

ORDINANCE NO. 1358

AN ORDINANCE REZONING FROM R-2 AND R-TH TO R-3 OF THOSE CERTAIN PARCELS OF LAND LYING WITHIN THE CITY OF PANAMA CITY BEACH, FLORIDA, CONTAINING APPROXIMATELY 20.82 ACRES; LOCATED ON THE WEST SIDE OF ALF COLEMAN ROAD NORTH OF PANAMA CITY BEACH PARKWAY; ALL AS MORE PARTICULARLY DESCRIBED IN THE BODY OF THE ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE.

WHEREAS, Highland Land Company LLC, the owner of the real property designated herein, has initiated this ordinance by filing a petition with the City praying that said real property, being more particularly described below be rezoned from R-2 AND R-TH to R-3 as shown below; and

WHEREAS, this ordinance changes only the zoning map designation of the real property described herein; and

WHEREAS, the City of Panama City Beach Planning Board reviewed the proposed zoning change for Parcel 1, conducted a public hearing on July 14, 2015, and recommended the parcel remain zoned as R-TH (7-0); and

WHEREAS, the City of Panama City Beach Planning Board reviewed the proposed zoning change for Parcels 2 and 3, conducted a public hearing on July 14, 2015, and recommended the approval of the change from R-2 to R-3 for Parcel 2 and Parcel 3 (7-0); and

WHEREAS, based upon competent substantial evidence adduced in a properly advertised public hearing conducted on September 24, 2015, the City found the requested changes to be consistent with the currently applicable Comprehensive Growth Development Plan and to reasonably accomplish a legitimate public purpose.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF PANAMA CITY BEACH, FLORIDA:

SECTION 1. The following described parcel of real property containing 4.936 acres situate within the municipal limits of the City of Panama City Beach, Florida is rezoned from R-TH to R-3, to wit

SEE ATTACHED AND INCORPORATED EXHIBIT A

SECTION 2. The following described parcels of real property containing 5.997 acres as to Parcel 2, and 9.884 acres as to Parcel 3, situate within the municipal limits of the City of Panama City Beach, Florida, are rezoned from R-2 to R-3, to wit,

SEE ATTACHED AND INCORPORATED EXHIBITS B AND C

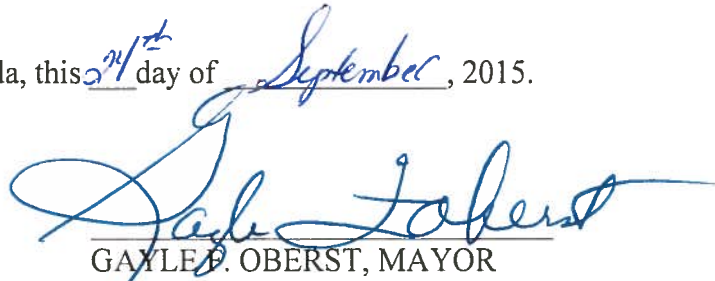
And the City's zoning map is amended accordingly.

SECTION 3. All Ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

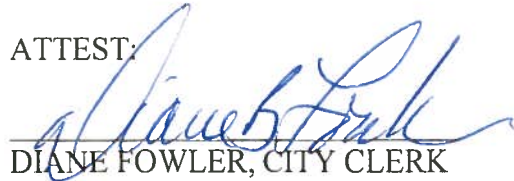
SECTION 4. This ordinance shall take effect as provided by law.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of

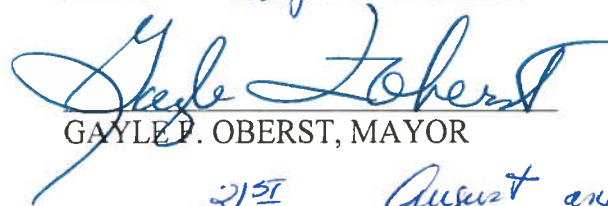
the City of Panama City Beach, Florida, this 24th day of September, 2015.


GAYLE F. OBERST, MAYOR

ATTEST:

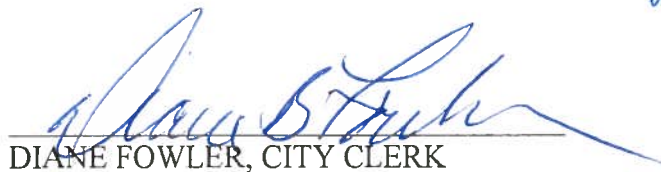

DIANE FOWLER, CITY CLERK

EXAMINED AND APPROVED by me this 24th day of September, 2015.


GAYLE F. OBERST, MAYOR

PUBLISHED in the Panama City News-Herald on the 31st day of August and
16th day of September, 2015.

POSTED on pcb.gov.com on the 25th day of September, 2015.


DIANE FOWLER, CITY CLERK

DESCRIPTION OF PARCEL 1: COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 16 WEST, BAY COUNTY, FLORIDA; THENCE SOUTH 89 DEGREES 33 MINUTES 03 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION 26 FOR A DISTANCE OF 766.94 FEET TO THE WEST LINE OF A 100 FOOT WIDE GULF POWER COMPANY RIGHT OF WAY AS RECORDED IN DEED BOOK 153, PAGE 567 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA, THENCE SOUTH 00 DEGREES 26 MINUTES 28 SECONDS WEST ALONG SAID WEST LINE FOR 708.54 TO THE WESTERLY RIGHT OF WAY LINE OF ALF COLEMAN ROAD (150 FOOT RIGHT OF WAY); THENCE NORTH 37 DEGREES 46 MINUTES 08 SECONDS EAST ALONG SAID WESTERLY RIGHT OF WAY LINE FOR 164.92 FEET TO THE EAST LINE OF SAID 100 FOOT WIDE GULF POWER COMPANY RIGHT OF WAY AND THE **POINT OF BEGINNING**. THENCE CONTINUE NORTH 37 DEGREES 46 MINUTES 08 SECONDS EAST ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID ALF COLEMAN ROAD FOR 775.59 FEET TO THE SOUTH RIGHT OF WAY LINE OF VICTORIA FALLS LANE (60 FOOT RIGHT OF WAY); THENCE NORTH 52 DEGREES 02 MINUTES 33 SECONDS WEST ALONG SAID SOUTH LINE FOR 76.14 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 35.00 FEET; THENCE WESTERLY ALONG SAID CURVE FOR AN ARC DISTANCE OF 28.54 FEET, THE CHORD OF SAID ARC BEARING NORTH 75 DEGREES 24 MINUTES 38 SECONDS WEST FOR 27.76 FEET TO A REVERSE CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 60.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE FOR AN ARC DISTANCE OF 97.88 FEET, THE CHORD OF SAID ARC BEARING NORTH 52 DEGREES 02 MINUTES 33 SECONDS WEST FOR 87.38 FEET TO A REVERSE CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 35.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE FOR AN ARC DISTANCE OF 28.54 FEET, THE CHORD OF SAID ARC BEARING NORTH 28 DEGREES 40 MINUTES 29 SECONDS WEST FOR 27.76 FEET; THENCE NORTH 52 DEGREES 02 MINUTES 33 SECONDS WEST FOR 15.75 FEET TO A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 470.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE FOR AN ARC DISTANCE OF 309.21 FEET, THE CHORD OF SAID ARC BEARING NORTH 70 DEGREES 53 MINUTES 22 SECONDS WEST 303.66 FEET TO THE EAST LINE OF SAID 100 FOOT WIDE GULF POWER COMPANY RIGHT OF WAY; THENCE SOUTH 00 DEGREES 26 MINUTES 28 SECONDS WEST FOR 854.15 FEET TO THE POINT OF BEGINNING.

EXHIBIT A TO ORDINANCE NO. 1358

DESCRIPTION OF PARCEL 2: COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 16 WEST, BAY COUNTY, FLORIDA; THENCE SOUTH 89 DEGREES 33 MINUTES 03 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION 26 FOR A DISTANCE OF 766.94 FEET TO THE WEST LINE OF A 100 FOOT WIDE GULF POWER COMPANY RIGHT OF WAY AS RECORDED IN DEED BOOK 153, PAGE 567 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA, THENCE SOUTH 00 DEGREES 26 MINUTES 28 SECONDS WEST ALONG SAID WEST LINE FOR 708.54 TO THE WESTERLY RIGHT OF WAY LINE OF ALF COLEMAN ROAD (150 FOOT RIGHT OF WAY); THENCE NORTH 37 DEGREES 46 MINUTES 08 SECONDS EAST ALONG SAID WESTERLY RIGHT OF WAY LINE FOR 1614.71 FEET TO THE **POINT OF BEGINNING**. THENCE CONTINUE NORTH 37 DEGREES 46 MINUTES 08 SECONDS EAST FOR 97.61 FEET TO THE SOUTHERLY EDGE OF A DIRT LOGGING TRAIL; THENCE NORTH 59 DEGREES 11 MINUTES 20 SECONDS WEST ALONG SAID SOUTHERLY EDGE FOR 1087.54 FEET TO THE EAST LINE OF SAID 100 FOOT WIDE GULF POWER EASEMENT; THENCE SOUTH 00 DEGREES 26 MINUTES 28 SECONDS WEST ALONG SAID EAST LINE FOR 539.08 FEET TO THE NORTH LINE OF WATERFALL PHASE I, AS RECORDED IN PLAT BOOK 22, PAGE 36 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA; THENCE EASTERLY ALONG SAID NORTH LINE FOR THE FOLLOWING COURSES: SOUTH 54 DEGREES 55 MINUTES 28 SECONDS EAST FOR 7.63 FEET; SOUTH 00 DEGREES 00 MINUTES 38 SECONDS EAST FOR 8.26 FEET; NORTH 89 DEGREES 59 MINUTES 22 SECONDS EAST FOR 7.19 FEET; SOUTH 65 DEGREES 00 MINUTES 18 SECONDS EAST FOR 103.45 FEET; NORTH 41 DEGREES 20 MINUTES 10 SECONDS EAST FOR 87.04 FEET; NORTH 42 DEGREES 30 MINUTES 00 SECONDS EAST FOR 16.28 FEET; NORTH 66 DEGREES 24 MINUTES 07 SECONDS EAST FOR 8.46 FEET; NORTH 89 DEGREES 59 MINUTES 22 SECONDS EAST FOR 3.31 FEET; NORTH 00 DEGREES 00 MINUTES 38 SECONDS WEST FOR 1.45 FEET; NORTH 66 DEGREES 45 MINUTES 45 SECONDS EAST FOR 10.87 FEET; SOUTH 00 DEGREES 00 MINUTES 38 SECONDS EAST FOR 10.74 FEET; NORTH 89 DEGREES 59 MINUTES 22 SECONDS EAST FOR 73.25 FEET; NORTH 00 DEGREES 00 MINUTES 38 SECONDS WEST FOR 8.49 FEET; NORTH 89 DEGREES 59 MINUTES 22 SECONDS EAST FOR 34.00 FEET; SOUTH 00 DEGREES 00 MINUTES 38 SECONDS EAST FOR 8.49 FEET; NORTH 89 DEGREES 59 MINUTES 22 SECONDS EAST FOR 73.25 FEET; NORTH 00 DEGREES 00 MINUTES 38

EXHIBIT B TO ORDINANCE NO. 1358

SECONDS WEST FOR 24.93 FEET; NORTH 89 DEGREES 23 MINUTES 38 SECONDS EAST FOR 36.08 FEET; SOUTH 43 DEGREES 27 MINUTES 56 SECONDS EAST FOR 90.14 FEET; NORTH 35 DEGREES 06 MINUTES 59 SECONDS EAST FOR 98.85 FEET; SOUTH 75 DEGREES 15 MINUTES 12 SECONDS EAST FOR 60.24 FEET; SOUTH 57 DEGREES 39 MINUTES 16 SECONDS EAST FOR 34.63 FEET; SOUTH 08 DEGREES 17 MINUTES 25 SECONDS EAST FOR 103.30 FEET; SOUTH 74 DEGREES 51 MINUTES 11 SECONDS EAST FOR 43.38 FEET; SOUTH 59 DEGREES 39 MINUTES 04 SECONDS EAST FOR 50.05 FEET; NORTH 59 DEGREES 52 MINUTES 17 SECONDS EAST FOR 119.29 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 2418.50 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC DISTANCE OF 69.96 FEET; THE CHORD OF SAID ARC BEARING SOUTH 52 DEGREES 36 MINUTES 26 SECONDS EAST FOR 69.96 FEET TO SAID WESTERLY RIGHT OF WAY LINE OF ALF COLEMAN ROAD AND THE POINT OF BEGINNING.

DESCRIPTION OF PARCEL 3: COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 16 WEST, BAY COUNTY, FLORIDA; THENCE SOUTH 89 DEGREES 33 MINUTES 03 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION 26 FOR A DISTANCE OF 766.94 FEET TO THE WEST LINE OF A 100 FOOT WIDE GULF POWER COMPANY RIGHT OF WAY AS RECORDED IN DEED BOOK 153, PAGE 567 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA, THENCE SOUTH 00 DEGREES 26 MINUTES 28 SECONDS WEST ALONG SAID WEST LINE FOR 708.54 TO THE WESTERLY RIGHT OF WAY LINE OF ALF COLEMAN ROAD (150 FOOT RIGHT OF WAY); THENCE NORTH 37 DEGREES 46 MINUTES 08 SECONDS EAST ALONG SAID WESTERLY RIGHT OF WAY LINE FOR 1712.32 FEET TO THE SOUTHERLY EDGE OF A DIRT LOGGING TRAIL; THENCE NORTH 59 DEGREES 11 MINUTES 20 SECONDS WEST ALONG SAID SOUTHERLY EDGE FOR 1203.44 FEET TO THE **POINT OF BEGINNING**. THENCE CONTINUE NORTH 59 DEGREES 11 MINUTES 20 SECONDS WEST ALONG SAID SOUTHERLY EDGE FOR 617.86 FEET; THENCE SOUTH 29 DEGREES 33 MINUTES 02 SECONDS WEST FOR 413.25 FEET; THENCE SOUTH 47 DEGREES 53 MINUTES 59 SECONDS EAST FOR 208.60 FEET; THENCE SOUTH 05 DEGREES 25 MINUTES 10 SECONDS EAST FOR 294.51 FEET TO THE NORTH LINE OF WATER FALL PHASE I, AS RECORDED IN PLAT BOOK 22, PAGE 36 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA; THENCE SOUTH 66 DEGREES 06 MINUTES 49 SECONDS EAST ALONG SAID NORTH LINE FOR 44.39 FEET TO THE WEST LINE OF VICTORIA FALLS LANE (60 FOOT RIGHT OF WAY), SAID POINT BEING ON A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 230.00 FEET; THENCE NORTHERLY ALONG SAID CURVE FOR AN ARC DISTANCE OF 18.62 FEET; THE CHORD OF SAID ARC BEARING NORTH 26 DEGREES 12 MINUTES 23 SECONDS EAST FOR 18.61 FEET; THENCE SOUTH 61 DEGREES 28 MINUTES 31 SECONDS EAST FOR 60.00 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 170.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE FOR AN ARC DISTANCE OF 21.01 FEET, THE CHORD OF SAID ARC BEARING SOUTH 24 DEGREES 59 MINUTES 03 SECONDS WEST FOR 21.00 FEET; THENCE CONTINUE ALONG THE NORTH LINE OF SAID WATERFALL PHASE I THE FOLLOWING COURSES: NORTH 89 DEGREES 59 MINUTES 22 SECONDS EAST FOR 109.53 FEET; SOUTH 00 DEGREES 00 MINUTES 38 SECONDS EAST FOR

31.73 FEET; NORTH 89 DEGREES 59 MINUTES 22 SECONDS EAST FOR 86.22 FEET;
NORTH 26 DEGREES 11 MINUTES 27 SECONDS EAST FOR 5.59 FEET; NORTH 89
DEGREES 59 MINUTES 22 SECONDS EAST FOR 90.75 FEET; NORTH 00 DEGREES 00
MINUTES 38 SECONDS WEST FOR 57.94 FEET; SOUTH 67 DEGREES 49 MINUTES 13
SECONDS EAST FOR 17.95 FEET; SOUTH 61 DEGREES 36 MINUTES 53 SECONDS EAST
FOR 133.86 FEET; SOUTH 63 DEGREES 18 MINUTES 33 SECONDS EAST FOR 35.15
FEET TO THE WEST LINE OF SAID 100 FOOT WIDE GULF POWER COMPANY RIGHT OF
WAY; THENCE NORTH 00 DEGREES 26 MINUTES 28 SECONDS EAST ALONG SAID
WEST LINE FOR 579.97 FEET TO THE POINT OF BEGINNING.

EXHIBIT C (CONTINUED) TO ORDINANCE NO. 1358