

AN ORDINANCE ADOPTING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT TO THE CITY OF DEFUNIAK SPRINGS COMPREHENSIVE PLAN; 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 land use map amendment; 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 land use amendment;

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 Small Scale Land Use 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 # 1028223
OR BK 2785 Pages 961 - 963
RECORDED 02/13/08 10:27:54
MARTHA INGLE, WALTON COUNTY
CLERK OF COURT
DEPUTY CLERK K DOUGLASS
#2

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, T2N, R19W, DEFUNIAK SPRINGS, WALTON CO. FL, AND BEING A PORTION OF BLOCKS 1834, AND 1821, AND A PORTION OF MADISON ST, 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 RW LINE OF 23rd ST AS SHOWN ON SAID MAP OF LAKE DEFUNIAK AND THE NORTHERLY RW LINE OF U.S. HWY 90 (STATE RD 10) (RW VARIES); THENCE GO N 34 DEG 08 MIN 15 SEC E ALONG SAID EASTERLY RW LINE, A DISTANCE OF 106.05 FT TO A POINT OF INTERSECTION WITH THE SOUTHERLY RW LINE OF MADISON ST AND THE POB; THENCE DEPARTING SAID EASTERLY RW LINE, GO S 55 DEG 51 MIN 18 SEC E ALONG SAID SOUTHERLY RW LINE, A DISTANCE OF 300.01 FT TO THE EASTERLY LINE OF SAID BLOCK 1834, SAME BEING THE WESTERLY RW LINE OF 22nd ST; THENCE DEPARTING SAID SOUTHERLY RW LINE, GO N 34 DEG 09 MIN 06 SEC E. ALONG SAID RW LINE, A DISTANCE OF 385.36 FT; THENCE CONTINUE ALONG SAID LINE, 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 RW LINE OF 23rd ST; THENCE DEPARTING SAID MEANDER LINE, GO S 34 DEG 08 MIN 15 SEC W ALONG SAID RW LINE, A DISTANCE OF 575.32 FT TO AFORESAID SOUTHERLY RW LINE OF MADISON ST 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 1828 AND 1833, 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 RW LINE OF 23rd ST AND THE NORTHERLY RW LINE OF U.S. HWY 90 (STATE RD 10) (RW VARIES), THENCE DEPARTING SAID INTERSECTION GO N 34 DEG 08 MIN 15 SEC E ALONG

SAID EASTERLY RW A DISTANCE OF 106.05 FT TO POINT OF INTERSECTION WITH THE SOUTHERLY RW LINE OF MADISON ST, THENCE DEPARTING SAID EASTERLY RW LINE GO S 55 DEG 51 MIN 18 SEC E ALONG SAID SOUTHERLY RW LINE A DISTANCE OF 337.55 FT, THENCE DEPARTING SAID SOUTHERLY RW 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 S 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 A POINT ON THE WESTERLY RW LINE OF 20th ST, THENCE GO S 34 DEG 11 MIN 25 SEC W ALONG SAID WESTERLY RW LINE A DISTANCE OF 385.44 FT TO A POINT OF INTERSECTION WITH THE SOUTHERLY RW LINE OF MADISON ST, THENCE DEPARTING SAID WESTERLY RW LINE GO N 55 DEG 51 MIN 18 SEC W ALONG SAID SOUTHERLY RW LINE A DISTANCE OF 671.26 FT TO A POINT OF INTERSECTION WITH THE EASTERLY RW LINE OF 22nd ST, THENCE DEPARTING SAID SOUTHERLY RW LINE GO N 34 DEG 10 MIN 20 SEC E ALONG SAID EASTERLY RW LINE OF 22nd ST A DISTANCE OF 385.42 FT TO THE POB. THE ABOVE DESCRIBED PARCEL CONTAINING 9.97 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 land use designation of AGRICULTURE.
6. Upon the legally effective date of the Ordinance, the property will have a land use designation of INDUSTRIAL.

Section 3. Land Use Change. The DeFuniak Springs Future Land Use Map is hereby amended changing the above-described parcel consisting of approximately 9.97 acres from Agriculture to Industrial as shown in "Exhibit A", attached.

Section 4. Filing. An official, true and correct copy of the Land Use 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 be come effective as provided by law.

ADOPTED THIS 11th DAY OF February, 2008.

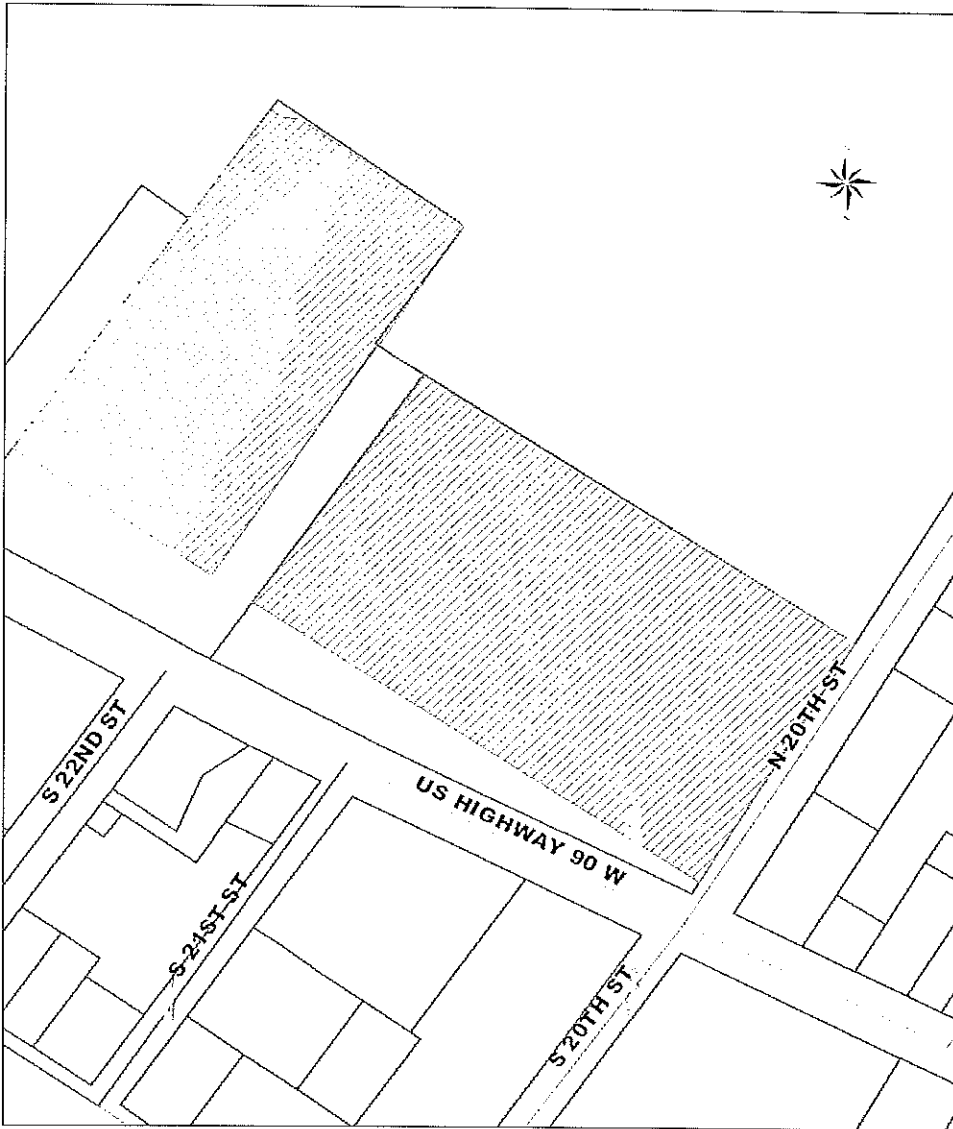
CITY COUNCIL OF THE CITY OF DEFUNIAK
SPRINGS, FLORIDA

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

ATTEST:

Vanessa Mitchell
Deputy Clerk

EXHIBIT "A"



AREA SUBJECT TO LAND USE CHANGE (9.97 ACRES)

LAND USE CHANGE
FROM: AGRICULTURE
TO: INDUSTRIAL