

ORDINANCE NO. 1375

AN ORDINANCE ZONING AS COMMERCIAL HIGH INTENSITY (CH) THOSE CERTAIN PARCELS OF LAND ANNEXED TO AND LYING WITHIN THE CITY OF PANAMA CITY BEACH, FLORIDA CONTAINING APPROXIMATELY 4.43 ACRES AND 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; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE.

WHEREAS, the City Council desires to amend the zoning map of the City to designate land use districts for parcels of land voluntarily annexed into the City; and

WHEREAS, the owners of the voluntarily annexed parcels, Seahaven Construction LLC and Dennis Pledger, have requested that said parcels, being more particularly described below, be zoned as shown below; and

WHEREAS, this ordinance changes only the zoning map designation of the real property described herein; and

WHEREAS, the Panama City Beach Planning Board reviewed the proposed zoning change, conducted a public hearing on November 9, 2015, and recommended approval; and

WHEREAS, based upon competent substantial evidence adduced in a properly advertised public hearing conducted on January 14, 2016, the City found the requested change to be consistent with the currently applicable Comprehensive Growth

Development Plan and to reasonably accomplish a legitimate public purpose.

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 situate within the municipal limits of the City of Panama City Beach, Florida, are zoned Commercial High Intensity (CH).

SEE EXHIBIT "A" ATTACHED HERETO

And the City's zoning map is amended accordingly

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 All Ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

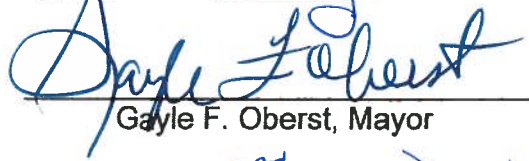
Section 3. This ordinance shall take effect immediately upon passage, and the land use changes herein shall take effect upon, and only upon, adoption by the City Council of Ordinance No. 1374 adopting a comprehensive plan amendment respecting the lands which are the subject of this ordinance, and that comprehensive plan amendment subsequently becoming effective 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 14<sup>th</sup> of January, 2016.

  
Gayle F. Oberst, Mayor

ATTEST:  
  
Diane Fowler, City Clerk

EXAMINED AND APPROVED by me this 14<sup>th</sup> day of January, 2016.

  
Gayle F. Oberst, Mayor

PUBLISHED in the Panama City News-Herald on the 29<sup>th</sup> day of December, 2015.

POSTED on pcb.gov.com on the 18<sup>th</sup> day of January, 2016<sup>(LJS)</sup>

  
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