

ORDINANCE 2024- 09

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP DESIGNATION FOR 0.11+/- ACRES OF CERTAIN REAL PROPERTY LOCATED ON NORTH 6th STREET WITH TAX PARCEL ID NUMBER 12-12-31-4500-00020-0081 FROM COMMERCIAL TO SINGLE FAMILY RESIDENTIAL; PROVIDING FOR CONFLICT; PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, the City of Flagler Beach is in receipt of a request to amend the Comprehensive Plan Future Land Use Map for the property described herein; and

WHEREAS, the existing designation for the Subject Property is Commercial and the request is to amend the Future Land Use Map Designation to Medium Density Residential; and

WHEREAS, the request is compliant with all applicable Objectives and Policies of the City of Flagler Beach Comprehensive Plan; and

WHEREAS, the property satisfies the criteria for a small scale amendment under Section 163.3187, Florida Statutes; and

WHEREAS, the City Commission, as the City's governing body, has held a public hearing for adoption to consider the amendment to the City of Edgewood Comprehensive Plan in accordance with the controlling provisions of State law; and

WHEREAS, the Planning and Architectural Review Board has recommended the City Commission amend the Future Land Use Map designation as requested by the applicant.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, AS FOLLOWS:

SECTION 1. The City of Flagler Beach Comprehensive Plan Future Land Use Map is hereby changed to amend the designation of the parcel located at 112 North 6th Street with Tax Parcel ID 12-12-31-4500-00020-0081 and described as:

GEORGE MOODY SUBD BLOCK 2 WEST 30 FT OF LOT 8 OR
53 PG 211 OR 277 PG 970 OR 1081 PG 894 OR 1653/967 OR
1708/1855-DEED IN LIEU OF FORECLOSURE OR 2022/186 OR
2174/1096-RDMAN KATHERINE KOVACH, SARAH SEVERA
LUKE MOMMAERTS & CORINA MOMMAERTS

from Commercial to Medium Density Residential.

48 SECTION 2. The City Clerk is hereby directed to transmit a copy of this amendment of the
49 Comprehensive Plan to the State Land Planning Agency.
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51 SECTION 3. If any Section, Subsection, sentence, clause, phrase, or portion of this ordinance, or
52 application thereof, is for any reason held invalid or unconstitutional by any Court, such portion or
53 application shall be deemed a separate, distinct, and independent provision, and such holding shall
54 not affect the validity of the remaining portions or application hereof.
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56 SECTION 4. All ordinances or parts of ordinances in conflict herewith be and the same are hereby
57 repealed.
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59 SECTION 5. This Ordinance and small scale amendment shall become effective 31 days after
60 adoption. If challenged within 30 days after adoption, said amendment shall not become effective
61 until the State Land Planning Agency or the Administration Commission, respectively, issues a final
62 order determining the adopted small scale amendment is in compliance, pursuant to *Florida Statute*
63 163.3187(3)(c).
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65 PASSED ON FIRST READING THIS ____ DAY OF _____, 2024.
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67 PASSED AND ADOPTED THIS ____ DAY OF _____, 2024.
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70 CITY OF FLAGLER BEACH, FLORIDA
71 CITY COMMISSION
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73 _____
74 Patti King, Mayor
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76 ATTEST:
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79 Penny Overstreet, City Clerk
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EXHIBIT "A" to Ordinance 2019-18

Legal Description of the Southernmost 3 acres
PARCEL ID #11-12-31-0650-000A0-0071

A PART OF SECTION 11, TOWNSHIP 12 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING, COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 11; THENCE NORTH 88° 27' 09" EAST ALONG THE NORTH LINE OF SAID SECTION 11, A DISTANCE OF 2459 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF ROBERTS ROAD (AN 80 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED), SAID POINT LYING ON A CURVE, CONCAVE NORTH-EASTERLY, HAVING A RADIUS OF 1539.72 FEET; THENCE SOUTHEASTERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 345.65 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 39° 55' 42" EAST AND A CHORD DISTANCE OF 344.93 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 46° 2' 143" EAST CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 177.58 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1108.26 FEET; THENCE SOUTHEASTERLY CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 869.39 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 23° 53' 19" EAST AND A CHORD DISTANCE OF 847.27 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 01° 24' 55" EAST CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 433.85 FEET; THENCE NORTH 89° 29' 02" WEST LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 682.07 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 11; THENCE NORTH 01° 40' 05" WEST ALONG SAID WEST LINE, A DISTANCE OF 1589.33 FEET TO THE POINT OF BEGINNING.

Legal Description of the Northernmost 4 acres
PARCEL ID #11-12-31-0385-00000-0010

LOT 1, OF THE SUBDIVISION PLAT OF BEACH VILLAGE AT FLAGLER BEACH, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 36, PAGES 77 AND 78, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

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