

Ordinance Number - 937

AN ORDINANCE ADOPTING A ZONING MAP AMENDMENT OF THE CITY OF DEFUNIAK SPRINGS LAND DEVELOPMENT CODE; CHANGING THE ZONING DESIGNATION; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

(Property located on the east side of Highway 331 S, just south of Corbett Dr.)

WHEREAS, the Legislature adopted Chapter 163, laws of Florida, which requires the City of DeFuniak Springs, Florida to prepare, adopt, and enforce a comprehensive plan; AND

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

WHEREAS, the City of DeFuniak Springs, Florida adopted Ordinance No. 669, November 13, 2000 (Comprehensive Plan) and Ordinance 793, October 25, 2010 (Evaluation and Appraisal Report), and Ordinance No. 881 on June 26, 2017 (Land Development Code) and;

WHEREAS, Chapter 163, Part II, Florida Statutes, requires local governments desiring to revise their comprehensive plans to prepare and adopt comprehensive plan amendments; AND

WHEREAS, the City of DeFuniak Springs has prepared an amendment to its Official Zoning Map, to be known as Zoning Map Amendment No. 2022-RZ-02; AND

WHEREAS, the City Council of DeFuniak Springs held a Public Hearing to adopt Zoning Map Amendment No. 2021-RZ-02, pursuant to Section 163.3184, Florida Statutes, with due public notice having been provided, and having reviewed and considered all comments received during the public hearing, and having provided for necessary revisions; AND

WHEREAS, in exercise of its authority, the City Council of DeFuniak Springs, Florida finds it necessary and desirable to adopt and does hereby adopt Zoning Map Amendment No. 2022-RZ-02, in order to encourage the most appropriate use of land, water and resources, consistent with the public interest; and deal effectively with future problems that may result from the use and development of land within City of DeFuniak Springs;

NOW, THEREFORE, BE IT ORDAINED by City Council of the City of DeFuniak Springs, Florida, as follows:

SECTION I. PURPOSE AND INTENT.

This Ordinance is hereby enacted to carry out the purpose and intent of, and exercise the authority set out in, the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Florida Statutes, as amended.

SECTION II. OFFICIAL ZONING MAP AMENDMENTS.

The DeFuniak Springs City Council hereby adopts the following amendment to the Official Zoning Map which will be updated consistent with the action of the DeFuniak Springs City Council as set forth in this Ordinance:

1. Application number 2022-RZ-02, David Harrison's Rezoning request to amend the Official Zoning Map district designations on an amendment area that is approximately 17+/- acres in size.
2. The amendment area is identified as parcel# 02-2N-19-18000-035-0000 and is legally described as:

THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 2 NORTH, RANGE 19 WEST, WALTON COUNTY, FLORIDA, LESS AND EXCEPT

RIGHT-OF-WAY FOR U.S. HIGHWAY 331 (STATE ROAD #83) AND LESS AND EXCEPT THE FOLLOWING PARCELS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 2, TOWNSHIP 2 NORTH, RANGE 19 WEST, WALTON COUNTY, FLORIDA; THENCE SOUTH 1 DEGREE 05 MINUTES WEST ALONG THE SECTION LINE FOR A DISTANCE OF 88.29 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 76 DEGREES 50 MINUTES EAST ALONG THE DOMBROWSKI PROPERTY LINE FOR A DISTANCE OF 110.43 FEET; THENCE NORTH 12 DEGREES 56 MINUTES WEST ALONG THE DOMBROWSKI PROPERTY LINE FOR A DISTANCE OF 65.10 FEET; THENCE SOUTH 51 DEGREES 16 MINUTES EAST FOR A DISTANCE OF 108.30 FEET; THENCE SOUTH 20 DEGREES 13 MINUTES EAST FOR A DISTANCE OF 81.20 FEET; THENCE SOUTH 2 DEGREES 12 MINUTES WEST FOR A DISTANCE OF 93.10 FEET; THENCE WESTERLY 3.5 FEET NORTH OF THE CENTER LINE OF PAVED DRAINAGE DITCH WHOSE CHORD BEARING IS SOUTH 88 DEGREES 06 MINUTES WEST FOR A CHORD DISTANCE OF 199.6 FEET; THENCE NORTH 6 DEGREES 17 MINUTES WEST WITH THE EAST RIGHT OF WAY OF FEDERAL HIGHWAY NO. 331 FOR A DISTANCE OF 36.80 FEET; THENCE NORTH 1 DEGREE 05 MINUTES EAST ALONG THE SECTION LINE FOR A DISTANCE OF 119.20 FEET TO THE POINT OF BEGINNING. AND;

STARTING AT AN IRON AXLE AT THE NW CORNER OF SECTION 2, TOWNSHIP 2 NORTH, RANGE 19 WEST, FOR A POINT OF BEGINNING; THENCE NORTH 88 DEGREES 50 MINUTES EAST WITH THE NORTH SECTION LINE FOR A DISTANCE OF 92 FEET TO AN IRON PIPE; THENCE SOUTH 14 DEGREES 44 MINUTES EAST FOR A DISTANCE OF 64.10 FEET TO AN IRON PIPE; THENCE SOUTH 75 DEGREES 16 MINUTES WEST FOR A DISTANCE OF 110.43 FEET FOR A POINT; THENCE NORTH 1 DEGREE 04 MINUTES WEST ALONG THE SECTION LINE FOR A DISTANCE OF 88.29 FEET TO THE POINT OF BEGINNING. AND;

BEGIN ON THE EASTERN BOUNDARY LINE OF THE RIGHT OF WAY OF STATE ROAD NO. 83 AT A POINT 250 FEET SOUTH OF THE NORTHWEST CORNER OF SECTION 2, TOWNSHIP 2 NORTH, RANGE 19 WEST, RUN THENCE EAST 150 FEET, THENCE SOUTH 100 FEET, THENCE WEST TO THE RIGHT OF WAY OF SAID STATE ROAD, THENCE NORTH ALONG THE RIGHT OF WAY OF SAID STATE ROAD TO POINT OF BEGINNING. IN SECTION 2, TOWNSHIP 2 NORTH, RANGE 19 WEST, IN THE TOWN OF DEFUNIAK SPRINGS, FLORIDA. AND;

FROM THE NORTHWEST CORNER OF SECTION 2, TOWNSHIP 2 NORTH, RANGE 19 WEST, GO SOUTH 1 DEGREE 05 MINUTES WEST ON THE SECTION LINE 207.49 FEET TO THE EAST RIGHT-OF-WAY LINE OF STATE ROAD #83, (U.S. HIGHWAY #331); THENCE ALONG THE RIGHT-OF-WAY LINE SOUTHERLY 207.80 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 2 DEGREES 10 MINUTES EAST 143.59 FEET ON THE RIGHT-OF-WAY LINE; THENCE NORTH 89 DEGREES 50 MINUTES EAST 165.73 FEET; THENCE NORTH 8 DEGREES 10 MINUTES WEST 149.50 FEET; THENCE SOUTH 88 DEGREES 06 MINUTES WEST 150 FEET TO THE POINT OF BEGINNING, LESS AND EXCEPT RIGHT-OF-WAY FOR U.S. HIGHWAY #331. LYING AND BEING IN WALTON COUNTY, FLORIDA. AND;

THE SOUTH 105 FEET OF THE WEST 660 FEET OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 2 NORTH, RANGE 19 WEST, WALTON COUNTY, FLORIDA.

3. The amendment area is currently designated R-1, Single-family Residential on the Official Zoning Map adopted within the DeFuniak Springs Land Development Code.

4. Upon the legally effective date of this Ordinance, the Official Zoning Map designation for the amendment area will be designated as C-2, Commercial, as illustrated on Exhibit 1 (attached).
5. Any future development under this amendment will be required to meet all of the standards of the City of DeFuniak Springs Comprehensive Plan and Land Development Code.

SECTION III. CONFLICT WITH OTHER ORDINANCES OR CODES.

All Ordinances or parts of the Code of Ordinances of the City of DeFuniak Springs, Florida, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION IV. 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 V. SEVERABILITY.

Should any word, phrase, sentence or section of this Ordinance be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then such shall be severed from this Ordinance, and the remainder of the Ordinance shall remain in full force and effect.

SECTION VI. EFFECTIVE DATE.

The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If the amendment is timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or development dependent on this amendment may be issued or commence before it has become effective.


Duly enacted, by the City Council of the City of DeFuniak Springs, Florida at a regularly scheduled public hearing on the 28th of March, 2022.

CITY COUNCIL
DEFUNIAK SPRINGS, FLORIDA

Attest:



Koby Townsend, City Clerk

By: 

Robert "Bob" Campbell, Mayor

