

**AN ORDINANCE ADOPTING A ZONING MAP AMENDMENT TO THE CITY OF DEFUNIAK SPRINGS ZONING MAP; SETTING FORTH AUTHORITY FOR ADOPTION; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 163, Florida Statutes, establishes the Local Government Comprehensive Planning and Land Development Regulation Act; and

**WHEREAS**, the City of DeFuniak Springs adopted Ordinance 669, November, 2000 (Comprehensive Plan) and Ordinance 577, March 1991 (Land Development Code); and

**WHEREAS**, CHAPTER 163, Florida Statutes, requires local governments desiring to revise their land development regulations to prepare and adopt land development regulation amendments; and

**WHEREAS**, the City of DeFuniak Springs has prepared a zoning map; and

**WHEREAS**, the City of DeFuniak Springs Planning Board has made its recommendations to the City of DeFuniak Springs City Council; and

**WHEREAS**, after due public notice, the City of DeFuniak Springs held the requisite public hearings to afford opportunity for public comments concerning the zoning map;

**NOW THEREFORE**, be it enacted by the City Council of the City of DeFuniak Springs, Florida that:

**Section 1. Short Title.** This ordinance shall be known as Zoning Map Amendment # 07-SSA-05.

**Section 2. Findings of Fact.** The City Council of the City of DeFuniak Springs finds the following:

1. The applicant's name and address is:  
Legacy Cove LLC  
274 Chipola Cove  
Destin FL 32541  

INSTR # 1028222  
OR BK 2785 Pages 958 - 960  
RECORDED 02/13/08 10:27:54  
MARTHA INGLE, WALTON COUNTY  
CLERK OF COURT  
DEPUTY CLERK K DOUGLASS  
#1
  
2. The property subject to this Ordinance is described as follows: Parent Property Parcel Identification Number: 25-3N-19-19070-001-8320 and 25-3N-19-19070-001-8340 with a legal description of: ALL THAT PARCEL OF LAND LYING IN AND BEING SITUATED IN SEC 27, T 2 N, R 19 W, DEFUNIAK SPRINGS, WALTON CO, FL, AND BEING A PORTION OF BLOCKS 1834, AND 1821, ACCORDING TO THE MAP OF LAKE DEFUNIAK, DRAWN BY W J VAN KIRK AS RECORDED IN THE OFFICE OF THE CIRCUIT COURT, WALTON CO, FL AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE POINT OF INTERSECTION WITH THE EASTERLY R/W LINE OF 23rd ST AND THE NORTHERLY R/W LINE OF U.S HWY 90(STATE RD 10) (R/W VARIES); THENCE DEPARTING SAID INTERSECTION GO N 34 DEG 08 MIN 15 SEC E ALONG SAID EASTERLY R/W LINE A DISTANCE OF 416.61 FT TO THE POINT OF INTERSECTION WITH THE SOUTHERLY LIMITS OF A ZONING LINE AS DETERMINED BY SCALE FROM ZONING MAP AS PROVIDED BY THE CITY OF DEFUNIAK SPRINGS AND THE POINT OF BEGINNING; THENCE DEPARTING SAID EASTERLY R/W LINE, GO S 59 DEG 07 MIN 45 SEC E ALONG SAID SOUTHERLY LINE A DISTANCE OF 300.40 FT TO A POINT ON THE WESTERLY R/W LINE OF 22nd ST; THENCE GO N 34 DEG 19 MIN 27 SEC E ALONG SAID WESTERLY R.W LINE A DISTANCE OF 57.64 FT; THENCE DEPARTING SAID R/W LINE GO N 34 DEG 11 MIN 00 SEC E A DISTANCE OF 200.22 FT; THENCE GO N 55 DEG 51 MIN 25 SEC W A DISTANCE OF 258.84 FT TO THE APPROXIMATE WATERS EDGE OF AN UNNAMED LAKE; THENCE MEANDER ALONG SAID WATERS EDGE N 78 DEG 49 MIN 30 SEC W A DISTANCE OF 27.14 FT; THENCE GO N 54 DEG 38 MIN 15 SEC W A DISTANCE OF 16.43 FT TO THE AFORESAID EASTERLY R/W LINE OF 23rd ST; THENCE DEPARTING SAID MEANDER LINE, GO S 34 DEG 08 MIN 15 SEC W ALONG SAID R/W LINE, A DISTANCE OF 264.60 FT TO AFORESAID SOUTHERLY LIMITS OF A ZONING LINE AS DETERMINED BY SCALE FROM ZONING MAP AS PROVIDED BY THE CITY OF DEFUNIAK SPRINGS AND THE POB. AND ALL THAT PARCEL OF LAND LYING IN AND BEING SITUATED IN SEC 27, T2N, R19W, DEFUNIAK SPRINGS, WALTON CO, FL, AND BEING A PORTION OF BLOCKS 1833 AND

1828, ACCORDING TO THE MAP OF LAKE DEFUNIAK, DRAWN BY W J VAN KIRK AS RECORDED IN THE OFFICE OF THE CIRCUIT COURT, WALTON CO, FL AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE POINT OF INTERSECTION WITH THE EASTERLY R/W LINE OF 23rd ST AND THE NORTHERLY R/W LINE OF U.S. HWY 90 (STATE RD 10) (R/W VARIES); THENCE DEPARTING SAID INTERSECTION GO N 34 DEG 08 MIN 15 SEC E ALONG SAID EASTERLY R/W A DISTANCE OF 106.05 FT TO POINT OF INTERSECTION WITH THE SOUTHERLY R/W LINE OF MADISON ST; THENCE DEPARTING SAID EASTERLY R/W LINE GO S 55 DEG 51 MIN 18 SEC E ALONG SAID SOUTHERLY R/W LINE A DISTANCE OF 337.55 FT; THENCE DEPARTING SAID SOUTHERLY R/W LINE GO N 34 DEG 08 MIN 59 SEC E A DISTANCE OF 201.39 FT; THENCE GO N 62 DEG 18 MIN 31 SEC W A DISTANCE OF 38.28 FT; THENCE GO N 34 DEG 19 MIN 27 SEC E A DISTANCE OF 187.65 FT; THENCE GO SOUTH 55 DEG 53 MIN 57 SEC E A DISTANCE OF 75.10 FT TO THE POB; THENCE GO S 55 DEG 51 MIN 25 SEC E A DISTANCE OF 671.38 FT TO AP OINT ON THE WESTERLY R/W LINE OF 20th ST; THENCE GO S 34 DEG 11 MIN 25 SEC W ALONG SAID WESTERLY R/W LINE A DISTANCE OF 15.01 FT TO THE SOUTHERLY LIMITS OF A ZONING LINE AS DETERMINED BY SCALE FROM ZONING MAP AS PROVIDED BY THE CITY OF DEFUNIAK SPRINGS; THENCE DEPARTING SAID WESTERLY R/W LINE GO N 59 DEG 07 MIN 45 SEC W ALONG SAID ZONING LINE A DISTANCE OF 672.50 FT TO THE EASTERLY R/W LINE OF 22nd ST; THENCE GO N 34 DEG 10 MIN 20 SEC E ALONG SAID R/W LINE A DISTANCE OF 53.29 FT TO THE POB. THE ABOVE DESCRIBED PARCEL CONTAINING 2.33 ACRES, MORE OR LESS.

3. The property is or may be served with adequate potable water and wastewater services.
4. Any development under this amendment will be required to properly design retention of storm water runoff in accordance with City regulations.
5. The property currently has a zoning classification of AGRICULTURE.
6. Upon the legally effective date of the Ordinance, the property will have a zoning classification of LIGHT INDUSTRIAL.

**Section 3. Zoning Change.** The DeFuniak Springs Zoning Map is hereby amended changing the above-described parcel consisting of approximately 2.33 acres from Agriculture to Light Industrial as shown in "Exhibit A", attached.

**Section 4. Filing.** An official, true and correct copy of the zoning change shall be filed with the Walton County Clerk and also maintained at the City of DeFuniak Springs Planning Department, which shall be responsible for administration of the Comprehensive Plan and Land Development Code.

**Section 5. Severability.** If any portion of this Ordinance should be declared unconstitutional or if the applicability of this Ordinance or any portion thereof should be held to be invalid, the validity of the remainder of this Ordinance shall not be affected by such invalidity.

**Section 6. Effective Date.** This Ordinance shall become effective as provided by law.

ADOPTED THIS 11<sup>th</sup> DAY OF February, 2008.

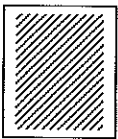
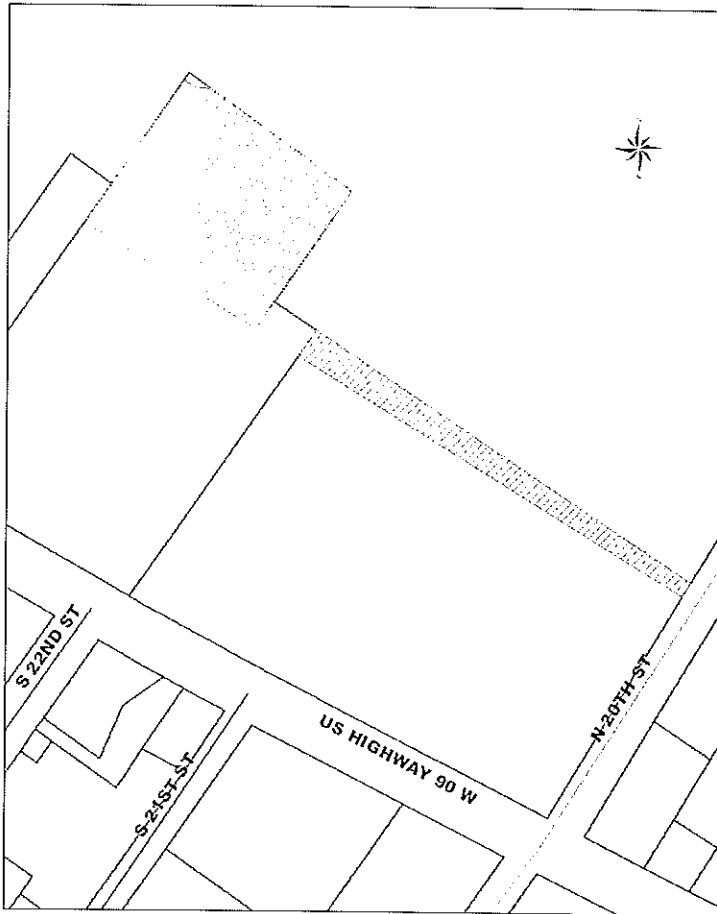
CITY COUNCIL OF THE CITY OF DEFUNIAK  
SPRINGS, FLORIDA

By: C. Harold Carpenter  
C. Harold Carpenter, Mayor

ATTEST:

Vanessa Mitchell  
Deputy Clerk

# EXHIBIT "A"



AREA SUBJECT TO ZONING CHANGE 2.33 ACRES

ZONING CHANGE:  
FROM: AGRICULTURE  
TO: LIGHT INDUSTRIAL