

CITY OF ST. PETE BEACH, FLORIDA

ORDINANCE 2008-02

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AMENDMENT OF THE LAND DEVELOPMENT REGULATIONS OF THE CITY BY AMENDING THE OFFICIAL ZONING MAP INCORPORATED THEREIN; PROVIDING FOR AMENDMENT OF THE ZONING DESIGNATION OF PROPERTY GENERALLY LOCATED AT 5195 GULF BOULEVARD AND 109 PUNTA VISTA DRIVE AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR A CHANGE IN THE DESIGNATION OF SAID PARCEL FROM COMMERCIAL GENERAL AND RESIDENTIAL URBAN TO RESIDENTIAL MEDIUM ON THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR THE REPEAL OF ORDINANCES, OR PARTS OF ORDINANCES, IN CONFLICT HERewith, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has initiated rezoning of the subject property in order to provide optimal development rights to the owner of said property; and

WHEREAS, the City's Planning Board has reviewed this ordinance, found it to be consistent with the City's adopted comprehensive plan and has recommended approval thereof; and

WHEREAS, the City Commission, as the City's local planning agency, has found this ordinance to be consistent with the City's adopted comprehensive plan; and

WHEREAS, the City Commission has found this ordinance to be in the best interest, safety and welfare of the citizens of the city; and

WHEREAS, notice of this ordinance has been provided in accordance with applicable law;

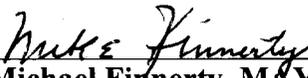
NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA HEREBY ORDAINS:

Section 1. The Land Development Regulations of the City of St. Pete Beach, Florida are hereby amended by amending the Official Zoning Map incorporated therein by changing the zoning designation of the property generally located at 5195 Gulf Boulevard and 109 Punta Vista Drive and more particularly described in Exhibit "A" attached hereto and made a part hereof, from Commercial General and Residential Urban to Residential Medium.

Section 2. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

Section 3. If any portion or part of this ordinance is declared invalid by a court of competent jurisdiction, the valid remainder hereof shall remain in full force and effect.

Section 4. This ordinance shall become effective immediately upon adoption.



Michael Finnerty, MAYOR

FIRST READING : 2-26-08
PUBLISHED : 3-1-08
SECOND READING : 3-18-08
PUBLIC HEARING : 3-18-08

I, Theresa B. McMaster, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this 18th day of March 2008.



Theresa B. McMaster

PARCEL I: Lot 1, LESS the Northeasterly 10 feet thereof, PUNTA VISTA BENNETT BEACH, according to plat thereof recorded in Plat Book 21, page 45, of the public records of Pinellas County, Florida;

Lot B, REPLAT OF LOTS 25, 26, 27, 28, 29 & 30, UNIT B, BENNETT BEACH, according to plat thereof recorded in Plat Book 22, page 8, of the public records of Pinellas County, Florida,

LESS that part lying within 40 feet of the Survey Line of State Road 699, Section 15100, as described in Order of Taking recorded in Official Records Book 1533, page 187 (Clerk's Instrument No. 684B), of the public records of Pinellas County, Florida;

That part of Government Lot 2, in Section 6, Township 32 South, Range 16 East, Pinellas County, Florida described as follows: BEGINNING at the Northwesterly corner of Lot B, REPLAT OF LOTS 25, 26, 27, 28, 29 & 30, UNIT B, BENNETT BEACH, according to plat thereof recorded in Plat Book 22, page 8, of the public records of Pinellas County, Florida; run North 16° 58' 30" West along the Easterly line of State Road No. 233, a distance of 83 feet; thence North 56° 53' East, 121.20 feet along the Southeasterly line of 52nd Avenue, according to the Plat of Punta Vista Bennett Beach according to plat thereof recorded in Plat Book 21, page 45, of the public records of Pinellas County, Florida; thence Southeasterly along the canal to the Northeasterly corner of the aforementioned Lot B; thence South 56° 53' West, 126 feet to the POINT OF BEGINNING,

LESS that part lying within 40 feet of the Survey Line of State Road 699, Section 15100, as described in Order of Taking recorded in Official Records Book 1533, page 187 (Clerk's Instrument No. 684B), of the public records of Pinellas County, Florida, also

LESS that part taken for road purposes as described in Order of Taking recorded in Official Records Book 1533, page 187 (Clerk's Instrument No. 684B) of the public records of Pinellas County, Florida;

Tract A, PUNTA VISTA SECOND ADDITION, according to plat thereof recorded in Plat Book 24, page 66, of the public records of Pinellas County, Florida;

Lot A, REPLAT OF LOTS 25, 26, 27, 28, 29 & 30, UNIT B, BENNETT BEACH, according to plat thereof recorded in Plat Book 22, page 8, of the public records of Pinellas County, Florida,

LESS that part lying within 40 feet of the Survey Line of State Road 699, Section 15100, as described in Order of Taking recorded in Official Records Book 1533, page 187 (Clerk's Instrument No. 684B) of the public records of Pinellas County, Florida;

Tract B, PUNTA VISTA SECOND ADDITION, according to plat thereof recorded in Plat Book 24, page 66, of the public records of Pinellas County, Florida.

PARCEL II:

Lot 27, REPLAT OF LOTS 25, 26, 27, 28, 29 & 30, UNIT B BENNETT BEACH, according to plat thereof recorded in Plat Book 22, page 8, of the public records of Pinellas County, Florida;

The Northwesterly 15 feet of Lot 10, UNIT D, BENNETT BEACH, according to plat thereof recorded in Plat Book 16, page 112, of the public records of Pinellas County, Florida,

LESS AND EXCEPT the following described parcel:

The Southeast 4 feet of the Northwest 15 feet of Lot 10, UNIT D, BENNETT BEACH, according to plat thereof recorded in Plat Book 16, page 112, of the public records of Pinellas County, Florida, being adjacent to and abutting that certain strip of land 6 feet in width and 101 feet more or less in length marked "Easement", as shown on UNIT E, BENNETT BEACH, according to plat thereof recorded in Plat Book 22, page 32, of the public records of Pinellas County, Florida.

PARCEL III:

Lot 28, REPLAT OF LOTS 25, 26, 27, 28, 29 & 30, UNIT B, BENNETT BEACH, according to plat thereof recorded in Plat Book 22, page 8, of the public records of Pinellas County, Florida,

LESS that part lying within 40 feet of the survey line of State Road 699, Section 15100, and that certain triangular tract in the most Southerly corner of said Lot 28, for road right-of-way, all as described in Order of Taking recorded in Official Records Book 1533, page 187 (Clerk's Instrument No. 684B) of the public records of Pinellas County, Florida;

That certain strip of land 6 feet in width and 101 feet more or less in length marked "Easement", as shown on UNIT E, BENNETT BEACH, according to plat thereof recorded in Plat Book 22, page 32, of the public records of Pinellas County, Florida;

The Southeast 4 feet of the Northwest 15 feet of Lot 10, UNIT D, BENNETT BEACH, according to plat thereof recorded in Plat Book 16, page 112, of the public records of Pinellas County, Florida, being adjacent to and abutting that certain strip of land 6 feet in width and 101 feet more or less in length marked "Easement", as shown on UNIT E, BENNETT BEACH, according to plat thereof recorded in Plat Book 22, page 32, of the public records of Pinellas County, Florida.

PARCEL IV:

The Northeasterly 10 feet of Lot 1 and all of Lot 2, PUNTA VISTA BENNETT BEACH, according to plat thereof recorded in Plat Book 21, page 45, of the public records of Pinellas County, Florida.

