

This instrument prepared by:  
 Debbie Banks  
 201 North 2<sup>nd</sup> Street  
 Palatka, Florida 32177

**ORDINANCE NO. 09 - 51**

**AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, PROVIDING THAT THE FUTURE LAND USE MAP AND FUTURE LAND USE ELEMENT OF THE ADOPTED COMPREHENSIVE PLAN BE AMENDED WITH RESPECT TO THREE PARCELS OF LAND (LESS THAN 10 ACRES IN SIZE) IN SECTION 10, TOWNSHIP 10 SOUTH, RANGE 26 EAST FROM COUNTY URBAN SERVICE TO CITY COMMERCIAL, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 163.3187, Florida Statutes, as amended, provides for the amendment of an adopted comprehensive plan, and

**WHEREAS**, Section 163.3187, Florida Statutes, as amended, provides that any local government comprehensive plan amendments directly related to proposed small scale development activities may be approved without regard to statutory limits on the frequency of consideration of amendments to the local comprehensive plan, and

**WHEREAS**, Section 163.3187, Florida Statutes, as amended, provides that a local government may amend its adopted comprehensive plan to change the land uses of up to 80 acres by small scale amendments annually, and

**WHEREAS**, the Planning Board conducted a public hearing on October 6, 2009, and recommended approval of this amendment to the City Commission, and

**WHEREAS**, the City Commission conducted a public hearing on this amendment on November 12, 2009,

**NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF PALATKA, FLORIDA:**

**Section 1. Adopted Small Scale Amendment**

That the Future Land Use Element and Future Land Use Map of the adopted comprehensive plan of the City of Palatka is hereby amended to provide that the land uses of the parcel of land listed in Table 1 below shall be changed as designated and that the Future Land Use Map shall be amended to show the changes in land use.

**TABLE 1  
 ADOPTED SMALL SCALE AMENDMENTS**

| <u>Property Tax Number</u> | <u>Acreage</u> | <u>Current Land Use</u> | <u>Amended Land Use</u> |
|----------------------------|----------------|-------------------------|-------------------------|
| 10-10-26-2100-0010-0050;   | .45            | County                  | City                    |
| 10-10-26-2100-0010-0010;   | 1.49           | Urban Service           | Commercial              |
| 10-10-26-0000-0390-0010    | 3.98           |                         |                         |

**DESCRIPTION OF PROPERTY:**

**Parcel #1:**

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of Block 1, according to plat entitled "Dr. Schlect's Subdivision, Unit No. 1, part of the West 22 acres of the NE ¼ of the SW ¼ of Section 10, Township 10 South, Range 26 East, Putnam County, Florida", said

plat being recorded in Map Book 3, page 167 of the public records of Putnam County, Florida.

TOGETHER WITH that portion of Coolidge Avenue and Garfield Avenue as closed or abandoned by Resolution recorded in Official Records Book 696, page 198 of the public records of Putnam county, Florida which would revert to the above described lands by operation of law.

EXCEPTING THEREFROM that part thereof conveyed for road right of way purposes as described in Deed Book 102, page 565 and Official Records Book 885, page 1863 (Parcel Number 183) of said public records.

**Parcel #2:**

A tract of land situated in the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 10, Township 10 South, Range 26 East being a part of land described in Parcel #2 of Official Records Book 668, page 1264 of the public records of Putnam County, Florida and being more particularly described as follows:

Commencing at a concrete monument at the Southwesterly corner of Lot 7, Block 1 according to Dr. Schlect's Subdivision, Unit No. 1, recorded in Map Book 3, page 167 of said public records and run thence Southerly, along a southerly projection of the Easterly right-of-way of Roosevelt Avenue, a distance of 61.265 feet to a concrete monument at a bend in the Southerly right-of-way of Garfield Avenue and the POINT OF BEGINNING of this description. From POINT OF BEGINNING (1) continue Southerly, along said Southerly projection of the Easterly right-of-way of Roosevelt Avenue, a distance of 502.0 feet. (2) Thence run Easterly, parallel with the South line of the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 10, a distance of 325.87 feet, more or less, to intersect with the Easterly line of lands described in Parcel #2 of Official Records Book 668, page 1264. Return to the POINT OF BEGINNING and (3) run thence Northeasterly, along the Southerly right-of-way of Garfield Avenue (closed in Official Records Book 696, page 198 of said public records), a distance of 333.33 feet to a concrete monument on the Easterly line of lands described in Parcel #2 of Official Records Book 668, page 1264. (4) Thence Southerly, along said Easterly line, being parallel with the West line of the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 10, a distance of 567.07 feet, more or less, to the Easterly end of call (2) and to close.

Containing 6.0 acres, more or less (Parcels #1 - 10-10-26-2100-0010-0010 and 10-10-26-2100-0010-0050 and #2 -10-10-26-0000-0390-0010)

All references are to the records of Putnam County, Florida.

**Section 3. Effect on the Comprehensive Plan**

The remaining portions of said adopted comprehensive plan of the City of Palatka, Florida, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**Section 4. Severability**

Should any section, subsection, sentence, clause, phrase or portion of this Ordinance be held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and shall not affect the validity of the remaining portion.

**Section 5. Effective date**

This Ordinance shall become effective thirty-one (31) days after its final passage by the City Commission of the City of Palatka, Florida.

**PASSED AND ADOPTED** by the City Commission of the City of Palatka on this 12<sup>th</sup> day of November, 2009.

CITY OF PALATKA

By: Karl H. Fagg  
Its Mayor

**ATTEST:**

Betsy J. Douglas  
City Clerk

Approved as to form and correctness

[Signature]  
City Attorney