



Inst. #20200052630 Bk: 3174 Pg: 2631  
Page 1 of 8 Recorded: 12/21/2020 1:24 PM  
Alex Alford Clerk of Courts, Walton County, Florida  
Deputy Clerk KELLEY

**CLERK'S CERTIFICATE**

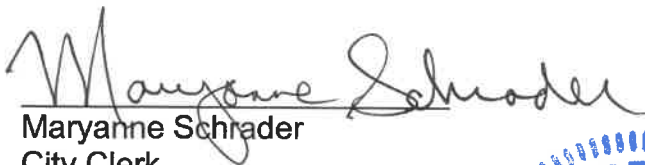
STATE OF FLORIDA )  
COUNTY OF WALTON ) ss.  
CITY OF DEFUNIAK SPRINGS )

I, Maryanne Schrader, City Clerk for said City of DeFuniak Springs, duly appointed, qualified, and acting, and keeper of the records and seals thereof, do hereby certify the attached to be a true, complete, and correct copy of Ordinance No. 914 duly passed by the City Council of the City of DeFuniak Springs at a Regular meeting of said City Council on the 14th day of December 2020, as the said matter appears on file and of record in this office.

I do further certify that prior to the execution of this certificate by me, the said Ordinance has been spread at length upon the permanent records of said City, where it now appears and remains in the book of Ordinances of the City kept by myself, a book labeled Ordinances.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of said City at my office in the City of DeFuniak Springs, Florida, this 18<sup>th</sup> day of December 2020.

(SEAL)



Maryanne Schrader  
City Clerk  
City of DeFuniak Springs  
Walton County, Florida



**ORDINANCE 914**

**AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF DEFUNIAK SPRINGS, FLORIDA, FOR A PARCEL LOCATED AT 537 N. 20<sup>TH</sup> STREET HAVING APPROXIMATELY 4.47 ACRES, TO MULTI-FAMILY R-2, SETTING FORTH AUTHORITY FOR ADOPTION; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR SEVERABILITY AND CONFLICTS PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE**

**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 adopted Ordinance 577, March 1991 (Land Development Code); and

**WHEREAS**, the owners of the parcel of property in the City have requested that the parcel as hereinafter described to zoned Multi-Family R-2;

**WHEREAS**, the Planning Board of the City of DeFuniak Springs, upon petition of the owner of said lands, held a public hearing to consider the proposed rezoning request on October 5, 2020, and recommended the approval of the rezoning of the hereinafter-described property located in the City of DeFuniak Springs, Walton County, Florida, be approved as requested; and

**WHEREAS**, the City Council of the City of DeFuniak Springs held a first reading on November 23, 2020 and a second reading on December 14, 2020 and adopted the zoning change, and finds that the zoning is consistent with the City of DeFuniak Springs's adopted Land Development Code and Comprehensive Plan; and

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

**WHEREAS** the City Council of the City of DeFuniak Springs finds that the recommended zoning is in the best interest of the health, welfare, safety, and morals of the citizens of City of DeFuniak Springs.

**Now, THEREFORE**, be it enacted by the City Council of the City of DeFuniak Springs, Florida, as follows:

**Section 1. Short Title.** This Ordinance shall be known as Zoning Map Amendment #2020-RZ-03.

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

1. Identification of Subject Property: 1537 20<sup>th</sup> Street North, DeFuniak Springs, FL 32433 (Exhibit 1)  
Legal Description: See Exhibit 2
2. The zoning district classification of the identified parcel shall be hereby changed from Commercial Restricted C-2 to Multi-family R-2 as described in the legal description shown in Exhibit 2 and as otherwise identified by Walton County Property Appraiser parcel identification number 25-3N-19-19070-001-8190.

**Section 3. Zoning Map Amendment.** The DeFuniak Springs Zoning Map is hereby amended by changing the zoning classification of the herein described property from C-2, (Commercial Restricted) to R-2 (Multi-Family Residential).

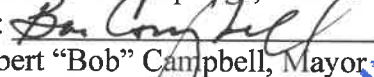
**Section 4. Filing.** An official, true and correct copy of the zoning amendment shall be filed with the Walton County Clerk and also maintained at the City of DeFuniak Springs Planning Department, which shall be responsible for administration of the Land Development Code.

**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 take effect upon the effective date of the corresponding Comprehensive Plan map amendment to reflect the designated zoning adopted in this Ordinance of the property referenced herein.

**Adopted this 14<sup>th</sup> Day of December 2020.**

City Council of the City of DeFuniak Springs, Florida

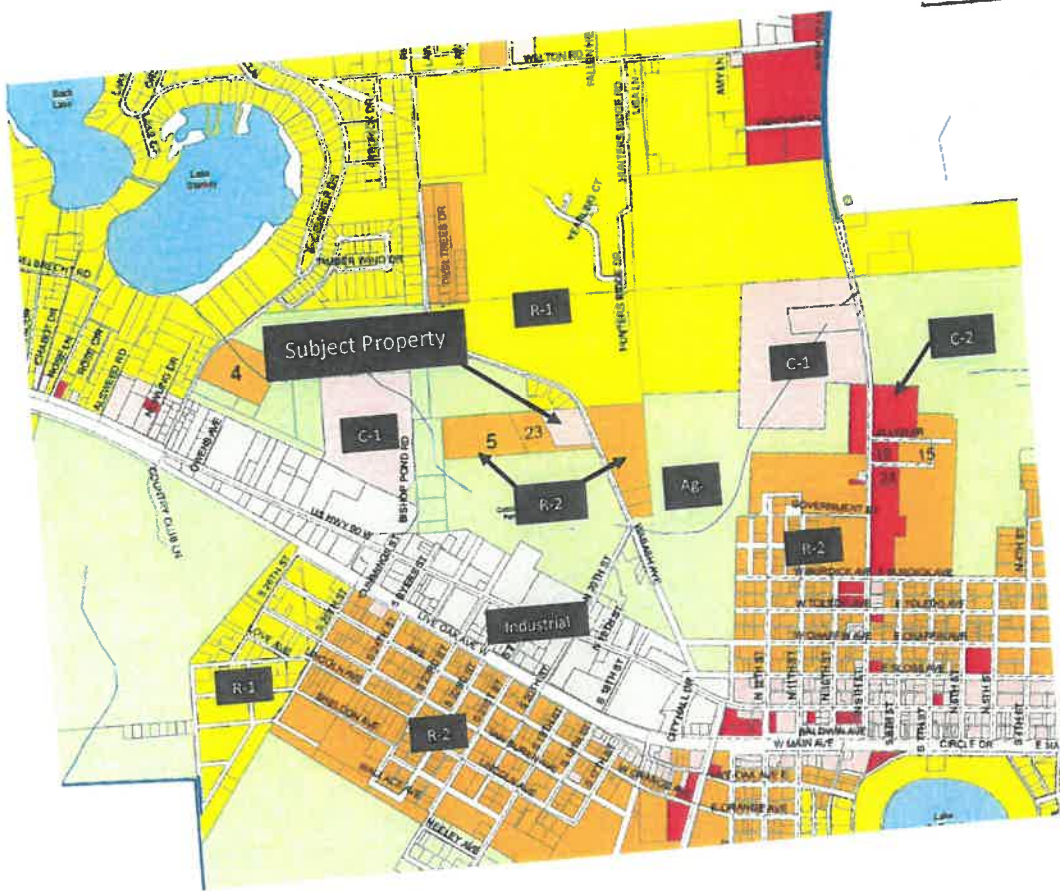
By:   
Robert "Bob" Campbell, Mayor

Attest:

  
Maryanne Schrader, City Clerk



### Zoning Map



LEGAL DESCRIPTION

COMMENCE AT AN EXISTING 1/2" IRON ROD AND CAP (#4063), MARKING THE NORTHWEST CORNER OF THE SOUTHEAST 1/4, OF THE NORTHEAST 1/4, OF SECTION 27, TOWNSHIP 3 NORTH, RANGE 19 WEST, WALTON COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE IN AN EASTERLY DIRECTION ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4, OF THE NORTHEAST 1/4, RUN NORTH 88 DEGREES 52'09" EAST (BEARING BASE), FOR 85.64 FEET TO A 1/2" IRON ROD (#4979), THENCE RUN SOUTH 22 DEGREES 07'37" EAST FOR 458.53 FEET TO THE WESTERN MOST RIGHT OF WAY LINE OR 20TH STREET; THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE APPARENT RIGHT OF WAY OF SAID 20TH STREET; RUN SOUTH 22 DEGREES 07'36" EAST 332.36 FEET TO A 1/2" IRON ROD; THENCE DEPARTING SAID RIGHT OF WAY LINE, RUN SOUTH 88 DEGREES 54'25" WEST FOR 1750.08 FEET TO A 1/2" IRON ROD; THENCE RUN NORTH 00 DEGREES 50'29" WEST FOR 500.00 FEET TO A 1/2" IRON ROD; THENCE RUN NORTH 88 DEGREES 55'04" EAST, FOR 1011.38 FEET TO THE POINT OF BEGINNING.

AND

COMMENCE AT A 1/2" IRON ROD, (#4063), MARKING THE NORTHWEST CORNER OF THE SOUTHEAST 1/4, OF THE NORTHEAST 1/4, OF SECTION 27, TOWNSHIP 3 NORTH RANGE 19 WEST, WALTON COUNTY, FLORIDA; THENCE ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4, RUN NORTH 88 DEGREES 52'09" EAST (BEARING BASE), FOR 85.64 FEET TO A 1/2" IRON ROD (#4979), MARKING THE POINT OF BEGINNING; THENCE CONTINUE NORTH 88 DEGREES 52'09" EAST FOR 458.53 FEET TO THE WESTERLY RIGHT OF WAT LINE OF 20TH STREET; THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE APPARENT RIGHT OF WAY OF SAID 20TH STREET; RUN SOUTH 22 DEGREES 07'36" EAST FOR 203.51 FEET TO A 1/2" IRON ROD (#4979); THENCE DEPARTING SAID RIGHT OR WAY RUN SOUTH 88 DEGREES 52'09" WEST FOR 458.53 FEET TO A 1/2" IRON ROD (#4979); THENCE RUN NORTH 22 DEGREES 07'37" WEST FOR 203.51 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT

PARCEL 1:

COMMENCE AT AND EXISTING 1/2" IRON ROD AND CAP (#4063), MARKING THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 3 NORTH, RANGE 19 WEST, WALTON COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE IN AN EASTERLY DIRECTION ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4; RUN NORTH 88°52'09" EAST, BEARING (BASE), FOR 111.47 FEET TO A 1/2" IRON ROD AND CAP (#4979); THENCE RUN SOUTH 22°07'37" EAST FOR 482.00 FEET TO AN IRON ROD; THENCE RUN NORTH 88°52'09" EAST FOR 432.70 FEET TO THE WESTERN MOST RIGHT OF WAY LINE OF 20TH STREET; THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE APPARENT RIGHT OF WAY LINE OF SAID 20TH STREET; RUN SOUTH 22°07'36" EAST, 53.55 FEET TO A 1/2" IRON ROD; THENCE DEPARTING SAID RIGHT OF WAY LINE, RUN SOUTH 88°54'25" WEST FOR 1750.08 FEET TO A 1/2" IRON ROD; THENCE RUN NORTH 00°50'29" WEST FOR 500.00 FEET TO A 1/2" IRON ROD; THENCE RUN NORTH 88°55'04" EAST, FOR 1011.38 FEET TO THE POINT OF BEGINNING.

Rezoning Application # 2020-RZ-03, 537 North 20<sup>th</sup> Street (Nolan Baker)  
LDC Requirements for C-1 Zoning District

Sec. 18-45. - "C-1" Commercial restricted district.

*District purpose.* The commercial restricted district is intended to apply to a retail shopping area which includes offices, clinics, and businesses catering to personal needs and desiring adjacent off-street parking for their customers, clients, and patients. It is designed to prohibit retail establishments requiring large land area for storage or display of heavy equipment as well as retail establishments with obnoxious accessory uses.

(1) *Uses allowed without review.*

- a. Banks, trust companies, savings institutions, finance corporations.
- b. Professional and business offices and office buildings.
- c. Retail stores.
- d. Barber shops, beauty parlors.
- e. Repair shops—Shoe, hat, electric appliance, radio and television, watch and clock.
- f. Restaurants, tea rooms, cafeterias (excluding dancing and entertainment).
- g. Studios—Photography, art, music and dancing.
- h. Laundry or dry cleaning pickup stations only.
- i. Governmental buildings.
- j. Motion picture theaters.
- k. Motels or hotels.
- l. Other similar enterprises or businesses which are not more obnoxious or detrimental to the welfare of the particular community than the enterprises or businesses herein enumerated.
- m. Any commercial use allowed without review in an r-2 district.
- n. Antique shops.
- o. Antique malls.

(2) *Use exceptions allowed upon special approval.*

- a. Drive-in eating and refreshment establishments.
- b. Bed and breakfast establishments.
- c. Bars or taverns.
- d. Bus, train or taxi terminals.
- e. Shopping centers.
- f. Service stations.

(3) *Prohibited uses.*

- a. Plant nurseries.
- b. Business using outdoor displays or sheds.
- c. Used car lots.
- d. Fortune tellers or clairvoyants.
- e. Cemeteries.
- f. Trailer camps or courts.
- g. Laundries—Automobile, commercial, cleaning and dyeing plants.

Rezoning Application # 2020-RZ-03, 537 North 20<sup>th</sup> Street (Nolan Baker)  
LDC Requirements for C-1 Zoning District

- h. Wholesale food markets.
  - i. Wholesale and warehouse establishments.
  - j. Storage yards—Building supply, contractors, plumbing, lumber, petroleum products, coal and wood, stone and junk.
  - k. Ice plants.
  - l. Beverage—Liquor distributors.
  - m. Sales from stands, wagons, trucks, etc., on vacant property or parked on or adjacent to streets, highways or roads.
  - n. Repair establishments—Automobile, plumbing, bicycle, motorcycle, battery, engine.
  - o. Shops—Carpenter, sheet metal, paint, machine, sign painting, silver plating, soldering, upholstery, umbrella, bicycle or motorcycle rental, exterminating, flea markets, feed, tire vulcanizing, live bait, picture framing, taxidermy.
  - p. Manufacturing, fabricating, and/or processing activities, or other similar enterprises or businesses which are deemed to be equally obnoxious or detrimental to the central business district and to the safety of pedestrians.
- (4) *Minimum yard setback.* In substantial conformity with front yards of buildings within one hundred fifty (150) feet on each side. Front yard of twenty-five (25) feet if no buildings within one hundred fifty (150) feet on each side.
- (5) *Maximum floor area ratio.* The maximum floor area ratio shall be 1.0. However, a minimum of ten (10) percent of the site must be preserved as open space and landscaped with native species in accordance with the city's landscape ordinance.

(Ord. No. [881](#), § 18.45, 6-26-17)

Note: dwellings are not listed  
in the allowable uses and  
there is no density allowance.



**Rezoning Application # 2020-RZ-03, 537 North 20<sup>th</sup> Street (Nolan Baker)**  
**LDC Requirements for R-2 Zoning District**

**Sec. 18-44. - "R-2" Multiple family residential district.**

(a) **Uses allowed without review.**

- (1) Any allowed use without review in R-1.
- (2) **Two-family or multifamily dwellings.**
- (3) Doctor's or dentist's office.
- (4) Nursery schools.
- (5) Accessory uses to those above not involving the conduct of any business, trade or occupation.

(b) **Use exceptions allowed upon special approval.**

- (1) Any use allowed by special approval in R-1.
- (2) Bed and breakfast establishments.
- (3) Hospitals, clinics, sanitariums, convalescent homes, nursing homes.
- (4) Orphanages, institutions for the aged, indigent or inform, but not including mental cases.
- (5) Rooming houses.
- (6) Nursery schools.
- (7) Professional offices.

(c) **Prohibited uses.** All other uses.

(d) **Requirements.**

	Minimum Lot Size	Minimum Lot Width	Front Yard	Side Yard	Rear Yard	Maximum Height
Single family dwellings	6,000 sq. ft.	60 ft.	25 ft.	7 ft.	20 ft.	2 stories or 35 ft.
Duplexes	7,500 sq. ft.	75 ft.	25 ft.	7 ft.	20 ft.	2 stories or 35 ft.
Multi family dwellings	10,000 sq. ft.	100 ft.	30 ft.	7 ft.	20 ft.	4 stories or 60 ft.
Other uses	6,000 sq. ft.	60 ft.	30 ft.	7 ft.	20 ft.	2 stories or 35 ft.

(e) **Maximum density.** The maximum number of dwelling units allowed per gross acre in the multiple family residential district shall be sixteen (16) dwelling units so long as all other provisions of this code are satisfied. The maximum density for other uses in the multiple family residential district shall be a floor area ratio of 1.0 so long as all other provisions of this code are satisfied.

(Ord. No. [881](#), § 18.44, 6-26-17)