT THE INTERSECTION OF THE EAST LINE OF GOVERNMENT LOT 8, SUPPLEMENTAL PLAT 1920, ALSO KNOWN AS GOVERNMENT LOT 12 ACCORDING TO CHANGES DATED JUNE 17, 1916 AND ALSO KNOWN AS GOVERNMENT LOT 8 ACCORDING TO PLAT DATED JANUARY 29, 1902, SECTION 6, TOWNSHIP 4 SOUTH, RANGE 15 WEST, BAY COUNTY FLORIDA WITH THE NORTHERLY RIGHT OF WAY LINE OF THOMAS DRIVE (STATE ROAD NO. 392, A 100 FOOT RIGHT OF WAY); THENCE NORTH 52°44'23" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE FOR 243.73 FEET; THENCE NORTH 37°15'37" EAST FOR 215.00 FEET; THENCE SOUTH 52°44'23" EAST FOR 80.77 FEET TO THE EAST LINE OF SAID GOVERNMENT LOT 8; THENCE SOUTH 00°05'57" WEST ALONG SAID EAST LINE FOR 269.78 FEET TO THE POINT OF BEGINNING. sm/ck

PARCEL A:

COMMENCE AT THE POINT OF INTERSECTION OF THE WEST R/W LINE OF JOAN AVENUE (STATE ROAD NO. S-30-B) AND THE NORTHEASTERN R/W LINE OF THOMAS DRIVE (STATE ROAD NO. 392) AND THENCE RUN N 52°44'23" W ALONG SAID NORTHEASTERN R/W LINE OF THOMAS DRIVE FOR 125.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 52°44'23" W ALONG SAID R/W LINE FOR 207.59 FEET TO A POINT ON THE WESTERN BOUNDARY LINE OF ORIGINAL GOVERNMENT LOT 7 IN FRACTIONAL SECTION 6, TOWNSHIP 4 SOUTH, RANGE 15 WEST; THENCE N 00°05'27" E ALONG SAID WESTERN BOUNDARY LINE FOR 250.00 FEET; THENCE S 52°40'46" E FOR 182.34 FEET; THENCE S 00°01'05" W FOR 100.00 FEET; THENCE S 52°44'23" E FOR 25.00 FEET; THENCE S 00°01'05" W FOR 150.00 FEET TO THE POINT OF BEGINNING. SAID LANDS BEING IN FRACTIONAL SECTION 6, TOWNSHIP 4 SOUTH, RANGE 15 WEST, BAY COUNTY, FLORIDA. sm/ck

PARCEL B:

COMMENCE AT THE POINT OF INTERSECTION OF THE WEST R/W LINE OF JOAN AVENUE (STATE ROAD NO. S-30-B) AND THE NORTHEASTERN R/W LINE OF THOMAS DRIVE (STATE ROAD NO. 392) AND THENCE N 00°01'05" E ALONG SAID WEST R/W LINE OF JOAN AVENUE FOR 150.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 00°01'05" E ALONG SAID R/W LINE FOR 250.00 FEET; THENCE N 78°57'55" W FOR 269.38 FEET TO A POINT ON THE WEST BOUNDARY LINE OF ORIGINAL GOVERNMENT LOT 7, FRACTIONAL SECTION 6, TOWNSHIP 4 SOUTH, RANGE 15 WEST; THENCE S 52°40'46" E FOR 182.34 FEET; THENCE S 00°01'05" W FOR 100.00 FEET; THENCE S 52°44'23" E FOR 150.00 FEET TO THE POINT OF BEGINNING. SAID LANDS BEING IN FRACTIONAL SECTION 6, TOWNSHIP 4 SOUTH, RANGE 15 WEST, BAY COUNTY, FLORIDA. sm/ck

PARCEL D:

COMMENCE AT THE POINT OF INTERSECTION OF THE WEST R/W LINE OF JOAN AVENUE (STATE ROAD NO. S-30-B) AND THE NORTHEASTERN R/W LINE OF THOMAS DRIVE (STATE ROAD NO. 392); THENCE N 00°01'05" E ALONG SAID WEST R/W LINE OF JOAN AVENUE FOR 400.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 00°01'05" E ALONG SAID WEST R/W LINE FOR 320.00 FEET; THENCE S 85°57'50" W FOR 264.71 FEET TO THE WEST LINE OF ORIGINAL GOVERNMENT LOT 7, FRACTIONAL SECTION 6, TOWNSHIP 4 SOUTH, RANGE 15 WEST; THENCE S 00°05'42" W ALONG SAID WEST LINE OF ORIGINAL GOVERNMENT LOT 7 FOR 250.02 FEET TO THE MOST NORTHERLY CORNER OF THE PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 1105, PAGE 1968 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA; THENCE S 78°57'55" E FOR 269.38 FEET TO THE POINT OF BEGINNING. sm/ck