

ORDINANCE NO. 1472

AN ORDINANCE AMENDING ORDINANCE 1143, KNOWN AS "THE 2009 AMENDED AND RESTATED PANAMA CITY BEACH COMPREHENSIVE GROWTH DEVELOPMENT PLAN"; ACTING UPON THE APPLICATION OF TOM AND CATHERINE LANDS, MARK STEWART, DAWN ADAMS, NANCY YOUNG, JONI KNIGHT BURKE, PATTI KNIGHT ROLLINS AND AMY GROSS; TO CHANGE THE FUTURE LAND USE DESIGNATION OF FIVE PARCELS OF LAND FROM SINGLE FAMILY RESIDENTIAL, DESIGNATING FOR TOURIST LAND USE THOSE CERTAIN PARCELS LYING WITHIN THE CITY OF PANAMA CITY BEACH, FLORIDA, CONSISTING OF APPROXIMATELY 1.3 ACRES; SAID PARCELS LOCATED AT 314, 316, 318, 320 AND 322 SUNDIAL STREET, PARCEL IDS 38390-000-000, 38390-010-000, 38391-000-000, 38389-000-000, AND 38388-000-000 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 adopted the "2009 Amended and Restated Panama City Beach Comprehensive Growth Development Plan" (the "Comprehensive Plan") on December 10, 2009, by Ordinance No. 1143; and

WHEREAS, the City Council desires to amend the Future Land Use Map (the "FLUM") contained within the Comprehensive Plan to make a land use designation for the parcels of land described below; and

WHEREAS, Tom and Catherine Lands, Mark Stewart, Dawn Adams, Nancy Young, Joni Knight Burke, Patti Knight Rollins and Amy Gross (the "Applicants"), submitted applications requesting an amendment to the Comprehensive Plan;

WHEREAS, the Panama City Beach Planning Board reviewed the land use change request, conducted a public hearing on August 13, 2018, and recommended approval;

WHEREAS, the Applicant and the City have agreed that the property should be designated "Tourist;" and

WHEREAS, the City Council has conducted two separate readings of this Ordinance as required by the City Charter; and

WHEREAS, the subject parcel involves 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 eighty (80) acres, and the subject parcel otherwise qualifies for a small scale amendment pursuant to Section 163.3187(1), Florida Statutes; and

WHEREAS, on September 27, 2018, the City Council conducted a properly noticed, small scale adoption hearing as required by Section 163.3187(2), Florida Statutes, and adopted this Ordinance in the course of that hearing;

WHEREAS, following the public hearing, the City Council approved the Applicant's request and desires to amend the Future Land Use Map of the City Comprehensive Growth Development Plan pursuant to a small scale amendment as provided in Chapter 163, Florida Statutes and change the land use designation of the described parcel from "Single Family Residential" to "Tourist;"and

WHEREAS, all conditions required for the enactment of an Ordinance to amend the Comprehensive Plan 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, are designated for Tourist land use under the Comprehensive Plan, to-wit,

SEE ATTACHED AND INCORPORATED EXHIBIT A

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 27th of September, 2018.


Mike Thomas, Mayor

ATTEST:


City Clerk

EXAMINED AND APPROVED by me this 27th day of September, 2018.


Mike Thomas, Mayor

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POSTED on pcb.gov.com on the 28th day of September, 2018.


CITY CLERK

EXHIBIT A

PAGE 1

LEGAL DESCRIPTION: 314 SUNDIAL STREET

— AS DESCRIBED IN OFFICIAL RECORDS BOOK 2473, PAGE 1125 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA.

THE SOUTH 50 FEET OF LOT 18, BLOCK 9, LESS THE WEST 55 FEET, ACCORDING TO THE PLAT OF L.M.WELLS GULF BEACH ESTATES, IN SECTION 13, TOWNSHIP 3 SOUTH, RANGE 17 WEST, AS FILED IN THE OFFICE OF THE CLERK OF THE CIRCUIT BAY COUNTY COURT.

LEGAL DESCRIPTION: 316 SUNDIAL STREET

AS DESCRIBED IN OFFICIAL RECORDS BOOK 3927, PAGE 507 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA.

THE NORTH 53.07 FEET OF LOT 17, BLOCK 9, LESS THE WEST 55 FEET, L.M.WELLS GULF BEACH ESTATES, IN SECTION 13, TOWNSHIP 3 SOUTH, RANGE 17 WEST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 67 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA.

LEGAL DESCRIPTION: 318 SUNDIAL STREET

AS DESCRIBED IN OFFICIAL RECORDS BOOK 2055, PAGE 1634 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA.

BEGINNING AT THE SOUTHEAST CORNER OF LOT 17, IN BLOCK 9, ACCORDING TO THE PLAT OF L.M.WELLS GULF BEACH ESTATES IN SECTION 13, TOWNSHIP 3 SOUTH, RANGE 17 WEST, RUNNING T HENCE WEST 150 FEET, THENCE NORTH 100 FEET, THENCE EAST 150 FEET, THENCE SOUTH 100 FEET TO THE POINT OF BEGINNING. SAID PLAT OF L.M. WELLS GULF BEACH ESTATES ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR BAY COUNTY, FLORIDA.

EXHIBIT A

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LEGAL DESCRIPTION: 320 SUNDIAL STREET

A PORTION OF THAT PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 3492, PAGE 251 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA.

**PARCEL 1:
BEGINNING AT THE SOUTHEAST CORNER OF LOT 17, IN BLOCK 9, ACCORDING TO THE PLAT OF L.M.WELLS GULF BEACH ESTATES, AS ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR BAY COUNTY, FLORIDA, RUNNING THENCE WEST 150 FEET, THENCE NORTH 50 FEET, THENCE EAST 150 FEET, THENCE SOUTH 50 FEET TO THE POINT OF BEGINNING. BEING A PARCEL 50 FEET NORTH AND SOUTH BY 150 FEET EAST AND WEST IN THE SOUTHEAST CORNER OF SAID LOT 17, IN SAID BLOCK 9, OF SAID L.M. WELLS GULF BEACH ESTATES PLAT.**

**PARCEL 2:
THE NORTH 25 FEET OF THE EAST 150 FEET, IN LOT 16, IN BLOCK 9 OF L.M. WELLS GULF BEACH ESTATES IN SECTION 13, TOWNSHIP 3 SOUTH, RANGE 17 WEST, AS ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR BAY COUNTY, FLORIDA.**

EXHIBIT A

PAGE 3

LEGAL DESCRIPTION: 322 SUNDIAL STREET

AS DESCRIBED IN OFFICIAL RECORDS BOOK 3439, PAGE 557 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA.

THE SOUTH SEVENTY FIVE (75) FEET OF THE NORTH ONE HUNDRED TWENTY-FIVE (125) FEET OF LOT SIXTEEN (16), BLOCK NINE (9), LESS AND EXCEPT FIFTY-FIVE (55) FEET OFF THE WEST SIDE ACCORDING TO THE PLAT OF L.M.WELLS GULF BEACH ESTATES IN SECTION 13, TOWNSHIP 3 SOUTH, RANGE 17 WEST, AS PER PLAT RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF BAY COUNTY, FLORIDA.

BEGINNING AT THE SOUTHEAST CORNER OF LOT 16, BLOCK 9, AFORESAID; THENCE NORTH ALONG THE WEST SIDE OF 9TH STREET 75 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE WEST 145 FEET; THENCE NORTH 75 FEET; THENCE EAST 145 FEET TO THE WEST SIDE OF 9TH STREET; THENCE SOUTH ALONG THE WEST SIDE OF 9TH STREET TO THE POINT OF BEGINNING; ACCORDING TO PLAT OF L.M. WELLS GULF BEACH ESTATES IN SECTION 13, TOWNSHIP 3 SOUTH, RANGE 17 WEST AS PER PLAT RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN BAY COUNTY, FLORIDA.

ALSO:

BEGINNING AT THE NORTHEAST CORNER OF LOT 16 IN BLOCK 9 OF PLAT OF L.M.WELLS GULF BEACH ESTATES IN SECTION 13, TOWNSHIP 3 SOUTH, RANGE 17 WEST, AS ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR BAY COUNTY, FLORIDA, RUNNING THENCE WEST 150 FEET, THENCE SOUTH 50 FEET, THENCE EAST 150 FEET, THENCE NORTH 50 FEET TO THE POINT OF BEGINNING. BEING THE EAST 150 FEET OF THE NORTH 50 FEET OF SAID LOT 16 IN BLOCK 9 OF SAID PLATTING.

LESS AND EXCEPT:

NORTH 25 FEET OF THE EAST 150 FEET OF LOT 16, IN BLOCK 9 OF PLAT OF L.M. WELLS GULF BEACH ESTATES IN SECTION 13, TOWNSHIP 3 SOUTH, RANGE 17 WEST, AS ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR BAY COUNTY, FLORIDA.