

ORDINANCE NO 766

AN ORDINANCE REZONING FROM HIGH DENSITY RESIDENTIAL TO TOWNHOME DISTRICT THAT CERTAIN PARCEL OF LAND LYING WITHIN THE CITY OF MEXICO BEACH, FLORIDA, CONTAINING APPROXIMATELY 0.172 ACRES; LOCATED AT 110 40TH STREET WITH PARCEL ID NUMBER 04108-010-000, ALL AS MORE PARTICULARLY DESCRIBED IN THE BODY OF THE ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE.

WHEREAS, Joseph Lindsey, on behalf of the Joseph F. Lindsey Living Trust, the owner of the of real property designated herein, has initiated this ordinance by filing a petition requesting that said real property, being more particularly described below be rezoned from High Density Residential to Townhome District; and

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

WHEREAS, the Mexico Beach Planning and Zoning Board reviewed the rezoning request, conducted a public hearing on July 12, 2021, and recommended \_\_\_\_\_ of the request; and

WHEREAS, the City Council conducted a first reading on July 13<sup>th</sup>, 2021; and

WHEREAS, based upon competent substantial evidence adduced in a properly advertised public hearing conducted on August 10<sup>th</sup>, 2021, the City found the requested change to be consistent with the currently applicable Mexico Beach Comprehensive Plan and to reasonably accomplish a legitimate public purpose.

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

SECTION 1. The following described parcel of real property situate within the municipal limits of the City of Mexico Beach, Florida, is rezoned from High Density Residential to Townhome District, to wit,

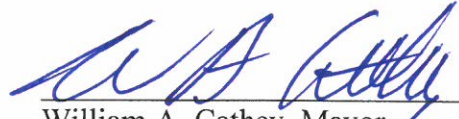
SEE ATTACHED AND INCORPORATED EXHIBIT "A"

and the City's Zoning Map is amended accordingly.

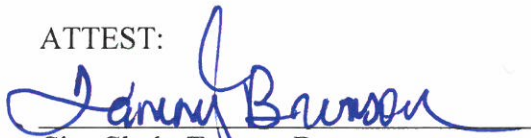
SECTION 2. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 3. This ordinance shall take effect immediately upon passage.

PASSED, APPROVED and ADOPTED at the regular meeting of the City Council of the City of Mexico Beach, Florida, this 10<sup>th</sup> day of August, 2021.

  
\_\_\_\_\_  
William A. Cathey, Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk, Tammy Brunson

## EXHIBIT A

Commence at a point in the South right-of-way line of U. S. Highway 98, 50 feet Westerly of the Northwesterly corner of Block 7 of Mexico Beach, Florida, Unit No. 5 and running in a Southwesterly direction along the West right-of-way line of Sixth (6th) Avenue, a distance of 375 feet to a point of beginning, continue along said West right-of-way line of Sixth (6th) Avenue a distance of 75 feet, then at an angle of 90 degrees to the right, a distance of 100 feet; thence at an angle of 90 degrees to the right a distance of 75 feet; thence at an angle of 90 degrees to the right a distance of 100 feet to the point of beginning; being in the NE 1/4 of Sec. 22, Township 6 South, Range 12 West, Bay County, Florida.

Subject to that certain notice of unrecorded agreement regarding the use, occupancy, maintenance and sharing of expenses with respect to the above-described property, which notice is recorded at Official Records Book 879, Page 426, Public Records of Bay County, Florida. By accepting execution and delivery of this deed, the Grantees herein agree to be bound by the notice and the unrecorded agreement referenced therein.

Parcel Identification Number: 04108-010-000