

KARL N. FLAGG
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

GRA KITCHENS
COMMISSIONER

VERNON MYERS
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER



Regular meeting 2nd and 4th Thursdays each month at 6:00 p.m.

ELWIN C. "WOODY" BOYNTON, JR.
CITY MANAGER

BETSY JORDAN DRIGGERS
CITY CLERK

RUBY M. WILLIAMS
FINANCE DIRECTOR

GARY S. GETCHELL
CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT.

DONALD E. HOLMES
CITY ATTORNEY

AGENDA CITY OF PALATKA August 27, 2009

CALL TO ORDER:

- a. Invocation – Pastor Ben Tippet, Founding Pastor, Victory Christian Fellowship
- b. Pledge of Allegiance
- c. Roll Call

APPROVAL OF MINUTES – 8-10-09 Called Meeting

1. PUBLIC RECOGNITION

- a. **Proclamation** – National Alcohol and Drug Addiction Recovery Month – Sept. 2009
- b. **Sons of the Revolution Fire Safety Award Presentation** to Palatka Fire Dept.
- c. **Volunteer Recognition:** Oak Hill Park Clean-up Neighborhood Project
- d. **Retirement Recognition:** Lenwood McCullars Water & Sewer Distr. – 10 years
Eddie Walker Water & Sewer Distr. – 28 years

2. PUBLIC COMMENTS - (Speakers limited to three minutes – no action taken on items)

3. CONSENT AGENDA:

- *a. **Authorize execution of Modification to FEMA Subgrant Agreement #08HM-3G-04-64-02-022**, Project #1561-138-R, Fire Station Wind Retrofit Project, to increase the maximum amount payable to \$60,573.00 and amend the budget
- *b. **Issue Permit to exceed noise levels established by Chapter 30, Palatka Code of Ordinances to Bethany Seventh-Day Adventist Church for Tent Revival** to be held September 11 through October 3, every night except Thursday nights, from 7:00 p.m. to 9:00 p.m. -- Parks/Special Events Coordinator recommends approval
- *c. **Authorize execution of Development Agreement on 6805 and 6883 St. Johns Avenue (Arbor Place)** to limit future residential density to 12 dwelling units per acre – Central Modular Systems, Inc.; Robert A. Guirlinger, Agent; per recommendation of Planning Director and City Manager
- d. **Designate Trick or Treat hours for Halloween** on October 31, 2009 from 6:00 – 8:00 p.m.

* 4. PRESENTATION OF AUGUST 27, 2009 COMMUNITY REDEVELOPMENT AGENCY MEETING:

- a. South Historic District Annual Plan Modification
- b. Palatka Main Street/City of Palatka/CRA Contract
- c. Putnam County Chamber of Commerce/CRA Contract
- d. CRA Needs Assessment Report, including the Central Business District, North Historic District and South Historic District

AGENDA - CITY OF PALATKA

August 27, 2009

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- * 5. **PUBLIC HEARING** – 2403 Tommy Avenue – Planning Board Recommendation to Annex, Amend the Future Land Use Map and Future Land Use Element from Putnam County Urban Reserve to City of Palatka Low Density Residential, and Rezone from Putnam Co. R-1A to Palatka R-1A (single family residential) – Lorraine Wetherington & Marcia A. Carr, owners
 - a. Annexation Ordinance – Adopt
 - b. Land Use Amendment Ordinance - Adopt
 - c. Rezoning Ordinance – 1st reading

- * 6. **PUBLIC HEARING** – 2405 Tommy Avenue – Planning Board Recommendation to Annex, Amend the Future Land Use Map and Future Land Use Element from Putnam County Urban Reserve to City of Palatka Low Density Residential and Rezone from County R-1A (single-family residential) to City R-1A (single-family residential) – Rhoda Harris, owner
 - a. Annexation Ordinance – Adopt
 - b. Land Use Amendment Ordinance – Adopt
 - c. Rezoning Ordinance – 1st reading

- * 7. **PUBLIC HEARING** – 3403 & 3323 St. Johns Avenue – Planning Board Recommendation to Annex, Amend the Future Land Use Map and Future Land Use Element from Putnam County Urban Service to City of Palatka Commercial and Rezone from Putnam County CPO (Commercial, Professional Office) and R1A (Single Family Residential) to City of Palatka C-1A (Commercial Neighborhood District) – A Women’s Resource Center, owner
 - a. Annexation Ordinance – Adopt
 - b. Land Use Amendment Ordinance – Adopt
 - c. Rezoning Ordinance – 1st Reading

- * 8. **PUBLIC HEARING** – 3832 Reid Street – Planning Board Recommendation to Annex, Amend the Future Land Use Map and Future Land Use Element from Putnam County Urban Service to City of Palatka Commercial and Rezone from Putnam County C-2 (Commercial) and AG (Agricultural) to City of Palatka C-2 (Intensive Commercial) – Putnam Lanes, Inc., owner
 - a. Annexation Ordinance – Adopt
 - b. Land Use Amendment Ordinance – Adopt
 - c. Rezoning Ordinance – 1st Reading

- * 9. **ORDINANCE** amending the Code of Ordinances by revising Section 54-76(c), adding a preference given to property owners within the designated historic districts for appointment to the Historic Preservation Board – 2nd Reading, Adopt

- * 10. **ORDINANCE** – Rezoning Ashebrooke Estates, 2010 Ashebrooke Lane and 2020 Ashebrooke Lane, from R-4 (Mobile Home/conventional home residential) to R-1 (Single Family Residential) – 1st Reading

- * 11. **CONSIDER CODE ENFORCEMENT BOARD RECOMMENDATION to reduce the fine on 1406 Ocean Street (CE Case #05-417) from \$59,600 to \$15,000, inclusive of costs of prosecution (\$44,600 fine reduction exclusive of costs of prosecution) – M. Shelton Construction, owner/petitioner**

- ** 12. **PRESENTATION** – Riverfront Site Preliminary Development Agreement – Andrew Ham, Agent for Community Development Partners, Inc. (tabled from 8/10/09 – note this will be a separate attachment)

AGENDA - CITY OF PALATKA

August 27, 2009

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- * 13. **PRESENTATION** of Community Gardens Proposed Garden Sites and request for approval – Vice Mayor Brown and Ramicah Watkins

14. **ADMINISTRATIVE REPORTS**
City Manager Woody Boynton: Golf Course Update
Planning Director Position Update
Finance Director Position Update
8/11/09 Meeting with Congressman Mica Update

15. **COMMISSIONER COMMENTS**

16. **ADJOURN**

*Attachment

**Separate Cover

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. FS 286.105

PERSONS WITH DISABILITIES REQUIRING ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE CITY CLERK'S OFFICE AT 329-0100 AT LEAST 24 HOURS IN ADVANCE TO REQUEST ACCOMMODATIONS.

Upcoming Events:

September 7, 2009 – City Offices closed in observance of Labor Day
September 20, 2009 – Old Water Works Museum Open House; 2:00 – 5:00 p.m.
October 2, 2009 – Annual Employee Safety Luncheon – 12:00 noon – 1:30 p.m.
October 31, 2009 – Trick or Treat Observance – 6:00 to 8:00 p.m.
November 11, 2009 – City offices closed in observance of Veteran's Day
November 19 – 20, 2009 – FLC Annual Legislative Conference, Orlando, FL
November 26 & 27, 2009 – City Offices closed in observance of Thanksgiving

BOARD OPENINGS:

Code Enforcement Board: 1 person with engineering experience
1 alternate (at large)
Housing Authority Board: 1 Resident Representative
Tree Committee: 1 Vacancy (at large)

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**MODIFICATION TO SUBGRANT AGREEMENT BETWEEN
THE DIVISION OF EMERGENCY MANAGEMENT AND
CITY OF PALATKA**

This Modification Number One is made and entered into by and between the State of Florida, Division of Emergency Management ("the Division"), and the City of Palatka ("the Recipient") to modify DEM Contract Number 08HM-3G-04-64-02-022, dated November 5, 2007 ("the Agreement").

WHEREAS, the Division and the Recipient desire to modify the Agreement.

NOW, THEREFORE, in consideration of the mutual promises of the parties contained herein, the parties agree as follows:

1. The Agreement is amended to increase the maximum amount payable under the Agreement to Sixty Thousand Five Hundred Seventy Three Dollars (\$60,573.00).
2. The Budget Attachment A to the Agreement, are hereby modified as set forth in Revised Attachment A to this Modification, a copy of which is attached hereto and incorporated herein by reference.
3. All provisions of the Agreement being modified and any attachments in conflict with this Modification shall be and are hereby changed to conform with this Modification, effective on the date of execution of this Modification by both parties.
4. All provisions not in conflict with this Modification remain in full force and effect, and are to be performed at the level specified in the Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Modification as of the dates set out below.

RECIPIENT: CITY OF PALATKA

DIVISION OF EMERGENCY
MANAGEMENT

By: Karl N. Flagg

By: _____

Name and Title: KARL N. FLAGG, MAYOR

Ruben D. Almaguer, Interim Director

Date: 7/6/2009

Date: _____

Revised Attachment A

Budget and Scope of Work

As a Hazard Mitigation Grant Program project, the Recipient, the City of Palatka, will wind retrofit the Downtown Fire Station Building located at 100 North 11th Street, Palatka, Florida 32177, by purchasing and installing storm panels on fourteen (14) triangular windows, and motorized roll up shutters on seven (7) windows, three (3) storefronts, and six (6) bay doors. If deemed necessary, wind protection will be provided on any other openings such as skylights, vents, louvers and exhaust fans. All installations will be done in strict compliance with the Florida Building Code or Miami-Dade Specifications. All materials will be certified to meet the wind and impact standards for wind up to 150 mph. The local municipal or county building department will inspect and certify installation according to the manufacture specification.

This is FEMA project **1561-138-R**, funded under 1561-DR-FL.

The Period of Performance for this project ends on March 8, 2010.

Schedule of Work

State Contract Process:	6 Months
Apply Permits:	1 Month
Install Window Shutters and Motor for Operation:	6 Months
Final Inspection:	6 Months
State Final Inspection:	6 Months
State Closeout:	6 Months
<u>Potential Disaster Delays:</u>	<u>5 Months</u>
Total Period of Performance:	36 Months

Line Item Budget*

	Project Cost	Federal Share	Local Share
Subcontract for materi			
Installation of shutters:	<u>\$78,665.00</u>	<u>\$58,999.00</u>	<u>\$19,666.00</u>
Sub-total:	<u>\$78,665.00</u>	<u>\$58,999.00</u>	<u>\$19,666.00</u>
<u>Administrative Cost:</u>	<u>\$ 0.00</u>	<u>\$ 1,574.00</u>	<u>\$ 0.00</u>
Total:	<u>\$78,665.00</u>	<u>\$60,573.00</u>	<u>\$19,666.00</u>

** Any line item amount in this Budget may be increased or decreased 10% or less without an amendment to this Agreement being required, so long as the overall amount of the funds obligated under this Agreement is not increased.*

Funding Summary

Federal Share:	\$58,999.00 (75%)
Local Share:	<u>\$19,666.00</u> (25%)
Total Project Cost:	\$78,665.00. (100%)

Recipient Administrative Allowance up to \$1,574.00.

The materials and work funded pursuant to this Subgrant Agreement are intended to decrease the vulnerability of the building to property losses and are specifically not intended to provide for the safety of inhabitants before, during or after a natural man made disaster.

The funding provided by the Division of Emergency Management under this subgrant shall compensate for the materials and labor for the installation of storm shutters and/or other hardening activities as a retrofit measure for the Recipient's building to reduce and/or mitigate the damage that might otherwise occur from severe weather or other hazards. The funding of this project by the Department does not confer or imply any warranty of use or suitability for the work performed pursuant to this agreement.

The State of Florida disclaims all warranties with regard to this mitigation project, express or implied, including but not limited to, any implied warranties and/or conditions of satisfactory quality and fitness for a particular purpose, merchantability, or merchantable quality.

This project has not been evaluated by the criteria contained in the standards of the Department of Homeland Security, Federal Emergency Management Agency (FEMA) guidance manual FEMA 361-Design and Construction for Community Shelter, and thus does not provide "near absolute protection." It is understood and agreed by the Department and the Recipient that the building may have vulnerabilities due to age, design and location which may result in damage to the building from wind events even after the installation of the mitigation measures funded under this Subgrant Agreement. It is further understood and agreed by the Department and the Recipient that the level of wind protection provided by the mitigation action, although meeting State standards and codes and enhancing the structural integrity of the building, does not ensure the safety of survival of building occupants.

EXHIBIT – 1

FEDERAL RESOURCES AWARDED TO THE RECIPIENT PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

Federal Program: *Federal Emergency Management Agency*
Catalog of Federal Domestic Assistance Number: 97.039
Amount of Federal Funding: \$60,573.00

COMPLIANCE REQUIREMENTS APPLICABLE TO THE FEDERAL RESOURCES AWARDED PURSUANT TO THIS AGREEMENT ARE AS FOLLOWS:

Only the services described within the attached Agreement and Attachment A are eligible expenditures for the funds awarded.

STATE RESOURCES AWARDED TO THE RECIPIENT PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

Not Applicable

MATCHING RESOURCES FOR FEDERAL PROGRAMS:

Not Applicable

SUBJECT TO SECTION 215.97, FLORIDA STATUTES:

Not Applicable

COMPLIANCE REQUIREMENTS APPLICABLE TO STATE RESOURCES AWARDED PURSUANT TO THIS AGREEMENT ARE AS FOLLOWS:

Not Applicable

NOTE: Section .400(d) of OMB Circular A-133, as revised, and Section 215.97(5)(a), Florida Statutes, require that the information about Federal Programs and State Projects included in Exhibit 1 be provided to the recipient.

*Agenda
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INTEROFFICE MEMORANDUM

TO: WOODY BOYNTON / CITY MANAGER
FROM: JEFF NORTON
SUBJECT: NOISE VARIENCE
DATE: 8/19/2009
CC: BETSY DRIGGERS

I received a letter from Pastor Ricardo Daphnis requesting a "Noise Variance" for a Tent Revival being held on September 11, 2009 thru October 03, 2009.

The hours of the Revival are from 7pm to 9pm.

I recommend the "Noise Variance" for this event.

The Revival will be held on the Property of Bethany SDA Church located at 1001 North 19th Street.

If you have any questions please contact my office

Jeff Norton



Bethany Seventh-day Adventist Church
1001 N. 19th Street Palatka, FL 32177-2019
PO Box 2188 Palatka, FL 32178-2188

August 18, 2009

To Whom It May Concern:

This letter is written to apply for a noise variance ordinance for an upcoming tent revival which will be held on the Bethany SDA Church property. The tent meeting will take place from September 11-October 3. The meeting hours will be from 7 PM to 9 PM. The location address is 1001 N. 19th Street (on the corner of Washington and 19th Street). There is a map of the area attached on the next page. The meeting will include food distribution, children's program, and other community outreach programs.

We thank you in advance for considering our application. We look forward to working with you as we both help to improve our community.

If you have any questions please feel free to contact me at (561) 797-9088 or (386) 328-6311.

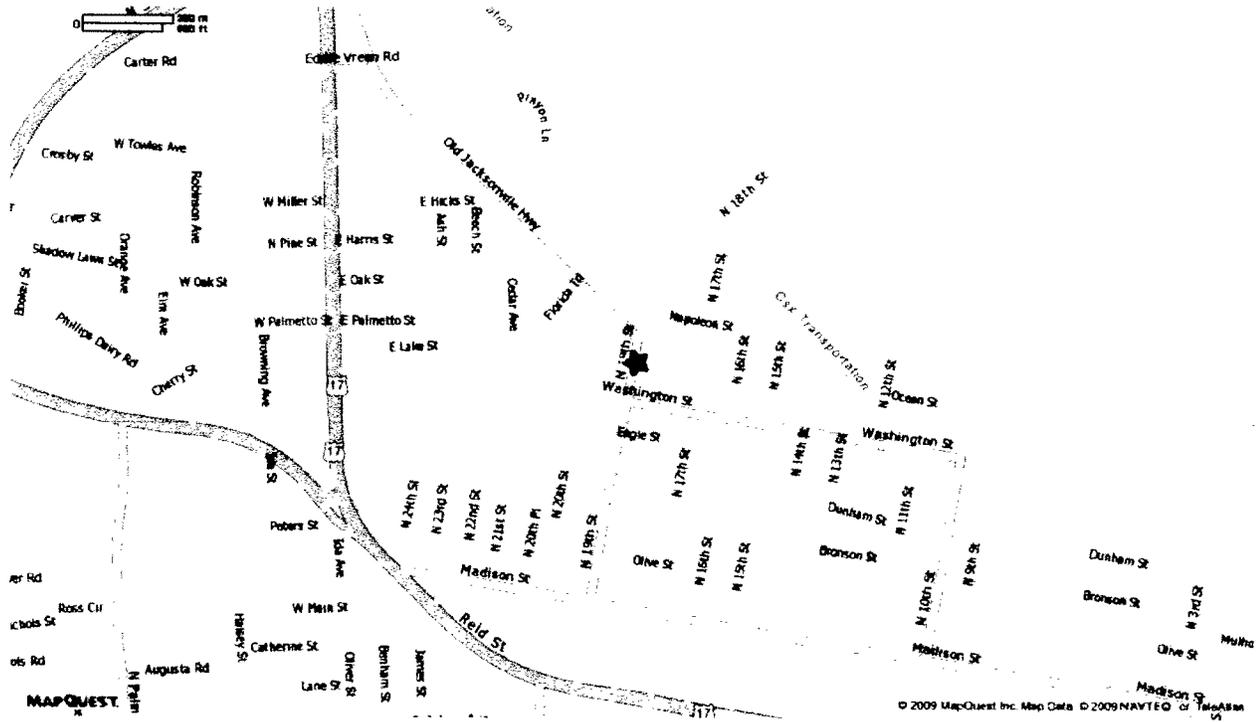
Pastor Ricardo Daphnis

Amplified sound under tent. -
200 watt amp
low power system
Every night except Thursdays.

MAPQUEST.

Berry! When printing directly from the browser your directions or map may not print correctly. For best results, try clicking the Printer-Friendly button.

★ 1001 N 19th St E
Palatka, FL 32177-2019



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**CITY OF PALATKA CITY COMMISSION
AGENDA ITEM**

ITEM: Approval of development agreement limiting the future residential density to 12 dwelling units per acre for 6805 and 6883 St. Johns Avenue (Arbor Place)

DEPARTMENT: Building & Zoning

AGENDA SECTION: Consent agenda

ATTACHMENTS: 1. 6805 and 6883 St. Johns Avenue development agreement (Central Modular Systems Inc).

DATE: August 27, 2009

SUMMARY HIGHLIGHTS:

On December 30, 2008, the City Commission approved Ordinance No. 08-21 which approved this large scale future land use amendment of 18.55 acres from Agricultural (AG) to High Density Residential (HDR) with a density limitation of 12 dwelling units per acre. This reflected the State Department of Community Affairs comments which requested both a notation on the Future Land Use Map and a development agreement. This density cap was recommended by the Planning Board with concurrence from the property owner.

Attached for the City Commission's approval is a development agreement signed by the owners' representatives.

RECOMMENDED ACTION:

Staff recommends approval of the attached development agreement.

AGENDA ITEM NUMBER:

AGENDA PAGE NUMBER:

**6805 AND 6883 ST. JOHNS AVENUE DEVELOPMENT AGREEMENT
CENTRAL MODULAR SYSTEMS INC**

THIS DEVELOPMENT AGREEMENT (this "Agreement"), is made and entered into as of the ____ day of _____, 2009, by and between **CENTRAL MODULAR SYSTEMS, INC**, its successors, or assigns ("**Developer**"), and the **CITY OF PALATKA**, a political subdivision of the State of Florida (the "**City**").

RECITALS:

A. Developer owns the land described on the attached Exhibit "A" containing approximately 18.55 acres (the "Property").

B. The Property currently has a Comprehensive Plan Future Land Use Map designation as High Density Residential (HDR).

C. Ordinance No. 08-21 required that an executed agreement be approved by the City of Palatka to limit the residential density to 12 dwelling units per acre. This is consistent with prior City Commission actions and based upon a recommendation by the Planning Board. It was also a recommendation by the State Department of Community Affairs.

D. The implementation of this Agreement is determined by the City to be consistent with the City's Comprehensive Plan and Land Development Regulations.

NOW, THEREFORE, in consideration of the mutual terms, covenants and conditions in this Agreement, and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, the parties agree as follows:

1. Findings of Fact. The Recitals set forth above are true and correct and are incorporated herein by reference as Findings of Fact.

2. Density and Intensity of the Development.

(a) Residential Development. Development within the Property that has a designation of High Density Residential (HDR) on the future land use map ("FLUM") of the City's Comprehensive Plan shall include and be subject to the following:

(i) A residential density of 12 dwelling units per acre.

3. Authority. This Agreement is made and entered into pursuant to Chapter 163, Florida Statutes, and the City's home rule authority.

4. **Binding Effect.** The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors in interest to the parties to this Agreement.

5. **Applicable Law; Jurisdiction and Venue.** This Agreement and the rights and obligations of the City and Developer under this Agreement shall be governed by, construed under, and enforced in accordance with the laws of the State of Florida. Venue for any litigation pertaining to the subject matter of this Agreement shall be exclusively in Putnam County, Florida. The fact that this Agreement does not detail all laws, rules, regulations, permits, conditions, terms and restrictions that must be satisfied to complete the development contemplated by this Agreement shall not relieve Developer or its successors in interest of the obligation to comply with the law governing such permit requirements, conditions, terms and restrictions.

6. **Joint Preparation.** Preparation of this Agreement has been a joint effort of the parties and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against one of the parties than the other.

7. **Exhibits.** All exhibits attached to this Agreement contain additional terms of this Agreement and are incorporated into this Agreement by reference.

8. **Captions or Paragraph Headings.** Captions and paragraph headings contained in this Development Agreement are for convenience and reference only, and in no way define, describe, extend or limit the scope of intent of this Agreement, nor the intent of any provision of this Agreement.

9. **Counterparts.** This Agreement may be executed in counterparts, each constituting a duplicate original, but such counterparts shall constitute one and the same Agreement.

10. **Effective Date, Duration of Agreement.** This Agreement shall become effective upon being recorded by the County in the public records of Putnam County. This Agreement may be amended or terminated by mutual consent of the parties so long as the amendment or termination meets the requirements of the Chapter 163, Florida Statutes, and applicable County Ordinances.

11. **Duration of Permits.** Developer acknowledges that this Agreement does not extend the duration of any permits or approvals.

12. **Further Assurances.** Each party to this Agreement agrees to do, execute, acknowledge and deliver, or cause to be done, executed, acknowledged and delivered, all such further acts, and assurances in a manner and to the degree allowed by law, as shall be reasonably requested by the other party in order to carry out the intent of and give effect to this Agreement. Without in any manner limiting the specific rights and obligations set forth in this Agreement or illegally limiting or infringing upon the governmental authority of the City, the parties declare their intention to cooperate with each other in effecting the

purposes of this Agreement, and to coordinate the performance of their respective obligations under the terms of this Agreement.

13. Notices. Any notices or reports required by this Development Agreement shall be sent to the following:

For the City: City of Palatka
Attn: Building and Zoning Administrator
201 N. 2nd Street
Palatka, FL 32177

With copy to: Don Holmes
City Attorney
201 N. 2nd Street
Palatka, FL 32177

For Developer: Robert A. Guirlinger
Central Modular Systems, Inc
1309 E. International Speedway Blvd
Deland, FL 32724

Palatka City Commission

Passed and Duly Adopted by the ~~Board of County Commissioners~~, this _____ day of _____, 2009.

Attest: City of Palatka

By: _____
City Clerk

By: _____
It's Mayor

IN WITNESS WHEREOF, the parties hereto, through their duly authorized representatives, have executed this Agreement on the day(s) and year set forth below.

Signed, sealed and delivered
in the presence of:

CENTRAL MODULAR SYSEMS INC

Print:

By: Robert A. Guirlinger
Director of Finance and Development

Nancy Elgart
Print: Nancy Elgart

STATE OF FLORIDA }
COUNTY OF Volusia }

The foregoing instrument was acknowledged before me this 12th day of August, 2009, by Robert A. Guirlinger, Director of Finance and Development, on behalf of the company, Personally Known/ or Produced ID (circle one). Type of ID produced: _____

Print Name: Nancy Elgart
Notary Public State of Florida at Large
My Commission Expires: _____

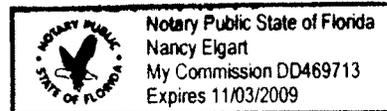


EXHIBIT "A"

Legal Description

The East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 9, Township 10 South, Range 26 East, less those lands owned by the Board of County Commissioners that easement located in O.R. Book 494, Page 1874, public records of Putnam County, Florida.

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*Agenda
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4a

201 N. 2nd Street
Palatka, FL 32177
Tel. (386) 329-0100
Fax (386) 329-0199

City of Palatka
Office of the City Manager

To: CRA Board Members

From: Woody Boynton, City Manager

Date: August 21, 2009

RE: Southside Historic Neighborhood Association Request to Allocate Money

The Southside Historic Neighborhood Association is requesting that \$90,000.00 of monies previously indicated as reserve funds from the December 14, 2008 annual plan be allocated to various projects. The projects are listed in their June 14, 2009 memo (attached) and includes an additional \$71,800.00 be allocated to their Home Improvement Grant program. In addition to the June 14th memo, the Association has provided an updated list of all properties completed and In-Progress through their Home Improvement Program. This is attached with the August 19, 2009 memo.

If the \$71,800.00 is approved, a total of \$211,800.00 will have been appropriated for their Home Improvement Program. This includes the original \$80,000.00 that was assigned in December 2008; \$60,000.00 that was reallocated on August 10, 2009 and the \$71,800.00 currently being requested.

With the approval of this request, it is estimated that \$50,000 +/- will still be set aside in reserves.



Southside Historic Neighborhood Association
PO Box 2507
Palatka, Florida 32178

June 14, 2009

Woody Boynton
Palatka City Manager
201 North 2nd Street
Palatka, FL 32177

Re: Southside TIF Funds Budget (June 2009-January 2010)

Dear Mr. Boynton:

The Southside Historic Neighborhood Association (SHNA) is requesting the use of \$60,000.00 originally approved for the purchase of property at 420 Kirby Street to be reallocated to the Tax Increment Finance Fund/Home Improvement Program (TIF/HIP) per the SHNA minutes dated April 20, 2009. Also the anticipated Southside TIF expenditures through January, 2010 are listed below:

1. Completion of Tilghman House renovations > \$200,000.00 (allocated previously)
2. Continuation of the TIF/HIP > \$71,800.00 (additional funds)
3. Restoration/landscaping of Hammock Hall > \$1,500.00
4. New Southside District signage/landscaping @ Laurel & River Streets > \$700.00
5. Purchase of historical bronze standing marker (location TBD) > \$5,000.00
6. Mural on South side of Hammock Hall > \$11,000.00

Balance of remaining unallocated funds > \$50,000.00 + remainder of CD (\$2,376.00) & CD interest

Sincerely,


Roberta Correa

Southside Historical Neighborhood Association
shna@shna.net

SOUTHSIDE HISTORICAL NEIGHBORHOOD ASSOCIATION

June 15, 2009

MINUTES: Volume 6

Call to order; The meeting was called to order by President Roberta Correa.

Secretary's minutes; Minutes from the May meeting were read and approved.

Treasurer's Report; Lucille Estes reports that we have \$2,161.12 in our checking account and our \$3,000. CD is still in place.

Old TIF Business :

It was reported that the Tilghman House has old siding removed. termite treatment and structural repairs are underway.

Old TIF Business;

The subject of the Southside TIF budget through January 2010 was opened and many questions and answers were addressed. Ted McGibbons made the motion to approve the budget. motion was seconded and passed unanimously . Details of budgeted items specified in attached letter Dated June 14, do hereby become part of these minutes.

TIF/HIP; Five projects completed. Three in process. Six applications pending.

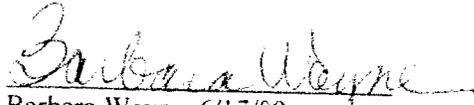
CRA; The final meeting scheduled for July 15, 2009, Hammock Hall at 6:30.

Old Business:

The roundabout at the intersection of Kirkland and River has been put on hold until Linda Crider returns in the fall.

Community Crime Prevention, The Crime Free Multifamily Housing Program is still in it's Infancy. Rodney or Barbara will contact Commander Fells, pertaining to becoming educated About the program.

Renting of Hammock Hall will be updated before our July meeting. We will have a calendar added to our website (www.shna.net) You or anyone may go to the calendar to check the scheduled dates the hall will be available. However only two people will be allowed to book dates and change the calendar. Currently it is Rodney Carnes and Jan Pettit.



Barbara Wayne 6/17/09

Secretary, Southside Historical Neighborhood Association

SIGN-IN SHEET SHNA MEETINGS

DATE June 15, 2009

#PRESENT 16

NAME

E-MAIL ADDRESS

Tom Mac Gibbon

Robert Emmons

MIKE GAGNON

DARYL LEWIS

Roberta Correa

Rhonda Sharer

LUCY VISNAW

RODNEY CARNE'S

Luella Ester

Barbara Wayne

2 - Michael & Helen Probst

2 - Jeff & Susan Frank

Melanie Parker

Suzanne Jacob



Southside Historic Neighborhood Association
PO Box 2507
Palatka, Florida 32178

August 19, 2009

Woody Boynton
Palatka City Manager
201 North 2nd Street
Palatka, Florida 32177

Subject: TIFF/HIP additional allocation request

Dear Mr. Boynton:

The CRA and City Commission initially approved the Southside Historic Neighborhood Association (SHNA)'s request for \$80,000.00 to begin implementation of the Tax Increment Finance Fund/Home Improvement Program (TIFF/HIP) on December 18, 2008. The program began in early 2009 and to date seven (7) properties have been completed, four (4) projects are in process and nine (9) applications are pending (see attached sheet for specifics). On August 11, 2009 the CRA and City Commission approved an additional \$60,000.00 originally allocated for another purpose to the TIFF/HIP. SHNA had also submitted a budget for that meeting which included an additional allocation to the TIFF/HIP of \$71,800.00 as well as some other anticipated expenditures specified in a letter to you dated June 14, 2009.

SHNA's total TIF expenditures will be significant this year. However the largest disbursement has gone towards the restoration of Tilghman House (\$220,000.00). SHNA is in support of this worthwhile effort since Tilghman House serves as the gateway to both the South District and the Central Business District. By comparison, the TIFF/HIP will restore at least twenty (20) homes for the total funding requested to date (\$211,800.00). The value this Program provides to the City and the South Historic District is an undeniable benefit of this investment!

Thank you for your continued support of our efforts,

Roberta Correa, President
Southside Historic Neighborhood Association

Attachments

TIFF/HIP Cost Summary
SHNA TIF Budget Letter dated June 14, 2009
SHNA Meeting Minutes dated June 15, 2009



SOUTHSIDE HISTORIC NEIGHBORHOOD ASSOCIATION
TIFF/HIP COST SUMMARY

ADDRESS	PROJECT COST
<u>Completed Projects (7)</u>	
114 Dodge Street* (exterior paint)	\$17,641.00
506 Emmett Street*(exterior paint, new roof)	\$13,591.00
512 Emmett Street (exterior paint)	\$16,721.00
520 Emmett Street (exterior paint including metal roof)	\$11,475.00
510 Emmett Street (exterior paint including metal roof)	\$4,850.00
611 Crill Avenue (porch>structural repair & roof, exterior paint)	\$12,563.00
413 Emmett Street (new roof, exterior paint)	\$6,355.00
Total Paid> \$82,336.00	
<u>Issued Purchase Orders/In Progress (4)</u>	
129 Kirkland Street*(exterior paint)	\$6,365.00
120 Kirkland Street (structural repair, replace 10 leaking aluminum windows with wood & wood siding, replace porch columns, exterior paint)	\$22,564.00
622 River Street* (exterior paint)	\$6,395.00
621 Emmett Street (porch structural repair, baluster replacement, exterior paint including metal roof)	\$12,587.00
Total Purchase Orders> \$48,771.00	
	<u>Total Paid & Committed Funds> \$131,107.00</u>
<u>Total Funding Allocated/Approved by CRA & City Commission to Date> \$140,000.00</u>	
<u>Additional Amount Approved & Requested by SHNA to Continue Program> \$71,800.00</u>	
	<u>Current Number of Pending Applications> 9</u>

*Agenda
Item*

4b

201 N. 2nd Street
Palatka, FL 32177
Tel. (386) 329-0100
Fax (386) 329-0199

City of Palatka
Office of the City Manager

To: CRA Board Members

From: Woody Boynton, City Manager

Date: August 21, 2009

RE: CRA/City of Palatka/Main Street Contract and the CRA/Chamber of Commerce Agreement

Attached for approval is a Contract between the CRA, the City of Palatka and the Palatka Main Street as well as an Agreement between the CRA and the Chamber of Commerce. The City Attorney Don Holmes has reviewed and made the necessary changes to the Contract between the CRA, the City of Palatka Agreement. These changes include incorporating the City of Palatka as a party to the contract and more clearly stating the relationship of the Main Street Manager to each party. No changes were made to the Agreement between the CRA and the Chamber of Commerce .

We are recommending approval of both contracts and request the Mayor be authorized to sign both as presented.

CONTRACT FOR SERVICES PALATKA MAIN STREET

THIS CONTRACT, made and entered into this ___ day of _____ 2009, by and between the Community Redevelopment Agency the “CRA”), a political subdivision of the State of Florida, the City of Palatka by and through its City Commission (the “City”) and the Palatka Main Street Inc., a Florida non-profit corporation (the “Organization”).

WITNESSETH: That the CRA, City, and the Organization, for and in consideration of the mutual covenants herein made and the benefits flowing from each party to the other, do hereby agree as follows:

- A. The Organization shall serve as the lead organization for coordination of the Palatka Main Street program which shall be a stand-alone program contracted to provide the following services in addition to other Main Street duties:**
1. Implement the CRA’s Central Business District’s (CBD) annual plan following the critical elements listed in the plan. CBD group approval is required prior to expending funds unless indicated in the annual plan. Major initiatives may also require CRA and City approval before expending funds. City purchasing procedures must be followed for any expenditure of funds.
 2. In addition to the CBD’s annual plan, develop goals and objectives in the following manner:
 - a. Develop and implement an economic restructuring plan to identify and pursue potential businesses and to identify the needs of existing business owners and research solutions to their problems. A committee list, and goals and objectives, are to be provided annually to the CRA.
 - b. Develop a design strategy in conjunction with other groups, to develop a theme for downtown, maintain grant programs; and to develop design guidelines for signage, etc. A committee list, and goals and objectives, are to be provided annually to the CRA.
 - c. Develop a calendar for promotions in conjunction with other groups that will include all levels of events from in-store to festivals. Work with other organizers to coordinate all events to be held downtown. A committee list, calendar, and goals and objectives, are to be provided annually to the CRA.
 3. Maintain networking relationships with Florida Main Street, Visit Florida, economic development agencies, tourism agencies, and other Main Street organizations.
 4. Research and pursue grant opportunities as a 501C-3 tax exempt organization for any project where grants may be available.
 5. Maintain financial records and reports relating to utilization of all funds provided to the organization by the CRA and provide copies of budgets and annual financial reports to the City Manager.
 6. Retain all books, records, documents and other evidence reflective of all income and expenditures for three (3) years after final payment under this Contract.
 7. Furnish the CRA with quarterly written reports on CBD activities and a final written report at the end of each calendar year incorporating results as it relates to the stated goals and objectives.

B. RETURN OF FUNDS

Any CRA funds not expended for the services set forth herein shall be returned to the CRA.

C. ASSIGNMENT

The organization shall not assign, convey, pledge, or otherwise dispose of any interest in this Contract or the funds provided by the CRA or transfer any interest in same.

D. MAIN STREET MANAGER

1. The Chief Administrator of the Main Street Organization shall be known as the Main Street Manager. The Main Street Manager shall be an employee of the City of Palatka and shall receive a salary and benefit package under the City's employee salary and benefit program. However, with regard to routine and day-to-day operations, the Main Street Manager shall be directly supervised by and shall answer directly to the Board of Directors of the Palatka Main Street, Inc., a Florida not-for-profit corporation. Since the Main Street Manager shall be an employee of the City of Palatka, the City of Palatka does, however, reserve and retain the ultimate responsibility for supervision of the Main Street Manager, including the ultimate decision of employee discipline, up to and including termination. The parties agree that the City of Palatka should not delegate ultimate responsibility for supervision of a City employee to any non-city organization or entity. However, before taking any action with regard to the Main Street Manager, the City of Palatka, by and through its authorized representatives, shall consult with the Board of Directors of Palatka Main Street, Inc., and to the extent possible, shall give great weight to their recommendation.

2. The City of Palatka shall provide a salary and benefit package to the Main Street Manager in recognition of his status as a City employee. The salary and benefit package of the Palatka Main Street Manager shall be determined annually by the City of Palatka after consultation with the Palatka Main Street, Inc., Board of Directors, and after consideration of factors, including but not limited to the performance of the Main Street Manager during the preceding year in implementing the goals and programs of Palatka Main Street, Inc.

E. OTHER FUNDING

Upon request to the Central Business District committee and after approval by the CRA, other funding as allowed by F.S. 163 may be provided.

F. TERM

The initial term of this Contract shall be _____, 2009 through _____ 2010. Thereafter, this Contract shall automatically renew annually unless either party gives written notice to the other of its desire to terminate the Contract. Such notice shall be given no less than 30 days prior to _____ of each year.

G. INCLUSIVE TERMS AND CONDITIONS

This Contract contains all the terms and conditions agreed upon by the parties. No other contracts oral or otherwise regarding the subject matter of this Contract shall be deemed to exist or to bind any of the parties hereto.

H. TERMINATION WITH OR WITHOUT CAUSE

The Contract shall remain in full force and effect until and unless either party shall give written notice to the other party of its desire to terminate this Contract with or without cause, on a specified time and date thereafter. Such written notice to terminate this Contract shall be given no less than thirty (30) days prior to the date this Contract shall be so terminated, with prompt notice in the event funds become unavailable to any party for any reason whatsoever. The City and CRA shall be the final authority as to the availability of funds. In the event of such termination the Organization shall be paid by the City/CRA for all services previously authorized by the City/CRA and actually, timely and faithfully render up to receipt of the termination notice, and for all other services authorized by the City/CRA.

IN WITNESS WHEREOF, the parties have executed this Contract at Palatka, Putnam County, Florida, this ___ day of _____ 2009.

PALATKA COMMUNITY REDEVELOPMENT AGENCY

ATTEST

Betsy J. Driggers, City Clerk

By: _____
Karl N. Flagg, CRA Chairman

PALATKA MAIN STREET ORGANIZATION

Witness

By: _____

Witness

Its _____

**STATE OF FLORIDA
COUNTY OF PUTNAM**

I HEREBY CERTIFY, that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, _____, to me personally known or who has presented a driver's license as identification and reported to be the person described in and who executed the foregoing lease, and he acknowledged before me that he executed the same for the purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Palatka, said County and State, this ____ day of _____, 2009.

Notary Public

My commission expires:

CITY OF PALATKA

Witness

By: _____
Karl N. Flagg, It's Mayor

Witness

**STATE OF FLORIDA
COUNTY OF PUTNAM**

I HEREBY CERTIFY, that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, _____, to me personally known or who has presented a driver's license as identification and reported to be the person described in and who executed the foregoing lease, and he acknowledged before me that he executed the same for the purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Palatka, said County and State, this ____ day of _____, 2009.

Notary Public

My commission expires:

*Agenda
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AGREEMENT

This Agreement is made and entered into this _____ day of _____ 2009, by and between the Palatka Community Redevelopment Agency (CRA) and the Putnam County Chamber of Commerce, Inc. (Chamber) for the provision of office space and support services for the Main Street Program Manager.

The CRA agrees to pay the Chamber \$450.00 per month in exchange for the following:

A. OFFICE SPACE

The Chamber agrees to provide office space including utilities for the Palatka Main Street Manager.

B. OFFICE SERVICES

The Chamber agrees to provide support services to the Main Street Manager to include receptionist services. (i.e. answer telephone and assist visitors)

C. OTHER

The Chamber will provide necessary office supplies and use of office equipment. A copy allowance of 100 copies per month is included in the monthly fee. Bulk copy jobs to be made at City Hall.

D. ASSIGNMENT

This Agreement is not assignable.

E. TERMS

The initial term of this Agreement shall be _____, 2009 through _____, 2010. Thereafter this contract shall renew annually unless either party gives written notice to the other of its desire to terminate the Agreement.

F. INCLUSIVE TERMS AND CONDITIONS

This Agreement shall remain in full force and effect until and unless either party shall give written notice to the other party of its desire to terminate this Agreement with or without cause, on a specified time and date thereafter. Such notice shall be given no less than 30 (thirty) days prior to the date of termination.

IN WITNESS WHEREOF, the parties have executed this Contract at Palatka, Putnam County, Florida, this _____ day of _____ 2009.

PALATKA COMMUNITY REDEVELOPMENT AGENCY

ATTEST

Betsy J. Driggers, City Clerk

By: _____
Karl N. Flagg, CRA Chairman

PUTNAM COUNTY CHAMBER OF COMMERCE

Witness

By: _____
Diane Northrip, Chairman

Witness

STATE OF FLORIDA

COUNTY OF PUTNAM

I HEREBY CERTIFY, that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, _____, to me personally known or who has presented a driver's license as identification and reported to be the person described in and who executed the foregoing lease, and he acknowledged before me that he executed the same for the purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Palatka, said County and State, this _____ day of _____ 2009.

Notary Public

My commission expires:



July 22, 2009

Mr. Karl Flagg, Mayor
City of Palatka
201 North 2nd Street
Palatka, Florida 32177

Dear Mayor Flagg:

This is to advise that the Palatka Main Street Steering Committee and the Board of Directors of the Putnam County Chamber of Commerce have concurred with the proposed **Contract for Services – Palatka Main Street** by and between the Community Redevelopment Agency, by and through the City Commission and the Palatka Main Street organization.

If approved by the City of Palatka, it is our understanding that this would result in the termination of the previous Palatka Main Street organization agreement/contract between the City of Palatka and the Putnam County Chamber of Commerce effective the date that the new **Contract for Services – Palatka Main Street** is approved by the City of Palatka.



P.O. Box 550 • Palatka, Florida 32178-0550
Phone: (386) 328-1503 • Fax: (386) 328-7076
E-Mail: pcccfia@bellsouth.net
Website: <http://www.putnamcountychamber.org>



At the City's request some two years ago, the Chamber undertook to restore the Palatka Main Street organizational structure, attract volunteer participants, and initiate an ongoing program of action. We believe we have accomplished that task and are pleased to see the program returning to the City's administrative control. It has been a pleasure working with the City on this important downtown redevelopment program.

On the second draft Agreement between the Palatka Community Redevelopment Agency and the Putnam County Chamber of Commerce; the Chamber agrees with the proposed draft with a few minor changes in paragraph C., Other. It is requested that the paragraph be changed to read: "The Chamber will provide general minor office supplies and the use of office equipment. A copy allowance of 100 copies per month is included in the monthly fee. Bulk copies will be made at City Hall. The City of Palatka will also reimburse the Putnam County Chamber of Commerce for recurring expenses, i.e., monthly telephone line, etc."

Sincerely,



Diane Northrip
Chairman

Copy to:
Mr. John Browning, Palatka Main Street, Inc.

**AGREEMENT FOR SERVICES
FOR THE ADMINISTRATION OF
THE PALATKA MAIN STREET PROGRAM**

THIS AGREEMENT, made and entered into this 1st day of June 2007, by and between the **City of Palatka**, a political subdivision of the State of Florida, by and through its City Commission (the "city"), and the **Putnam County Chamber of Commerce** (the "Main Street Agency").

WITNESSETH: That the **City** and the **Main Street Agency**, for and in consideration of the mutual covenants herein made and the benefits flowing from each party to the other, do hereby agree as follows:

- A. The **Main Street Agency** shall serve as the lead organization for coordination of the Palatka Main Street program services as herein described with the boundaries of the City, and provide the following services.
1. Implement the National Main Street approach to downtown revitalization. The methodological components of a successful Main Street are organization, promotion, and design, and economic restructuring.
 2. Develop a business plan incorporating goals and objectives for the four components of the Main Street methodology.
 3. Hire a properly qualified Main Street Manager, or provide training for an individual qualified to serve as a project manager, for the Main Street program who will be a member of the Putnam County Chamber of Commerce staff. The Main Street Manager will also serve as the Community Redevelopment Agency Director for the City of Palatka, but shall only report to, and be responsible only to, the President of the Putnam County Chamber of Commerce who has the sole authority to hire and terminate all Chamber employees including the Main Street Manager.

4. Develop an organizational strategy that will provide a coordinated and structured approach to revitalization of downtown, recognizing that the Main Street program, while focused on downtown, is working to improve the economic health of the entire community.
5. Support a design approach that will drive getting Palatka's Main Street(s) into top physical condition – inviting atmosphere and building improvements – to convey a positive visual message about the commercial district and what it has to offer residents and visitors. In the process, the Main Street program recognizes three treatments that may be appropriate to our community – restoration, major rehabilitation of historic buildings, *conservation rehabilitation*, along with new construction, and long-term planning.
6. Prepare and carry out a downtown promotional program that will work toward developing and promoting a positive image for downtown Palatka marketing the unique characteristics to residents, investors, business concerns, and visitors “selling the positive image of the commercial district.”
7. Work with appropriate agencies to promote strengthening existing economic assets while expanding and diversifying downtown's economic base. The economic development restructuring effort/initiative of downtown will take into consideration housing options, variety of goods and services available in the downtown area, and the preparation of a “benchmark” or some other type of measuring device to evaluate success.
8. Maintain an inventory of all buildings (with photographs) and contact information on their owners, in a defined downtown area.
9. Maintain a record of available electrical, water, sewer and natural gas services and provide potential users with a cost analysis based upon needs of the specific user.
10. Maintain a demographic picture of the potential area consumers to include its economic profile along with other appropriate characteristics.

11. Coordinate prospect visits and serve as their liaison with governmental entities and other agencies as appropriate.
12. Maintain working relationships with Florida Mainstreet, Visit Florida, Cornerstone, utilities, and other economic development agencies, tourism, and other main street organizations to generate potential business for the downtown area.
13. Coordinate efforts to obtain grants monies for appropriate projects, where available.
14. Maintain financial records and reports relating to the utilization of all funds provided to the Main Street Agency by the City of Palatka and provide the City of Palatka through the City Manager copies of its annual financial review.
15. Submit monthly expenditure statements to the City Manager for reimbursement for services rendered pursuant hereto.
16. Maintain books, records, documents and other evidence that reflect all costs of any nature related to Main Street activities and programs.
17. Retain all books, records, and other documents relative to this Agreement for three (3) years after final payment under this Agreement.
18. Furnish the City with quarterly written reports on Main Street activities and a final written report at the end of each calendar year.

B. RETURN OF FUNDS.

Any City funds not expended for the services set forth herein shall be returned to the City.

C. ASSIGNMENT.

The **Main Street Agency** shall not assign, convey, pledge, or otherwise dispose of any interest in this Agreement or the funds provided by the **City**, and shall not transfer any interest in the same.

D. FUNDING.

The **City** agrees to provide to the Chamber of Commerce a budget for operating the Main Street program in an annual lump sum to be mutually determined, once per year for the performance of services provided herein. The **City** will also pay the Chamber 10 percent of the total budget to reimburse the Chamber for overhead.

E. USE OF FUNDING.

Funds provided by the **City** shall be used for the payment of salaries, fringe benefits of the **Main Street Agency** employees, office expenses, office machinery and equipment, books, dues and subscriptions, research and data development, conference and travel, and printing and advertising to operate the Main Street program. In addition, The **City** of Palatka shall provide necessary office furniture, filing cabinets, etc., to equip the Palatka Main Street Managers office. The **City** of Palatka will also reimburse the Chamber for the costs associated with the installation of necessary telecommunication facilities.

F. TERM.

The initial term of this Agreement shall be 3/22, 2007, through 3/22 2008, Thereafter, this agreement shall automatically renew annually unless either party gives written notice to the other of its desire to terminate the Agreement. Such notice shall be given no less than 30 days prior to 3/22 of each year.

G. INCLUSIVE TERMS AND CONDITIONS.

This Agreement contains all the terms and conditions agreed upon by the parties. No other agreements oral or otherwise regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the parties hereto.

H. TERMINATION WITH OR WITHOUT CAUSE.

The Agreement shall continue and remain in full force and effect until and unless either party shall give written notice to the other party of its desire to terminate this Agreement, with or without cause, on a specified time and date thereafter. Such written notice to terminate this Agreement shall be given no less the thirty (30) days prior to the date this Agreement shall be so terminated, with prompt notice in the event funds become unavailable to any party for any reason whatsoever. The City shall be the sole and final authority as to the availability of funds. In the event of such termination, the Main Street Agency shall be paid by the City for all services previously authorized by the City and actually, timely, and faithfully rendered up to receipt of the notice of termination, and for all other services authorized in writing by the City.

IN WITNESS WHEREOF, the City Commission of the City of Palatka, Florida has made and executed this Agreement on behalf of the CITY, and MAIN STREET AGENCY has hereunto set his/her hand as of the day and year first above written.

ATTEST:

Betsy J. Driggers
Betsy J. Driggers, CITY CLERK

PALATKA CITY COMMISSION
BY: Karl N. Flagg
Karl N. Flagg, MAYOR

WITNESSES:

Dana Jones
SIGNATURE

Wes Larson
SIGNATURE

PUTNAM COUNTY
CHAMBER OF COMMERCE
(MAIN STREET AGENCY)
By: Wes Larson
Wes Larson, PRESIDENT

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
CITY ATTORNEY

*Agenda
Item*

4d

See Separate
CRA Attachment

*Agenda
Item*

5a

**CITY OF PALATKA CITY COMMISSION
AGENDA ITEM**

ITEM: Adoption of an ordinance annexing 2403 Tommy Avenue into the City, adoption of a related ordinance changing the future land use designation from Putnam County Urban Reserve to City of Palatka Low Density Residential, and the first reading of an ordinance changing the zoning from Putnam County R-1A (Single Family Residential) to City of Palatka R-1A (Single Family Residential).

DEPARTMENT: Buildir

AGENDA SECTION: Regular agenda requiring Commission action

ATTACHMENTS

1. An Ordinance of the City of Palatka annexing 2403 Tommy Avenue
2. An Ordinance of the City of Palatka amending the future land use designation from Putnam County Urban Reserve to City of Palatka Low Density Residential.
3. An Ordinance of the City of Palatka changing the zoning from Putnam County R-1A (Single Family Residential) to City of Palatka R-1A (Single Family Residential).
4. April 7, 2009, Planning Board Minutes.
5. April 7, 2009, Planning Board Packet.

DATE: August 27, 2009

SUMMARY HIGHLIGHTS:

The identified purpose of these three applications is to allow City water services due to failure of the applicant's well. This is a .19 acre parcel of land.

A public hearing was held by the Planning Board on April 7, 2009, at the applicant's request for annexation, change of future land use from Putnam County Urban Reserve to City of Palatka Low Density Residential, and changing the zoning from Putnam County R-1A (Single Family Residential) to City of Palatka R-1A (Single Family Residential). There was no public testimony. The Planning Board voted to recommend approval of the three requests.

RECOMMENDED ACTION:

Staff recommends approval of the attached annexation and future land use ordinances, and conducting the first public hearing on the related zoning ordinance. The second public hearing for the zoning ordinance is scheduled for September 10, 2009.

AGENDA ITEM NUMBER:

AGENDA PAGE NUMBER:



Legend

Streets

□ PA_PARCELS

▨ 2403 Tommy Ave

2403 Tommy Avenue

HUSSON

TOMMY

2403

1 Feet
0 5 10 20

1 inch equals 40 932958 feet

This instrument prepared by:
Jim Lee
City of Palatka
201 N. 2nd St.
Palatka, FL 32177

ORDINANCE NO. 09 - 26

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA CERTAIN ADJACENT TERRITORY IN SECTION 13, TOWNSHIP 10 SOUTH, RANGE 26 EAST, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1.

WHEREAS, Petition has been filed before the City Commission of the City of Palatka, Florida, which Petition is on file in the office of the City Clerk, signed by all of the freehold owners of the property sought to be annexed, to wit:

Lorraine Wetherington and Marcia A. Carr

WHEREAS, Chapter 171.044, Florida Statutes, permits the annexation of unincorporated areas lying adjacent and contiguous to the boundaries of the City of Palatka, and

WHEREAS, the City Commission of the City of Palatka finds that it is in the best interest of the people of the City of Palatka, Florida, that said lands be annexed and become a part of the City of Palatka;

Section 2. NOW THEREFORE, be it enacted by the people of the City of Palatka, Florida, that the following described unincorporated lands lying adjacent and contiguous to the boundaries of the City of Palatka, Florida shall henceforth be deemed and held to be within the corporate limits of the City of Palatka, Florida said lands being described as follows:

DESCRIPTION OF PROPERTY:

ORMAN LEIGH ESTATES MB4 P157 LOT 15 (All Book and Page references are to the public records of Putnam County, Florida)

(Being tax parcel #13-10-26-6790-0000-0150)

Section 3. The property hereby annexed shall remain subject to the County Comprehensive Plan and Zoning Laws until changed by the City of Palatka.

Section 4. This Ordinance shall become effective immediately upon its final passage by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 27th day of August, 2009.

CITY OF PALATKA

BY: _____
Its Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM AND CORRECTNESS:

City Attorney



Planning Board Minutes & Proceedings

April 7, 2009

Page 1 of 3

Meeting called to order by Co-Chairperson Sue Roskosh at 4:00PM. **Members present:** Ezekiel Johnson, Earl Wallace, Randy Braddy, Zachary Landis, Phil Leary and Anthony Harwell. **Members absent:** Carl Stewart, Clem Saccareccia and School Board Representative. Also present: City Attorney, Donald Holmes; Planning Director, Jim Lee; Assistant Planning Director, Debbie Banks and Recording Secretary, Pam Sprouse.

Motion made by Randy Braddy to approve the minutes of the March 3, 2009 meeting. Seconded by Phil Leary. All members present voted affirmative. Motion carried.

Jim Lee read "To Appeal Any Decision."

Ms. Roskosh requested that any Ex Parte Communication be disclosed prior to each case.

OLD BUSINESS

Case PB 08-29 **Address:** N 16th from Reid Street to St. Johns Ave.
Applicant: St. Johns Automotive Real Estate LLC
Agent: Juli Holmes

Request: To close that portion of N 16th St. from Reid Street to St. Johns Ave.

(Public Hearing)

Staff requested that this case be continued until the May 5, 2009 meeting to allow for further analysis.

(Regular Meeting)

Motion made by Phil Leary to table this request until the May 5, 2009 meeting at 4:00 pm. Seconded by Randy Braddy. All members present voted affirmative. Motion carried.

NEW BUSINESS

Case PB 06-24 **Address:** 2403 Tommy Avenue (13-10-26-6790-0000-0150)
Applicant: Lorraine Wetherington & Marcia A. Carr

Request: To annex into the City of Palatka city limits, amend the Future Land Use Map (small scale) from County Urban Reserve to City Low Density Residential and rezone from County R 1-A (single-family residential) to City R 1-A (single-family residential)

(Public Hearing)

Ms. Banks advised that this request was previously heard by the Planning Board, and was stopped in the midst of the process, due the State moratorium that had been placed on the City. She additionally advised that this annexation request was for utilities that have been connected.

Planning Board Minutes & Proceedings

April 7, 2009

Page 2 of 3

Case PB 06-24 2403 Tommy Avenue - continued

(Regular Meeting)

Motion made by Phil Leary to forward recommendation of approval to the City Commission. Seconded by Randy Braddy. All members present voted affirmative. Motion carried.

Case PB 07-32 **Address:** 3895, 4001, 4003 & 4005 Reid Street
Parcel(s): 03-10-26-0000-0010-0011 and 03-10-26-0000-0010-0013
Applicant: Palatka Vest, LLC and Athens Vest, Inc.

Request: To annex into the City of Palatka city limits, amend the Future Land Use Map (small scale) from County Urban Service to City Industrial, and rezone from County Industrial to City M-1 (Industrial) and to amend the Future Land Use Map (small scale) from County Urban Service to City Industrial

(Public Hearing)

Mr. Lee advised that this property is a currently developed as a self-storage facility and that it meets the State requirements for annexation, the Future Land use amendment criteria of the Comprehensive Plan and the criteria in the zoning code for zoning amendments.

Mr. Wallace asked why the requested zoning was industrial, as that would open up allowances for billboards and possibly adult entertainment uses.

Ms. Banks explained the airport is zoned Industrial and this zoning designation would allow for a storage warehouse type facility.

Discussion ensued regarding annexing the property with a C-2 (intensive commercial) zoning, that would allow the existing business use by way of a Conditional Use approval versus, rezoning to an Industrial zoning.

(Regular Meeting)

Motion made by Zachary Landis to table this case until the May 5, 2009 meeting at 4:00 pm to allow staff the opportunity to speak with the applicant about an alternate zoning designation. Seconded by Randy Braddy. All present voted, motion carried with (6) yeas, (1) nay.

Case PB 07-43 **Address:** 2405 Tommy Avenue (13-10-26-6790-0000-0160)
Applicant: Rhoda Harris

Request: To annex into the City of Palatka city limits, amend the Future Land Use Map (small scale) from County Urban Reserve to City Low Density Residential, and rezone from County R-1A (single-family residential) to City R-1A (single-family residential)



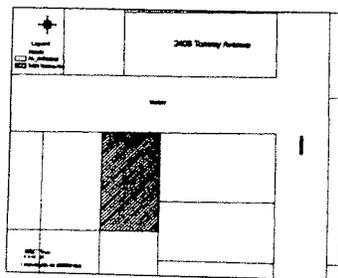
NOTICE OF ANNEXATION

NOTICE is hereby given that the City Commission of the City of Palatka, Florida, at the next regular meeting to be held at 6:00 p.m. on the 27th day of August, 2009, at City Hall, Palatka, Florida, will consider the enactment of Ordinance No. 09-26, annexing the following described property into the corporate limits of the City and redefining the boundary lines of the City of Palatka to include said property. The property is described as approximately .19 acres of improved property in Section 13, Township 10 South, Range 26 East, located at **2403 Tommy Avenue**, Palatka, Putnam County. A map is attached hereto and a copy of the Ordinance containing a copy of the legal description can be obtained from the Office of the City Clerk at City Hall.

All interested persons are hereby advised of such consideration by the City Commission and all interested parties may appear at said meeting at said time and place and be heard with respect to the proposed ordinance. This notice is given in accordance with F.S. 171.044.

PLEASE GOVERN YOURSELVES ACCORDINGLY.

/s/ BETSY J. DRIGGERS
CITY CLERK



Ord # 09-26

NOTICE OF ANNEXATION

NOTICE is hereby given that the City Commission of the City of Palatka, Florida, at the next regular meeting to be held at 6:00 p.m. on the 27th day of August, 2009, at City Hall, Palatka, Florida, will consider the enactment of Ordinance No. 09-26 annexing the following described property into the corporate limits of the City and redefining the boundary lines of the City of Palatka to include said property. The property is described as approximately .19 acres of improved property in Section 13, Township 10 South, Range 26 East, located at **2403 Tommy Avenue**, Palatka, Putnam County. A map is attached hereto and a copy of the Ordinance containing a copy of the legal description can be obtained from the Office of the City Clerk at City Hall.

All interested persons are hereby advised of such consideration by the City Commission and all interested parties may appear at said meeting at said time and place and be heard with respect to the proposed ordinance. This notice is given in accordance with F.S. 171.044.

PLEASE GOVERN YOURSELVES ACCORDINGLY.

/s/ BETSY J. DRIGGERS
CITY CLERK

DISPLAY ADVERTISEMENT – 2 x 6 – run w/ map on file

Run Dates: 08/14/09 and 08/21/09

PROOF OF ADVERTISEMENT REQUESTED

Betsy J. Driggers

City of Palatka

201 N. 2nd Street

Palatka FL 32177

phone 386-329-0100

fax 386-329-0106

*Agenda
Item*

5b

This instrument prepared by:
Jim Lee
201 North 2nd Street
Palatka, Florida 32177

ORDINANCE NO. 09 -

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 ONE PARCEL OF LAND (LESS THAN 10 ACRES IN SIZE) IN SECTION 13, TOWNSHIP 10 SOUTH, RANGE 26 EAST FROM COUNTY URBAN RESERVE TO CITY LOW DENSITY RESIDENTIAL, 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 April 7, 2009, and recommended approval of this amendment to the City Commission, and

WHEREAS, the City Commission conducted a public hearing on this amendment on August 27, 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>
13-10-26-6790-0000-0150	0.19	County Urban Reserve	City Low Density Residential

DESCRIPTION OF PROPERTY:

ORMAN LEIGH LEIGH ESTATES MB 4 P157 LOT 15 (All Book and Page references are to the public 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 27th day of August, 2009.

CITY OF PALATKA

By: _____
Its Mayor

ATTEST:

City Clerk

*Agenda
Item*

5c

This instrument prepared by:
Jim Lee
205 N. 2nd St.
Palatka, FL 32177

ORDINANCE NO. 09-_____

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED AS TO THAT CERTAIN PROPERTY IN SECTION 13, TOWNSHIP 10 SOUTH, RANGE 26 EAST; FROM COUNTY R1-A (SINGLE FAMILY RESIDENTIAL) TO CITY R-1A (SINGLE FAMILY RESIDENTIAL); REPEALING ANY ORDINANCE IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1.

WHEREAS, application has been made by the owners, Lorraine Wetherington and Marcia A. Carr to the City for certain amendments to the Official Zoning Map of the City of Palatka, Florida, and

WHEREAS, all the necessary procedural steps have been accomplished, including a public hearing before the Planning Board of the City of Palatka on April 7, 2009, and two public hearings before the City Commission of the City of Palatka on August 27, 2009, and September 10, 2009, and

WHEREAS, the City Commission of the City of Palatka has determined that said amendment should be adopted, now therefore,

Section 2. The Official Zoning Map of the City of Palatka, Florida is hereby amended by rezoning the hereinafter described property from its present zoning classification of County R-1A (Single Family Residential) to City R-1A (Single Family Residential).

DESCRIPTION OF PROPERTY:

ORMAN LEIGH ESTATES MB4 P157 LOT 15. (All Book and Page references are to the public records of Putnam County, Florida)

(Being tax parcel#13-10-26-6790-0000-0150)

Section 3. All ordinances in conflict with the terms and provisions of this ordinance are hereby specifically repealed.

Section 4. This Ordinance shall become effective immediately upon its final passage by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 10th day of September, 2009.

CITY OF PALATKA

BY: _____
Its MAYOR

ATTEST:

City Clerk



PLANNING AND ZONING STAFF REPORT

April 7, 2009

APPLICATION: PB 06-24 – Annexation, Small-Scale Future Land Use Map Amendment to change the Future Land Use designation from County Urban Reserve to City Low Density Residential and Rezone from County R1-A to City R-1A.

APPLICANT: Lorraine Wetherington + Marcia A. Carr

LOCATION: 2403 Tommy Avenue

Parcel #: 13-10-26-6790-0000-0150

A. BACKGROUND & ANALYSIS: The Planning Board approved the above request on June 27, 2006, however, since no proof of advertisement was found in the file, staff elected to have the case heard again. This property is contiguous to the City limits along the eastern property line and annexation is a requirement to obtain City services. Since the City was not allowed to process annexations and Future Land Use amendments until it's Comprehensive Plan was in compliance, the applicant was allowed to connect to water prior to approval by the City Commission. The property's main access is off of Tommy Avenue which connects to Husson Avenue.

Surrounding properties have future land use designations of County Urban Reserve north, south and west of the subject property and City Low Density Residential to the east. The zoning pattern of the site and surrounding area is County R1-A to the north, south and west with City R1-A to east.. The existing land use pattern in the area is primarily single-family residential with one parcel of multi-family residential to the southeast and one parcel of commercial to the northeast.

SURROUNDING LAND USE AND ZONING:

	Future Land Use Designation	Zoning	Current Land Uses
North	Urban Reserve	R1A (Putnam)	Residence
South	Urban Reserve	R1A (Putnam)	Residence
East	Low Density Residential	R1A (City)	Residence
West	Urban Reserve	R1A (Putnam)	Residence

B. COMPLIANCE WITH CHAPTER 171, FLORIDA STATUTES, ANNEXATIONS

The request is to annex .19 acres into the City. The subject property is located on Tommy Avenue off of Husson Avenue. Directly north, south, and west of the site is County property.

The proposed annexation does not create an enclave and meets the criteria identified in Section 171.043, Florida Statutes. This includes being contiguous to the City's boundaries at this time, is reasonably compact, is not included within the boundary of another incorporated municipality, and is intended to be developed for urban purposes

because of the availability of City sewer and water lines that are contiguous to the property.

This request is a voluntary annexation and meets the criteria identified in Section 171.044, Florida Statutes, as it relates to being contiguous to the City, and reasonably compact. Following a recommendation from the Planning Board, an appropriately prepared ordinance will be considered by the City Commission after the correct advertising and scheduling of public hearings.

STAFF RECOMMENDATION: Approval of the annexation request.

C. COMPLIANCE WITH THE CITY OF PALATKA COMPREHENSIVE PLAN

The Existing Land Use Designation: The existing Future Land Use is County Urban Service which recognizes areas where urban infrastructure, such as central water, sewer, stormwater systems, paved major roads, exists or is programmed and available for more urban type of development. Although agricultural activities are allowed as a holding land use, this land use designation allows a broad mix of residential, commercial, industrial, public facility and recreation uses. Residential development can achieve a density of up to 9 dwelling units per acre, the highest in Putnam County, with adequate density bonus points.

The Proposed Land Use Designation:

Policy A.1.9.3.A.1 (9J-5.006(3)(c)7)

Residential land use is intended to be used primarily for housing and shall be protected from intrusion by land uses that are incompatible with residential density. Residential land use provides for a variety of land use densities and housing types. Low Density (1730 acres) - provides for a range of densities up to 5 units per acre.

Future Land Use Element

Objective A.1.1 (9J-5.006(3)(b)1; F.S. 187-201 (161)(1)(5)

Upon Plan adoption, the City shall coordinate future land uses with the appropriate topography, adjacent land uses, soil conditions, and the availability of facilities and services.

Policy A.1.1.3 (9J-5.006(3) (c) 3)

The City shall as a condition of issuing a building permit or other development order, require proposed developments to hook up to the City central sewer systems in accordance with the revised City zoning code and subdivision regulations based upon Chapter 381, F.S. and Division 64E, FAC.

STAFF ANALYSIS: The site is built out as a single-family residence which is consistent with the residential uses on Tommy Avenue. City water lines have been run to the property and there is sufficient capacity to maintain existing level of service standards. In the Traffic Circulation Element, Public Facilities Element, Recreation and Open Space Element and Public Schools Facilities Element sections of this staff report we will evaluate each adopted level of service standard for this site related to a maximum density of up to 5 dwelling units per acre.

Traffic Circulation Element

Objective B.1.1 (9J-5.007(3)(b)1)

Upon plan adoption, the City shall provide for a safe, convenient and efficient motorized and non motorized transportation system by correcting, to the maximum extent feasible, all existing roadway deficiencies identified in this plan and maintain acceptable operating conditions in the future on a priority basis.

Policy B.1.1.1 (9J-5.007(3)(01))

The State-wide minimum acceptable operating Level of Service (LOS) standards for the State Highway System and City Street System shall be the base LOS standards listed herein, except for those conditions provided in Policies 1.1.1.A. and 1.1.1.B.

STAFF ANALYSIS: Tommy Avenue is maintained by the County and is classified as a local street. Since this house already exists, there will be no added impact to the street.

Public Facilities Element

Objective D.1.1 (9J-5.011(2)(b)2)

Upon Plan adoption, the City of Palatka shall enforce adopted Concurrency Management System procedures to ensure that at the time a building permit or other development order is issued, infrastructure facility capacity is available to meet the demand of development without lowering adopted Levels of Service Standards (LOSS).

Policy D.1.1.1 (9J-5.011(2) (c)2)

The following level of service standards shall be the basis for determining the availability of facility capacity against the demand generated by development.

A1. Potable Water, Residential: 130 gallons per capita per day

B1. Central Sanitary Sewer System, Residential: 125 gallons per capita per day

C. Solid Waste: 6.4 lbs/person/day

D. Drainage Facilities: City of Palatka and Ravine State gardens Stormwater Quality Master Plan and minimum requirements of the St. Johns River Water Management District.

Policy D.1.1.2 (9J-5.011 (2)(c)2)

All improvements for replacement, expansion, or increase in capacity of facilities shall be compatible with the adopted level of service standards for the facilities and that distribution of these facilities/services is consistent with the Future Land Use Map.

STAFF ANALYSIS: This is an existing single-family dwelling that will not exceed the level of service standards.

- Potable Water: 325 gallons per day multiplied by 2.5 persons per unit is 812.50 gallons per day. A new water plant will be going on line in January 2009 with a capacity of 6 million gallons per day. Current peak usage is approximately 3,200,000 gallons per day. Capacity exists for this home.

- Central Sanitary Sewer System, Residential: 125 gallons per capita per day multiplied by 2.5 person per unit = 312.50 gallons per day. Capacity exists for this home.

- Solid Waste – 6.4 lbs multiplied by 2.5 persons per unit is 16 lbs per day. Capacity exists for this home.

- Drainage: This house was constructed in the County. All drainage issues would have been handled through their permitting process.

Recreation And Open Space Element

Objective F.1.1 (9J-5.0143(3)(b)1

Upon plan adoption, the City shall implement the following policies to ensure public access to all identified recreational facilities.

Policy F.1.1.2 (9J-5.014(3)(c)3

The City shall adopt the following Level of Service Standards: Regional Park/ 1 acre per 50, Community Park/ 1 acre per 500, Neighborhood Park/ 1 acre per 500, Equipped Play and Tot Lot/ 1 Per 2,000, Baseball/Softball Fields/ 1 per 5,000, Football/Soccer Fields/ 1 per 6,000, Equipped Play area/ 1 play area per 10,000, Basketball Courts/ 1 per 5,000, Boat Ramp (Lanes)/ 1 lane per 5,000, Tennis Court/ 1 court per 2,000, Swimming Pools/1 pool per 25,000, Hiking (miles)/ 1 Mile per 6,750, and Picnic Areas (Tables) 1 Table per 6,000.

STAFF ANALYSIS: This house will generate an additional 2.5 people (2.5 persons per unit multiplied by 21 units). Capacity exists for all recreational Level of Service Standards for this additional population.

Public Schools Facilities Element

Objective 1.1.1 (9J-5.025(3)(b)1

The City of Palatka shall ensure the correction of existing school facility deficiencies to provide adequate student capacity, which shall not exceed the adopted level of service standards within the Putnam County School District and which will meet future capacity needs.

Policy 1.1.1.1 (9J-5.025(3)(c)7

The City of Palatka hereby adopts LOSS for Schools of 100% based on permanent FISH capacity for all school types (Elementary, Middle and High)

STAFF ANALYSIS: Phil Leary, the consultant for the Putnam County School District has indicated this single family already exists and will not need to be analyzed for concurrency.

STAFF RECOMMENDATION: Staff recommends approval to change the Future Land Use designation from County Urban Reserve to City Low Density Residential.

D. COMPLIANCE WITH THE PALATKA MUNICIPAL CODE, REZONING REQUEST

Rezoning requirements

When pertaining to the rezoning of land, the report and recommendations of the Planning Board to the City Commission shall show that the Planning Board has studied and considered the proposed change in relation to the following, where applicable (from Sec. 94-38(f)(1) of the Palatka Municipal Code):

- a. Whether the proposed change is in conformity with the comprehensive plan.

STAFF ANALYSIS: The applicant requests rezoning to City R-1A (Single family residential district) from County R1-A (Single family residential district.) The proposed change is in conformance with the comprehensive plan as stated in the

above comp plan review and is consistent with both the City and County land use designations for single family dwellings.

This zoning category is consistent with the requested Low Density Residential Future Land Use Map designation. The current land use designation is Putnam County Urban Reserve.

- b. The existing land use pattern.

STAFF ANALYSIS: This rezoning request to City R-1A (Single family residential district) is consistent with the existing land use pattern in the area which is residential development along Tommy Avenue. This request changes the zoning jurisdiction from County to City to accompany the annexation and future land use map amendment request.

- c. Possible creation of an isolated district unrelated to adjacent and nearby districts.

STAFF ANALYSIS: This rezoning request will not create an isolated district since the City and County have adjacent parcels with residential zoning that allow residential uses. The County's setbacks are similar to the City's but are slightly more restrictive.

- d. The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.

STAFF ANALYSIS: This parcel is built out as a single-family residence and will not overtax public services.

- e. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

STAFF ANALYSIS: Staff has no information to indicate that existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

- f. Whether changed or changing conditions make the passage of the proposed amendment necessary.

STAFF ANALYSIS: In order to obtain water services, the applicant was required to annex, amend the Future Land Use map and rezone since the property is contiguous to the city limits. The proposed amendment is necessary to comply with these requirements.

- g. Whether the proposed change will adversely influence living conditions in the neighborhood.

STAFF ANALYSIS: This change is consistent with the existing conditions of the neighborhood.

- h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

STAFF ANALYSIS: This site is already developed as a single-family residence. Tommy Avenue is not in the City and classified by the County as a local street. The traffic created by the existing single-family residence has been included in the County's traffic counts that are the basis for the existing LOSS.

- i. Whether the proposed change will create a drainage problem.

STAFF ANALYSIS: This site is built out as a single-family residence. If any additions are made, drainage will be addressed in plan review.

- j. Whether the proposed change will seriously reduce light and air to adjacent areas.

STAFF ANALYSIS: This site is built out.

- k. Whether the proposed change will adversely affect property values in the adjacent area.

STAFF ANALYSIS: It is not anticipated that this rezoning request will adversely affect property values.

- l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.

STAFF ANALYSIS: Staff does not have any information to indicate that the proposed zoning change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations. Adjacent property owners were notified of this rezoning request and have the opportunity to appear before the Planning Board.

- m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

STAFF ANALYSIS: This rezoning request does not constitute a grant of special privilege.

- n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.

STAFF ANALYSIS: The existing zoning is County zoning. With the proposed requests for annexation and a City future land use designation, it is appropriate to change the zoning to a consistent City zoning designation.

- o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.

STAFF ANALYSIS: This change is not out of scale with the needs of the neighborhood or City.

- p. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.

STAFF ANALYSIS: There may be other sites in the City that could accommodate the projected use however, this site is already developed as a residence and the annexation along with the future land use amendment and zoning change is required in order to obtain sewer service.

- q. The recommendation of the historical review board for any change to the boundaries of an HD zoning district or any change to a district underlying an HD zoning district.

STAFF ANALYSIS: This parcel is not located in a Historic District.

STAFF RECOMMENDATION: Staff recommends approval of the requested zoning change from County R1-A (Single family residential district) to City R-1A (Single family residential district). The request complies with the rezoning criteria provided in the Palatka Municipal Code.

E. Photographs



2403 Tommy Avenue

5-9-06

Bill Dixon has permission to sign anything necessary in order to get city water lines run to my mother's home at 2403 Tommy in Palatka.

Marcia Dixon

Marcia Dixon

Case Number 06-24
Date Filed 5/9/06

**CITY OF PALATKA
PETITION FOR VOLUNTARY ANNEXATION**

Please provide the following information and return to: City of Palatka Building & Zoning Dept.
205 N. 2nd Street
Palatka, FL 32177

1. Official 911 address or legal description: 2403 Tomlinly Ave
2. Property Appraiser parcel #: 13-10-26-6790-0000-0150
3. Total acres to be considered as part of this request: .19
4. The names and addresses of all owners as shown in the Putnam County public records:

5. Reason for annexation request: Connect to City Water
6. Number and types of structures on the property: 1 Res.
7. If residential, provide an estimate of the number of persons expected to be living on site at the time of annexation (for U.S. Census reports): _____
8. Copy of recorded deed (attach to application).
9. Boundary survey or location map (attach to application).
10. Application for Rezoning and Future Land Use Map Amendment (attach to application).
11. Name, telephone number, and mailing address of agent authorized to represent owner (if applicable): _____

12 Three hundred five dollar (\$305.00) application fee (checks payable to City of Palatka)

13 This application submitted by:

Signature of owner(s):

Lorraine Wetherington

^{Husband}
William A. Dean For Marcia Dean

Print owner(s) name(s):

Lorraine Wetherington

^{Husband}
William A. Dean For Marcia Dean

Address of owner(s):

2453 Tommy Ave
Palatka FL 32177

PO BOX 1167
Interlachen, FL 321

Telephone:

326-0050

386-972-4625
972-4621

STATE OF FLORIDA
County of Putnam

Before me this day personally appeared Lorraine Wetherington who executed the foregoing application and acknowledged to and before me that _____ executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 9th day of May A.D. 2006 ~~199~~

My commission expires:

Ruby M. Williams
Notary Public
State of Florida at Large



Ruby M Williams
My Commission DD224851
Expires September 26, 2007

Case Number: 06-024

Date Filed: _____

CITY OF PALATKA
APPLICATION FOR REZONING AND/OR
AMENDING THE FUTURE LAND USE MAP (Small Scale)

Please provide all of the following information and return to:

City of Palatka Building Dept.
205 N 2nd Street
Palatka, FL 32177

1. Official 911 address or legal description: 2403 Tommy Ave
- ✓ 2. Property Appraiser parcel #: 13-10-26-6790-0000-0157
3. Total acres to be considered as part of this request: .19
4. The names and addresses of all owners as shown in the Putnam County public records.

5. Current zoning designation: C-RIA Requested zoning designation: City Res.
6. Current land use designation: Res Requested land use designation: Res.
7. Reason for rezoning/land use amendment request: connect to city water.
8. Number and types of structures on the property: 1
9. Copy of recorded deed (attach to application).
10. Boundary survey or location map (attach to application).

11. Name, telephone number, and mailing address of agent authorized to represent owner (if applicable): _____

386-972-4625 William Dixon 105 Hudson St Interlachen FL 32148

12. Select and attach appropriate application fee (checks payable to City of Palatka):

\$130.00 (rezoning only)
 \$240.00 (rezoning with small scale land use amendment)

13. This application submitted by:

Signature of owner(s): Lorraine Wetherington

William H Dixon For Myself
Husband

Print owner(s) names(s): Lorraine Wetherington

William H Dixon For Myself
Husband

Address of owner(2): 2403 Tommy Ave

PO Box 1167 Palatka FL 321

Palatka FL 32177

Interlachen FL 321

Telephone: 386 326 0050

386-972-4625
972-4621

STATE OF FLORIDA

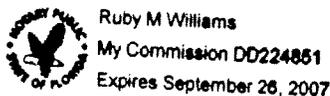
County of Putnam

Before me this day personally appeared Lorraine Wetherington who executed the foregoing application and acknowledged to and before me that _____ executed said instrument for the purposes therein expressed.
WITNESS my hand and official seal, this 9th day of May A.D. 2006.

Ruby M. Williams
Notary Public

My commission expires:

State of Florida at Large





City of Palatka

Building & Zoning

201 N. 2nd Street

Palatka, Florida 32177

386-329-0103 • Fax 386-329-0172



As an owner of adjacent property, you are hereby notified of a pending action before the Planning Board which may be of concern to you:

PUBLIC NOTICE

Notice is hereby given that the **CITY OF PALATKA PLANNING BOARD** will hold a public hearing on April 7, 2009 at 4:00 P.M. at City Hall, 201 N 2nd St. for the purpose of hearing the following matter:

Request to Annex into the city limits of Palatka, Amend the Future Land Use Map from County Urban Reserve to City Low Density Residential and Rezone from County R1-A to City R1-A. Case: PB 06-24

Owner: Lorraine Wetherington + Marcia A. Carr

Location: 2403 Tommy Avenue

Parcel #: 13-10-26-6790-0000-0150 (.19 acres)

All interested parties are invited to attend this public hearing.

Debbie Banks
Assistant Planning Director

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING WILL NEED A RECORD OF THE PROCEEDINGS, THAT INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED, AT THE EXPENSE OF THE APPELLANT.
F.S. 286.0105

PERSONS WITH DISABILITIES REQUIRING ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE BUILDING & ZONING DEPARTMENT AT (386)329-0103 AT LEAST 24 HOURS IN ADVANCE TO REQUEST SUCH ACCOMMODATIONS.

STATE OF FLORIDA

County of Putnam

The undersigned personally appeared before me, a Notary Public for the State of Florida, and deposes that the Palatka Daily News is a daily newspaper of general circulation, printed in the English language and published in the City of Palatka in said County and State; and that the attached order, notice, publication and/or advertisement:

Notice is hereby given that t

Was published in said newspaper 1 time(s) with said publication being made on the following dates:

03/21/2009

The Palatka Daily News has been continuously published as a daily newspaper, and has been entered as second class matter at the post office at the City of Palatka, Putnam County, Florida, each for a period of more than one year next preceding the date of the first publication of the above described order, notice and/or advertisement.

Jeannette Eveland

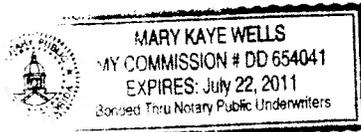
Sworn to and subscribed to before me this 23rd day of March, 2009 by Jeannette Eveland, Administrative Assistant, of the Palatka Daily News, a Florida corporation, on behalf of the corporation.

Mary Kaye Wells

Mary Kaye Wells, Notary Public
My commission expires July 22, 2011

Notary Seal
Seal of Office:

 / Personally known to me, or
 / Produced identification:
 / Did take an oath



PUBLIC NOTICE

Notice is hereby given that the CITY OF PALATKA PLANNING BOARD will hold a public hearing on April 7, 2009 at 4:00 P.M. at City Hall, 201 N 2nd St. for the purpose of hearing the following matter:

Request to Annex into the city limits of Palatka, Amend the Future Land Use Map from County Urban Reserve to City Low Density Residential and Rezone from County R1-A to City R1-A.

Case: PB 08-24

Owner: Lorraine Wetherington + Marcia A. Carr

Location: 2403 Tommy Avenue

Parcel #: 13-10-26-6790-0000-0150 (.19 acres)

All interested parties are invited to attend this public hearing.

Debbie Banks
Assistant Planning Director
329-0100

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING WILL NEED A RECORD OF THE PROCEEDINGS, THAT INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED, AT THE EXPENSE OF THE APPELLANT. F.S. 286.0105

PERSONS WITH DISABILITIES REQUIRING ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE BUILDING & ZONING DEPARTMENT AT (386)329-0103 AT LEAST 24 HOURS IN ADVANCE TO REQUEST SUCH ACCOMMODATIONS.

Legal No. 04542918
03/21/2009

Departmental Review Request

Address: 2403 Tommy Avenue
Parcel # 13-10-26-6790-0000-0150

Case #: 06-24

Please review the enclosed request and make any comments in writing to Building & Zoning; Fax 329-0172 or put in box. Call 329-0103 with any questions.

- | | |
|---|---|
| <input type="checkbox"/> Rezoning | <input type="checkbox"/> Site Plan Review |
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Small Scale Amendment (9.99 acres or less) |
| <input type="checkbox"/> Large Scale Amendment(10+ acres) | <input type="checkbox"/> Concurrency Review |
| <input type="checkbox"/> Conditional Use Request | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Street Closing/Street Name Change | <input type="checkbox"/> Other |

Meeting Date: 4-7-09

Response Deadline: 3/27/09

Date submitted by applicant: May 2006

Date forwarded to Departments for review: 3-16-09

Submitted to:

- | | | |
|--|---|--|
| <input type="checkbox"/> Water/Sewer/Streets/Sanitation | <input type="checkbox"/> Sewer Plant | <input type="checkbox"/> Cemetery |
| <input type="checkbox"/> Police | <input type="checkbox"/> Water Plant | <input type="checkbox"/> Golf |
| <input type="checkbox"/> Fire | <input type="checkbox"/> Parks | <input type="checkbox"/> Airport |
| <input type="checkbox"/> Chief Building Official | <input type="checkbox"/> Weed & Seed | |

Current Property Use: Residential

Proposed Property Use: Same

Property Address: 2403 Tanner Terrace

Parcel Number: see above

Current Land Use Designation:

County Urban Reserve

Requested Land Use Designation:

City Low Density Residential

Current Zoning Classification:

County R-1A

Requested Zoning Classification:

City R-1A

Acreage: .19

of Units 1

Lorraine Wetherington + Marcia A. Carr

Owner/Applicant Name

None

Agent Name

2403 Tommy Avenue

Owner/Applicant Address

Agent Address

Palatka, FL 32177

City/State/Zip

City/State/Zip

326-0050

Phone Number

Phone Number

Asst. Planning Director's Comments: Applicant had applied to annex, rezone and amend the future land use map – for water services. Has already been allowed to connect due to City's Comp.Plan issues, has been on hold to move through planning process. Adam had actually taken this through the Planning Board process but since no evidence of department head sign-off or required advertisement could be found, it is being taken back to the Planning Board.

Thank you,



No Comments

Comments Attached

Reviewed by: _____

Gang S. Gethel

Title: _____

Chief of Police

Departmental Review Request

Address: 2403 Tommy Avenue
Parcel # 13-10-26-6790-0000-0150

Case #: 06-24

Please review the enclosed request and make any comments in writing to Building & Zoning; Fax 329-0172 or put in box. Call 329-0103 with any questions.

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| <input type="checkbox"/> Rezoning | <input type="checkbox"/> Site Plan Review |
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Meeting Date: 4-7-09

Response Deadline: 3/27/09

Date submitted by applicant: May 2006

Date forwarded to Departments for review: 3-16-09

Submitted to:

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Water/Sewer/Streets/Sanitation <i>Woody</i> | <input type="checkbox"/> Sewer Plant | <input type="checkbox"/> Cemetery |
| <input type="checkbox"/> Police | <input type="checkbox"/> Water Plant | <input type="checkbox"/> Golf |
| <input type="checkbox"/> Fire | <input type="checkbox"/> Parks | <input type="checkbox"/> Airport |
| <input type="checkbox"/> Chief Building Official | <input type="checkbox"/> Weed & Seed | |

Current Property Use: Residential

Proposed Property Use: Same

Property Address: 2403 Tanner Terrace

Parcel Number: see above

Current Land Use Designation:

County Urban Reserve

Requested Land Use Designation:

City Low Density Residential

Current Zoning Classification:

County R-1A

Requested Zoning Classification:

City R-1A

Acreage: .19

of Units 1

Lorraine Wetherington + Marcia A. Carr

None

Owner/Applicant Name

Agent Name

2403 Tommy Avenue

Owner/Applicant Address

Agent Address

Palatka, FL 32177

City/State/Zip

City/State/Zip

326-0050

Phone Number

Phone Number

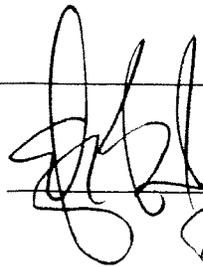
Asst. Planning Director's Comments: Applicant had applied to annex, rezone and amend the future land use map – for water services. Has already been allowed to connect due to City's Comp.Plan issues, has been on hold to move through planning process. Adam had actually taken this through the Planning Board process but since no evidence of department head sign-off or required advertisement could be found, it is being taken back to the Planning Board.

Thank you,



No Comments

Reviewed by:



Comments Attached

Title:

PW Director

Memorandum

March 18, 2009

To: DB

Fm: ~~CBO~~

Ref: 2403 Tommie Ave.

Debbie,

If we have not done a fixture count then that should be scheduled. I have no other comments.

PLANNING BOARD Special Called Meeting

Minutes – June 27, 2006

Location: City Hall

(Regular Meeting)

Motion made by **Jill Jester** to approve this request for conditional use, subject to the recommendations/conditions as listed within the staff report. **Sue Roskosh** made the second. All present voted affirmative. Motion Carried.

Case 06-024

2403 Tommy Avenue – Request to annex, amend the Future Land Use Map and Future Land Use Element (small scale, from County Urban Reserve to City Low-density Residential) and rezone from County R-1A to City R-1A.

Owners: Lorraine Wetherington and Marcia A Carr
Agent: William Dixon

(Public Hearing)

Mr. Mengel advised that the owners are seeking to annex to connect to city services.

Ms. Wetherington advised that she has had continual problems with her well.

(Regular Meeting)

Motion made by **Jill Jester** to approve the Request to annex, amend the Future Land Use Map and Future Land Use Element (small scale, from County Urban Reserve to City Low-density Residential) and rezone from County R-1A to City R-1A. Seconded by **Sue Roskosh**. All present voted affirmative. Motion carried

Case 06-025

1024 South State Road 19 – Request for a special event – sports-themed exhibition.

Owners: Lorraine Wetherington and Marcia A Carr
Agent: William Dixon

(Public Hearing)

Mr. Mengel advised that this is a NASCAR event and that staff recommends approval subject to conditions listed in the staff report.

(Regular Meeting)

Motion made by **Clem Saccareccia** to approve the request subject to Staff recommendations and conditions. Seconded by **Sue Roskosh**. All present voted affirmative. Motion carried

*Agenda
Item*

6a

**CITY OF PALATKA CITY COMMISSION
AGENDA ITEM**

ITEM: Adoption of an ordinance annexing 2405 Tommy Avenue into the City, adoption of a related ordinance changing the future land use designation from Putnam County Urban Reserve to City of Palatka Low Density Residential, and the first reading of an ordinance changing the zoning from Putnam County R-1A (Single Family Residential) to City of Palatka R-1A (Single Family Residential).

DEPARTMENT: Building & Zoning

AGENDA SECTION: Regular agenda requiring Commission action

ATTACHMENTS

1. An Ordinance of the City of Palatka annexing 2405 Tommy Avenue
2. An Ordinance of the City of Palatka amending the future land use designation from Putnam County Urban Reserve to City of Palatka Low Density Residential.
3. An Ordinance of the City of Palatka changing the zoning from Putnam County R-1A (Single Family Residential) to City of Palatka R-1A (Single Family Residential).
4. April 7, 2009, Planning Board Minutes.
5. April 7, 2009, Planning Board Packet.

DATE: August 27, 2009

SUMMARY HIGHLIGHTS:

The identified purpose of these three applications is to allow City water services due to failure of the applicant's well. This is a .19 acre parcel of land.

A public hearing was held by the Planning Board on April 7, 2009, at the applicant's request for annexation, change of future land use from Putnam County Urban Reserve to City of Palatka Low Density Residential, and changing the zoning from Putnam County R-1A (Single Family Residential) to City of Palatka R-1A (Single Family Residential). There was no public testimony. The Planning Board voted to recommend approval of the three requests.

RECOMMENDED ACTION:

Staff recommends approval of the attached annexation and future land use ordinances, and conducting the first public hearing on the related zoning ordinance. The second public hearing for the zoning ordinance is scheduled for September 10, 2009.

AGENDA ITEM NUMBER:

AGENDA PAGE NUMBER:

This instrument prepared by:
Jim Lee
City of Palatka
201 N. 2nd St.
Palatka, FL 32177

ORDINANCE NO. 09 - 27

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA CERTAIN ADJACENT TERRITORY IN SECTION 13, TOWNSHIP 10 SOUTH, RANGE 26 EAST, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1.

WHEREAS, Petition has been filed before the City Commission of the City of Palatka, Florida, which Petition is on file in the office of the City Clerk, signed by all of the freehold owners of the property sought to be annexed, to wit:

Rhoda Harris

WHEREAS, Chapter 171.044, Florida Statutes, permits the annexation of unincorporated areas lying adjacent and contiguous to the boundaries of the City of Palatka, and

WHEREAS, the City Commission of the City of Palatka finds that it is in the best interest of the people of the City of Palatka, Florida, that said lands be annexed and become a part of the City of Palatka;

Section 2. NOW THEREFORE, be it enacted by the people of the City of Palatka, Florida, that the following described unincorporated lands lying adjacent and contiguous to the boundaries of the City of Palatka, Florida shall henceforth be deemed and held to be within the corporate limits of the City of Palatka, Florida said lands being described as follows:

DESCRIPTION OF PROPERTY:

ORMAN LEIGH ESTATES MB4 P157 LOT 16 (All Book and Page references are to the public records of Putnam County, Florida)

(Being tax parcel #13-10-26-6790-0000-0160)

Section 3. The property hereby annexed shall remain subject to the County Comprehensive Plan and Zoning Laws until changed by the City of Palatka.

Section 4. This Ordinance shall become effective immediately upon its final passage by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 27th day of August, 2009.

CITY OF PALATKA

BY: _____
Its Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM AND CORRECTNESS:

City Attorney

Case PB 06-24 2403 Tommy Avenue - continued

(Regular Meeting)

Motion made by Phil Leary to forward recommendation of approval to the City Commission. Seconded by Randy Braddy. All members present voted affirmative. Motion carried.

Case PB 07-32 **Address:** 3895, 4001, 4003 & 4005 Reid Street
Parcel(s): 03-10-26-0000-0010-0011 and 03-10-26-0000-0010-0013
Applicant: Palatka Vest, LLC and Athens Vest, Inc.

Request: To annex into the City of Palatka city limits, amend the Future Land Use Map (small scale) from County Urban Service to City Industrial, and rezone from County Industrial to City M-1 (Industrial) and to amend the Future Land Use Map (small scale) from County Urban Service to City Industrial

(Public Hearing)

Mr. Lee advised that this property is a currently developed as a self-storage facility and that it meets the State requirements for annexation, the Future Land use amendment criteria of the Comprehensive Plan and the criteria in the zoning code for zoning amendments.

Mr. Wallace asked why the requested zoning was industrial, as that would open up allowances for billboards and possibly adult entertainment uses.

Ms. Banks explained the airport is zoned Industrial and this zoning designation would allow for a storage warehouse type facility.

Discussion ensued regarding annexing the property with a C-2 (intensive commercial) zoning, that would allow the existing business use by way of a Conditional Use approval versus, rezoning to an Industrial zoning.

(Regular Meeting)

Motion made by Zachary Landis to table this case until the May 5, 2009 meeting at 4:00 pm to allow staff the opportunity to speak with the applicant about an alternate zoning designation. Seconded by Randy Braddy. All present voted, motion carried with (6) yeas, (1) nay.

* **Case PB 07-43** **Address:** 2405 Tommy Avenue (13-10-26-6790-0000-0160)
Applicant: Rhoda Harris

Request: To annex into the City of Palatka city limits, amend the Future Land Use Map (small scale) from County Urban Reserve to City Low Density Residential, and rezone from County R-1A (single-family residential) to City R-1A (single-family residential)

Planning Board Minutes & Proceedings

April 7, 2009

Page 3 of 3

Case PB 07-43 2405 Tommy Avenue - continued

(Public Hearing)

Ms. Banks advised that this case is another one that has been pending quite sometime, due to the State moratorium, and that services have been provided due to a failing well for this single-family residence.

(Regular Meeting)

Motion made by Earl Wallace to approve the request to annex into the City of Palatka city limits, amend the Future Land Use Map (small scale) from County Urban Reserve to City Low Density Residential, and rezone from County R-1A to City R-1A (single-family residential) for case 07-43. Seconded by Randy Braddy. All members present voted affirmative. Motion carried.

Motion made by Randy Braddy for adjournment at 4:39 pm. Seconded by Zachary Landis. All present voted affirmative. Motion carried.

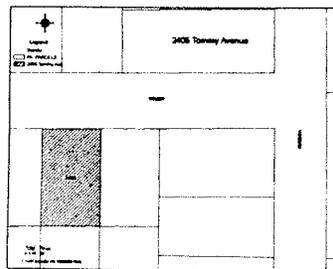
NOTICE OF ANNEXATION

NOTICE is hereby given that the City Commission of the City of Palatka, Florida, at the next regular meeting to be held at 6:00 p.m. on the 27th day of August, 2009, at City Hall, Palatka, Florida, will consider the enactment of Ordinance No. 09-27 annexing the following described property into the corporate limits of the City and redefining the boundary lines of the City of Palatka to include said property. The property is described as approximately .19 acres of improved property in Section 13, Township 10 South, Range 26 East, located at **2405 Tommy Avenue**, Palatka, Putnam County. A map is attached hereto and a copy of the Ordinance containing a copy of the legal description can be obtained from the Office of the City Clerk at City Hall.

All interested persons are hereby advised of such consideration by the City Commission and all interested parties may appear at said meeting at said time and place and be heard with respect to the proposed ordinance. This notice is given in accordance with F.S. 171.044.

PLEASE GOVERN YOURSELVES ACCORDINGLY.

/s/BETSY J. DRIGGERS
CITY CLERK



Ord. # 09-27

NOTICE OF ANNEXATION

NOTICE is hereby given that the City Commission of the City of Palatka, Florida, at the next regular meeting to be held at 6:00 p.m. on the 27th day of August, 2009, at City Hall, Palatka, Florida, will consider the enactment of Ordinance No. 09-27 annexing the following described property into the corporate limits of the City and redefining the boundary lines of the City of Palatka to include said property. The property is described as approximately .19 acres of improved property in Section 13, Township 10 South, Range 26 East, located at **2405 Tommy Avenue**, Palatka, Putnam County. A map is attached hereto and a copy of the Ordinance containing a copy of the legal description can be obtained from the Office of the City Clerk at City Hall.

All interested persons are hereby advised of such consideration by the City Commission and all interested parties may appear at said meeting at said time and place and be heard with respect to the proposed ordinance. This notice is given in accordance with F.S. 171.044.

PLEASE GOVERN YOURSELVES ACCORDINGLY.

/s/ BETSY J. DRIGGERS
CITY CLERK

DISPLAY ADVERTISEMENT – 2 x 6 -- run w/ map on file

Run Dates: 08/14/09 and 08/21/09

PROOF OF ADVERTISEMENT REQUESTED

Betsy J. Driggers

City of Palatka

201 N. 2nd Street

Palatka FL 32177

phone 386-329-0100

fax 386-329-0106



Legend

Streets

□ PA_PARCELS

▨ 2405 Tommy Ave

2405 Tommy Avenue

TOMMY

HUSSON

2405

1 Feet
0 5 10 20

1 inch equals 40.932958 feet

*Agenda
Item*

6b

This instrument prepared by:
Jim Lee
201 North 2nd Street
Palatka, Florida 32177

ORDINANCE NO. 09 -

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 ONE PARCEL OF LAND (LESS THAN 10 ACRES IN SIZE) IN SECTION 13, TOWNSHIP 10 SOUTH, RANGE 26 EAST FROM COUNTY URBAN RESERVE TO CITY LOW DENSITY RESIDENTIAL, 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 April 7, 2009, and recommended approval of this amendment to the City Commission, and

WHEREAS, the City Commission conducted a public hearing on this amendment on August 27, 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>
13-10-26-6790-0000-0160	0.19	County Urban Reserve	City Low Density Residential

DESCRIPTION OF PROPERTY:

ORMAN LEIGH LEIGH ESTATES MB 4 P157 LOT 16 (All Book and Page references are to the public 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 27th day of August, 2009.

CITY OF PALATKA

By: _____
Its Mayor

ATTEST:

City Clerk

*Agenda
Item*

6_c

This instrument prepared by:
Jim Lee
205 N. 2nd St.
Palatka, FL 32177

ORDINANCE NO. 09-_____

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED AS TO THAT CERTAIN PROPERTY IN SECTION 13, TOWNSHIP 10 SOUTH, RANGE 26 EAST; FROM COUNTY R1-A (SINGLE FAMILY RESIDENTIAL) TO CITY R-1A (SINGLE FAMILY RESIDENTIAL); REPEALING ANY ORDINANCE IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1.

WHEREAS, application has been made by the owner, Rhoda Harris to the City for certain amendments to the Official Zoning Map of the City of Palatka, Florida, and

WHEREAS, all the necessary procedural steps have been accomplished, including a public hearing before the Planning Board of the City of Palatka on April 7, 2009, and two public hearings before the City Commission of the City of Palatka on August 27, 2009, and September 10, 2009, and

WHEREAS, the City Commission of the City of Palatka has determined that said amendment should be adopted, now therefore,

Section 2. The Official Zoning Map of the City of Palatka, Florida is hereby amended by rezoning the hereinafter described property from its present zoning classification of County R-1A (Single Family Residential) to City R-1A (Single Family Residential).

DESCRIPTION OF PROPERTY:

ORMAN LEIGH ESTATES MB4 P157 LOT 16. (All Book and Page references are to the public records of Putnam County, Florida)

(Being tax parcel#13-10-26-6790-0000-0160)

Section 3. All ordinances in conflict with the terms and provisions of this ordinance are hereby specifically repealed.

Section 4. This Ordinance shall become effective immediately upon its final passage by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 10th day of September, 2009.

CITY OF PALATKA

BY: _____
Its MAYOR

ATTEST:

City Clerk



PLANNING AND ZONING STAFF REPORT

April 7, 2009

APPLICATION: PB 07-43 – Annexation, Small-Scale Future Land Use Map Amendment to change the Future Land Use designation from County Urban Reserve to City Low Density Residential and Rezone from County R-1A to City R-1A.

APPLICANT: Rhoda Harris

LOCATION: 2405 Tommy Avenue

Parcel #: 13-10-26-6790-0000-0160

REQUEST: The applicant is requesting to annex into the City limits, amend the City's Future Land Use Map for .19 acres of property from County Urban Reserve to City Low Density Residential and Rezone from County R1-A to City R-1A.

BACKGROUND & ANALYSIS: The applicant applied to annex into the city limits, amend the future land use map and rezone this parcel on September 7, 2007. This property is contiguous to the City limits along the eastern property line and annexation is a requirement to obtain City services. Since the City was not allowed to process annexations and Future Land Use amendments until it's Comprehensive Plan was in compliance, the applicant was allowed to connect to water prior to approval by the City Commission. The property's main access is off of Tommy Avenue which connects to Husson Avenue.

Surrounding properties have future land use designations of County Urban Reserve north, south and west of the subject property and City Low Density Residential to the east. The zoning pattern of the site and surrounding area is County R1-A to the north, south and west with City R1-A to east.. The existing land use pattern in the area is primarily single-family residential with one parcel of multi-family residential to the southeast and one parcel of commercial to the northeast.

SURROUNDING LAND USE AND ZONING:

	Future Land Use Designation	Zoning	Current Land Uses
North	Urban Reserve	R1A (Putnam)	Residence
South	Urban Reserve	R1A (Putnam)	Residence
East	Low Density Residential	R1A (City)	Residence
West	Urban Reserve	R1A (Putnam)	Residence

B. COMPLIANCE WITH CHAPTER 171, FLORIDA STATUTES, ANNEXATIONS

The request is to annex .19 acres into the City. The subject property is located on Tommy Avenue off of Husson Avenue. Directly north, south, and west of the site is County property.

The proposed annexation does not create an enclave and meets the criteria identified in Section 171.043, Florida Statutes. This includes being contiguous to the City's boundaries at this time, is reasonably compact, is not included within the boundary of

another incorporated municipality, and is intended to be developed for urban purposes because of the availability of City sewer and water lines that are contiguous to the property.

This request is a voluntary annexation and meets the criteria identified in Section 171.044, Florida Statutes, as it relates to being contiguous to the City, and reasonably compact. Following a recommendation from the Planning Board, an appropriately prepared ordinance will be considered by the City Commission after the correct advertising and scheduling of public hearings.

STAFF RECOMMENDATION: Approval of the annexation request.

C. COMPLIANCE WITH THE CITY OF PALATKA COMPREHENSIVE PLAN

The Existing Land Use Designation: The existing Future Land Use is County Urban Service which recognizes areas where urban infrastructure, such as central water, sewer, stormwater systems, paved major roads, exists or is programmed and available for more urban type of development. Although agricultural activities are allowed as a holding land use, this land use designation allows a broad mix of residential, commercial, industrial, public facility and recreation uses. Residential development can achieve a density of up to 9 dwelling units per acre, the highest in Putnam County, with adequate density bonus points.

The Proposed Land Use Designation:

Policy A.1.9.3.A.1 (9J-5.006(3)(c)7)

Residential land use is intended to be used primarily for housing and shall be protected from intrusion by land uses that are incompatible with residential density. Residential land use provides for a variety of land use densities and housing types. Low Density (1730 acres) - provides for a range of densities up to 5 units per acre.

Future Land Use Element

Objective A.1.1 (9J-5.006(3)(b)1; F.S. 187-201 (161)(1)(5)

Upon Plan adoption, the City shall coordinate future land uses with the appropriate topography, adjacent land uses, soil conditions, and the availability of facilities and services.

Policy A.1.1.3 (9J-5.006(3) (c) 3)

The City shall as a condition of issuing a building permit or other development order, require proposed developments to hook up to the City central sewer systems in accordance with the revised City zoning code and subdivision regulations based upon Chapter 381, F.S. and Division 64E, FAC.

STAFF ANALYSIS: The site is built out as a single-family residence which is consistent with the residential uses on Tommy Avenue. City water lines have been run to the property and there is sufficient capacity to maintain existing level of service standards. In the Traffic Circulation Element, Public Facilities Element, Recreation and Open Space Element and Public Schools Facilities Element sections of this staff report we will evaluate each adopted level of service standard for this site related to a maximum density of up to 5 dwelling units per acre.

Traffic Circulation Element

Objective B.1.1 (9J-5.007(3)(b)1)

Upon plan adoption, the City shall provide for a safe, convenient and efficient motorized and non motorized transportation system by correcting, to the maximum extent feasible, all existing roadway deficiencies identified in this plan and maintain acceptable operating conditions in the future on a priority basis.

Policy B.1.1.1 (9J-5.007(3)(01))

The State-wide minimum acceptable operating Level of Service (LOS) standards for the State Highway System and City Street System shall be the base LOS standards listed herein, except for those conditions provided in Policies 1.1.1.A. and 1.1.1.B.

STAFF ANALYSIS: Tommy Avenue is maintained by the County and is classified as a local street. Since this house already exists, there will be no added impact to the street.

Public Facilities Element

Objective D.1.1 (9J-5.011(2)(b)2)

Upon Plan adoption, the City of Palatka shall enforce adopted Concurrency Management System procedures to ensure that at the time a building permit or other development order is issued, infrastructure facility capacity is available to meet the demand of development without lowering adopted Levels of Service Standards (LOSS).

Policy D.1.1.1 (9J-5.011(2) (c)2)

The following level of service standards shall be the basis for determining the availability of facility capacity against the demand generated by development.

A1. Potable Water, Residential: 130 gallons per capita per day

B1. Central Sanitary Sewer System, Residential: 125 gallons per capita per day

C. Solid Waste: 6.4 lbs/person/day

D. Drainage Facilities: City of Palatka and Ravine State gardens Stormwater Quality Master Plan and minimum requirements of the St. Johns River Water Management District.

Policy D.1.1.2 (9J-5.011 (2)(c)2)

All improvements for replacement, expansion, or increase in capacity of facilities shall be compatible with the adopted level of service standards for the facilities and that distribution of these facilities/services is consistent with the Future Land Use Map.

STAFF ANALYSIS: This is an existing single-family dwelling that will not exceed the level of service standards.

- Potable Water: 325 gallons per day multiplied by 2.5 persons per unit is 812.50 gallons per day. A new water plant will be going on line in January 2009 with a capacity of 6 million gallons per day. Current peak usage is approximately 3,200,000 gallons per day. Capacity exists for this home.

- Central Sanitary Sewer System, Residential: 125 gallons per capita per day multiplied by 2.5 person per unit = 312.50 gallons per day. Capacity exists for this home.

- Solid Waste – 6.4 lbs multiplied by 2.5 persons per unit is 16 lbs per day. Capacity exists for this home.

- Drainage: This house was constructed in the County. All drainage issues would have been handled through their permitting process.

Recreation And Open Space Element

Objective F.1.1 (9J-5.0143(3)(b)1

Upon plan adoption, the City shall implement the following policies to ensure public access to all identified recreational facilities.

Policy F.1.1.2 (9J-5.014(3)(c)3

The City shall adopt the following Level of Service Standards: Regional Park/ 1 acre per 50, Community Park/ 1 acre per 500, Neighborhood Park/ 1 acre per 500, Equipped Play and Tot Lot/ 1 Per 2,000, Baseball/Softball Fields/ 1 per 5,000, Football/Soccer Fields/ 1 per 6,000, Equipped Play area/ 1 play area per 10,000, Basketball Courts/ 1 per 5,000, Boat Ramp (Lanes)/ 1 lane per 5,000, Tennis Court/ 1 court per 2,000, Swimming Pools/1 pool per 25,000, Hiking (miles)/ 1 Mile per 6,750, and Picnic Areas (Tables) 1 Table per 6,000.

STAFF ANALYSIS: This house will generate an additional 2.5 people (2.5 persons per unit multiplied by 21 units). Capacity exists for all recreational Level of Service Standards for this additional population.

Public Schools Facilities Element

Objective 1.1.1 (9J-5.025(3)(b)1

The City of Palatka shall ensure the correction of existing school facility deficiencies to provide adequate student capacity, which shall not exceed the adopted level of service standards within the Putnam County School District and which will meet future capacity needs.

Policy 1.1.1.1 (9J-5.025(3)(c)7

The City of Palatka hereby adopts LOSS for Schools of 100% based on permanent FISH capacity for all school types (Elementary, Middle and High)

STAFF ANALYSIS: Phil Leary, the consultant for the Putnam County School District has indicated this single family already exists and will not need to be analyzed for concurrency.

STAFF RECOMMENDATION: Staff recommends approval to change the Future Land Use designation from County Urban Reserve to City Low Density Residential.

D. COMPLIANCE WITH THE PALATKA MUNICIPAL CODE, REZONING REQUEST

Rezoning requirements

When pertaining to the rezoning of land, the report and recommendations of the Planning Board to the City Commission shall show that the Planning Board has studied and considered the proposed change in relation to the following, where applicable (from Sec. 94-38(f)(1) of the Palatka Municipal Code):

- a. Whether the proposed change is in conformity with the comprehensive plan.

STAFF ANALYSIS: The applicant requests rezoning to City R-1A (Single family residential district) from County R1-A (Single family residential district.) The proposed change is in conformance with the comprehensive plan as stated in the above comp plan review and is consistent with both the City and County land use designations for single family dwellings.

This zoning category is consistent with the requested Low Density Residential Future Land Use Map designation. The current land use designation is Putnam County Urban Reserve.

- b. The existing land use pattern.

STAFF ANALYSIS: This rezoning request to City R-1A (Single family residential district) is consistent with the existing land use pattern in the area which is residential development along Tommy Avenue. This request changes the zoning jurisdiction from County to City to accompany the annexation and future land use map amendment request.

- c. Possible creation of an isolated district unrelated to adjacent and nearby districts.

STAFF ANALYSIS: This rezoning request will not create an isolated district since the City and County have adjacent parcels with residential zoning that allow residential uses. The County's setbacks are similar to the City's but are slightly more restrictive.

- d. The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.

STAFF ANALYSIS: This parcel is built out as a single-family residence and will not overtax public services.

- e. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

STAFF ANALYSIS: Staff has no information to indicate that existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

- f. Whether changed or changing conditions make the passage of the proposed amendment necessary.

STAFF ANALYSIS: In order to obtain water services, the applicant was required to annex, amend the Future Land Use map and rezone since the property is contiguous to the city limits. The proposed amendment is necessary to comply with these requirements.

- g. Whether the proposed change will adversely influence living conditions in the neighborhood.

STAFF ANALYSIS: This change is consistent with the existing conditions of the neighborhood.

- h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

STAFF ANALYSIS: This site is already developed as a single-family residence. Tommy Avenue is not in the City and classified by the County as a local street. The traffic created by the existing single-family residence has been included in the County's traffic counts that are the basis for the existing LOSS.

- i. Whether the proposed change will create a drainage problem.

STAFF ANALYSIS: This site is built out as a single-family residence. If any additions are made, drainage will be addressed in plan review.

- j. Whether the proposed change will seriously reduce light and air to adjacent areas.

STAFF ANALYSIS: This site is built out.

- k. Whether the proposed change will adversely affect property values in the adjacent area.

STAFF ANALYSIS: It is not anticipated that this rezoning request will adversely affect property values.

- l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.

STAFF ANALYSIS: Staff does not have any information to indicate that the proposed zoning change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations. Adjacent property owners were notified of this rezoning request and have the opportunity to appear before the Planning Board.

- m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

STAFF ANALYSIS: This rezoning request does not constitute a grant of special privilege.

- n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.

STAFF ANALYSIS: The existing zoning is County zoning. With the proposed requests for annexation and a City future land use designation, it is appropriate to change the zoning to a consistent City zoning designation.

- o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.

STAFF ANALYSIS: This change is not out of scale with the needs of the neighborhood or City.

- p. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.

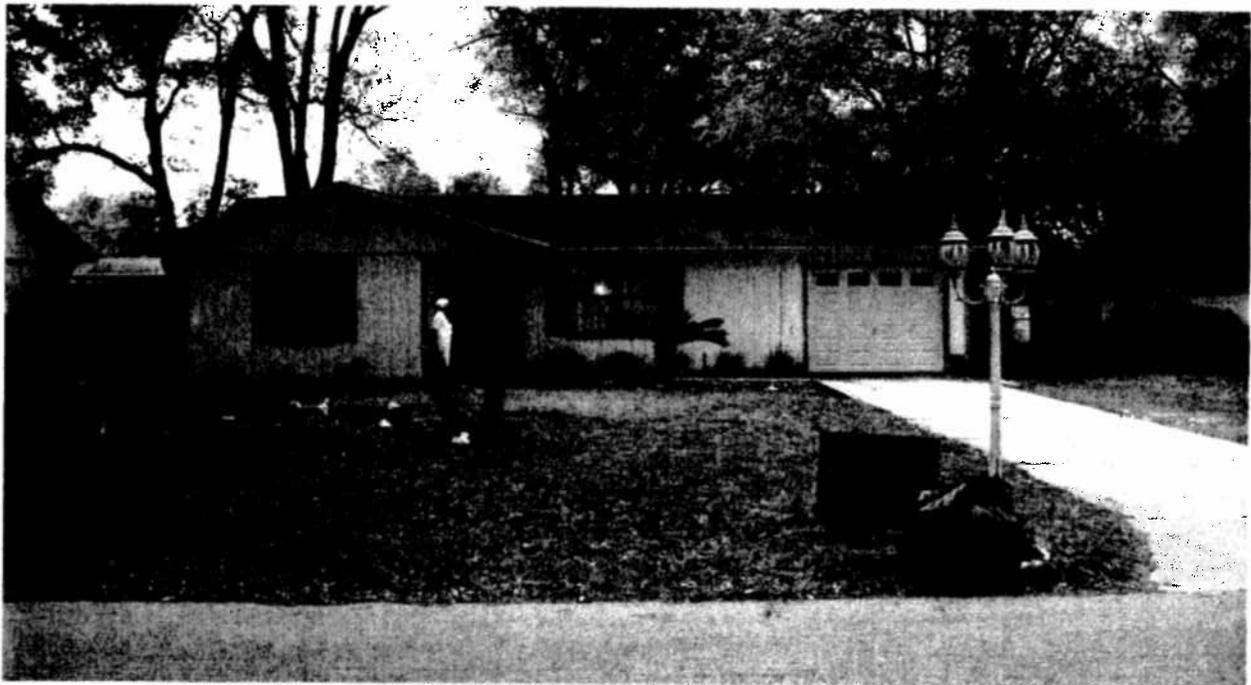
STAFF ANALYSIS: There may be other sites in the City that could accommodate the projected use however, this site is already developed as a residence and the annexation along with the future land use amendment and zoning change is required in order to obtain sewer service.

- q. The recommendation of the historical review board for any change to the boundaries of an HD zoning district or any change to a district underlying an HD zoning district.

STAFF ANALYSIS: This parcel is not located in a Historic District.

STAFF RECOMMENDATION: Staff recommends approval of the requested zoning change from County R1-A (Single family residential district) to City R-1A (Single family residential district). The request complies with the rezoning criteria provided in the Palatka Municipal Code.

Photographs



Application for Annexation

This application must be typed or printed in black ink and submitted with any required attachments and application fee of \$1,000 for Small Scale or \$1,500 for Large Scale (Checks payable to the City of Palatka) to:

Application Number: PB - 07-43

Date Received: 9-17-07

Hearing date: _____

City of Palatka Planning & Zoning
201 N 2nd Street
Palatka, FL 32177

FOR INFORMATION REGARDING THIS FORM, CALL (386) 329-0103

TO BE COMPLETED BY APPLICANT		
1. Property Address: 2405 Tommy Ave	2. Parcel Number: 13-10-26-6790-0000 0160	3. Current Property Use: Res.
4. Current Land Use Designation: RES - SF	5. Requested Land Use Designation: SAME	6. Required Attachments: <input type="checkbox"/> Legal Description <input type="checkbox"/> Letter of Authorization* <input type="checkbox"/> Copy of Recorded Deed <input type="checkbox"/> Fees <input type="checkbox"/> Project Narrative** <input type="checkbox"/> Supplementary Information*** <input type="checkbox"/> Site Map for display ad**** <input type="checkbox"/> Site Plan***** <input type="checkbox"/> Survey
7. Current Zoning Designation: County RIA	8. Requested Zoning Designation: APPROPRIATE CITY R-1A	
9. Acreage to be considered for request: .19	10. Number, types & square footage of structures on property: 1 - Res	
Reason for annexation request: in need of water, well failure		
Rhoda Harris		
Owner Name	Agent Name	
2405 Tommy Ave		
Owner Address	Agent Address	
Palatka, FL 32177		
386-328-7346		
Phone Number	Phone Number	

- * Letter of Authorization for Agent is required if any person other than the property owner makes the application and acts on behalf of the owner.
- ** Project Narrative: Explain present and future use of the property in detail.
- *** Supplementary information that may be required with application relative to the following factors where applicable: Soils, Natural Vegetation/Wildlife; Wetlands (type, location and amount of acreage to the nearest one-hundredth acre), and Topography/Flood Prone Areas.
- **** Site map for ad to be in black & white, no larger than 2 1/2" x 3" with nearest intersecting streets shown and named.
- ***** Site Plan: Detailed project drawing

Application Number: PB - _____

Hearing date: _____

10. This application submitted by:

Signature of owner(s):

Rhoda Harris

Print owner(s) names(s):

Rhoda Harris

Signature of Agent(s): _____

Print Agent(s) names: _____

STATE OF Florida

County of Putnam

Before me this day personally appeared Rhoda Harris who executed the foregoing application and acknowledged to and before me that she executed this document for the purposes therein expressed.

WITNESS my hand and official seal, this 17th day of September A.D. 2007.



Karen M Venables
Notary Public

My commission expires: 3-28-2010 State of Florida at Large

FOR OFFICIAL USE ONLY				
1. Date Submitted	2. Received By:	3. Confirm Zoning:	4. Confirm FLUM	5. Preliminary review by:
7. Sign(s) Posted Date: By:	8. Surrounding property owners notices sent: Date: By:	9. Legal Ad Ran: Date: Date:	10. Attachments Reviewed: <input type="checkbox"/> Letter of Authorization* <input type="checkbox"/> Legal Description <input type="checkbox"/> Copy of Recorded Deed <input type="checkbox"/> Fees <input type="checkbox"/> Project Narrative** <input type="checkbox"/> Supplementary Information*** <input type="checkbox"/> Site Map for display ad**** <input type="checkbox"/> Site Plan***** <input type="checkbox"/> Survey	
City Commission Hearing Date:				

9-17-07

I, Rhonda Harris
is asking for help. Because my well
~~was~~ went out and I been with out
water since 9-11-07,

thank you.

Application for Small-Scale Land Use Amendment to the Future Land Use Map + Rezone

This application must be typed or printed in black ink and submitted with any required attachments and application fee of \$450 (Checks payable to the City of Palatka) to:

City of Palatka Planning & Zoning
201 N 2nd Street
Palatka, FL 32177

FOR INFORMATION REGARDING THIS FORM, CALL (386)329-0103

Application Number: PB - <u>07-43</u>
Date Received: <u>9/17/07</u>
Hearing date: _____

TO BE COMPLETED BY APPLICANT		
1. Property Address: <u>2405 Tommy Ave</u>	2. Parcel Number: <u>13-10-26-6790-0000-0160</u>	3. Current Property Use: <u>Res.</u>
4. Current Land Use Designation: <u>Res, SF</u>	5. Requested Land Use Designation: <u>SAME</u>	6. Required Attachments: <ul style="list-style-type: none"> <input type="checkbox"/> Letter of Authorization* <input type="checkbox"/> Legal Description <input type="checkbox"/> Copy of Recorded Deed <input type="checkbox"/> Fees <input type="checkbox"/> Project Narrative** <input type="checkbox"/> Supplementary Information*** <input type="checkbox"/> Site Map for display ad**** <input type="checkbox"/> Site Plan*****
7. Current Zoning Designation: <u>RIA</u>	8. Requested Zoning Designation:	
9. Lot size/acreage: <u>.19</u>	10. Number, types & square footage of structures on property: <u>1 Res.</u>	
11. Proposed Number, types & square footage of structures on property: Attach plan		
8. Owner Name: <u>Shoda Harris</u> Owner Address: <u>2405 Tommy Ave</u> <u>Palatka FL 32177</u> Phone Number: <u>386-328-7346</u>		
9. Agent Name: _____ Agent Address: _____ _____ Phone Number: _____		

* Letter of Authorization for Agent is required if any person other than the property owner makes the application and acts on behalf of the owner.

**Project Narrative: Explain present and future use of the property in detail.

***Supplementary information that may be required with application relative to the following factors where applicable: Soils, Natural Vegetation/Wildlife; Wetlands (type, location and amount of acreage to the nearest one-hundredth acre), and Topography/Flood Prone Areas.

****Site map for ad to be in black & white, no larger than 2 1/2" x 3" with nearest intersecting streets shown and named.

*****Site Plan: Detailed project drawing

Application Number: PB - _____

Hearing date: _____

10. This application submitted by:

Signature of owner(s): Rhoda Harris _____

Print owner(s) names(s): Rhoda Harris _____

Signature of Agent(s): _____

Print Agent(s) names: _____

STATE OF Florida

County of Putnam

Before me this day personally appeared Rhoda Harris who executed the foregoing application and acknowledged to and before me that she executed this document for the purposes therein expressed.

WITNESS my hand and official seal, this 17th day of September A.D. 2007.



Karen M Venables
Notary Public

My commission expires: 3-28-2010 State of Florida at Large

FOR OFFICIAL USE ONLY				
1. Date Submitted	2. Received By:	3. Current Zoning:	4. Requested Zoning:	5. Preliminary review by:
7. Sign(s) Posted Date: By:	8. Surrounding property owners notices sent: Date: By:	9. Legal Ad Ran: Date:	10. Attachments Reviewed: <input type="checkbox"/> Letter of Authorization* <input type="checkbox"/> Legal Description <input type="checkbox"/> Copy of Recorded Deed <input type="checkbox"/> Fees <input type="checkbox"/> Project Narrative** <input type="checkbox"/> Supplementary Information*** <input type="checkbox"/> Site Map for display ad**** <input type="checkbox"/> Site Plan*****	
City Commission Hearing Date:				

STATE OF FLORIDA

County of Putnam

The undersigned personally appeared before me, a Notary Public for the State of Florida, and deposes that the Palatka Daily News is a daily newspaper of general circulation, printed in the English language and published in the City of Palatka in said County and State; and that the attached order, notice, publication and/or advertisement:

Notice is hereby given that t

Was published in said newspaper 1 time(s) with said publication being made on the following dates:

03/21/2009

The Palatka Daily News has been continuously published as a daily newspaper, and has been entered as second class matter at the post office at the City of Palatka, Putnam County, Florida, each for a period of more than one year next preceding the date of the first publication of the above described order, notice and/or advertisement.

Jeannette Eveland

Sworn to and subscribed to before me this 23rd day of March, 2009 by Jeannette Eveland, Administrative Assistant, of the Palatka Daily News, a Florida corporation, on behalf of the corporation.

Mary Kaye Wells

Mary Kaye Wells, Notary Public
My commission expires July 22, 2011

Notary Seal
Seal of Office:

Personally known to me, or
Produced identification:
Did take an oath

PUBLIC NOTICE

Notice is hereby given that the CITY OF PALATKA PLANNING BOARD will hold a public hearing on April 7, 2009 at 4:00 P.M. at City Hall, 201 N 2nd St. for the purpose of hearing the following matter:

Request to Annex into the city limits of Palatka, Amend the Future Land Use Map from County Urban Reserve to City Low Density Residential and Rezone from County R1-A to City R1-A. Case: PB 07-43

Owner: Rhode Harris

Location: 2405 Tommy Avenue

Parcel #: 13-10-26-6790-0000-0188 (.19 acres)

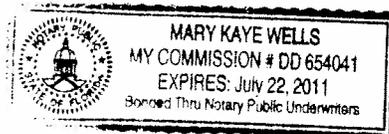
All interested parties are invited to attend this public hearing.

Debbie Banks
Assistant Planning Director

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING WILL NEED A RECORD OF THE PROCEEDINGS, THAT INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED, AT THE EXPENSE OF THE APPELLANT. F.S. 288.0105

PERSONS WITH DISABILITIES REQUIRING ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE BUILDING & ZONING DEPARTMENT AT (386)329-0100 AT LEAST 24 HOURS IN ADVANCE TO REQUEST SUCH ACCOMMODATIONS.

Legal No. 04542920
03/21/2009





City of Palatka
Building & Zoning
201 N. 2nd Street
Palatka, Florida 32177
386-329-0103 • Fax 386-329-0172



As an owner of adjacent property, you are hereby notified of a pending action before the Planning Board which may be of concern to you:

PUBLIC NOTICE

Notice is hereby given that the **CITY OF PALATKA PLANNING BOARD** will hold a public hearing on April 7, 2009 at 4:00 P.M. at City Hall, 201 N 2nd St. for the purpose of hearing the following matter:

Request to Annex, Amend the Future Land Use Map from County Urban Service to City Low Density Residential and Rezone from County R1-A to City R1-A. Case: PB 07-43

Owner: Rhoda Harris

Location: 2405 Tommy Avenue

Parcel #: 13-10-26-6790-0000-0160

All interested parties are invited to attend this public hearing.

Debbie Banks
Assistant Planning Director

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING WILL NEED A RECORD OF THE PROCEEDINGS, THAT INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED, AT THE EXPENSE OF THE APPELLANT. F.S. 286.0105

PERSONS WITH DISABILITIES REQUIRING ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE BUILDING & ZONING DEPARTMENT AT (386)329-0103 AT LEAST 24 HOURS IN ADVANCE TO REQUEST SUCH ACCOMMODATIONS.

Detail Information for Parcel: 13-10-26-6790-0000-0160			Tax Collector Info	
Just Value of Land:	\$5093	Property Use:	Single Family Residential	
Improvement Value:	\$54361	Structures:	1	
Market Value:	\$59454	Mobile Homes: [?]	0	
Market Classified:	\$0	MH Unextended:	0	
Classified: [?]	\$0	Census Tract:	950900	
Assessed Value:	\$59454	Census Block:	5007	
SOH Limitation:	\$49486	Total Acreage:	0.19	
School Exempt:	\$25000	Exemptions: [?]	HX [?]	
School Taxable:	\$24486	Location:	Putnam County	

Parcel 911 Addresses
 2405 Tommy Av, Palatka ([MapQuest map](#))

Property Legal Description
 ORMAN LEIGH ESTATES MB4 P157 LOT 16

Parcel Sales Data

Book	Page	Instrument	Month	Year	QSCD	Price
1073	1589	Marriage Certificate	December	2005	01 I	\$0
0798	1845	Warranty Deed	August	1999	00 I	\$58000
0685	0796	Warranty Deed	October	1995	00 I	\$50900
0425	0069	Warranty Deed	October	1982	01	\$42000

Land Data

Units	Descriptions
70.00	Residential Front Feet

Zoning Data

Department	Code	Descriptions
Putnam County	R-1A	Residential, Single-Family

Future Land Use Map (FLUM)

Code	Acreage	Descriptions
UR	0.20	Urban Reserve

Structure Data

Type	Year	Area	Square Feet
Single Family	1982	BASE	1076
		GRF	312
		OPF	169
		OPU	32

Notice:

The information displayed is from the Final Taxroll which is certified each year in mid October and is updated annually. This information may not reflect the data currently on file in the Property Appraisers office

Click [here](#) to do another search or use your browser's back button to return to previous search results.

10/14/07

Departmental Review Request

Address: 2405 Tommy Ave.

Case #: 07-43

Parcel # 13-10-26-6790-0000--0160

Please review the enclosed request and make any comments in writing to Building & Zoning; Fax 329-0172 or put in box. Call 329-0103 with any questions.

- | | |
|--|---|
| <input checked="" type="checkbox"/> Rezoning | <input type="checkbox"/> Site Plan Review |
| <input checked="" type="checkbox"/> Annexation | <input checked="" type="checkbox"/> Small Scale Amendment (9.99 acres or less) |
| <input type="checkbox"/> Large Scale Amendment(10+ acres) | <input type="checkbox"/> Concurrency Review |
| <input type="checkbox"/> Conditional Use Request | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Street Closing/Street Name Change | <input type="checkbox"/> Other |

Meeting Date:

Response Deadline: 10-26-07

Date submitted by applicant: 9-17-07

Date forwarded to Departments for review: 10-2-07

Submitted to:

Rhett

- Water/Sewer/Streets/Sanitation
- Police
- Fire
- Chief Building Official

- Sewer Plant
- Water Plant
- Parks
- Weed & Seed

- Cemetery
- Golf
- Airport

Current Property Use: Residential

Proposed Property Use: Residential

Property Address: 2405 Tommy Ave.

Parcel Number: 13-10-26-6790-0000-0160

Current Land Use Designation:

Requested Land Use Designation:

Current Zoning Classification:

Requested Zoning Classification:

Acreage: .19

of Units

Rhoda Harris

Owner/Applicant Name

Agent Name

2405 Tommy Avenue

Owner/Applicant Address

Agent Address

Palatka/FL/32177

City/State/Zip

City/State/Zip

386-328-7346

Phone Number

Phone Number

Comments: Already connect to City water. Annexation to occur as soon as we can move business forward. Thank you!

Debbie

Comments attached _____

No comments

Rhett H. McEnany
Dept. Head Signature

Departmental Review Request

RECEIVED
OCT 02 2007

Address: 2405 Tommy Ave.
Parcel # 13-10-26-6790-0000--0160

Case #: 07-43

Please review the enclosed request and make any comments in writing to Building & Zoning; Fax 329-0172 or put in box. Call 329-0103 with any questions.

<input checked="" type="checkbox"/> Rezoning	<input type="checkbox"/> Site Plan Review
<input checked="" type="checkbox"/> Annexation	<input checked="" type="checkbox"/> Small Scale Amendment (9.99 acres or less)
<input type="checkbox"/> Large Scale Amendment(10+ acres)	<input type="checkbox"/> Concurrency Review
<input type="checkbox"/> Conditional Use Request	<input type="checkbox"/> Variance
<input type="checkbox"/> Street Closing/Street Name Change	<input type="checkbox"/> Other

Meeting Date: _____ **Response Deadline: 10-26-07**

Date submitted by applicant: 9-17-07 **Date forwarded to Departments for review: 10-2-07**

Submitted to:

<input checked="" type="checkbox"/> Water/Sewer/Streets/Sanitation <i>Woody</i>	<input type="checkbox"/> Sewer Plant	<input type="checkbox"/> Cemetery
<input type="checkbox"/> Police	<input type="checkbox"/> Water Plant	<input type="checkbox"/> Golf
<input type="checkbox"/> Fire	<input type="checkbox"/> Parks	<input type="checkbox"/> Airport
<input type="checkbox"/> Chief Building Official	<input type="checkbox"/> Weed & Seed	

Current Property Use: Residential **Proposed Property Use:** Residential

Property Address: 2405 Tommy Ave. **Parcel Number:** 13-10-26-6790-0000-0160

Current Land Use Designation: _____ **Requested Land Use Designation:** _____

Current Zoning Classification: _____ **Requested Zoning Classification:** _____

Acreage: .19 **# of Units** _____

<u>Rhoda Harris</u> Owner/Applicant Name	_____ Agent Name
<u>2405 Tommy Avenue</u> Owner/Applicant Address	_____ Agent Address
<u>Palatka/FL/32177</u> City/State/Zip	_____ City/State/Zip
<u>386-328-7346</u> Phone Number	_____ Phone Number

Comments: Already connect to City water. Annexation to occur as soon as we can move business forward.
Thank you! *Dalton*

Comments attached _____
No comments _____ **Dept. Head Signature** *[Signature]*

10/10/07

Departmental Review Request

Address: 2405 Tommy Ave.

Case #: 07-43

Parcel # 13-10-26-6790-0000--0160

Please review the enclosed request and make any comments in writing to Building & Zoning; Fax 329-0172 or put in box. Call 329-0103 with any questions.

- | | |
|--|---|
| <input checked="" type="checkbox"/> Rezoning | <input type="checkbox"/> Site Plan Review |
| <input checked="" type="checkbox"/> Annexation | <input checked="" type="checkbox"/> Small Scale Amendment (9.99 acres or less) |
| <input type="checkbox"/> Large Scale Amendment(10+ acres) | <input type="checkbox"/> Concurrence Review |
| <input type="checkbox"/> Conditional Use Request | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Street Closing/Street Name Change | <input type="checkbox"/> Other |

Meeting Date:

Response Deadline: 10-26-07

Date submitted by applicant: 9-17-07

Date forwarded to Departments for review: 10-2-07

Submitted to:

- | | | |
|---|--------------------------------------|-----------------------------------|
| <input type="checkbox"/> Water/Sewer/Streets/Sanitation | <input type="checkbox"/> Sewer Plant | <input type="checkbox"/> Cemetery |
| <input checked="" type="checkbox"/> Police | <input type="checkbox"/> Water Plant | <input type="checkbox"/> Golf |
| <input type="checkbox"/> Fire | <input type="checkbox"/> Parks | <input type="checkbox"/> Airport |
| <input type="checkbox"/> Chief Building Official | <input type="checkbox"/> Weed & Seed | |

Current Property Use:
Residential

Proposed Property Use:
Residential

Property Address:
2405 Tommy Ave.

Parcel Number:
13-10-26-6790-0000-0160

Current Land Use Designation:

Requested Land Use Designation:

Current Zoning Classification:

Requested Zoning Classification:

Acreage: .19

of Units

Rhoda Harris

Owner/Applicant Name

Agent Name

2405 Tommy Avenue

Owner/Applicant Address

Agent Address

Palatka/FL/32177

City/State/Zip

City/State/Zip

386-328-7346

Phone Number

Phone Number

Comments: Already connect to City water. Annexation to occur as soon as we can move business forward.

Thank you! *Rhoda*

Comments attached _____

No comments _____

[Signature]
Dept. Head Signature

Departmental Review Request

Address: 2405 Tommy Ave.

Case #: 07-43

Parcel # 13-10-26-6790-0000--0160

RECEIVED
OCT 02 2007

Please review the enclosed request and make any comments in writing to Building & Zoning; Fax 329-0172 or put in box. Call 329-0103 with any questions.

- | | |
|---|--|
| <input checked="" type="checkbox"/> Rezoning | <input type="checkbox"/> Site Plan Review |
| <input checked="" type="checkbox"/> Annexation | <input checked="" type="checkbox"/> Small Scale Amendment (9.99 acres or less) |
| <input type="checkbox"/> Large Scale Amendment(10+ acres) | <input type="checkbox"/> Concurrency Review |
| <input type="checkbox"/> Conditional Use Request | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Street Closing/Street Name Change | <input type="checkbox"/> Other |

Meeting Date: _____ **Response Deadline: 10-26-07**

Date submitted by applicant: 9-17-07 **Date forwarded to Departments for review: 10-2-07**

- Submitted to:**
- | | | |
|--|--------------------------------------|-----------------------------------|
| <input type="checkbox"/> Water/Sewer/Streets/Sanitation | <input type="checkbox"/> Sewer Plant | <input type="checkbox"/> Cemetery |
| <input type="checkbox"/> Police | <input type="checkbox"/> Water Plant | <input type="checkbox"/> Golf |
| <input type="checkbox"/> Fire | <input type="checkbox"/> Parks | <input type="checkbox"/> Airport |
| <input checked="" type="checkbox"/> Chief Building Official | <input type="checkbox"/> Weed & Seed | |

Current Property Use: Residential **Proposed Property Use:** Residential

Property Address: 2405 Tommy Ave. **Parcel Number:** 13-10-26-6790-0000-0160

Current Land Use Designation: _____ **Requested Land Use Designation:** _____

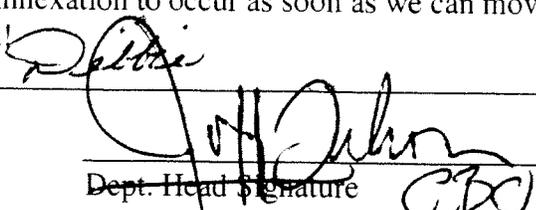
Current Zoning Classification: _____ **Requested Zoning Classification:** _____

Acreage: .19 **# of Units** _____

<u>Rhoda Harris</u> Owner/Applicant Name	 Agent Name
<u>2405 Tommy Avenue</u> Owner/Applicant Address	 Agent Address
<u>Palatka/FL/32177</u> City/State/Zip	 City/State/Zip
<u>386-328-7346</u> Phone Number	 Phone Number

Comments: Already connect to City water. Annexation to occur as soon as we can move business forward.
Thank you!

Comments attached _____
No comments _____


Dept. Head Signature

Departmental Review Request

Address: 2405 Tommy Ave.

Case #: 07-43

Parcel # 13-10-26-6790-0000--0160

Please review the enclosed request and make any comments in writing to Building & Zoning; Fax 329-0172 or put in box. Call 329-0103 with any questions.

- | | |
|---|--|
| <input checked="" type="checkbox"/> Rezoning | <input type="checkbox"/> Site Plan Review |
| <input checked="" type="checkbox"/> Annexation | <input checked="" type="checkbox"/> Small Scale Amendment (9.99 acres or less) |
| <input type="checkbox"/> Large Scale Amendment(10+ acres) | <input type="checkbox"/> Concurrency Review |
| <input type="checkbox"/> Conditional Use Request | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Street Closing/Street Name Change | <input type="checkbox"/> Other |

Meeting Date:

Response Deadline: 10-26-07

Date submitted by applicant: 9-17-07

Date forwarded to Departments for review: 10-2-07

Submitted to:

- Water/Sewer/Streets/Sanitation
- Police
- Fire
- Chief Building Official

- Sewer Plant
- Water Plant
- Parks
- Weed & Seed

- Cemetery
- Golf
- Airport

Current Property Use:

Residential

Proposed Property Use:

Residential

Property Address:

2405 Tommy Ave.

Parcel Number:

13-10-26-6790-0000-0160

Current Land Use Designation:

Requested Land Use Designation:

Current Zoning Classification:

Requested Zoning Classification:

Acreage: .19

of Units

Rhoda Harris

Owner/Applicant Name

Agent Name

2405 Tommy Avenue

Owner/Applicant Address

Agent Address

Palatka/FL/32177

City/State/Zip

City/State/Zip

386-328-7346

Phone Number

Phone Number

Comments: Already connect to City water. Annexation to occur as soon as we can move business forward.

Thank you!

Rhoda Harris

Comments attached _____

No comments

Mark L. ... Fire Marshal
Dept. Head Signature

*Agenda
Item*

7a

**CITY OF PALATKA CITY COMMISSION
AGENDA ITEM**

ITEM: Adoption of an ordinance annexing 3323 and 3403 St. Johns Avenue into the City, adoption of a related ordinance changing the future land use designation from Putnam County Urban Service to City of Palatka Commercial, and the first reading of an ordinance changing the zoning from Putnam County CPO (Commercial, Professional Office) and R1-A (Single Family Residential) to City of Palatka C-1A (Commercial Neighborhood District).

DEPARTMENT: Building & Zoning

AGENDA SECTION: Regular agenda requiring Commission action

ATTACHMENTS

1. An Ordinance of the City of Palatka annexing 3323 and 3403 St. Johns Avenue
2. An Ordinance of the City of Palatka amending the future land use designation from Putnam County Urban Service to City of Palatka Commercial.
3. An Ordinance of the City of Palatka changing the zoning from Putnam County CPO (Commercial, Professional Office) and R1-A (Single Family Residential) to City of Palatka C-1A (Commercial Neighborhood District).
4. June 2, 2009, Planning Board Minutes.
5. June 2, 2009, Planning Board Packet.

DATE: August 27, 2009

SUMMARY HIGHLIGHTS:

The identified purpose of these three applications is to allow City water and sewer services due to failure of their septic tank. These parcel of land are .23 and .24 of an acre.

A public hearing was held by the Planning Board on June 2, 2009, at the applicant's request for annexation, change of future land use from County Urban Service to City Commercial, and rezoning from Putnam County CPO (Commercial, Professional Office) and R1-A (Single Family Residential) to City of Palatka C-1A (Commercial Neighborhood District). There was no public testimony. The Planning Board voted to recommend approval of the three requests.

RECOMMENDED ACTION:

Staff recommends approval of the attached annexation and future land use ordinances, and conducting the first public hearing on the related zoning ordinance. The second public hearing for the zoning ordinance is scheduled for September 10, 2009.

AGENDA ITEM NUMBER:

AGENDA PAGE NUMBER:

3323 & 3403 St. Johns Ave

ST JOHNS

TANNER

3323

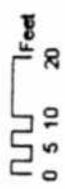
3403



Legend

Streets

-  PA_PARCELS
-  3403 St. Johns Ave
-  3323 St. Johns Ave



1 inch equals 31 376466 feet



This instrument prepared by:
Jim Lee
City of Palatka
201 N. 2nd St.
Palatka, FL 32177

ORDINANCE NO. 09 - 28

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA CERTAIN ADJACENT TERRITORY IN SECTION 11, TOWNSHIP 10 SOUTH, RANGE 26 EAST, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1.

WHEREAS, Petition has been filed before the City Commission of the City of Palatka, Florida, which Petition is on file in the office of the City Clerk, signed by all of the freehold owners of the property sought to be annexed, to wit:

A Women's Resource Center

WHEREAS, Chapter 171.044, Florida Statutes, permits the annexation of unincorporated areas lying adjacent and contiguous to the boundaries of the City of Palatka, and

WHEREAS, the City Commission of the City of Palatka finds that it is in the best interest of the people of the City of Palatka, Florida, that said lands be annexed and become a part of the City of Palatka;

Section 2. NOW THEREFORE, be it enacted by the people of the City of Palatka, Florida, that the following described unincorporated lands lying adjacent and contiguous to the boundaries of the City of Palatka, Florida shall henceforth be deemed and held to be within the corporate limits of the City of Palatka, Florida said lands being described as follows:

DESCRIPTION OF PROPERTY:

A part of the East ½ of the Northwest ¼ of the Northeast ¼ of the

Northeast $\frac{1}{4}$ of Section 11, Township 10 South, Range 26 East, more particularly described as follows:

From a point in the East Line of the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ (this being the East line of lands described in Deed Book 173, page 293) where the South Line of Lemon Street as described in that certain final Judgment recorded in minutes of Circuit Court Book 15, page 258 intersect said East Line of the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and run West along said South Line of Lemon Street as described above for a distance of 75 Feet to the Northwest corner of those lands as described in Official Records Book 198, page 315 and the point of beginning of this description.

(1) Continue West along the South Line of said Lemon Street a distance of 70 Feet more or less to the East Line of those lands as described in Official Records Book 394, page 1120. Return to the point of Beginning and (2) run South and along the West Line of said lands as described in Official Records Book 198, page 315, a distance of 140 feet to a point on the North Line of lands described in Official Records Book 291, page 1902; (3) run thence West and along the North Line of said lands described in Official Records Book 291, page 1902, a distance of 70 Feet more or less to the West Line of said lands described in Official Records Book 394, page 1120; (4) thence run North and along the East Line of said lands described in Official Records Book 394 page 1120 a distance of 140 feet to the Westerly end of Call (1) above and to close.

All Book and page references are to the Public Records of Putnam County, Florida.

(Being tax parcel #11-10-26-0000-0120-0120) and

A part of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 11, Township 10 South, range 26 East, more particularly described as follows: Begin at the intersection of the East Line of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 11, Township 10 South, Range 26 East, with the Southerly right of way Line of Lemon Street extension Section 76631, run thence Westerly, along the South Line of Lemon Street extension for a distance of 75 Feet, run thence South, parallel with the East Line of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ for a distance of 140 Feet, run thence East, parallel with the North Line of Section 11 for a distance of 75 Feet, more or less, to the East Line of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, run thence North, along the East Line of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ for a distance of 140 Feet more or less to the point of beginning to close.

(Being tax parcel #11-10-26-0000-0122-0000)

Section 3. The property hereby annexed shall remain subject to the County Comprehensive Plan and Zoning Laws until changed by the City of Palatka.

Section 4. This Ordinance shall become effective immediately upon its final passage by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 27th day of August, 2009.

CITY OF PALATKA

BY: _____
Its Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM AND CORRECTNESS:

City Attorney

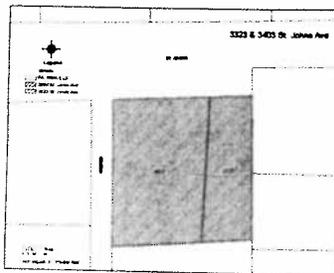
NOTICE OF ANNEXATION

NOTICE is hereby given that the City Commission of the City of Palatka, Florida, at the next regular meeting to be held at 6:00 p.m. on the 27th day of August, 2009, at City Hall, Palatka, Florida, will consider the enactment of Ordinance No. 09-28 annexing the following described property into the corporate limits of the City and redefining the boundary lines of the City of Palatka to include said property. The property is described as approximately .23 & .24 acres of improved property in Section 11, Township 10 South, Range 26 East, located at **3403 & 3323 St Johns Avenue**, Palatka, Putnam County. A map is attached hereto and a copy of the Ordinance containing a copy of the legal description can be obtained from the Office of the City Clerk at City Hall.

All interested persons are hereby advised of such consideration by the City Commission and all interested parties may appear at said meeting at said time and place and be heard with respect to the proposed ordinance. This notice is given in accordance with F.S. 171.044.

PLEASE GOVERN YOURSELVES ACCORDINGLY.

/s/ BETSY J. DRIGGERS
CITY CLERK



Ord. # 09-28

NOTICE OF ANNEXATION

NOTICE is hereby given that the City Commission of the City of Palatka, Florida, at the next regular meeting to be held at 6:00 p.m. on the 27th day of August, 2009, at City Hall, Palatka, Florida, will consider the enactment of Ordinance No. 09-28 annexing the following described property into the corporate limits of the City and redefining the boundary lines of the City of Palatka to include said property. The property is described as approximately .23 & .24 acres of improved property in Section 11, Township 10 South, Range 26 East, located at **3403 & 3323 St. Johns Avenue**, Palatka, Putnam County. A map is attached hereto and a copy of the Ordinance containing a copy of the legal description can be obtained from the Office of the City Clerk at City Hall.

All interested persons are hereby advised of such consideration by the City Commission and all interested parties may appear at said meeting at said time and place and be heard with respect to the proposed ordinance. This notice is given in accordance with F.S. 171.044.

PLEASE GOVERN YOURSELVES ACCORDINGLY.

/s/ BETSY J. DRIGGERS
CITY CLERK

DISPLAY ADVERTISEMENT – 2 x 6 -- run w/ map on file

Run Dates: 08/14/09 and 08/21/09

PROOF OF ADVERTISEMENT REQUESTED

Betsy J. Driggers

City of Palatka

201 N. 2nd Street

Palatka FL 32177

phone 386-329-0100

fax 386-329-0106

Agenda Item

7b

This instrument prepared by:
Jim Lee
201 North 2nd Street
Palatka, Florida 32177

ORDINANCE NO. 09 -

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 TWO PARCELS OF LAND (LESS THAN 10 ACRES IN SIZE) IN SECTION 11, 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 June 2, 2009, and recommended approval of this amendment to the City Commission, and

WHEREAS, the City Commission conducted a public hearing on this amendment on August 27, 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>
11-10-26-0000-0120-0120	0.23	County Urban Service	City Commercial
11-10-26-0000-0122-0000	0.24	County Urban Service	City Commercial

DESCRIPTION OF PROPERTY:

Exhibit "A"

A part of the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 11, Township 10 South, Range 26 East, more particularly described as follows:

From a point in the East Line of the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ (this being the East line of lands described in Deed Book 173, page 293) where the South Line of Lemon Street as described in that certain final Judgment recorded in minutes of Circuit Court Book 15, page 258 intersect said East Line of the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and run West along said South Line of Lemon Street as described above for a distance of 75 Feet to the Northwest corner of those lands as described in Official Records Book 198, page 315 and the point of beginning of this description.

(1) Continue West along the South Line of said Lemon Street a distance of 70 Feet more or less to the East Line of those lands as described in Official Records Book 394, page 1120. Return to the point of Beginning and (2) run South and along the West Line of said lands as described in Official Records Book 198, page 315, a distance of 140 feet to a point on the North Line of lands described in Official Records Book 291, page 1902; (3) run thence West and along the North Line of said lands described in Official Records Book 291, page 1902, a distance of 70 Feet more or less to the West Line of said lands described in Official Records Book 394, page 1120; (4) thence run North and along the East Line of said lands described in Official Records Book 394 page 1120 a distance of 140 feet to the Westerly end of Call (1) above and to close.

All Book and page references are to the Public Records of Putnam County, Florida.

(Being tax parcel #11-10-26-0000-0120-0120) and

A part of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 11, Township 10 South, range 26 East, more particularly described as follows: Begin at the intersection of the East Line of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 11, Township 10 South, Range 26 East, with the Southerly right of way Line of Lemon Street extension Section 76631, run thence Westerly, along the South Line of Lemon Street extension for a distance of 75

Feet, run thence South, parallel with the East Line of the E ½ of the NW ¼ of the NE ¼ of the NE ¼ for a distance of 140 Feet, run thence East, parallel with the North Line of Section 11 for a distance of 75 Feet, more or less, to the East Line of the E ½ of the NW ¼ of the NE ¼ of the NE ¼, run thence North, along the East Line of the E ½ of the NW ¼ of the NE ¼ of the NE ¼ for a distance of 140 Feet more or less to the point of beginning to close.

(Being tax parcel #11-10-26-0000-0122-0000)

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 27th day of August, 2009.

CITY OF PALATKA

By: _____
Its Mayor

ATTEST:

City Clerk

*Agenda
Item*

7c

This instrument prepared by:
Jim Lee
205 N. 2nd St.
Palatka, FL 32177

ORDINANCE NO. 09-_____

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED AS TO THAT CERTAIN TWO PROPERTIES IN SECTION 11, TOWNSHIP 10 SOUTH, RANGE 26 EAST; FROM COUNTY CPO (COMMERCIAL PROFESSIONAL OFFICE) AND R1-A (SINGLE FAMILY RESIDENTIAL) TO CITY C-1A (COMMERCIAL NEIGHBORHOOD DISTRICT); REPEALING ANY ORDINANCE IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1.

WHEREAS, application has been made by the owner, A Women's Resource Center to the City for certain amendments to the Official Zoning Map of the City of Palatka, Florida, and

WHEREAS, all the necessary procedural steps have been accomplished, including a public hearing before the Planning Board of the City of Palatka on June 2, 2009, and two public hearings before the City Commission of the City of Palatka on August 27, 2009, and September 10, 2009, and

WHEREAS, the City Commission of the City of Palatka has determined that said amendment should be adopted, now therefore,

Section 2. The Official Zoning Map of the City of Palatka, Florida is hereby amended by rezoning the hereinafter described property from its present zoning classification of County CPO (Commercial Professional Office) and R1-A (single Family Residential) to City C-1A (Commercial Neighborhood District).

DESCRIPTION OF PROPERTY:

A part of the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 11, Township 10 South, Range 26 East, more particularly described as follows:

From a point in the East Line of the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$

(this being the East line of lands described in Deed Book 173, page 293) where the South Line of Lemon Street as described in that certain final Judgment recorded in minutes of Circuit Court Book 15, page 258 intersect said East Line of the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and run West along said South Line of Lemon Street as described above for a distance of 75 Feet to the Northwest corner of those lands as described in Official Records Book 198, page 315 and the point of beginning of this description. (1) Continue West along the South Line of said Lemon Street a distance of 70 Feet more or less to the East Line of those lands as described in Official Records Book 394, page 1120.

Return to the point of Beginning and (2) run South and along the West Line of said lands as described in Official Records Book 198, page 315, a distance of 140 feet to a point on the North Line of lands described in Official Records Book 291, page 1902; (3) run thence West and along the North Line of said lands described in Official Records Book 291, page 1902, a distance of 70 Feet more or less to the West Line of said lands described in Official Records Book 394, page 1120; (4) thence run North and along the East Line of said lands described in Official Records Book 394 page 1120 a distance of 140 feet to the Westerly end of Call (1) above and to close.

All Book and page references are to the Public Records of Putnam County, Florida.

(Being tax parcel #11-10-26-0000-0120-0120) and

A part of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 11, Township 10 South, range 26 East, more particularly described as follows: Begin at the intersection of the East Line of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 11, Township 10 South, Range 26 East, with the Southerly right of way Line of Lemon Street extension Section 76631, run thence Westerly, along the South Line of Lemon Street extension for a distance of 75 Feet, run thence South, parallel with the East Line of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ for a distance of 140 Feet, run thence East, parallel with the North Line of Section 11 for a distance of 75 Feet, more or less, to the East Line of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, run thence North, along the East Line of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ for a distance of 140 Feet more or less to the point of beginning to close.

(Being tax parcel #11-10-26-0000-0122-0000)

Section 3. All ordinances in conflict with the terms and provisions of this ordinance are hereby specifically repealed.

Section 4: This Ordinance shall become effective immediately upon its final passage by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 10th day of September, 2009.

CITY OF PALATKA

BY: _____
Its MAYOR

ATTEST:

City Clerk





Planning Board Minutes & Proceedings

June 2, 2009

Page 2 of 3

Case PB 07-32 3895, 4001, 4003 & 4005 Reid Street – continued.

Ms. Banks advised that this option would require a re-advertisement.

Motion made by Randy Brandy to table this case to allow staff time to do a PUD staff review and report and re-advertise. Seconded by Earl Wallace. All members present voted affirmative. Motion carried.

NEW BUSINESS

Case PB 09-10 **Address:** 3323 and 3403 St Johns Avenue
Parcel(s): 11-10-26-0000-0120-0120- and 11-10-26-0000-0122-0000
Applicant: A Women's Resource Center

Request: To annex into the City of Palatka city limits, amend the Future Land Use Map (small scale) from County Urban Service to City Commercial and rezone from County Commercial, Professional Office (CPO) and Single-family Residential (R1-A) to City Commercial Neighborhood District (C1-A).

(Public Hearing)

Ms. Banks advised that this case is part of the backlog. That water and sewer services have been afforded the property owners. She stated that there were no comments received regarding the public notices sent out or the advertisement and that no comments were received from the inter-departmental reviews.

(Regular Meeting)

Motion made by Randy Braddy to forward recommendation of approval to the City Commission to annex into the City of Palatka city limits, amend the Future Land Use Map (small scale) from County Urban Service to City Commercial and rezone from County Commercial, Professional Office (CPO) and Single-family Residential (R1-A) to City Commercial Neighborhood District (C1-A). Seconded by Earl Wallace. All members present voted affirmative. Motion carried.

Case PB 09-15 **Address:** 200 S State Road 19
Parcel(s): 11-10-26-0000-0143-0000
Applicant: Kinko Foods, Inc.

Request: For a conditional use to sell alcohol within 300 feet of another established licensed premise selling alcohol.

(Public Hearing)

Ms. Banks advised that K-mart, Publix, and CVS are existing off-premise alcohol sales establishments, in close proximity of this request. That staff's findings, under the Conditional Use review process, did not determine any issues with items A – K. No comments were received from the notices sent out regarding this request. Staff recommended approval.

The owner was present and stated that they were hoping to open within 3 weeks.



PLANNING AND ZONING STAFF REPORT

June 2, 2009

APPLICATION: PB 09-10 – Annexation, Small-Scale Future Land Use Map Amendment to change the Future Land Use designation from County Urban Service to City Commercial and Rezone from County Commercial, Professional Office (CPO) and Single Family Residential (R1-A) to City Commercial Neighborhood District (C1-A).

APPLICANT: A Women's Resource Center

LOCATION: 3323 and 3403 St. Johns Avenue

Parcel #: 11-10-26-0000-0120-0120 and 11-10-26-0000-0122-0000

A. BACKGROUND & ANALYSIS: On March 11, 2009 the applicant had requested City sewer due to the failure of their septic tank. They already had City water. Since this property is contiguous to the City limits to the north across St. Johns Avenue and to the west across Tanner Terrace, they are able to annex in order to obtain this service. Since the City has been working through the backlog of cases as a result of the Comprehensive Plan being out of compliance, the applicant was allowed to connect to sewer prior to approval by the Planning Board and City Commission. The property's main access off St. Johns Avenue. Departmental Review Requests were sent to all departments. The Public Works Director, Police Chief, and Water & Sewer Superintendent responded with "No Comment."

Surrounding properties have future land use designations of County Urban Service north, south, east and west of the subject property. The zoning pattern of the site and surrounding area is County R1-A to the north, south east and west; City R1-A to North and west; and county C-1 to the west. The existing land use pattern in the area is mixed commercial and single family residential.

SURROUNDING LAND USE AND ZONING:

	Future Land Use Designation	Zoning	Current Land Uses
North	Urban Service	R1A (Putnam) R1A (City)	Single Family Residence
South	Urban Service	R1A (Putnam)	Single Family Residence
East	Urban Service	R-1A	Single Family Residence
West	Urban Service City Low Density Residential	C-1 (Putnam) R-1 (City)	Ralph's Hair Care Single Family Residence

B. COMPLIANCE WITH CHAPTER 171, FLORIDA STATUTES, ANNEXATIONS

The request is to annex .a .23 and a .24 acre parcel into the City. The subject property is located at 3323 & 3403 St. Johns Avenue. Properties directly north, east, and west of the site is County with City parcels to the north and west.

The proposed annexation does not create an enclave and meets the criteria identified in Section 171.043, Florida Statutes. This includes being contiguous to the City's boundaries at this time, is reasonably compact, is not included within the boundary of another incorporated municipality, and is intended to be developed for urban purposes because of the availability of City sewer and water lines that are contiguous to the property.

This request is a voluntary annexation and meets the criteria identified in Section 171.044, Florida Statutes, as it relates to being contiguous to the City, and reasonably compact. Following a recommendation from the Planning Board, an appropriately prepared ordinance will be considered by the City Commission after the correct advertising and scheduling of public hearings.

STAFF RECOMMENDATION: Approval of the annexation request.

C. COMPLIANCE WITH THE CITY OF PALATKA COMPREHENSIVE PLAN

The Existing Land Use Designation: The existing Future Land Use is County Urban Service which recognizes areas where urban infrastructure, such as central water, sewer, stormwater systems, paved major roads, exists or is programmed and available for more urban type of development. Although agricultural activities are allowed as a holding land use, this land use designation allows a broad mix of residential, commercial, industrial, public facility and recreation uses. Residential development can achieve a density of up to 9 dwelling units per acre, the highest in Putnam County, with adequate density bonus points.

The Proposed Land Use Designation:

Commercial (1,210 acres)

Land designated for commercial use is intended for activities that are predominantly associated with the sale, rental, and distribution of products or the performance of service. Commercial land use includes offices, retail, lodging, restaurants, services, commercial parks, shopping centers, or other similar business activities. Public/Institutional uses and recreational uses are allowed within the commercial land use category. The intensity of commercial use, as measured by impervious surface, should not exceed 70 percent of the parcel. The maximum height should not exceed 40 feet. Land Development Regulations shall provide requirements for buffering commercial land uses (i.e., sight access, noise) from adjacent land uses of lesser density or intensity of use. See Policy A.1.3.2.

Future Land Use Element

Objective A.1.1 (9J-5.006(3)(b)1; F.S. 187-201 (161)(1)(5)

Upon Plan adoption, the City shall coordinate future land uses with the appropriate topography, adjacent land uses, soil conditions, and the availability of facilities and services.

Policy A.1.1.3 (9J-5.006(3) (c) 3)

The City shall as a condition of issuing a building permit or other development order, require proposed developments to hook up to the City central sewer systems in

accordance with the revised City zoning code and subdivision regulations based upon Chapter 381, F.S. and Division 64E, FAC.

STAFF ANALYSIS: These sites were built as single-family residences but have been allowed to convert to commercial in the County. This use is consistent with both the residential and commercial uses of surrounding parcels. City water & sewer lines have been run to the properties and there is sufficient capacity to maintain existing level of service standards. In the Traffic Circulation Element and Public Facilities Element sections of this staff report we will evaluate each adopted level of service standard for this site.

Traffic Circulation Element

Objective B.1.1 (9J-5.007(3)(b)1)

Upon plan adoption, the City shall provide for a safe, convenient and efficient motorized and non motorized transportation system by correcting, to the maximum extent feasible, all existing roadway deficiencies identified in this plan and maintain acceptable operating conditions in the future on a priority basis.

Policy B.1.1.1 (9J-5.007(3)(01))

The State-wide minimum acceptable operating Level of Service (LOS) standards for the State Highway System and City Street System shall be the base LOS standards listed herein, except for those conditions provided in Policies 1.1.1.A. and 1.1.1.B.

STAFF ANALYSIS: This segment of St. Johns Avenue is a City maintained road that serves as a collector with an adopted level of service of D.

Public Facilities Element

Objective D.1.1 (9J-5.011(2)(b)2)

Upon Plan adoption, the City of Palatka shall enforce adopted Concurrency Management System procedures to ensure that at the time a building permit or other development order is issued, infrastructure facility capacity is available to meet the demand of development without lowering adopted Levels of Service Standards (LOSS).

Policy D.1.1.1 (9J-5.011(2) (c)2)

The following level of service standards shall be as the basis for determining the availability of facility capacity against the demand generated by development.

1. Central Water System

Commercial/Industrial: 110 gallons per acre per day (GAD)

D. Drainage Facilities: City of Palatka and Ravine State Gardens Stormwater Quality Master Plan and minimum requirements of the St. Johns River Water Management District.

Policy D.1.1.2 (9J-5.011 (2)(c)2)

All improvements for replacement, expansion, or increase in capacity of facilities shall be compatible with the adopted level of service standards for the facilities and that distribution of these facilities/services is consistent with the Future Land Use Map.

STAFF ANALYSIS: This is an existing commercial use constructed as a single-family dwelling that will not exceed the level of service standards.

- Potable Water: 110 gallons per acre per day multiplied by .47 acres is 51.7 gallons per acre per day. A new water plant will be going on line in 2009 with a capacity of 6 million gallons per day. Current peak usage is approximately 3,200,000 gallons per day. Capacity exists for these parcels..

- Central Sanitary Sewer System, Residential: 125 gallons per acre per day (GAD) multiplied by .47 = 58.50 gallons per acre per day. Capacity exists for these parcels.

- Solid Waste – 6.4 lbs multiplied by 2.5 persons per unit is 16 lbs per day. Capacity exists for this location. Please note these figures are for residential not commercial. There are no calculations either on the City or County level for solid waste for commercial.

- Drainage: These houses were constructed in the County. All drainage issues would have been handled through their permitting process.

STAFF RECOMMENDATION: Staff recommends approval to change the Future Land Use designation from County Urban Service to City Commercial Neighborhood District.

D. COMPLIANCE WITH THE PALATKA MUNICIPAL CODE, REZONING REQUEST

Rezoning requirements

When pertaining to the rezoning of land, the report and recommendations of the Planning Board to the City Commission shall show that the Planning Board has studied and considered the proposed change in relation to the following, where applicable (from Sec. 94-38(f)(1) of the Palatka Municipal Code):

- a. Whether the proposed change is in conformity with the comprehensive plan.

STAFF ANALYSIS: The applicant requests rezoning to City C-1A (Commercial Neighborhood District) from County Commercial, Professional Office (CPO) and Single-family residential district (R1-A) The proposed change is in conformance with the comprehensive plan as stated in the above comp plan review and is consistent with both the City and County land use designations for commercial neighborhood districts.

This zoning category is consistent with the requested Commercial Future Land Use designation. The current land use designation is Putnam County Urban Service.

- b. The existing land use pattern.

STAFF ANALYSIS: This rezoning request to City C-1A (Commercial Neighborhood District) is consistent with the existing land use pattern in the area which is mixed commercial and residential development. This request changes the zoning jurisdiction from County to City to accompany the annexation and future land use map amendment request.

- c. Possible creation of an isolated district unrelated to adjacent and nearby districts.

STAFF ANALYSIS: This rezoning request will not create an isolated district since the City and County have adjacent parcels with commercial zoning that allow commercial uses. The County's setbacks are similar to the City's but are slightly more restrictive.

- d. The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.

STAFF ANALYSIS: This parcel is built out and will not overtax public services.

- e. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

STAFF ANALYSIS: Staff has no information to indicate that existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

- f. Whether changed or changing conditions make the passage of the proposed amendment necessary.

STAFF ANALYSIS: In order to obtain water and sewer services, the applicant was required to annex, amend the Future Land Use map and rezone since the property is contiguous to the city limits. The proposed amendment is necessary to comply with these requirements.

- g. Whether the proposed change will adversely influence living conditions in the neighborhood.

STAFF ANALYSIS: This change is consistent with the existing conditions of the area.

- h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

STAFF ANALYSIS: This site is already developed as a commercial use and has not created or caused the LOSS to be exceeded for this portion of St. Johns Avenue which is designated as a collector with an adopted level of service D.

- i. Whether the proposed change will create a drainage problem.

STAFF ANALYSIS: This site is built out and no drainage problems have been noted. If any additions are made, drainage will be addressed in plan review.

- j. Whether the proposed change will seriously reduce light and air to adjacent areas.

STAFF ANALYSIS: This site is built out.

- k. Whether the proposed change will adversely affect property values in the adjacent area.

STAFF ANALYSIS: It is not anticipated that this rezoning request will adversely affect property values.

- l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.

STAFF ANALYSIS: Staff does not have any information to indicate that the proposed zoning change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations. Adjacent property owners were notified of this rezoning request and have the opportunity to appear before the Planning Board.

- m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

STAFF ANALYSIS: This rezoning request does not constitute a grant of special privilege.

- n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.

STAFF ANALYSIS: The existing zoning is County zoning. With the proposed requests for annexation and a City future land use designation, it is appropriate to change the zoning to a consistent City zoning designation.

- o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.

STAFF ANALYSIS: This change is not out of scale with the needs of the neighborhood or City.

- p. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.

STAFF ANALYSIS: There may be other sites in the City that could accommodate the projected use however, this site is already developed and the annexation along with the future land use amendment and zoning change is required in order to obtain sewer service.

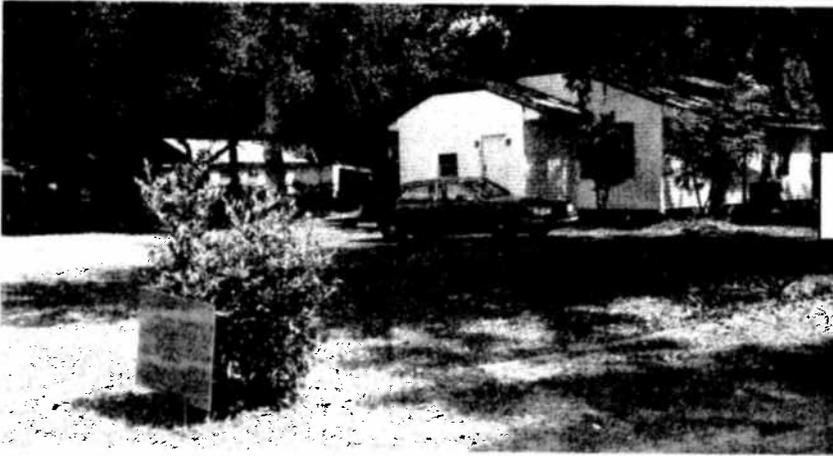
- q. The recommendation of the historical review board for any change to the boundaries of an HD zoning district or any change to a district underlying an HD zoning district.

STAFF ANALYSIS: This parcel is not located in a Historic District.

STAFF RECOMMENDATION: Staff recommends approval of the requested zoning change from County Commercial, Professional Office (CPO) and Single Family Residential (R1-A) to City Commercial Neighborhood District (C1-A). The request complies with the rezoning criteria provided in the Palatka Municipal Code.

E. Photographs

Case PB 09-10



View facing east toward 3323 St. Johns.



View facing west toward 3403 St. Johns.



View facing west.

Application for Annexation

This application must be typed or printed in black ink and submitted with any required attachments and application fee of \$1,000 for Small Scale or \$1,500 for Large Scale (Checks payable to the City of Palatka) to:

Application Number: PB - 09-10
 Date Received: 3/11/09
 Hearing date: 5/5/09

City of Palatka Planning & Zoning
 201 N 2nd Street
 Palatka, FL 32177

FOR INFORMATION REGARDING THIS FORM, CALL (386) 329-0103

TO BE COMPLETED BY APPLICANT		
1. Property Address: 3403 St Johns Ave 3323 St Johns Ave	2. Parcel Number: (A) 11-10-26-0000-0120-0120 (B) 11-10-26-0000-0122-0000	3. Current Property Use: A Women's Resource Center
4. Current Land Use Designation: Commercial residential	5. Requested Land Use Designation: Commercial	6. Required Attachments: <input type="checkbox"/> Legal Description <input type="checkbox"/> Letter of Authorization* <input type="checkbox"/> Copy of Recorded Deed <input type="checkbox"/> Fees <input type="checkbox"/> Project Narrative** <input type="checkbox"/> Supplementary Information*** <input type="checkbox"/> Site Map for display ad**** <input type="checkbox"/> Site Plan***** <input type="checkbox"/> Survey
7. Current Zoning Designation: COUNTY CPO County R-1A	8. Requested Zoning Designation: C1-A	
9. Acreage to be considered for request: (A) .23 Acres (B) .24 Acres	10. Number, types & square footage of structures on property: 2 buildings 1100 sq. ft and 900 sq. ft	
Reason for annexation request: to apply for city sewer services		
A Women's Resource Center		Linda Faw
Owner Name		Agent Name
PO Box 811		
Owner Address		Agent Address
Palatka, FL. 32178		
Phone Number		Phone Number
386-328-9394		

- * Letter of Authorization for Agent is required if any person other than the property owner makes the application and acts on behalf of the owner.
- ** Project Narrative: Explain present and future use of the property in detail.
- *** Supplementary information that may be required with application relative to the following factors where applicable: Soils, Natural Vegetation/Wildlife; Wetlands (type, location and amount of acreage to the nearest one-hundredth acre), and Topography/Flood Prone Areas.
- **** Site map for ad to be to be in black & white, no larger than 2 1/2" x 3" with nearest intersecting streets shown and named.
- ***** Site Plan: Detailed project drawing

Application Number: PB - _____
 Hearing date: _____

10. This application submitted by:

Signature of owner(s): Linda Faw

Print owner(s) names(s): Linda Faw

Signature of Agent(s): _____

Print Agent(s) names: _____

STATE OF Florida

County of Putnam

Before me this day personally appeared Linda Faw ^{FLDLF00053152-757} who executed the foregoing application and acknowledged to and before me that she executed this document for the purposes therein expressed.

WITNESS my hand and official seal, this 11th day of March A.D. 2009.



Betsy Jordan Driggers
 Notary Public

My commission expires: 3-15-10 State of Florida at Large

FOR OFFICIAL USE ONLY				
1. Date Submitted	2. Received By:	3. Confirm Zoning:	4. Confirm FLUM	5. Preliminary review by:
7. Sign(s) Posted Date: By:	8. Surrounding property owners notices sent: Date: By:	9. Legal Ad Ran: Date: Date:	10. Attachments Reviewed: <input type="checkbox"/> Letter of Authorization* <input type="checkbox"/> Legal Description <input type="checkbox"/> Copy of Recorded Deed <input type="checkbox"/> Fees <input type="checkbox"/> Project Narrative** <input type="checkbox"/> Supplementary Information*** <input type="checkbox"/> Site Map for display ad**** <input type="checkbox"/> Site Plan***** <input type="checkbox"/> Survey	
City Commission Hearing Date:				

Application for Small-Scale Land Use Amendment to the Future Land Use Map

This application must be typed or printed in black ink and submitted with any required attachments and application fee of \$450 (Checks payable to the City of Palatka) to:

City of Palatka Planning & Zoning
201 N 2nd Street
Palatka, FL 32177

FOR INFORMATION REGARDING THIS FORM, CALL (386)329-0103

Application Number: PB - 09-10

Date Received: 3/11/09

Hearing date: 5/5/09

TO BE COMPLETED BY APPLICANT

1. Property Address: <u>3403 St Johns Ave</u> <u>3323 St Johns Ave</u>		2. Parcel Number:		3. Current Property Use: <u>AWomen's Resource Center</u>	
4. Current Land Use Designation: <u>County US</u>		5. Requested Land Use Designation:		6. Required Attachments: <input type="checkbox"/> Letter of Authorization* <input type="checkbox"/> Legal Description <input type="checkbox"/> Copy of Recorded Deed <input type="checkbox"/> Fees <input type="checkbox"/> Project Narrative** <input type="checkbox"/> Supplementary Information*** <input type="checkbox"/> Site Map for display ad**** <input type="checkbox"/> Site Plan*****	
7. Current Zoning Designation: <u>Commercial</u> <u>residential</u>		8. Requested Zoning Designation: <u>Commercial</u>			
9. Lot size/acreage:		10. Number, types & square footage of structures on property: <u>2 buildings - 900 sq-ft.</u> <u>1100 sq-ft</u>			
11. Proposed Number, types & square footage of structures on property: Attach plan					
8. Owner Name: <u>AWomen's Resource Center</u>					
Owner Address: <u>PO Box 811</u> <u>Palatka, FL. 32178</u>					
Phone Number: <u>386-328-9394</u>					
9. Agent Name: _____					
Agent Address: _____ _____					
Phone Number: _____					

* Letter of Authorization for Agent is required if any person other than the property owner makes the application and acts on behalf of the owner.

**Project Narrative: Explain present and future use of the property in detail.

***Supplementary information that may be required with application relative to the following factors where applicable: Soils, Natural Vegetation/Wildlife; Wetlands (type, location and amount of acreage to the nearest one-hundredth acre), and Topography/Flood Prone Areas.

****Site map for ad to be to be in black & white, no larger than 2 1/2" x 3" with nearest intersecting streets shown and named.

*****Site Plan: Detailed project drawing

Application Number: PB - _____

Hearing date: _____

10. This application submitted by:

Signature of owner(s): Linda Faw

Print owner(s) names(s): Linda Faw

Signature of Agent(s): _____

Print Agent(s) names: _____

STATE OF Florida

County of Putnam

Before me this day personally appeared Linda Faw ^{FLD# F000-53552-70} who executed the foregoing application and acknowledged to and before me that she executed this document for the purposes therein expressed.

WITNESS my hand and official seal, this 11th day of March A.D. 2009.

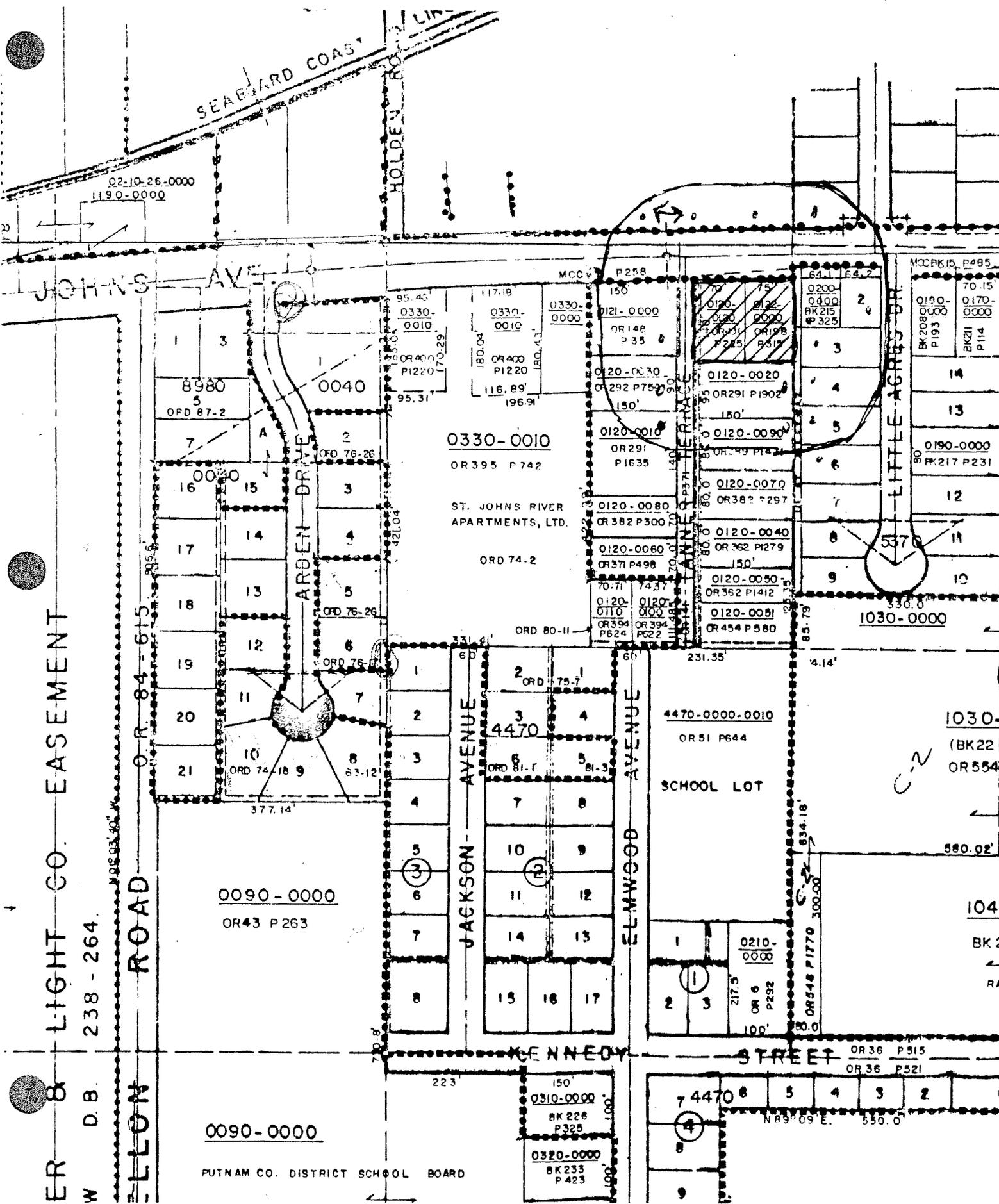


Betsy Jordan Driggers
Notary Public

My commission expires: 3-15-10

State of Florida at Large

FOR OFFICIAL USE ONLY				
1. Date Submitted	2. Received By:	3. Current Zoning:	4. Requested Zoning:	5. Preliminary review by:
7. Sign(s) Posted Date: By:	8. Surrounding property owners notices sent: Date: By:	9. Legal Ad Ran: Date:	10. Attachments Reviewed: <input type="checkbox"/> Letter of Authorization* <input type="checkbox"/> Legal Description <input type="checkbox"/> Copy of Recorded Deed <input type="checkbox"/> Fees <input type="checkbox"/> Project Narrative** <input type="checkbox"/> Supplementary Information*** <input type="checkbox"/> Site Map for display ad**** <input type="checkbox"/> Site Plan*****	
City Commission Hearing Date:				



SEABOARD COAST LINE

HOLDEN ROAD

JOHNS AVE

ARDEN DRIVE

JACKSON AVENUE

ELMWOOD AVENUE

ER & LIGHT CO. EASEMENT

W D.B. 238 - 264.

ELDON ROAD

LITTLE AGERS DR

0330-0010

ST. JOHNS RIVER APARTMENTS, LTD.

ORD 74-2

ORD 80-11

4470

SCHOOL LOT

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OR 43 P 263

0090-0000

PUTNAM CO. DISTRICT SCHOOL BOARD

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P 325

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BK 233
P 423

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OR 36 P 515
OR 36 P 521

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OR 291 P 1902

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OR 382 P 297

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OR 362 P 1279

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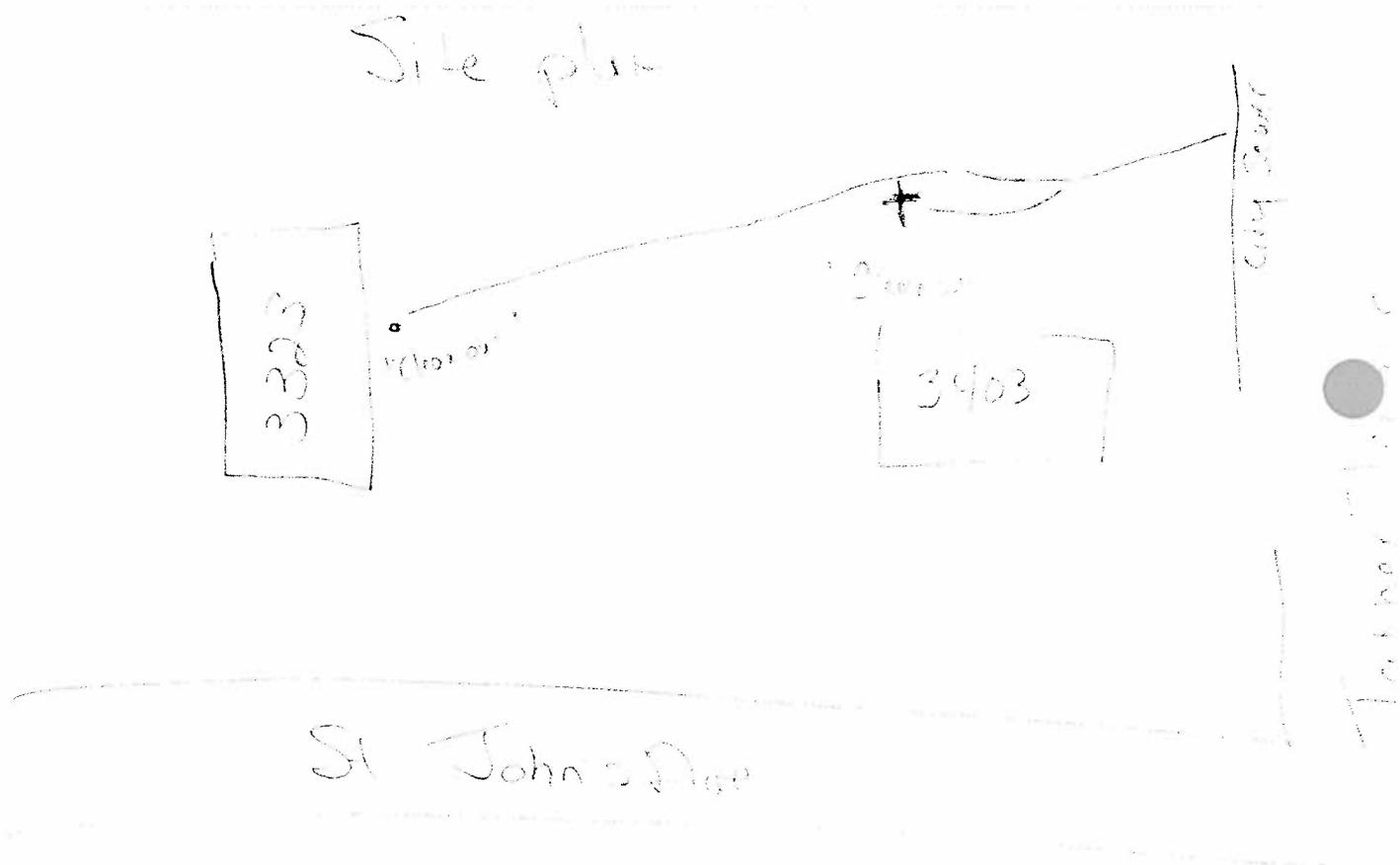
OR 36 P 521



P.O. Box 811
Palatka, Florida 32178
Phone: 386-328-9394
Email: positivedecision@bellsouth.net

PROJECT NARRATIVE

Please accept the attached fact sheet for our organization, A Women's Resource Center as an explanation of the present and future use of this property in detail.



FACT SHEET

A Women's Resource Center is an interdenominational evangelical ministry that serves women and men in unplanned pregnancies; shares the love and hope of salvation through Jesus Christ; promotes Adoption as a viable option; provides peer counseling and Bible Study for post-abortive women; provides material services for people in need through the Earn While You Learn Program; offers abstinence programs and events for area youth and communication training for parents of adolescents.

ALL SERVICES ARE FREE AND CONFIDENTIAL!!!

AWRC opened on May 1, 2001 and has seen God work in many situations:

- Over 1800 men and women have received free pregnancy tests and/or peer counseling regarding choosing life for their unborn babies and the importance of committing to abstinence until marriage.
- Over 80% of all tests including abortion-minded or abortion-vulnerable, pregnant women have chosen LIFE for their unborn babies!!!
- Approximately 100 Ultrasounds have been given for women to come face to face with THEIR unborn child and 100% of them have CHOSEN LIFE!!!
- 6 babies have been successfully placed for adoption.
- Thirty-five mothers and dads are currently enrolled in a curriculum based material services program titled "Earn While You Learn."
- Over 100 men, women and teens have received Christ during counseling sessions, Bible studies, and events sponsored by AWRC.
- Over 500 teens have committed to sexual abstinence until marriage during the True Love Waits rallies, chaired by AWRC.
- Approximately 50 parents have been trained to communicate with their adolescents regarding God's plan for abstinence in their lives!
- Many women have participated in a 10 week post abortion Bible study.
- AWRC has provided Thanksgiving and Christmas baskets for 6 years for over 50 families.

a
Women's
Resource Center



...Serving God by loving His creation

A Women's Resource Center is supported solely through churches, private donations and fund raisers. AWRC is a private, not for profit, 501c3 interdenominational corporation.

PUBLIC NOTICE

Notice is hereby given that the City of Palatka PLANNING BOARD will hold a public hearing at their regular meeting on Tuesday, June 2, 2009 at 4:00PM at City of Palatka City Hall, 201 North 2nd Street, for the purpose of hearing a:

Request to annex into the Palatka city limits, amend the Future Land Use Map from County Urban Service to City Commercial, and rezone from County Commercial, Professional Office (CPO) and single Family residential (R1-A) to City Commercial Neighborhood District (C-1-A)

Location: 3323 and 3403 St. Johns Avenue
Parcel #:
11-10-26-0000-0120-0120 &
11-10-26-0000-0122-0000
Requested by: A Women's Resource Center
Agent: Linda Paw

All interested parties are invited to attend this public hearing.

Debbie Banks
Assistant Planning Director

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE THE CITY COMMISSION WILL REQUIRE A VERBATIM TRANSCRIPT BE MADE AT THE EXPENSE OF THE APPELLANT THAT INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED F.S. 286.0105.

PERSONS WITH DISABILITIES INTERESTED IN ATTENDING THIS MEETING AND REQUIRING ACCOMMODATIONS, SHOULD CONTACT THE CITY BUILDING DEPARTMENT AT 329-0103 AT LEAST 24 HOURS IN ADVANCE TO REQUEST SUCH ACCOMMODATIONS.

Legal No. 04643521
05/20/2009



City of Palatka

Building & Zoning

201 N. 2nd Street

Palatka, Florida 32177

386-329-0103 • Fax 386-329-0172



As an owner of adjacent property, you are hereby notified of a pending action before the Planning Board which may be of concern to you:

PUBLIC NOTICE

Notice is hereby given that the City of Palatka PLANNING BOARD will hold a public hearing at their regular meeting on Tuesday, June 2, 2009 at 4:00PM at City of Palatka City Hall, 201 North 2nd Street, for the purpose of hearing a:

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Location: 3323 and 3403 St. Johns Avenue
Parcel #: 11-10-26-0000-0120-0120 & 11-10-26-0000-0122-0000
Requested by: A Women's Resource Center
Agent: Linda Faw

All interested parties are invited to attend this public hearing.

Debbie Banks
Assistant Planning Director

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PERSONS WITH DISABILITIES INTERESTED IN ATTENDING THIS MEETING AND REQUIRING ACCOMMODATIONS, SHOULD CONTACT THE CITY BUILDING DEPARTMENT AT 329-0103 AT LEAST 24 HOURS IN ADVANCE TO REQUEST SUCH ACCOMMODATIONS.

02-10-26-0000-0880-0000 and 0890-0000

WATTS WESLEY
1813 REID ST
PALATKA FL 32177

PB 09-10

02-10-26-0000-0900-0000

SELLERS MILDRED L
3400 ST JOHNS AVE
PALATKA FL 32177

PB 09-10

02-10-26-8020-0010-0010

JANISZEWSKI JOHN J + LINDA D
100 GREEN DRIVE
PALATKA FL 32177

PB 09-10

11-10-26-5370-0000-0020

MCCOLM VIRGINIA (E)
622 RIVER ST
PALATKA FL 32177

PB 09-10

11-10-26-0000-0200-0000

BAYLESS MONA L
3313 ST JOHNS AVE
PALATKA FL 32177

PB 09-10

11-10-26-5370-0000-0030

CATERSON MARGARET B + VINCENT L H/W
3110 KENTUCKY AVE
FT PIERCE FL 34947

PB 09-10

11-10-26-5370-0000-0040

BENNETT JULEE N
106 LITTLE ACRES DR
PALATKA FL 32177

PB 09-10

11-10-26-5370-0000-0050

CONNER JAMES L + DIANA L H/W
131 TWIN LAKE GROVE DR
INTERLACHEN FL 32148

PB 09-10

11-10-26-5370-0000-0060

RESCHMEIER FAMILY REVOCABLE TRUST
260 CYPRESS DR
ST AUGUSTINE FL 32086

PB 09-10

11-10-26-0000-0120-0020

MULLINS TOMMY J
115 TANNER TERR
PALATKA FL 32177

PB 09-10

11-10-26-0000-0120-0090

KEY JOHN + ALYSSA J+CHRISTIANA KEY
119 TANNER TERRACE
PALATKA FL 32177

PB 09-10

11-10-26-0000-0120-0010

SHERAR CRAIG Z + JESSICA H/W
147 PINE TREE RD
E PALATKA FL 32131

PB 09-10

11-10-26-0000-0120-0030

LAIBL-CROWE LOIS DARLENE
114 TANNER TERR
PALATKA FL 32177

PB 09-10

11-10-26-0000-0121-0000

WILLIS RALPH C
103 OAK LEAF PT
PALATKA FL 32177

PB 09-10

Rec
5/7/09

Departmental Review Request

Address: 3323/3403 St. Johns Ave.
Parcel # 11-10-26-0000-0120-0120 & 0122-0000

Case #: 09-10

Please review the enclosed request and make any comments in writing to Building & Zoning; Fax 329-0172 or put in box. Call 329-0103 with any questions.

<input checked="" type="checkbox"/> Rezoning	<input type="checkbox"/> Site Plan Review
<input checked="" type="checkbox"/> Annexation	<input checked="" type="checkbox"/> Small Scale Amendment (9.99 acres or less)
<input type="checkbox"/> Large Scale Amendment(10+ acres)	<input type="checkbox"/> Concurrency Review
<input type="checkbox"/> Conditional Use Request	<input type="checkbox"/> Variance
<input type="checkbox"/> Street Closing/Street Name Change	<input type="checkbox"/> Other

Meeting Date: 05/0/09 Response Deadline: 4-18-09

Date submitted by applicant: 04/08/09 Date forwarded to Departments for review: 5-6-09

Submitted to:

<input checked="" type="checkbox"/> Water/Sewer/Streets/Sanitation	<input type="checkbox"/> Sewer Plant	<input type="checkbox"/> Cemetery
<input type="checkbox"/> Police	<input type="checkbox"/> Water Plant	<input type="checkbox"/> Golf
<input type="checkbox"/> Fire	<input type="checkbox"/> Parks	<input type="checkbox"/> Airport
<input type="checkbox"/> Chief Building Official	<input type="checkbox"/> Weed & Seed	

Public Works
Boynston

Current Property Use: Commercial Proposed Property Use: *office*

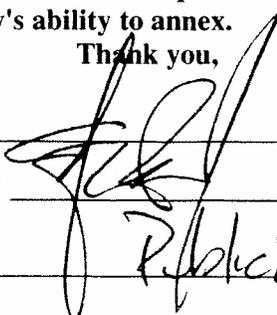
Current Land Use Designation: Urban Service Requested Land Use Designation: Commercial

Current Zoning Classification: County - CPO Commercial, Professional Office and R-1A Single Family Residential Requested Zoning Classification: C1-A Commercial Neighborhood District

Acreage: .23 and .24 # of Units 2 buildings

<p>A Women's Resource Center</p> <p>Owner/Applicant Name P. O. Box 811</p> <p>Owner/Applicant Address Palatka, FL 32178-0811</p> <p>City/State/Zip (386) 328-9394</p> <p>Phone Number</p>	<p>Linda Faw</p> <p>Agent Name</p> <p>Agent Address</p> <p>City/State/Zip</p> <p>Phone Number</p>
---	---

Planning Dept. Comments: Request to annex, amend the future land use map and rezone as required by code for sewer service. Services have been provided pending the city's ability to annex.
Thank you,

No Comments Reviewed by: 

Comments Attached Title: *Public Works Dir.*

5/11/09
PP

Departmental Review Request

Address: 3323/3403 St. Johns Ave.
Parcel # 11-10-26-0000-0120-0120 & 0122-0000

Case #: 09-10

Please review the enclosed request and make any comments in writing to Building & Zoning; Fax 329-0172 or put in box. Call 329-0103 with any questions.

<input checked="" type="checkbox"/> Rezoning	<input type="checkbox"/> Site Plan Review
<input checked="" type="checkbox"/> Annexation	<input checked="" type="checkbox"/> Small Scale Amendment (9.99 acres or less)
<input type="checkbox"/> Large Scale Amendment(10+ acres)	<input type="checkbox"/> Concurrency Review
<input type="checkbox"/> Conditional Use Request	<input type="checkbox"/> Variance
<input type="checkbox"/> Street Closing/Street Name Change	<input type="checkbox"/> Other

Meeting Date: 05/0/09

Response Deadline: 4-18-09

Date submitted by applicant: 04/08/09

Date forwarded to Departments for review: 5-6-09

Submitted to:

- Water/Sewer/Streets/Sanitation
- Police
- Fire
- Chief Building Official

- Sewer Plant
- Water Plant
- Parks
- Weed & Seed

- Cemetery
- Golf
- Airport

Current Property Use: Commercial

Proposed Property Use: Office

Current Land Use Designation: Urban Service

Requested Land Use Designation: Commercial

Current Zoning Classification: County - CPO
Commercial, Professional Office and R-1A Single
Family Residential

Requested Zoning Classification: C1-A Commercial
Neighborhood District

Acreage: .23 and .24

of Units 2 buildings

A Women's Resource Center
Owner/Applicant Name
 P. O. Box 811
Owner/Applicant Address
 Palatka, FL 32178-0811
City/State/Zip
 (386) 328-9394
Phone Number

Linda Faw
Agent Name
Agent Address
City/State/Zip
Phone Number

Planning Dept. Comments: Request to annex, amend the future land use map and rezone as required by code for sewer service. Services have been provided pending the city's ability to annex.

Thank you,

- No Comments
- Comments Attached

Reviewed by:

Title:

Jerry S. Gutchell
Chief of Police

Departmental Review Request

Address: 3323/3403 St. Johns Ave.

Case #: 09-10

Parcel # 11-10-26-0000-0120-0120 & 0122-0000

Please review the enclosed request and make any comments in writing to Building & Zoning; Fax 329-0172 or put in box. Call 329-0103 with any questions.

<input checked="" type="checkbox"/> Rezoning	<input type="checkbox"/> Site Plan Review
<input checked="" type="checkbox"/> Annexation	<input checked="" type="checkbox"/> Small Scale Amendment (9.99 acres or less)
<input type="checkbox"/> Large Scale Amendment(10+ acres)	<input type="checkbox"/> Concurrency Review
<input type="checkbox"/> Conditional Use Request	<input type="checkbox"/> Variance
<input type="checkbox"/> Street Closing/Street Name Change	<input type="checkbox"/> Other

Meeting Date: 05/0/09

Response Deadline: 4-18-09

Date submitted by applicant: 04/08/09

Date forwarded to Departments for review: 5-6-09

Submitted to:

- Water/Sewer/Streets/Sanitation *Rhett*
- Police
- Fire
- Chief Building Official

- | | |
|--------------------------------------|-----------------------------------|
| <input type="checkbox"/> Sewer Plant | <input type="checkbox"/> Cemetery |
| <input type="checkbox"/> Water Plant | <input type="checkbox"/> Golf |
| <input type="checkbox"/> Parks | <input type="checkbox"/> Airport |
| <input type="checkbox"/> Weed & Seed | |

Current Property Use: Commercial

Proposed Property Use: *office*

Current Land Use Designation: Urban Service

Requested Land Use Designation: Commercial

Current Zoning Classification: County - CPO Commercial, Professional Office and R-1A Single Family Residential

Requested Zoning Classification: C1-A Commercial Neighborhood District

Acreage: .23 and .24

of Units 2 buildings

A Women's Resource Center
Owner/Applicant Name
 P. O. Box 811
Owner/Applicant Address
 Palatka, FL 32178-0811
City/State/Zip
 (386) 328-9394
Phone Number

Linda Faw
Agent Name

Agent Address

City/State/Zip

Phone Number

Planning Dept. Comments: Request to annex, amend the future land use map and rezone as required by code for sewer service. Services have been provided pending the city's ability to annex.

Thank you,

- No Comments
- Comments Attached

Reviewed by: *Rhett H. McEmery*

Title: *SUPERINTENDENT W&S*

Agenda Item

8a

**CITY OF PALATKA CITY COMMISSION
AGENDA ITEM**

ITEM: Adoption of an ordinance annexing 3832 Reid Street into the City, adoption of a related ordinance changing the future land use designation from Putnam County Urban Service to City of Palatka Commercial, and the first reading of an ordinance changing the zoning from Putnam County C-2 (Commercial) and AG (Agricultural) to City of Palatka C-2 (Intensive Commercial). **DEPARTMENT:** Building & Zoning

AGENDA SECTION: Regular agenda requiring Commission action

ATTACHMENTS 1. An Ordinance of the City of Palatka annexing 3832 Reid Street **DATE:** August 27, 2009
2. An Ordinance of the City of Palatka amending the future land use designation from Putnam County Urban Service to City of Palatka Commercial.
3. An Ordinance of the City of Palatka changing the zoning from Putnam County C-2 (Commercial) and AG (Agricultural) to City of Palatka C-2 (Intensive Commercial).
4. May 5, 2009, Planning Board Minutes.
5. May 5, 2009, Planning Board Packet.

SUMMARY HIGHLIGHTS:

The identified purpose of these three applications is to allow City water and sewer services due to failure of the sewer system. This is a 7.35+/- acre parcel of land.

A public hearing was held by the Planning Board on May 5, 2009, at the applicant's request for annexation, change of future land use from County Urban Service to City Commercial, and rezoning from Putnam County C-2 (Commercial) and AG (Agricultural) to City of Palatka C-2 (Intensive Commercial). There was no public testimony. The Planning Board voted to recommend approval of the three requests.

RECOMMENDED ACTION:

Staff recommends approval of the attached annexation and future land use ordinances, and conducting the first public hearing on the related zoning ordinance. The second public hearing for the zoning ordinance is scheduled for September 10, 2009.

AGENDA ITEM NUMBER:

AGENDA PAGE NUMBER:

This instrument prepared by:
Jim Lee
City of Palatka
201 N. 2nd St.
Palatka, FL 32177

ORDINANCE NO. 09 - 29

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA CERTAIN ADJACENT TERRITORY IN SECTION 02, TOWNSHIP 10 SOUTH, RANGE 26 EAST, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1.

WHEREAS, Petition has been filed before the City Commission of the City of Palatka, Florida, which Petition is on file in the office of the City Clerk, signed by all of the freehold owners of the property sought to be annexed, to wit:

Putnam Lanes, Inc.

WHEREAS, Chapter 171.044, Florida Statutes, permits the annexation of unincorporated areas lying adjacent and contiguous to the boundaries of the City of Palatka, and

WHEREAS, the City Commission of the City of Palatka finds that it is in the best interest of the people of the City of Palatka, Florida, that said lands be annexed and become a part of the City of Palatka;

Section 2. NOW THEREFORE, be it enacted by the people of the City of Palatka, Florida, that the following described unincorporated lands lying adjacent and contiguous to the boundaries of the City of Palatka, Florida shall henceforth be deemed and held to be within the corporate limits of the City of Palatka, Florida said lands being described as follows:

DESCRIPTION OF PROPERTY:

A part of the East 1/2 of the Northwest 1/4 of Section 2, Township 10 South, Range 26 East, Putnam County, Florida, also being a part of the lands described in Official Records Book 453, page 1733 and Official Records Book 453, page 1735, all of the Public Records of said county being more particularly described as follows:

For a Point of Beginning commence at the southwesterly corner of said lands described in Official Records Book 453, page 1733, said point being on the northerly right of way line of State Road No. 100; thence N 21 degrees 37 minutes 41 seconds East, along the westerly line of said lands described in Official Records Book 453, page 1733, a distance of 166.87 feet; thence North, continuing along said westerly line of the lands described in Official Records Book 453, page 1733, a distance of 560.00 feet; thence East, a distance of 412.55 feet to the easterly line of said lands described in Official Records Book 453, page 1735; thence South, along said easterly line of the lands described in Official Records Book 453, page 1735, a distance of 903.08 feet to the southeasterly corner of said lands described in Official Records Book 453, page 1735, said point being on said northerly right of way line of State Road No. 100; thence N 68 degrees 22

minutes 19 seconds West, along said northerly right of way line of State Road No. 100, a distance of 509.96 feet to the Point of Beginning, excepting there from the right of way of the Georgia Southern and Florida Railway Company.

Containing 7.35 acres more or less.

(Being a portion of tax parcel #02-10-26-0000-0590-0030)

Section 3. The property hereby annexed shall remain subject to the County Comprehensive Plan and Zoning Laws until changed by the City of Palatka.

Section 4. This Ordinance shall become effective immediately upon its final passage by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 27th day of August, 2009.

CITY OF PALATKA

BY: _____
Its Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM AND CORRECTNESS:

City Attorney

Planning Board Minutes & Proceedings

May 5, 2009

Page 2 of 2

NEW BUSINESS

X **Case PB 09-08** **Address:** 3832 Reid Street
Applicant: Putnam Lanes Inc.

Request: To annex into the City of Palatka city limits, amend the Future Land Use Map (small scale) from County Urban Service to City Commercial and rezone from County Commercial (C-2) and Agricultural (AG) to City Intensive Commercial (C-2)

(Public Hearing)

Earl Wallace recused himself from the case.

Ms. Banks advised that the City has been working with the owners to obtain a Community Development Block Grant to fund city water and sewer services under Reid St. She stated that annexation is required to get sewer. That this case had been properly advertised, no comments had been received of the public notices and that the Department heads had no issues with the request.

(Regular Meeting)

Motion made by Randy Braddy to forward recommendation of approval to the City Commission to annex into the City of Palatka city limits, amend the Future Land Use Map (small scale) from County Urban Service to City Commercial and rezone from County Commercial (C-2) and Agricultural (AG) to City Intensive Commercial (C-2). Seconded by Phil Leary. All members present voted affirmative. Motion carried.

Case PB 09-11 **Address:** 1024 State Road 19 South
Parcel(s): 10-10-26-0000-0210-0000
Applicant: Wal Mart
Agent: Edna E Gertz/TNT Fireworks

Request: For a conditional use for a temporary sales event (sparklers)

(Public Hearing)

Ms. Banks forwarded a letter from the applicant stating that due to illness she could not be here today. She further advised that this is the same type of request they have made for the past several years. Staff recommended approval with conditions, as listed in the staff report.

(Regular Meeting)

Motion made by Sue Roskosh to approve. Seconded by Earl Wallace. All present voted, motion carried.

Motion made by Randy Braddy for adjournment at 4:39 pm. Seconded by Phil Leary. All present voted affirmative. Motion carried.

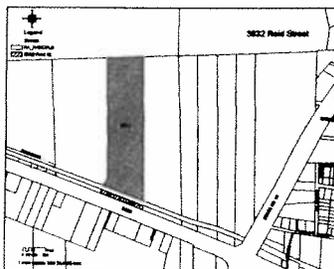
NOTICE OF ANNEXATION

NOTICE is hereby given that the City Commission of the City of Palatka, Florida, at the next regular meeting to be held at 6:00 p.m. on the 27th day of August, 2009, at City Hall, Palatka, Florida, will consider the enactment of Ordinance No. 09-29 annexing the following described property into the corporate limits of the City and redefining the boundary lines of the City of Palatka to include said property. The property is described as approximately 6.80 acres of improved property in Section 02, Township 10 South, Range 26 East, located at **3832 Reid Street**, Palatka, Putnam County. A map is attached hereto and a copy of the Ordinance containing a copy of the legal description can be obtained from the Office of the City Clerk at City Hall.

All interested persons are hereby advised of such consideration by the City Commission and all interested parties may appear at said meeting at said time and place and be heard with respect to the proposed ordinance. This notice is given in accordance with F.S. 171.044.

PLEASE GOVERN YOURSELVES ACCORDINGLY.

/s/ BETSY J. DRIGGERS
CITY CLERK



NOTICE OF ANNEXATION

Ord. # 09-29

NOTICE is hereby given that the City Commission of the City of Palatka, Florida, at the next regular meeting to be held at 6:00 p.m. on the 27th day of August, 2009, at City Hall, Palatka, Florida, will consider the enactment of Ordinance No. 09-29 annexing the following described property into the corporate limits of the City and redefining the boundary lines of the City of Palatka to include said property. The property is described as approximately 6.80 acres of improved property in Section 02, Township 10 South, Range 26 East, located at **3832 Reid Street**, Palatka, Putnam County. A map is attached hereto and a copy of the Ordinance containing a copy of the legal description can be obtained from the Office of the City Clerk at City Hall.

All interested persons are hereby advised of such consideration by the City Commission and all interested parties may appear at said meeting at said time and place and be heard with respect to the proposed ordinance. This notice is given in accordance with F.S. 171.044.

PLEASE GOVERN YOURSELVES ACCORDINGLY.

/s/ BETSY J. DRIGGERS
CITY CLERK

DISPLAY ADVERTISEMENT – 2 x 6 -- run w/ map on file

Run Dates: 08/14/09 and 08/21/09

PROOF OF ADVERTISEMENT REQUESTED

Betsy J. Driggers

City of Palatka

201 N. 2nd Street

Palatka FL 32177

phone 386-329-0100

fax 386-329-0106



Legend

Streets

□ PA_PARCELS

▨ 3832 Reid St

3832 Reid Street

CROSBY

CARVER

BELHORN

PHILLIPS DAIRY

SMITH

STATE RD 19

3832

REID

BROWNS

0 65 130 260 Feet

1 inch equals 388.264105 feet

Agenda Item

8b

This instrument prepared by:
Jim Lee
201 North 2nd Street
Palatka, Florida 32177

ORDINANCE NO. 09 -

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 ONE PARCEL OF LAND (LESS THAN 10 ACRES IN SIZE) IN SECTION 02, TOWNSHIP 10 SOUTH, RANGE 26 EAST FROM COUNTY URBAN RESERVE 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 May 5, 2009, and recommended approval of this amendment to the City Commission, and

WHEREAS, the City Commission conducted a public hearing on this amendment on August 27, 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>
02-10-26-0000-0590-0030	7.35	County Urban Service	City Commercial

DESCRIPTION OF PROPERTY:

A part of the East 1/2 of the Northwest 1/4 of Section 2, Township 10 South, Range 26 East, Putnam County, Florida, also being a part of the lands described in Official Records Book 453, page 1733 and Official Records Book 453, page 1735, all of the Public Records of said county being more particularly described as follows:

For a Point of Beginning commence at the southwesterly corner of said lands described in Official Records Book 453, page 1733, said point being on the northerly right of way line of State Road No. 100; thence N 21 degrees 37 minutes 41 seconds East, along the westerly line of said lands described in Official Records Book 453, page 1733, a distance of 166.87 feet; thence North, continuing along said westerly line of the lands described in Official Records Book 453, page 1733, a distance of 560.00 feet; thence East, a distance of 412.55 feet to the easterly line of said lands described in Official Records Book 453, page 1735; thence South, along said easterly line of the lands described in Official Records Book 453, page 1735, a distance of 903.08 feet to the southeasterly corner of said lands described in Official Records Book 453, page 1735, said point being on said northerly right of way line of State Road No. 100; thence N 68 degrees 22 minutes 19 seconds West, along said northerly right of way line of State Road No. 100, a distance of 509.96 feet to the Point of Beginning, excepting therefrom the right of way of the Georgia Southern and Florida Railway Company.

Containing 7.35 acres more or less.

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 27th day of August, 2009.

CITY OF PALATKA

By: _____
Its Mayor

ATTEST:

City Clerk

Agenda Item

8_c

This instrument prepared by:
Jim Lee
205 N. 2nd St.
Palatka, FL 32177

ORDINANCE NO. 09-_____

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED AS TO THAT CERTAIN PROPERTY IN SECTION 02, TOWNSHIP 10 SOUTH, RANGE 26 EAST; FROM COUNTY C-2 (COMMERCIAL) AND AG (AGRICULTURAL) TO CITY C-2 (INTENSIVE COMMERCIAL); REPEALING ANY ORDINANCE IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1.

WHEREAS, application has been made by the owners, Putnam Lanes, Inc. to the City for certain amendments to the Official Zoning Map of the City of Palatka, Florida, and

WHEREAS, all the necessary procedural steps have been accomplished, including a public hearing before the Planning Board of the City of Palatka on May 5, 2009, and two public hearings before the City Commission of the City of Palatka on August 27, 2009, and September 10, 2009, and

WHEREAS, the City Commission of the City of Palatka has determined that said amendment should be adopted, now therefore,

Section 2. The Official Zoning Map of the City of Palatka, Florida is hereby amended by rezoning the hereinafter described property from its present zoning classification of County C-2 (Commercial) and AG (Agricultural) to City C-2 (Intensive Commercial).

DESCRIPTION OF PROPERTY:

A part of the East 1/2 of the Northwest 1/4 of Section 2, Township 10 South, Range 26 East, Putnam County, Florida, also being a part of the lands described in Official Records Book 453, page 1733 and Official Records Book 453, page 1735, all of the Public Records of said county being more particularly described as follows:

For a Point of Beginning commence at the southwesterly corner of said lands described in Official Records Book 453, page 1733, said point being on the northerly right of way

line of State Road No. 100; thence N 21 degrees 37 minutes 41 seconds East, along the westerly line of said lands described in Official Records Book 453, page 1733, a distance of 166.87 feet; thence North, continuing along said westerly line of the lands described in Official Records Book 453, page 1733, a distance of 560.00 feet; thence East, a distance of 412.55 feet to the easterly line of said lands described in Official Records Book 453, page 1735; thence South, along said easterly line of the lands described in Official Records Book 453, page 1735, a distance of 903.08 feet to the southeasterly corner of said lands described in Official Records Book 453, page 1735, said point being on said northerly right of way line of State Road No. 100; thence N 68 degrees 22 minutes 19 seconds West, along said northerly right of way line of State Road No. 100, a distance of 509.96 feet to the Point of Beginning, excepting there from the right of way of the Georgia Southern and Florida Railway Company.

Containing 7.35 acres more or less.

(Being tax parcel#02-10-26-0000-0590-0030)

Section 3. All ordinances in conflict with the terms and provisions of this ordinance are hereby specifically repealed.

Section 4. This Ordinance shall become effective immediately upon its final passage by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 10th day of September, 2009.

CITY OF PALATKA

BY: _____
Its MAYOR

ATTEST:

City Clerk

PLANNING BOARD REPORT
May 5, 2009 Regular Meeting

SUBJECT: CASE # 09-08 –3832 REID STREET
Parcel #: 02-10-26-0000-0590-0030

OWNER: Putnam Lanes Inc.

A. REQUEST:

Request to annex, amend the Future Land Use Map (Small Scale) from County Urban Service to City Commercial and rezone from County Commercial (C-2) and Agricultural (AG) to City Intensive Commercial (C-2). for approximately 6.80 acres

B. BACKGROUND:

The applicant applied to annex into the city limits, amend the future land use map and rezone this parcel on November 7, 2008. This property is contiguous to the City limits in two sections along the southern property line and annexation is a requirement to obtain City services. The property's main access is off of Reid Street. This property is developed with a 35,375.25 square foot bowling center.

Departmental Review Requests were forwarded to the Water Plant Superintendent, Sewer Plant Manager, Public Works Director, Chief Building Official, Police and Fire Chiefs on 4-7-09. Water Plant Superintendent Melvin Register had no comments; Public Works Director/City Manager Woody Boynton responded that water and sewer are being designed by the City through an Economic Development Community Development Block grant and that he had no issues with the applicant's request; Chief Building Official Joff Fillion responded with no comments; Chief of Police Gary Getchell's comments are attached stating there would be little or no impact to the City.

Surrounding properties have future land use designations of County Urban Service to the north and County Urban Service and Commercial to the east, south and west of the subject property. The zoning pattern of the site and surrounding area is County light commercial to the east and west, County agricultural to the north and City and County commercial to the south. The existing land use pattern in the area is commercial to light industrial.

ADJACENT DEVELOPMENT:

<u>DIRECTION:</u>	<u>ZONING:</u>	<u>FLUM:</u>	<u>CURRENT USE:</u>
North	County Agriculture	Urban Service (US)	Silviculture(GP)
East	County Light Commercial (C-2); Agriculture (Ag)	County Urban Service and Commercial	Silviculture (FPL)
South	City C-2; County C-2	City Commercial and	Stage Coach Sauces;

	and C-4	County Urban Service	High Level Bar & Lowe's
West	Commercial (C-2); Agriculture (Ag)	County Urban Service and Commercial	Pepsi Bottlers

C. COMPLIANCE WITH CHAPTER 171, FLORIDA STATUTES, ANNEXATIONS

The request is to annex 6.80 acres into the City. The subject property is located on Reid Street (SR 100) adjacent to City property to the south which is the Lowe's. Directly north, east and west of the site is County property.

The proposed annexation does not create an enclave and meets the criteria identified in Section 171.043, Florida Statutes. This includes being contiguous to the City's boundaries at this time, is reasonably compact, is not included within the boundary of another incorporated municipality, and is intended to be developed for urban purposes via a grant obtained to install City sewer and water lines to the property.

Also, this request is a voluntary annexation and meets the criteria identified in Section 171.044, Florida Statutes, as it relates to being contiguous to the City, and reasonably compact. Following a recommendation from the Planning Board, an appropriately prepared ordinance will be considered by the City Commission after the correct advertising and scheduling of public hearings.

STAFF RECOMMENDATION: Approval of the annexation request.

D. COMPLIANCE WITH THE CITY OF PALATKA COMPREHENSIVE PLAN

The Existing Land Use Designation: The existing Future Land Use is County Urban Service which allows for a variety of residential, agriculture as a holding use, commercial, industrial and public facilities uses per their Comprehensive Plan.

The Proposed Land Use Designation: Policy A.1.9.3.A.2 of the Future Land Use Element states that the land designated for commercial use is intended for activities that are predominantly associated with the sale, rental, and distribution of products or the performance of service. Commercial land use includes offices, retail, lodging, restaurants, services, commercial parks, shopping centers, or other similar business activities. Public/Institutional uses and recreational uses are allowed within the commercial land use category. The intensity of commercial use, as measured by impervious surface, should not exceed 70 percent of the parcel. The maximum height should not exceed 40 feet. Land Development Regulations shall provide requirements for buffering commercial land uses (i.e., sight access, noise) from adjacent land uses of lesser density or intensity of use.

Future Land Use Element

Objective (A.1.6 9J-5.006(3)(b)7)

Upon Plan adoption, the City shall discourage urban sprawl. Land Development Regulations shall be adopted that implement the following policies:

Policy A.1.6.2 (9J-5.006(3)(c)3)

Minimize scattered and highway strip commercial by directing commercial development to occur in a planned and compact manner through in-filling within already developed commercial areas as identified on the Future Land Use Map.

Staff Analysis: This site is already developed as a bowling center measuring approximately 35,375.25 square feet with a paved asphalt parking lot directly in front of the building. To the west is Pepsi Cola Bottling, to the south Lowe's, High Level Bar, and Stage Coach Sauces, to the north and east is undeveloped vacant land. Other properties in the area are developed for commercial uses or in a County land use designation that allows a variety of intensities of commercial zoning districts. City commercial land use designations are located south of the site. This land use change provides a continuity of commercial land use in a corridor that is being developed for such purposes.

Policy A.1.7.2 (9J-5.006(3)(c)3)

Commercial development adjacent to major and minor arterial roads shall provide sufficient depth to allow adequate set back distance and clearance to accommodate FDOT near and long range roadway improvements.

Staff Analysis: This request is located adjacent to Reid Street (SR 100) a four-lane facility classified by the FDOT as a principal arterial. This development was constructed in the County and would have had to comply with FDOT requirements.

Policy A.1.11.4 (9J-5.006(3)(c)6)

Applications by landowners for a land use amendment to the Comprehensive Plan shall, as part of filing procedures, require the payment of a fee and provisions by the land owner of topographic, soil condition, flood hazard zone and wetland zone and wetland information on all land surveys filed in support of a land use amendment, zoning change or land subdivision. The City on a case-by-case basis may make exceptions for small-scale amendments when the property in question is (1) already developed or (2) is of a size, shape, and location that the normal permitting processes are sufficient.

Staff Analysis: This site is already developed, is a small-scale amendment and would have had to comply with all County and State regulations at time of construction.

Traffic Circulation Element

Objective B.1.1 (9J-5.007(3)(b)1)

Upon plan adoption, the City shall provide for a safe, convenient and efficient motorized and non motorized transportation system by correcting, to the maximum extent feasible, all existing roadway deficiencies identified in this plan and maintain acceptable operating conditions in the future on a priority basis.

Policy B.1.1.1 (9J-5.007(3)(01))

The State-wide minimum acceptable operating Level of Service (LOS) standards for the State Highway System and City Street System shall be the base LOS standards listed herein, except for those conditions provided in Policies 1.1.1.A. and 1.1.1.B.

The City hereby adopts the following LOS standards for each listed facility type:

- principal arterials - LOS C
- collectors and minor arterials -LOS D

Staff Analysis: The property has direct access to Reid Street (SR 100). The Florida Department of Transportation classifies this section of SR 100 as a minor arterial with an adopted Level of Service Standard (LOSS) C. This section of SR 100 is currently operating at a LOSS A.

Public Facilities Element

Objective D.1.1 (9J-5.011(2)(b)2)

Upon Plan adoption, the City of Palatka shall enforce adopted Concurrency Management System procedures to ensure that at the time a building permit or other development order is issued, infrastructure facility capacity is available to meet the demand of development without lowering adopted Levels of Service Standards (LOSS).

Policy D.1.1.2 (9J-5.011 (2)(c)2)

All improvements for replacement, expansion, or increase in capacity of facilities shall be compatible with the adopted level of service standards for the facilities and that distribution of these facilities/services is consistent with the Future Land Use Map.

Staff Analysis: The portion of Reid Street (SR 100) adjacent to the site is operating at LOSS A. Sewer and water lines will be run along the front of the site adjacent to Reid Street, and there is available capacity at the sewer and water plants that will not lower the City's Level of Service Standards (LOSS).

Objective D.1.2 (9J-5.011(2)(b)2)

In order to preserve adopted Level of Service Standards (LOSS), the City of Palatka, upon Plan adoption, shall continue to coordinate the extension of, or increase of, facilities to meet future needs, through implementing the following policies:

Policy D.1.2.1

The City of Palatka shall establish a coordinating relationship with the Putnam County Board of County Commissioners to discuss future development plans adjacent to City borders and to discuss the City supporting development beyond their border with water/sewer service. Areas served by Palatka water and sewer will be annexed into the city; however, the distribution of potable water for areas

outside of City limits is conditioned upon annexation only when those properties become contiguous.

Staff Analysis: This property is contiguous to the City making annexation a requirement to obtain sewer and water services. The City has obtained a grant to run water and sewer lines under Reid Street and work is ongoing on this project.

Objective G.1.5 (9J-5.015(3)(b)3)

The City shall ensure that public facilities are planned and allocated equitably, through effective coordination with the appropriate Federal, State and Local government departments and regulatory agencies.

Policy G.1.5.2

The City shall establish a coordinating relationship with the Putnam County Board of County Commissioners to discuss future development plans adjacent to City borders and to discuss the City supporting development beyond their border with water/sewer service. Properties serviced by City water shall annex into the City when they become sufficiently contiguous. Properties serviced by septic shall be annexed into the City.

Staff Analysis: The City and County are continuing to improve their coordinating relationships as it relates to future development along the existing City boundaries. This includes recent success with School Concurrency and the sharing of information relating to future development in the City and County.

STAFF RECOMMENDATION: Staff recommends approval of this request to amend the future land use map from County Urban Service to City Commercial.

E. COMPLIANCE WITH THE PALATKA MUNICIPAL CODE, REZONING REQUEST

Rezoning requirements

When pertaining to the rezoning of land, the report and recommendations of the Planning Board to the City Commission shall show that the Planning Board has studied and considered the proposed change in relation to the following, where applicable (from Sec. 94-38(f)(1) of the Palatka Municipal Code):

- a. Whether the proposed change is in conformity with the comprehensive plan.

Policy A.1.9.3 of the City of Palatka Comprehensive Plan states:

“Land designated for commercial use is intended for activities that are predominantly associated with the sale, rental, and distribution of products or the performance of service.”

Staff Analysis: The applicant requests rezoning to the C-2 (Intensive commercial) district from Putnam County C-2 (Commercial) and Ag (Agricultural). This zoning category is consistent with the requested Commercial Future Land Use Map designation. The current land use

designation is Putnam County Urban Service, which anticipates the extension of City utilities to this parcel.

- b. The existing land use pattern.

Staff Analysis: This rezoning request to C-2 (Intensive commercial) is consistent with the existing land use pattern in the area which is commercial development. This request changes the zoning jurisdiction from County to City to accompany the annexation and future land use map amendment request.

- c. Possible creation of an isolated district unrelated to adjacent and nearby districts.

Staff Analysis: This rezoning request will not create an isolated district since the City and County have adjacent parcels with commercial zoning that allow a variety of compatible commercial uses.

- d. The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.

Staff Analysis: This site has already been developed.

- e. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change;

Staff Analysis: Staff has no information to indicate that existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

- f. Whether changed or changing conditions make the passage of the proposed amendment necessary.

Staff Analysis: This development makes this request consistent with a changing commercial development pattern in the area since there are other commercial facilities adjacent to across from this parcel.

- g. Whether the proposed change will adversely influence living conditions in the neighborhood.

Staff Analysis: This is not applicable since this parcel is not a part of an established neighborhood and is adjacent to a four-lane highway.

- h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

STAFF ANALYSIS: This site is already developed.

- i. Whether the proposed change will create a drainage problem.

STAFF ANALYSIS: New development (if any) associated with this request will be required to retain all stormwater on site as part of the St. Johns River Water Management District permitting process.

- j. Whether the proposed change will seriously reduce light and air to adjacent areas.

STAFF ANALYSIS: This site is already developed.

- k. Whether the proposed change will adversely affect property values in the adjacent area.

STAFF ANALYSIS: It is not anticipated that this rezoning request will adversely affect property values.

- l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.

STAFF ANALYSIS: Staff does not have any information to indicate that the proposed zoning change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations. Adjacent property owners were notified of this rezoning request and have the opportunity to appear before the Planning Board.

- m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

STAFF ANALYSIS: This rezoning request does not constitute a grant of special privilege.

- n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.

STAFF ANALYSIS: The existing zoning is County zoning. With the proposed requests for annexation and a City future land use designation, it is appropriate to change the zoning to a consistent City zoning designation.

- o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.

Staff Analysis: This change is not out of scale with the needs of the neighborhood or City.

- p. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.

Staff Analysis: This site is already developed.

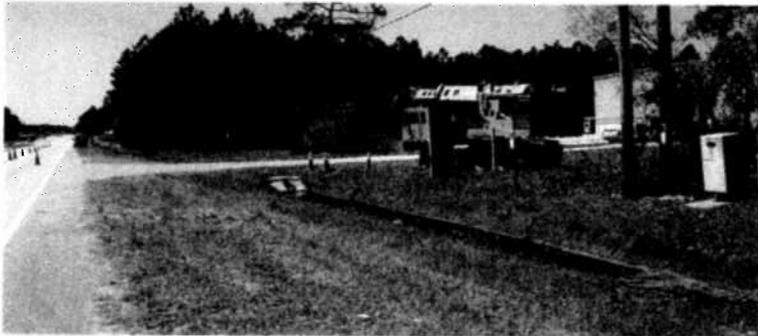
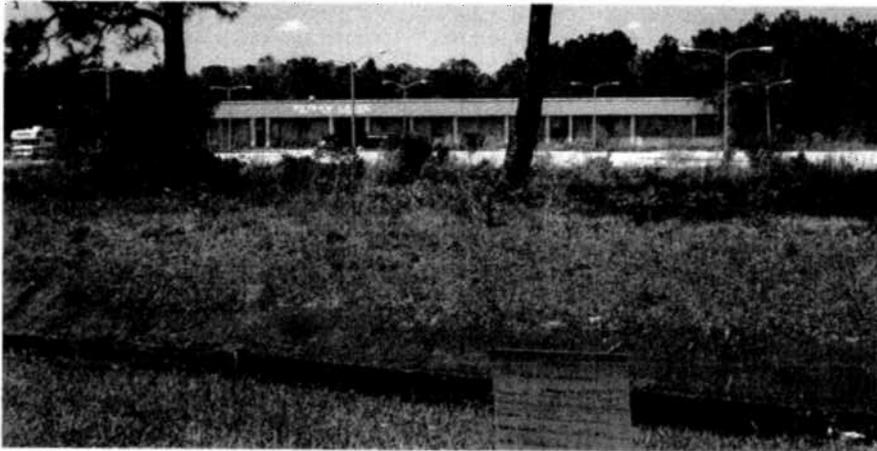
- q. The recommendation of the historical review board for any change to the boundaries of an HD zoning district or any change to a district underlying an HD zoning district.

Staff Analysis: This parcel is not located in a Historic District.

STAFF RECOMMENDATION: Staff recommends approval of the requested zoning change from County Commercial (C-2) and Agricultural (AG) to City Intensive Commercial (C-2). The request complies with the rezoning criteria provided in the Palatka Municipal Code.

F. PHOTOGRAPHS

PHOTOS:



Facing west to entry of
Putnam Lanes



Facing east toward
State Rd. 19

Application for Annexation

This application must be **typed or printed in black ink** and submitted with any required attachments and application fee of \$1,000 for Small Scale or \$1,500 for Large Scale (Checks payable to the City of Palatka) to:

City of Palatka Planning & Zoning
201 N 2nd Street
Palatka, FL 32177

FOR INFORMATION REGARDING THIS FORM, CALL (386) 329-0103

Application Number: PB - <u>09-08</u>
Date Received: <u>11/7/08</u>
Hearing date: <u>5/9/09</u>

TO BE COMPLETED BY APPLICANT

1. Property Address: 3832 Reid St.	2. Parcel Number: 02-10-26-0000-0590-0030	3. Current Property Use: Closed bowling alley
4. Current Land Use Designation: County Urban Service (US) and Commercial (CR)	5. Requested Land Use Designation: Commercial - COM	6. Required Attachments: <input type="checkbox"/> Legal Description * - <input type="checkbox"/> Letter of Authorization* <input checked="" type="checkbox"/> Copy of Recorded Deed <input checked="" type="checkbox"/> Fees <input type="checkbox"/> Project Narrative** <input type="checkbox"/> Supplementary Information*** <input type="checkbox"/> Site Map for display ad**** <input type="checkbox"/> Site Plan***** <input type="checkbox"/> Survey
7. Current Zoning Designation: County Commercial - C-2 and Agricultural - AG	8. Requested Zoning Designation: C-2 - Commercial	
9. Acreage to be considered for request: 6.80 acres	10. Number, types & square footage of structures on property: 1 structure - 35,350 sq. ft.	
Reason for annexation request: <u>to obtain water and sewer service</u>		
Owner Name Putnam Lanes Inc./Samy and Hanaa Bishai	Agent Name Jeff Norton	
Owner Address 4040 Vaill Point Terrace St. Augustine, FL 32086	Agent Address 201 N 2 nd St. Palatka, FL 32177	
Phone Number 904-347-1244	Phone Number 386-329-0100	

- * Letter of Authorization for Agent is required if any person other than the property owner makes the application and acts on behalf of the owner.
- ** Project Narrative: Explain present and future use of the property in detail.
- *** Supplementary information that may be required with application relative to the following factors where applicable: Soils, Natural Vegetation/Wildlife; Wetlands (type, location and amount of acreage to the nearest one-hundredth acre), and Topography/Flood Prone Areas.
- **** Site map for ad to be to be in black & white, no larger than 2 1/2" x 3" with nearest intersecting streets shown and named.
- ***** Site Plan: Detailed project drawing

Application Number: PB - 09-08
 Hearing date: _____

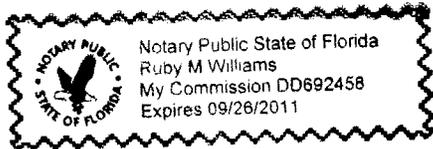
10. This application submitted by:

Signature of owner(s): *S F Bishai*
 Print owner(s) names(s): Samy F. Bishai Hanaa Bishai
 Signature of Agent(s): _____
 Print Agent(s) names: _____

STATE OF Florida
 County of Putnam

Before me this day personally appeared Samy F. and Hanaa Bishai who executed the foregoing application and acknowledged to and before me that they executed this document for the purposes therein expressed.

WITNESS my hand and official seal, this 7th day of Nov. A.D. 2008.



Ruby M. Williams
 Notary Public

My commission expires: 9/26/2011 State of Florida at Large

FOR OFFICIAL USE ONLY				
1. Date Submitted	2. Received By:	3. Confirm Zoning:	4. Confirm FLUM	5. Preliminary review by:
7. Sign(s) Posted Date: By:	8. Surrounding property owners notices sent: Date: By:	9. Legal Ad Ran: Date: Date:	10. Attachments Reviewed: <input type="checkbox"/> Letter of Authorization* <input type="checkbox"/> Legal Description <input type="checkbox"/> Copy of Recorded Deed <input type="checkbox"/> Fees <input type="checkbox"/> Project Narrative** <input type="checkbox"/> Supplementary Information*** <input type="checkbox"/> Site Map for display ad**** <input type="checkbox"/> Site Plan***** <input type="checkbox"/> Survey	
City Commission Hearing Date:				

Application for Small-Scale Land Use Amendment to the Future Land Use Map

This application must be typed or printed in black ink and submitted with any required attachments and application fee of \$450 (Checks payable to the City of Palatka) to:

City of Palatka Planning & Zoning
201 N 2nd Street
Palatka, FL 32177

FOR INFORMATION REGARDING THIS FORM, CALL (386)329-0103

Application Number: PB - 09-08

Date Received: 11/7/08

Hearing date: 05/5/09

TO BE COMPLETED BY APPLICANT

1. Property Address: <u>3832 Reid St</u>		2. Parcel Number: <u>02-10-26-0600-0590-0030</u>		3. Current Property Use: <u>closed bowling center</u>	
4. Current Land Use Designation: <u>Co. Urban Service + " Commercial</u>		5. Requested Land Use Designation: <u>Commercial - C-2</u>		6. Required Attachments: <input type="checkbox"/> Letter of Authorization* <input checked="" type="checkbox"/> Legal Description <input checked="" type="checkbox"/> Copy of Recorded Deed <input checked="" type="checkbox"/> Fees <input type="checkbox"/> Project Narrative** <input type="checkbox"/> Supplementary Information*** <input checked="" type="checkbox"/> Site Map for display ad**** <input type="checkbox"/> Site Plan*****	
7. Current Zoning Designation: <u>Co. C-2 + Ag (Commercial + Agriculture)</u>		8. Requested Zoning Designation: <u>Commercial - C-2</u>			
9. Lot size/acreage: <u>6.8 acres</u>		10. Number, types & square footage of structures on property: <u>1 - 35,350 sq. ft.</u>			
11. Proposed Number, types & square footage of structures on property: Attach plan					
8. Owner Name: <u>Putnam Lanes, Inc</u>					
Owner Address: <u>4040 Vaill Point Terrace</u>					
<u>St. Augustine, FL 32086</u>					
Phone Number: _____					
9. Agent Name: <u>NA</u>					
Agent Address: _____					

Phone Number: _____					

* Letter of Authorization for Agent is required if any person other than the property owner makes the application and acts on behalf of the owner.

**Project Narrative: Explain present and future use of the property in detail.

***Supplementary information that may be required with application relative to the following factors where applicable: Soils, Natural Vegetation/Wildlife; Wetlands (type, location and amount of acreage to the nearest one-hundredth acre), and Topography/Flood Prone Areas.

****Site map for ad to be to be in black & white, no larger than 2 1/2" x 3" with nearest intersecting streets shown and named.

*****Site Plan: Detailed project drawing

Application Number: PB - 09-08
 Hearing date: _____

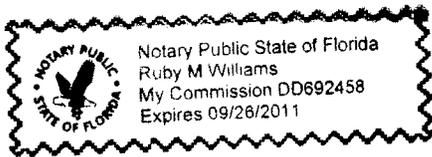
10. This application submitted by:

Signature of owner(s): *Samy F. Bishai*
 Print owner(s) names(s): Samy F. Bishai Hanaa Bishai
 Signature of Agent(s): _____
 Print Agent(s) names: _____

STATE OF Florida
 County of Putnam

Before me this day personally appeared Samy F. and Hanaa Bishai who executed the foregoing application and acknowledged to and before me that they executed this document for the purposes therein expressed.

WITNESS my hand and official seal, this 7th day of Nov. A.D. 2008.



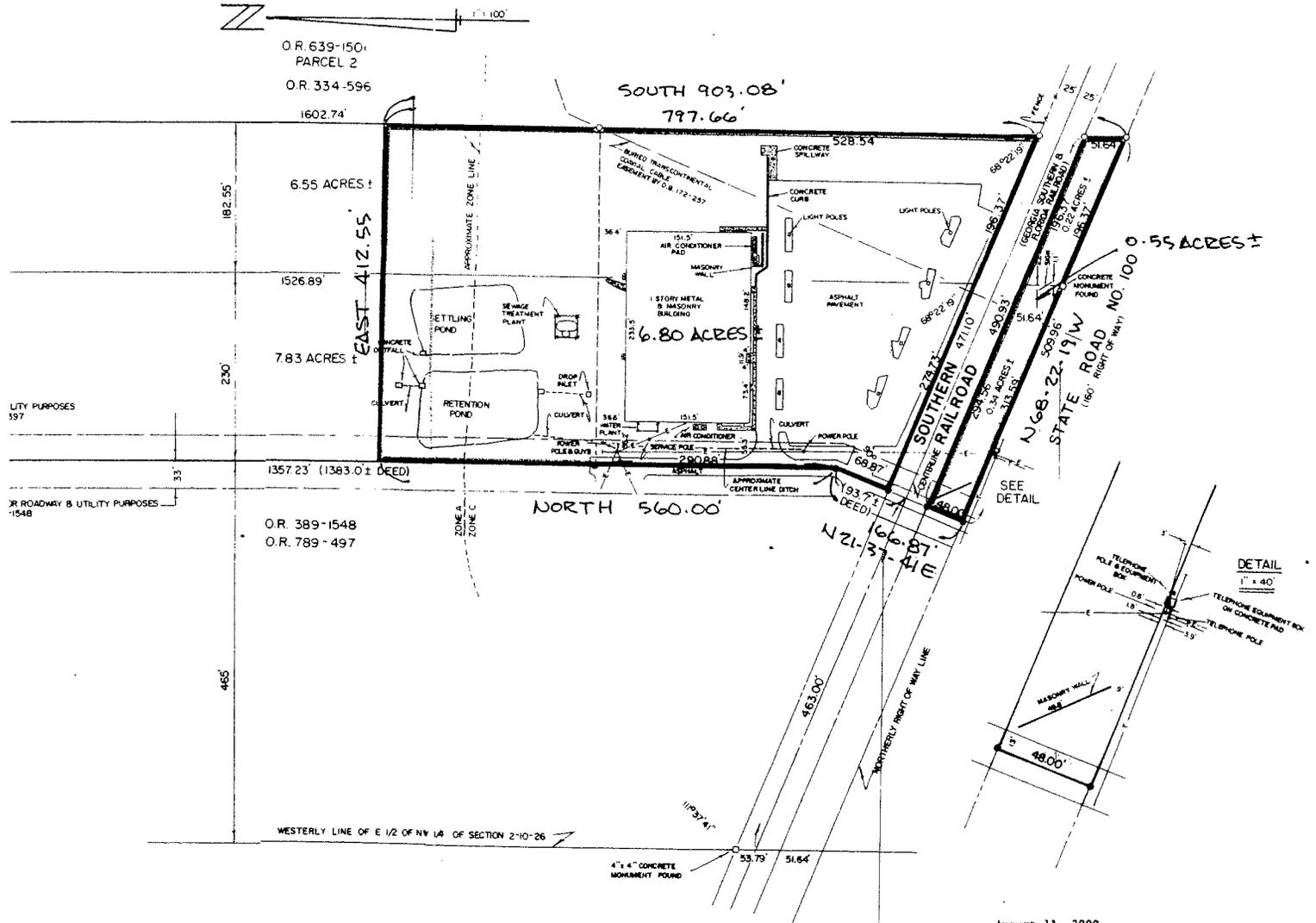
Ruby M. Williams
 Notary Public

My commission expires: 9/26/2011 State of Florida at Large

FOR OFFICIAL USE ONLY				
1. Date Submitted	2. Received By:	3. Confirm Zoning:	4. Confirm FLUM	5. Preliminary review by:
7. Sign(s) Posted Date: By:	8. Surrounding property owners notices sent: Date: By:	9. Legal Ad Ran: Date: Date:	10. Attachments Reviewed: <input type="checkbox"/> Letter of Authorization* <input type="checkbox"/> Legal Description <input type="checkbox"/> Copy of Recorded Deed <input type="checkbox"/> Fees <input type="checkbox"/> Project Narrative** <input type="checkbox"/> Supplementary Information*** <input type="checkbox"/> Site Map for display ad**** <input type="checkbox"/> Site Plan***** <input type="checkbox"/> Survey	
City Commission Hearing Date:				

part of the East 1/2 of the NW 1/4 of Section 2, Township 11
 right of way line of State Road No. 100, EXCEPTING THEREFROM that portion that lies within the right of
 Georgia Southern and Florida Railroad and those portions described in Official Records Book 334,
 and Official Records Book 389, page 13548 of the public records of Putnam County, Florida,

with an easement, 66.0 feet in width, for roadway and utility purposes, the centerline of which is described
 as: Commencing at the intersection of the centerline of the Georgia Southern and Florida Railroad with the
 of the East 1/2 of the NW 1/4 of Section 2, Township 10 South, Range 26 East and run thence Southeasterly,
 centerline of said Railroad, a distance of 463.0 feet to the point of beginning of this description,
 point of beginning (1) run thence Southwesterly, perpendicular to said Railroad, a distance of 73.0 feet
 therly right of way of State Road No. 100. Return to the point of beginning and (2) run thence Northeasterly,
 easterly projection of call (1), a distance of 93.7 feet, or less, to a point 465.0 feet Easterly,
 ed at right angles, from the West line of the East 1/2 of the NW 1/4 of Section 2, (3) thence Easterly,
 with said West line and at a distance of 465.0 feet Easterly therefrom, a distance of 1383.0 feet, more or
 the North line of the NE 1/4 of the NW 1/4 of Section 2 and the termination of this description, EXCEPTING
 that part thereof that lies within the right of way of the Georgia Southern and Florida Railroad.



August 11, 2000
 I certify that I have surveyed the above captioned
 parcel of land and that this survey meets the
 minimum technical standards set forth by the
 Florida Board of Professional Land Surveyors.

FOR INFORMATIONAL PURPOSES ONLY.
 THIS IS NOT A VALID SURVEY UNLESS
 SIGNED BY AND EMBOSSED WITH THE
 SEAL OF LAND SURVEYOR.

H. Earl Wallace, II
 Registered Land Surveyor No. 3166 State of Florida
 224 N. 6th Street
 Tallahassee, Florida 32317

Reduced portion of survey
 DB

A part of the East 1/2 of the Northwest 1/4 of Section 2, Township 10 South, Range 26 East, Putnam County, Florida, also being a part of the lands described in Official Records Book 453, page 1733 and Official Records Book 453, page 1735, all of the Public Records of said county being more particularly described as follows:

For a Point of Beginning commence at the southwesterly corner of said lands described in Official Records Book 453, page 1733, said point being on the northerly right of way line of State Road No. 100; thence N 21 degrees 37 minutes 41 seconds East, along the westerly line of said lands described in Official Records Book 453, page 1733, a distance of 166.87 feet; thence North, continuing along said westerly line of the lands described in Official Records Book 453, page 1733, a distance of 560.00 feet; thence East, a distance of 412.55 feet to the easterly line of said lands described in Official Records Book 453, page 1735; thence South, along said easterly line of the lands described in Official Records Book 453, page 1735, a distance of 903.08 feet to the southeasterly corner of said lands described in Official Records Book 453, page 1735, said point being on said northerly right of way line of State Road No. 100; thence N 68 degrees 22 minutes 19 seconds West, along said northerly right of way line of State Road No. 100, a distance of 509.96 feet to the Point of Beginning, excepting therefrom the right of way of the Georgia Southern and Florida Railway Company.

Containing 7.35 acres more or less.



Subject parcel

2009 Interim Property Information for Parcel: 02-10-26-0000-0590-0030**2008 Certified Tax Collector Information****Putnam Lanes Inc**

4040 Vaill Point Terr

St Augustine Fl 32086-7184 ([Putnam County GIS Interactive Mapping](#))**Parcel 911 Addresses**3832 Reid St, Palatka ([MapQuest map](#))**Detail Information for Parcel: 02-10-26-0000-0590-0030**

Property Use:	Bowling Alleys, Skating Rinks, Pool Halls, Enclosed Arenas	Structures:	1
Mobile Homes:	<input type="checkbox"/> 0	MH Unextended:	0
Census Tract:	950600	Census Block:	1004
Total Acreage:	14.82	Location:	Putnam County

Property Legal Description

E1/2 OF NW1/4 LYING N OF SR100 OR278 P205(EX OR334 P596 OR389 P1548)

Parcel Sales Data

Book	Page	Instrument	Month	Year	QSCD	Price
0592	0169	Quit Claim Deed	November	1991	01	\$3000
0453	1733	Warranty Deed	August	1984	01	\$325000
0425	0723	Warranty Deed	October	1982	01	\$45500
0420	0395	Warranty Deed	June	1982	00 I	\$67750
0420	0397	Warranty Deed	June	1982	00 V	\$27000
0325	1976	Warranty Deed	November	1975		\$90000
0318	1526	Certificate of Title	April	1975		\$75000
0213	0443	Warranty Deed	January	1969		\$30000

Land Data

Units	Descriptions
4.80	Commercial Acres
10.02	Commercial Acres

Zoning Data

Department	Code	Descriptions
Putnam County	AG	Agriculture
Putnam County	C-2	Commercial, General, Light

Future Land Use Map (FLUM)

Code	Descriptions
US	Urban Service
CR	Commercial

Structure Data

Type	Year	Area	Square Feet
Butler Type/Retail-Wholesale	1982	BASE	9870
		LOUNGE	2865
		SNKBAR	187
		OFFICE	682
		NURSE	649
		SPN	504
		ALLEY	25850

40,607

Notice:

NOTICE - This is an interim Putnam County file. Property assessment information will not be displayed until it is certified in October.

Click [here](#) to do another search or use your browser's back button to return to previous search results.



City of Palatka

Building & Zoning

201 N. 2nd Street

Palatka, Florida 32177

386-329-0103 • Fax 386-329-0172



As an owner of adjacent property, you are hereby notified of a pending action before the Planning Board which may be of concern to you:

PUBLIC NOTICE

Notice is hereby given that the City of Palatka PLANNING BOARD will hold a public hearing at their regular meeting on Tuesday, May 5, 2009 at 4:00PM at City of Palatka City Hall, 201 North 2nd Street, for the purpose of hearing a:

Request to annex into the Palatka city limits, amend the Future Land Use Map from County Urban Service to City Commercial, and rezone from county Commercial (C-2) and Agricultural (AG) to City Intensive Commercial (C-2)

Location: 3832 Reid Street
Parcel #: 02-10-26-0000-0590-0030
Requested by: Putnam Lanes, Inc.
Agent: Jeff Norton

All interested parties are invited to attend this public hearing.

Debbie Banks
Assistant Planning Director

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE THE CITY COMMISSION WILL REQUIRE A VERBATIM TRANSCRIPT BE MADE AT THE EXPENSE OF THE APPELLANT THAT INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED F.S. 286.0105.

PERSONS WITH DISABILITIES INTERESTED IN ATTENDING THIS MEETING AND REQUIRING ACCOMMODATIONS, SHOULD CONTACT THE CITY BUILDING DEPARTMENT AT 329-0103 AT LEAST 24 HOURS IN ADVANCE TO REQUEST SUCH ACCOMMODATIONS.

CHARLES E ALFORD SR REVOC PB 09-08
TRUST AGR
3816 REID STREET
PALATKA FL 32177

BOTTLING GROUP LLC
PO BOX 743185
DALLAS TX 75374

PB 09-08

GEORGIA-PACIFIC CONSUMER PB 09-08
OPER LLC
PO BOX 105681
ATLANTA GA 30348

VERY
10/10/08

Departmental Review Request

Address: 3832 Reid Street
 Parcel # 02-10-26-0000-0590-0030

Case #: 09-08

Please review the enclosed request and make any comments in writing to Building & Zoning; Fax 329-0172 or put in box. Call 329-0103 with any questions.

- | | |
|---|--|
| <input checked="" type="checkbox"/> Rezoning | <input type="checkbox"/> Site Plan Review |
| <input checked="" type="checkbox"/> Annexation | <input checked="" type="checkbox"/> Small Scale Amendment (9.99 acres or less) |
| <input type="checkbox"/> Large Scale Amendment(10+ acres) | <input type="checkbox"/> Concurrency Review |
| <input type="checkbox"/> Conditional Use Request | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Street Closing/Street Name Change | <input type="checkbox"/> Other |

Meeting Date: 05/05/09

Response Deadline: 4-18-09

Date submitted by applicant: 11-07-08

Date forwarded to Departments for review: 4-7-09

Submitted to:

- Water/Sewer/Streets/Sanitation *woody*
- Police
- Fire
- Chief Building Official

- | | |
|--------------------------------------|-----------------------------------|
| <input type="checkbox"/> Sewer Plant | <input type="checkbox"/> Cemetery |
| <input type="checkbox"/> Water Plant | <input type="checkbox"/> Golf |
| <input type="checkbox"/> Parks | <input type="checkbox"/> Airport |
| <input type="checkbox"/> Weed & Seed | |

Current Property Use: Bowling Facility

Proposed Property Use: Bowling Facility

Current Land Use Designation: County Commercial and Agricultural

Requested Land Use Designation: City Commercial

Current Zoning Classification: County C-2 and AG

Requested Zoning Classification: C-2 Intensive Commercial

Acreage: 6.8

of Units

Putnam Lanes Inc.
Owner/Applicant Name
 4040 Vaill Point Terrace
Owner/Applicant Address
 St. Augustine FL 32086
City/State/Zip
 904-347-1244
Phone Number

Jeff Norton
Agent Name

Agent Address

City/State/Zip
 329-0100
Phone Number

Planning Dept. Comments: Applicant wishes to obtain City water and sewer. Annexation is required.
 Thank you!

[Signature]

- No Comments
- Comments Attached

Reviewed by: *[Signature]*

Title: *Public Works Dir.*

Water and sewer being designed by City through Economic Development CDBG grant. No issues with applicant request.

Departmental Review Request

4/10/09
D.E.

Address: 3832 Reid Street
Parcel # 02-10-26-0000-0590-0030

Case #: 09-08

Please review the enclosed request and make any comments in writing to Building & Zoning; Fax 329-0172 or put in box. Call 329-0103 with any questions.

- | | |
|---|--|
| <input checked="" type="checkbox"/> Rezoning | <input type="checkbox"/> Site Plan Review |
| <input checked="" type="checkbox"/> Annexation | <input checked="" type="checkbox"/> Small Scale Amendment (9.99 acres or less) |
| <input type="checkbox"/> Large Scale Amendment(10+ acres) | <input type="checkbox"/> Concurrency Review |
| <input type="checkbox"/> Conditional Use Request | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Street Closing/Street Name Change | <input type="checkbox"/> Other |

Meeting Date: 05/05/09

Response Deadline: 4-18-09

Date submitted by applicant: 11-07-08

Date forwarded to Departments for review: 4-7-09

Submitted to:

- Water/Sewer/Streets/Sanitation
- Police
- Fire
- Chief Building Official

- | | |
|---|-----------------------------------|
| <input type="checkbox"/> Sewer Plant | <input type="checkbox"/> Cemetery |
| <input checked="" type="checkbox"/> Water Plant | <input type="checkbox"/> Golf |
| <input type="checkbox"/> Parks | <input type="checkbox"/> Airport |
| <input type="checkbox"/> Weed & Seed | |

Current Property Use: Bowling Facility

Proposed Property Use: Bowling Facility

Current Land Use Designation: County Commercial and Agricultural

Requested Land Use Designation: City Commercial

Current Zoning Classification: County C-2 and AG

Requested Zoning Classification: C-2 Intensive Commercial

Acreage: 6.8

of Units

Putnam Lanes Inc.
Owner/Applicant Name
4040 Vaill Point Terrace
Owner/Applicant Address
St. Augustine FL 32086
City/State/Zip
904-347-1244
Phone Number

Jeff Norton
Agent Name

Agent Address

City/State/Zip
329-0100
Phone Number

Planning Dept. Comments: Applicant wishes to obtain City water and sewer. Annexation is required.

Thank you!

Dabbe

- No Comments**
- Comments Attached**

Reviewed by: *Melvin L. Lopez*

Title: *Water Plant Superintendent*

Departmental Review Request

Address: 3832 Reid Street
 Parcel # 02-10-26-0000-0590-0030

Case #: 09-08

Please review the enclosed request and make any comments in writing to Building & Zoning; Fax 329-0172 or put in box. Call 329-0103 with any questions.

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<input checked="" type="checkbox"/> Annexation	<input checked="" type="checkbox"/> Small Scale Amendment (9.99 acres or less)
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<input type="checkbox"/> Conditional Use Request	<input type="checkbox"/> Variance
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Meeting Date: 05/05/09

Response Deadline: 4-18-09

Date submitted by applicant: 11-07-08

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Submitted to:

- Water/Sewer/Streets/Sanitation
- Police
- Fire
- Chief Building Official

- Sewer Plant
- Water Plant
- Parks
- Weed & Seed

- Cemetery
- Golf
- Airport

Current Property Use: Bowling Facility

Proposed Property Use: Bowling Facility

Current Land Use Designation: County Commercial and Agricultural

Requested Land Use Designation: City Commercial

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Requested Zoning Classification: C-2 Intensive Commercial

Acreage: 6.8

of Units

Putnam Lanes Inc.
Owner/Applicant Name
 4040 Vaill Point Terrace
Owner/Applicant Address
 St. Augustine FL 32086
City/State/Zip
 904-347-1244
Phone Number

Jeff Norton
Agent Name

Agent Address

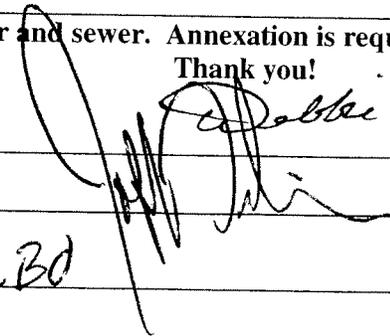
City/State/Zip
 329-0100
Phone Number

Planning Dept. Comments: Applicant wishes to obtain City water and sewer. Annexation is required.
 Thank you!

- No Comments**
- Comments Attached**

Reviewed by: _____

Title: *CB*



Departmental Review Request

Rec 4/2/09

4/13/09

Address: 3832 Reid Street
Parcel # 02-10-26-0000-0590-0030

Case #: 09-08

Please review the enclosed request and make any comments in writing to Building & Zoning; Fax 329-0172 or put in box. Call 329-0103 with any questions.

<input checked="" type="checkbox"/> Rezoning	<input type="checkbox"/> Site Plan Review
<input checked="" type="checkbox"/> Annexation	<input checked="" type="checkbox"/> Small Scale Amendment (9.99 acres or less)
<input type="checkbox"/> Large Scale Amendment(10+ acres)	<input type="checkbox"/> Concurrency Review
<input type="checkbox"/> Conditional Use Request	<input type="checkbox"/> Variance
<input type="checkbox"/> Street Closing/Street Name Change	<input type="checkbox"/> Other

Meeting Date: 05/05/09

Response Deadline: 4-18-09

Date submitted by applicant: 11-07-08

Date forwarded to Departments for review: 4-7-09

Submitted to:

- Water/Sewer/Streets/Sanitation
- Police
- Fire
- Chief Building Official

- | | |
|--------------------------------------|-----------------------------------|
| <input type="checkbox"/> Sewer Plant | <input type="checkbox"/> Cemetery |
| <input type="checkbox"/> Water Plant | <input type="checkbox"/> Golf |
| <input type="checkbox"/> Parks | <input type="checkbox"/> Airport |
| <input type="checkbox"/> Weed & Seed | |

Current Property Use: Bowling Facility

Proposed Property Use: Bowling Facility

Current Land Use Designation: County Commercial and Agricultural

Requested Land Use Designation: City Commercial

Current Zoning Classification: County C-2 and AG

Requested Zoning Classification: C-2 Intensive Commercial

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of Units

Putnam Lanes Inc.
Owner/Applicant Name
4040 Vaill Point Terrace
Owner/Applicant Address
St. Augustine FL 32086
City/State/Zip
904-347-1244
Phone Number

Jeff Norton
Agent Name

Agent Address

City/State/Zip
329-0100
Phone Number

Planning Dept. Comments: Applicant wishes to obtain City water and sewer. Annexation is required.

Thank you!

W. Dobbie

- No Comments**
- Comments Attached**

Reviewed by: *G. J. [Signature]*

Title: *Chief of Police*

**Palatka Police Department
110 North 11th Street**

Memorandum

Date: April 16, 2009
To: Debbie Banks 
From: Gary S. Getchell, Chief of Police
Subject: Departmental Review Request

Based on our findings the proposed annexation and rezoning of 3832 Reid Street would have little or no impact to the City.

Cc;

Putnam Lanes, 3832 Reid St.
Palatka, FL

3/31/2008

The information contained in this report is in regards to **3832 Reid St (Putnam Lanes)**, Putnam County, Florida.

Due to the business, not consistently open, the highest years CFS in the past 7 1/2 years was used to depicted a worse case scenario from the limited data. That year was **2003**. There were **29 CFS** in that year. This did not include CFS that occurred on Reid St. in front of the business.

- The Average Time Consumed per Call: **00:11:22**
- The Total Time Consumed that Year: **05:29:33**

See Fig 1. for Event Types Information

Record Selection Formula:

```
{EventRpt.Loct like ["*bowling*", "*putnam lanes*", "3832 reid*"] and
{EventRpt.ANALTime} in DateTime (2003, 01, 01, 0, 0, 0) to DateTime (2003,
12, 31, 0, 0, 0) and
{@10<ODES AND SIGNALS} <> "Traffic Stop"
```

Fig. 1	2003	Total
ABANDON VEHICLE	2	2
Assist Other Agency	1	1
Battery Or Assault	1	1
Discharging Firearm	1	1
DISTURBANCE INPROG.	1	1
ESCORT	1	1
Increased Patrol Assignment	9	9
Juvenile Report/Complaint	1	1
Open Door / Window	1	1
Property / Building Check	2	2
SUS. INCIDENT	1	1
SUS. PERSON	2	2
SUSPICIOUS	3	3
Vandalism/Criminal Mischief	2	2
WRECKLESS DRIVING	1	1
Total	29	29

Agenda Item

9

**CITY OF PALATKA CITY COMMISSION
AGENDA ITEM**

ITEM: Public hearing and consideration of an ordinance providing a preference to property owners within the designated Historic Districts for appointment to the Historic Preservation Board. Second reading.

DEPARTMENT: Building & Zoning

AGENDA SECTION: Regular agenda requiring Commission action

ATTACHMENTS : 1. An ordinance of the City of Palatka providing a preference to property owners within the designated Historic Districts for appointment to the Historic Preservation Board. DATE: August 27, 2009

2. Draft May 28, 2009, City Commission Minutes

SUMMARY HIGHLIGHTS:

At the May 28, 2009 meeting the City Commission directed staff to prepare an ordinance amending Section 54-76(c) that would add the following, "with preference given to property owners within the designated Historic Districts".

At the July 9, 2009 public hearing there was no public comment. The second reading of this ordinance is scheduled for August 27, 2009.

RECOMMENDED ACTION:

Staff recommends approval of the attached ordinance.

AGENDA ITEM NUMBER:

AGENDA PAGE NUMBER:

This instrument prepared by:
Betsy J. Driggers
201 N. 2nd Street
Palatka FL 3217

ORDINANCE NO. 09 - _____

entitled

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF PALATKA, FLORIDA, BY REVISING SECTION 54-76(c), ADDING A PREFERENCE GIVEN TO PROPERTY OWNERS WITHIN THE DESIGNATED HISTORIC DISTRICTS FOR APPOINTMENT TO THE HISTORIC PRESERVATION BOARD; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. That Section 54-76(c) be amended , so that such Section shall read as follows:

(c) *Membership; compensation of members.* The board shall be composed of seven members and one alternate. Members shall be appointed by the city commission. Whenever possible, with preference given to property owners within the designated historic districts, the members shall include:

- (1) An architect.
- (2) A property owner within the North Historic District.
- (3) A property owner within the South Historic District.
- (4) A representative of the Putnam County Historical Society.
- (5) A contractor.
- (6) A real estate broker.
- (7) An attorney.

Members shall be selected on the basis of their interest in preserving historic districts, and they shall serve without compensation.

Section 2. A copy of this Ordinance shall be furnished to the Municipal Code Corporation for insertion in the Code of Ordinances for the City of Palatka.

Section 3. This Ordinance shall become effective immediately upon 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, Florida, this
27th day of August, 2009.

CITY OF PALATKA

BY: _____
Its MAYOR

ATTEST:

CITY CLERK

**APPROVED AS TO FORM AND
CORRECTNESS:**

CITY ATTORNEY

Draft May 28, 2009. City
Commission Minutes. 6

EFFECTIVE DATE. Commissioner Norwood moved to adopt the ordinance on 2nd reading. Commissioner Brown seconded the motion. A roll-call vote was taken with the following results: Commissioner Norwood, Brown, Kitchens, Myers and Flagg, yes; Nays; none. Ordinance No. 09-22 was declared adopted.

7. **ORDINANCE – 114 Tanner Terrace** – Planning Board recommendation to Annex, Amend the Future Land Use Designation from County Urban Service to City Low Density Residential and Rezone from County R-1A to City R-1 – Lois Darlene Laibl Crowe, Applicant – 2nd Reading, Adopt – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED AS TO THAT CERTAIN PROPERTY IN SECTION 11, TOWNSHIP 10 SOUTH, RANGE 26 EAST; REPEALING ANAY ORDINANCE IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE. Commissioner Kitchens moved to adopt the ordinance on 2nd reading. Commissioner Brown seconded the motion. A roll-call vote was taken with the following results; Commissioner Kitchens, Brown, Myers, Norwood and Flagg, yes. Nays, none. Ordinance No. 09-23 was declared adopted.
8. **ORDINANCE – 909 N. State Rd. 19** – Planning Board recommendation to Annex, Amend the Future Land Use Map (Small Scale) from County Commercial to City Commercial and Rezone from County C-2 (Commercial II) to City C-2 (Intensive Commercial for approximately .75 of an acre – Lawrence J. and Susan A. Masters, Applicant – 2nd Reading, Adopt – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED AS TO THAT CERTAIN PROPERTY IN SECTION 02, TOWNSHIP 10 SOUTH, RANGE 26 EAST; REPEALING ANY ORDINANCE IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE. Commissioner Myers moved to adopt the ordinance on 2nd reading. Commissioner Kitchens seconded the motion. A roll-call vote was taken with the following results; Commissioner Myers, Kitchens, Norwood, Brown and Flagg, yes. Nays, none. Ordinance No. 09-24 was declared adopted.
9. **ORDINANCE** amending the Historic Preservation Board membership provision to remove restrictions on the alternate member appointment – 2nd Reading, Adopt – The clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF PALATKA, FLORIDA BY REVISING SECTION 54-76(d), REMOVING RESTRICTIONS FOR THE ALTERNATE MEMBER QUALIFICATIONS FOR APPOINTMENT TO THE HISTORIC PRESERVATION BOARD; AND PROVIDING AN EFFECTIVE DATE. Mayor Flagg noted there were letters submitted from the North and South Historic Districts and asked they be read into the record.

Jim Lee noted this is a second reading of an ordinance removing the residency requirement for the one alternate position. Staff's recommendation to approve this ordinance is based upon consistency. No other position requires residency. He read off the seven full-time positions and qualifications for each. Mr. Lee said five of the seven current members are property owners in the historic districts. This is consistent with commission action in the past. He has discussed this with the City Manager and City Attorney, and would like to bring another ordinance to the Commission in July to insert language stating that whenever possible, North and/or South Historic District property owners be appointed. This ordinance can be advertised and brought for first reading in July. His recommendation is to adopt this ordinance based upon consistency, and to further adopt the recommended ordinance revision in July to give preference to property owners in the North and South historic districts. He also included a letter from Ms. Christy Sanford in their package (filed) in opposition to the passage of the ordinance. The Clerk read a letter, which was undated but received today at City Hall, from

Christy Sanford, President, South Historic District Neighborhood Association, and John Vogt, President, North Historic District Association, in opposition to the passage of the ordinance, into the record (filed).

Christy Sanford, 312 Dodge Street, said they brought this matter to the Neighborhood Associations and she was not advocating a position. Her neighborhood association strongly believes they should have a representative from the neighborhood. This is about people with a strong interest in their properties. They would like to be notified about these openings and they will provide applicants. They provided two applicants in the past two weeks.

Commissioner Kitchens said there are 195 property owners representing 257 different parcels in the South Historic District. She asked how many property owners attend these meetings. Ms. Sanford said they do not require quorums; everyone is invited to attend. They get new members every day due to a new program they've instituted. The owners of the nine houses that are being painted are required to be new members. Commissioner Kitchens asked how many people were present at this vote. Ms. Sanford said they don't require a quorum. She does not have that number. Commissioner Kitchens said she believes it is totally unfair and biased that only the alternate has to be a city resident. She has no objection to the proposed change, but there are two other districts proposing to form historic districts, and they should amend that proposed language to just read 'historic districts' and not specify what historic districts. Mr. Holmes said it should read, "designated historic districts." Commissioner Kitchens said she is pleased to see that people have come forward to serve on boards and hopes they continue to do that. She believes they should make this change because only the alternate is required to be a city resident. Commissioner Brown said they have a problem with keeping boards staffed and with quorums. They have always shown preference to city residents when making appointments to boards, and staff is well aware of that preference. She would like to leave the proposed ordinance as is. Giving preference to city residents should be sufficient. Commissioner Myers said, while preference should be given to the letter, he has looked at the requirements for appointment, and there are two seats where the requirement is to be a property owner in the respective districts; this does not state they have to be a resident. To be consistent, he supports the change with the caveat that the preference amendment is passed at a later date. They will always give preference to a resident.

Commissioner Norwood said he understands the requirement is being removed for the alternate, which is not an actual seated board member unless someone is absent. The members of this board won't always live in those districts, but those districts should be represented. Rather than just changing the ordinance, they should make sure they can get applicants to step up and volunteer. He was told at the last meeting they advertised this position, but no one stepped up at that time. They need to change ordinances for the right reasons, not to keep certain individuals on certain boards.

Commissioner Kitchens moved to adopt the ordinance on 2nd reading as read. Commissioner Myers seconded the motion. A roll-call vote was taken with the following results: Commissioner Kitchens, Myers, Norwood, Brown and Flagg; yes. Nays; none. The ordinance was declared adopted.

10. **NEIGHBORHOOD GARDENS** – Discussion & Request for authorization to hold community meeting - Vice Mayor Brown said she brought this to the attention of the Commission several months ago. Neighborhood Gardens will help to feed people during these tough economic times. People are losing jobs and retirement funds; this economy has put a burden on people. There are a number of vacant lots not being used to grow anything but weeds. She'd like permission to hold a town meeting to determine whether the community would be interested in

Agenda Item

10

**CITY OF PALATKA CITY COMMISSION
AGENDA ITEM**

ITEM: The first reading of an ordinance changing the zoning from R-4 (Mobile home/conventional home residential) to R-1 (Single Family Residential)

DEPARTMENT: Building & Zoning

AGENDA SECTION: Regular agenda requiring Commission action

ATTACHMENTS	<ol style="list-style-type: none">1. An Ordinance of the City of Palatka changing the zoning from R-4 (Mobile home/conventional home residential) to R-1 (Single Family Residential)2. July 7, 2009, Planning Board Minutes.3. July 7, 2009, Planning Board Packet.	DATE: August 27, 2009
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SUMMARY HIGHLIGHTS:

The identified purpose of this application is to provide a more consistent zoning pattern for the single family residences located in this area.

A public hearing was held by the Planning Board on July 7, 2009, at the applicant's request to change the zoning from R-4 (Mobile home/conventional home residential) to R-1 (Single Family Residential). There was no public testimony. The Planning Board voted to recommend approval of this request.

RECOMMENDED ACTION:

Staff recommends approval of the first public hearing on the related zoning ordinance. The second public hearing for the zoning ordinance is scheduled for September 10, 2009.

AGENDA ITEM NUMBER:

AGENDA PAGE NUMBER:

This instrument prepared by:
Jim Lee
205 N. 2nd St.
Palatka, FL 32177

ORDINANCE NO. 09-_____

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED AS TO THAT CERTAIN PROPERTY IN SECTION 10, TOWNSHIP 10 SOUTH, RANGE 26 EAST; FROM-R-4 (MOBILE HOME/CONVENTIONAL HOME RESIDENTIAL) TO R-1 (SINGLE FAMILY RESIDENTIAL); REPEALING ANY ORDINANCE IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1.

WHEREAS, application has been made by the owners, Kenneth M. and Susan M. Downs and Brooke and Jared Guy to the City for certain amendments to the Official Zoning Map of the City of Palatka, Florida, and

WHEREAS, all the necessary procedural steps have been accomplished, including a public hearing before the Planning Board of the City of Palatka on July 7, 2009, and two public hearings before the City Commission of the City of Palatka on August 27, 2009, and September 10, 2009, and

WHEREAS, the City Commission of the City of Palatka has determined that said amendment should be adopted, now therefore,

Section 2. The Official Zoning Map of the City of Palatka, Florida is hereby amended by rezoning the hereinafter described property from its present zoning classification of R-4 (Mobile Home/Conventional Home Residential District) to R-1 (Single Family Residential).

DESCRIPTION OF PROPERTY:

ASHBROOKE ESTATES MB6 P97 LOT 1 (SUBJECT TO 20 FT EASEMENT), AND ASHBROOKE ESTATES MB6 P97 LOTS 2, 3, AND 4 (All Book and Page references are to the public records of Putnam County, Florida)

(Being tax parcels 10-10-26-0085-0000-0010; 10-10-26-0085-0000-0020; 10-10-26-0085-0000-0030 and 10-10-26-0085-0000-0040)

Section 3. All ordinances in conflict with the terms and provisions of this ordinance are hereby specifically repealed.

Section 4. This Ordinance shall become effective immediately upon its final passage by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 10th day of September, 2009.

CITY OF PALATKA

BY: _____
Its MAYOR

ATTEST:

City Clerk

Planning Board Minutes & Proceedings

July 7, 2009

Page 3 of 4

Case PB08-29 N 16th from Reid St. to St. Johns Ave. – continued

Mr. Sloan advised that he would be amenable to either option. He further shared that GM has asked that all dealership facilities meet new, more stringent, facility requirements with new dealer agreements that must be met within 12 months. Their challenge will be to bring the current facility up to full compliance by that time by redesigning the dealership and lot, in hopes not to have to relocate the facility. Mr. Sloan said that the request for a road closure, if approved, should allow them to be able meet the requirements they must be met, if they are not able to meet the requirements, the dealership facility will not be allowed to operate at the current location. So unless they can grow in some other direction, they will have to move the dealership.

Discussion continued.

Motion made by Phil Leary to recommend to the City Commission that the road be closed with the stipulation that the road be re-opened if the dealership fails. Motion failed for a lack of a second.

Motion by Zachary Landis to table this case to satisfy the end site plan and gain current traffic accident/incident reports for that portion of 16th Street. Seconded by Earl Wallace. Discussion: Mr. Leary suggested for time sake, maybe this request should be forwarded to the City Commission. Mr. Sloan stated that he had no problem providing the requested information. By a show of hands with 3 yeas and 1 nay, motion carried.

Ms. Holmes asked for clarity, what specific items the Board wanted to see as far as more information on the site plan.

Mr. Sloan advised that he had asked the Palatka Police Department for traffic reports for that portion of 16th Street and was told they could not provide that information. He said if the City could secure that information, he would love to have it as well. He also stated that he would forward a site plan that will be as envisioned in the end, with all the requirements met and the improvements done. It will include how the lot will transition, traffic flow, signage, parking, ingress/egress and fencing.

Mr. Landis stated that he wanted to see a completed plan, how it will look when all is said and done.

Motion made by Phil Leary to request that staff develop a road closing criteria or application. Seconded by Randy Braddy. All voting members voted affirmative. Motion carried.

NEW BUSINESS

 **Case PB 09-16** Address: Ashbrooke Estates
Parcel(s): 10-10-26-0000-0010; 0020; 0030; and 0040
Applicant: Kenneth M. & Susan M. Downs and Brooke D. & Jared Guy

Planning Board Minutes & Proceedings

July 7, 2009

Page 4 of 4

Case PB 09-16 Ashbrooke Estates - continued

Request: To rezone from R-4 (Mobile home/conventional home residential district) to R-1 (Single-family residential) for three +/- acres.

(Public Hearing)

Mr. Downs explained that this portion of land should have been included when the original rezoning of Ashbrooke sub-division was submitted but he failed to include it. This is consistent with the Future Land Use map.

(Regular Meeting)

Motion made by Randy Braddy to recommend approval to the City Commission to rezone from R-4 (Mobile home/conventional home residential district) to R-1 (Single-family residential) for three +/- acres. Seconded by Phil Leary. All present voted, affirmative. Motion carried.

Meeting adjourned at 5:45 pm.

PLANNING BOARD REPORT
July 7, 2009 Regular Meeting

SUBJECT: CASE PB 09-16 Ashbrooke Estates

A. REQUEST:

Request to rezone from R-4 (Mobile home/conventional home residential district) to R-1 (Single Family Residential) for approximately 3 +/- acres.

B. BACKGROUND:

1. Owner: Kenneth M. & Susan M. Downs and Brooke & Jared Guy
2. Agent: NA
3. General Parcel Information:
 - a. Location: Ashbrooke Estates
 - b. Parcel #: 10-10-26-0085-0000-0010; 0020; 0030; 0040
 - c. Size: 3 +/- acres
 - d. Current Zoning: R-4
 - e. Requested Zoning: R-1
 - f. Current Land Use Map: Residential Medium Density
 - g. Requested Land Use Map: NA

C. ADJACENT DEVELOPMENT:

<u>DIRECTION:</u>	<u>ZONING:</u>	<u>FLUM:</u>	<u>CURRENT USE:</u>
North	R-1	RM – Residential Medium Density	Single-family homes
East	R-3	RH – Residential High Density	Church
South	R-1	RM – Residential Medium Density	Single-family homes
West	R-1	RM – Residential Medium Density	Single-family homes

D. COMPLIANCE WITH THE PALATKA MUNICIPAL CODE:

Rezoning requirements

When pertaining to the rezoning of land, the report and recommendations of the Planning Board to the City Commission shall show that the Planning Board has studied and considered the proposed change in relation to the following, where applicable (from Sec. 94-38(f)(1) of the Palatka Municipal Code):

a. Whether the proposed change is in conformity with the comprehensive plan.

Policy A.1.9.3 9J-5.006(3)(c)7

Land Development Regulations adopted, to implement this Plan shall be based on the following land use standards:

A. Land Use Districts

1. Residential

Residential land use is intended to be used primarily for housing and shall be protected from intrusion by land uses that are incompatible with residential density. Residential land use provides for a variety of land use densities and housing types.

Medium Density - provides for a range of densities up to 10 units per acre.

The applicant requests rezoning to R-1 (Single-family residential) district. This zoning category is consistent with the Residential Medium Density Future Land Use designation.

b. The existing land use pattern.

This rezoning will not affect the existing land use pattern but will provide consistency with neighboring parcels to the north, south, and west and is compatible with the church's residential high density land use to the east.

c. Possible creation of an isolated district unrelated to adjacent and nearby districts.

This rezoning will not create an isolated district but will provide a consistency with the adjacent parcels zoned R-1 to the north, south and west.

d. The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.

Any building permits submitted will be reviewed for concurrency.

e. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change;

The existing district boundaries are not illogically drawn. With the approval of this request, the site's zoning will be consistent with the surrounding area.

f. Whether changed or changing conditions make the passage of the proposed amendment necessary.

While not necessary, the proposed rezoning will provide consistency of zoning with adjacent properties and remove the "island" of R-4 zoning of city annexed properties in this neighborhood.

g. Whether the proposed change will adversely influence living conditions in the neighborhood.

This proposal will not adversely affect living conditions in the neighborhood.

h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

No changes to traffic or public safety will be created. All concurrency reviews will be conducted at permit issuance if any are applied for in the future.

i. Whether the proposed change will create a drainage problem.

Applicant will have to comply with any requirements of the St. Johns River Water Management District as part of any permitting applied for in the future.

j. Whether the proposed change will seriously reduce light and air to adjacent areas.

This change will not reduce light or air to adjacent areas; the existing setbacks and maximum impervious area limitations serve to prevent the reduction of light or air to adjacent areas.

k. Whether the proposed change will adversely affect property values in the adjacent area.

It is not anticipated that this rezoning request will adversely affect property values.

l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.

This rezoning will not affect the improvement or development of residential uses on adjacent properties since those adjacent properties are also zoned residential.

m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

This rezoning does not constitute a grant of special privilege.

n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.

The existing use and zoning are appropriate for residential development, however, rezoning will allow for consistency in zoning.

o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.

This change is not out of scale with the needs of the neighborhood but provides consistency in zoning for the residential area.

p. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.

There are no other proposed uses for this site.

q. The recommendation of the historical review board for any change to the boundaries of an HD zoning district or any change to a district underlying an HD zoning district.

This parcel is not located in a Historic District.

E. SUMMARY AND STAFF RECOMMENDATION:

R-1 (Single-family residential) is intended for areas of lower density residential. This rezoning would provide a more consistent zoning pattern and complies with the rezoning criteria provided in the Palatka Municipal Code.

Staff recommends approval.

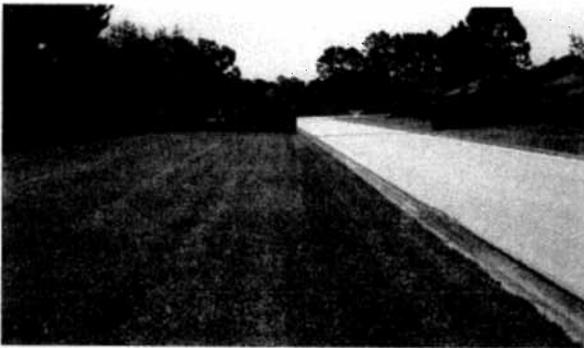
F. PHOTOS



Posting on Viking St.



Posting on Viking Blvd.



Viking Blvd. facing College Rd.



Viking Blvd. Facing Viking St.



Viking St. facing north.



Viking St. facing south.

Application for Rezoning

This application must be typed or printed in black ink and submitted with any required attachments and application fee of \$130 (Checks payable to the City of Palatka) to:

City of Palatka Planning & Zoning
 201 N 2nd Street
 Palatka, FL 32177

Application Number: PB - 09-16

Date Received: 6/3/09

Hearing date: 7/7/09

FOR INFORMATION REGARDING THIS FORM, CALL (386)329-0103

TO BE COMPLETED BY APPLICANT		
1. Property Address: <i>See Attached</i>		2. Current Property Use: <i>Residential</i>
3. Parcel Number: <i>See Attached</i>	4. Lot size/acreage: <i>8 1/2 acres +/-</i>	5. Proposed Use: <i>Residential</i>
6. Current Zoning Designation: <i>R-4</i>	7. Requested Zoning Designation: <i>R-1</i>	8. Required Attachments: <input type="checkbox"/> Letter of Authorization* <input type="checkbox"/> Legal Description <input type="checkbox"/> Copy of Recorded Deed <input type="checkbox"/> Fees <input type="checkbox"/> Project Narrative** <input type="checkbox"/> If applicable, attach Small or Large Scale Future Land Use Amendment application
9. Square footage of any proposed structures:	10. Number & types of structures on property:	
8. Owner Name: _____		
Owner Address: _____		
Phone Number: _____		
9. Agent Name: <i>Kenneth M. Downs</i>		
Agent Address: <i>2020 Ashbrooke Lane</i>		
<i>Palatka, FL 32177</i>		
Phone Number: <i>386-328-3500</i>		

*10-10-26-9130
0010-0001*

*Letter of Authorization for Agent is required if any person other than the property owner makes the application and acts on behalf of the owner.

**Project Narrative: Explain present and future use of the property detailing project.

C-RMD

Application Number: PB 09-16
Hearing date: 7/7/09

10. This application submitted by:

Signature of owner(s): See Attached

Print owner(s) names(s): _____

Signature of Agent(s): Kenneth M Downs

Print Agent(s) names: Kenneth M. Downs

STATE OF Florida

County of Putnam

Before me this day personally appeared Kenneth M. Downs who executed the foregoing application and acknowledged to and before me that he executed this document for the purposes therein expressed.

WITNESS my hand and official seal, this 21st day of April A.D. 2008.

VALERY E. LEONARD
Notary Public, State of Florida
My comm. exp. Nov. 22, 2008
Comm. No. DD 374213

Valery E. Leonard
Notary Public

My commission expires: 11/22/08 State of Florida at Large

FOR OFFICIAL USE ONLY				
1. Date Submitted <u>6/3</u>	2. Received By: <u>DB</u>	3. Current Zoning: <u>R-4</u>	4. Requested Zoning: <u>R-1</u>	5. Preliminary review by: <u>DB</u>
7. Sign(s) Posted Date: By: <u>6/12</u> <u>DB</u>	8. Surrounding property owners notices sent: Date: <u>6/12</u> By: <u>DB</u>	9. Legal Ad Ran: Date: <u>6/19</u>	10. Attachments Reviewed: <input type="checkbox"/> Letter of Authorization* <input checked="" type="checkbox"/> Legal Description <input type="checkbox"/> Copy of Recorded Deed <input checked="" type="checkbox"/> Fees <input type="checkbox"/> Project Narrative** <input type="checkbox"/> Supplementary Information*** <input type="checkbox"/> Site Map for display ad**** <input type="checkbox"/> Site Plan*****	
City Commission Hearing Date:				

STATE OF FLORIDA

County of Putnam

The undersigned personally appeared before me, a Notary Public for the State of Florida, and deposes that the Palatka Daily News is a daily newspaper of general circulation, printed in the English language and published in the City of Palatka in said County and State; and that the attached order, notice, publication and/or advertisement:

Notice is hereby given that t

Was published in said newspaper 1 time(s) with said publication being made on the following dates:

06/19/2009

The Palatka Daily News has been continuously published as a daily newspaper, and has been entered as second class matter at the post office at the City of Palatka, Putnam County, Florida, each for a period of more than one year next preceding the date of the first publication of the above described order, notice and/or advertisement.

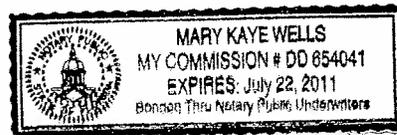
Jeannette Eveland

Sworn to and subscribed to before me this 19th day of June, 2009 by Jeannette Eveland, Administrative Assistant, of the Palatka Daily News, a Florida corporation, on behalf of the corporation.

Mary Kaye Wells

Mary Kaye Wells, Notary Public
My commission expires July 22, 2011

Notary Seal
Seal of Office:



 ✓ Personally known to me, or
 / Produced identification:
 / Did take an oath

PUBLIC NOTICE

Notice is hereby given that the City of Palatka Planning Board will hold a public hearing at their regular meeting on Tuesday, July 7, 2009 at 4:00PM at City Hall, 201 North 2nd Street, for the purpose of hearing a request:

To rezone from R-4 (Mobile home/conventional home residential district) to R-1 (Single-family residential district) for three +/- acres. Case 09-16.

Location: Ashbrooke Estates
Parcel #: 10-10-26-0085-0000-0010; 0020; 0030; and 0040
Requested by: Kenneth M. & Susan M. Downs and Brooke D. & Jared Guy

All interested parties are invited to attend this public hearing.

Debbie Banks
Assistant Planning Director

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE THE CITY COMMISSION WILL REQUIRE A VERBATIM TRANSCRIPT BE MADE AT THE EXPENSE OF THE APPELLANT THAT INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED F.S. 286.0105.

PERSONS WITH DISABILITIES INTERESTED IN ATTENDING THIS MEETING AND REQUIRING ACCOMMODATIONS, SHOULD CONTACT THE CITY BUILDING DEPARTMENT AT (386)329-0103 AT LEAST 24 HOURS IN ADVANCE TO REQUEST SUCH ACCOMMODATIONS.

Legal No. 04543930
06/19/09



City of Palatka

Building & Zoning

201 N. 2nd Street

Palatka, Florida 32177

386-329-0103 • Fax 386-329-0172



As an owner of adjacent property, you are hereby notified of a pending action before the Planning Board which may be of concern to you:

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Notice is hereby given that the City of Palatka Planning Board will hold a public hearing at their regular meeting on Tuesday, July 7, 2009 at 4:00PM at City Hall, 201 North 2nd Street, for the purpose of hearing a request:

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PB 09-16
COLLEGE ROAD CHURCH OF CHRIST INC
400 COLLEGE ROAD
PALATKA FL 32177

PB 09-16
PENNY LUCILE ANDERSON
6003 4TH MANOR E
PALATKA FL 32177

PB 09-16
MILES C + TERESA A ANDERSON
6005 4TH MANOR E
PALATKA FL 32177

RUTH T SHAVE PB 09-16
PO BOX 1185
PALATKA FL 32178

PB 09-16
JAMES N + BRIGETTE E DOHERTY
6102 3RD MANOR W
PALATKA FL 32177

PB 09-16
JACK MAYNARD+MARLIN SLEEMAN REV TRS
6101 3RD MANOR W
PALATKA FL 32177

PB 09-16
THOMAS J + LAURA R WALL
6007 4TH MANOR E
PALATKA FL 32177

PB 09-16
DOROTHY M+JOHN KARL BURMESTER
6008 1ST MANOR E
PALATKA FL 32177

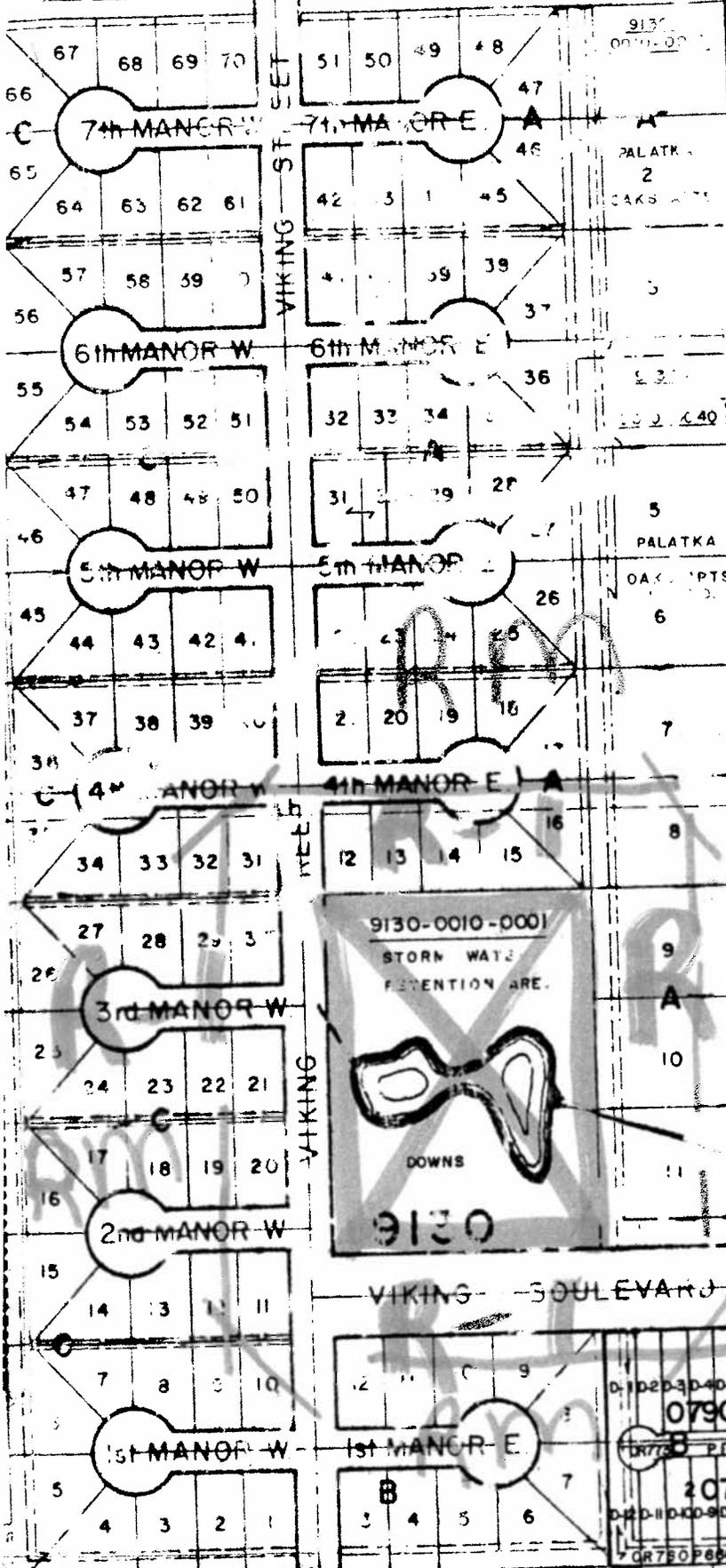
MARY ALMA WEAVER PB 09-16
6012 BROOKHAVENS LANE
PALATKA FL 32177

JULIA A BRADSHER PB 09-16
6008 BROOKEHAVEN LN
PALATKA FL 32177

CAROL A KEULER PB 09-16
6006 1ST MANOR E
PALATKA FL 32177

7: 6121
WEAVER & FINDLATER

9130 52 6001
WEAVER



VIKING SOULEVARD

0010-0000

OR 78 P47

0010-0000

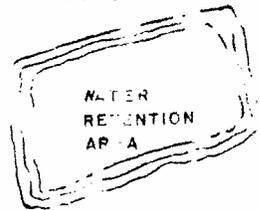
9130-0010-0001
STORM WATER
RETENTION AREA



DOWNS

9130

VIKING SOULEVARD



0010-0000

UNRECORDED LEASE

BOARD OF TRUSTEES SURVIVOR
(CENTRAL LIBRARY)

0050-

0070-0000

173 P322

RES. 5.0

455.0'

Agenda Item

11

**CITY OF PALATKA CITY COMMISSION
AGENDA ITEM**

ITEM: 1406 Ocean Street (42-10-27-9110-0000-0140) code enforcement fine reduction **DEPARTMENT:** Building & Zoning

AGENDA SECTION: Separate Agenda Item

ATTACHMENTS:

1. June 24, 2009 CEB minutes
2. May 27, 2009 Edinger letter
3. Finding of Fact, Conclusions of Law, and Order
4. June 26, 2008 Holmes letter
5. June 18, 2008 Banks email
6. Finding of Fact, Conclusions of Law, and Order
7. January 24, 2007 CEB minutes
8. January 16, 2006 Notice of Intent to File Lien
9. December 13, 2005 Certified letter
10. December 7, 2005 CEB minutes
11. Summary sheet 2005
12. September 29, 2005 Warning Notice

DATE: August 27, 2009

SUMMARY HIGHLIGHTS:

On June 24, 2009 the Code Enforcement Board voted to recommend a reduction of the \$50 per day fine which had run 1,192 days for a total fine of \$59,600 down to \$15,000 inclusive of costs of prosecution. This equates to a \$44,600 fine reduction exclusive of costs of prosecution. Separately, \$12,980.43 would be the fine amount with costs of prosecution totaling \$2,019.57 if a recorded lien order was not required or \$2,070.45 if recording was necessary.

The property is in compliance at this time.

RECOMMENDED ACTION:

Staff recommends approval of the Code Enforcement Board's recommendation to reduce the accumulated fine to \$15,000 inclusive of costs of prosecution.

AGENDA ITEM NUMBER:

AGENDA PAGE NUMBER:

Meeting called to order at 4:00 p.m. by Chairman Kenny Downs. **Members present:** LaSandra Williams, Pat Wilson, Douglas Webb and Terrill Hill. **Members absent:** John Lyon and Ronald Becker. **Also present:** James Lee, Planning Director; Code Enforcement Supervisor, Debbie Banks; Code Enforcement Officer, Elizabeth Hearn; Recording Secretary Pam Sprouse and City Attorney, Donald Holmes.

Motion by LaSandra Williams and seconded by Douglas Webb to approve the minutes of the May 27th, 2009 meeting. All voting members were in favor. Motion carried.

Kenny Downs read "To Appeal Any Decision" and swore in all City staff testifying at the hearing.

CONSENT AGENDA

Case 08-161 1318 Carr Street

Daily Fine of \$25 per day x 237 days - \$5,925.00
Costs of Prosecution \$290.32 or \$341.40 – Hearn

Case 08-165 Vacant Parcel on N 7th Street

Daily Fine of \$25 per day x 231 days - \$5,775.00
Costs of Prosecution \$340.32 or \$391.40 – Hearn

Case 09-16 219 S 10th Street (42-10-27-6850-0650-0040)

Costs of Prosecution \$175.32 or \$226.40 - Hearn

Case 09-17 Vacant Parcel on S 10th Street (42-10-27-6850-0650-0050)

Costs of Prosecution \$175.32 or \$226.40 - Hearn

Motion made by Terrill Hill and seconded by LaSandra Williams, to accept the aforementioned consent agenda as presented. All voting members were in favor. Motion carried.

OLD BUSINESS

Case 05-417 1406 Ocean Street

Owner: M. Shelton Construction Co., Inc.
Daily Fine of \$50.00 per day for 1192 days: \$59,600.00
Costs of Prosecution \$2019.57 or \$2070.45
Request to address the Board – McArthur Shelton

Gary Edinger, 305 NE 1st Street, Gainesville, was present to represent the owner. He stated that the property is now in compliance and that they have filed a written motion to reduce the fine to a suggested \$1,500.00 plus the costs of prosecution. He stated that the fine is quite significant for a modest piece of property and for the type of violation. Adding that, as not to minimize the fact that it was a violation of the Code and that it did go on for quite some time, but that he would respectfully request the Board give some consideration to nature of the violation into account when you consider our request.

Mr. Holmes advised that the case is still open in the Courts, essentially the case was held in abeyance just prior to the scheduled trial date, as the property came into compliance and that the case is currently at trial stage.

Discussion continued regarding fine reductions.

Case 05-417 1406 Ocean Street - continued

Motion made by Terrill Hill and seconded by Pat Wilson, to forward recommendation to the City Commission, to reduce the fine to \$15,000 inclusive of the costs of prosecution. **DISCUSSION:** Mr. Hill stated that he felt with this motion we will have served our purpose in getting compliance and at the same time we have made Mr. Shelton take responsibility for his violations and still give him some leeway as it relates to the amount of fines given the time it took. He ended by saying that by no means is he advocating that it is proper to be 1,192 days in violation of the code, but he had difficulty with administering a \$60,00 fine on a piece of property that is likely not even worth that much, as our goal is not to gain ownership of the property because we would likely find ourselves in a foreclosure situation and would like the outcome to be a benefit to everyone as a whole. All voting members were in favor, motion carried.

Case 07-384 529 Kirby Street

Owner: Steven and Lisa Pinder
Section 54-80 Historic District Property Maintenance/Repair
Required update per May 27, 2009 hearing

Ms. Hearn advised that Ms. Pinder advised that she had a medical appointment this afternoon and could not be at the meeting. Additionally, she stated that she had suggested to Ms. Pinder that she apply for TIFF funds in an effort to get the rest of the painting completed. Ms. Hearn recommended tabling this case for 30 days.

Motion made by Terrill Hill and seconded by Douglas Webb to accept staff recommendation to table this request until the July 22, 2009 meeting at 4:00pm. **DISCUSSION:** Ms. Wilson stated that there have been many missed meetings for required updates and that we need to take some action, if she does not make the next meeting or send an agent, then we should not table this again. All voting members were in favor, motion carried.

Case 08-230 622 River Street

Owner: Virginia McColm
Section 54-80 Historic District Property Maintenance/Repair
Section 30-32 Weeds, Debris, Prohibited Conditions
Required update per May 27, 2009 hearing - Virginia McColm

Ms. Hearn advised that she received a call from Ms. McColm last week advising that she was going to be out of town with a family medical emergency, and would not be able to make the meeting today. She recommended tabling this case for 30 days.

Motion made by Terrill Hill and seconded by Douglas Webb to accept staff recommendation to table this request until the July 22, 2009 meeting at 4:00pm. All voting members were in favor, motion carried.

Case 06-214 615 N 11th Street

Owner: Heirs of Ellen P. Hill
Request for Nuisance Abatement Action/Update – Hearn

Ms. Hearn advised that at this time we are waiting on the County to move forward with the demolition.

Mr. Downs commented that he will work very closely with the County and City on this joint effort.

Gary S. Edinger
& Associates, P.A.

Gary S. Edinger
GSEdinger@aol.com

Steve D. Tran
UF3323@aol.com

305 N.E. 1st Street • Gainesville, FL 32601 • Phone (352) 338-4440 • FAX (352) 337-0696

May 27, 2009

Palatka Code Enforcement Board
City of Palatka
201 N. 2nd Street
Palatka, Florida 32177

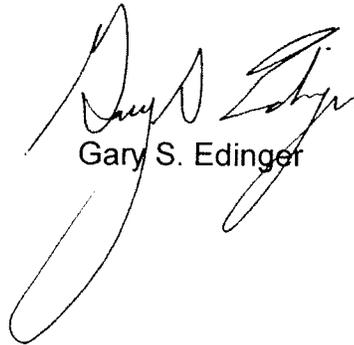
RE: Palatka (State of Florida) v. M. Shelton Construction Co.
Case No.: 05-417 (Code Enforcement Board)

Dear Clerk:

Please file the enclosed the Respondent's Motion to Reduce Code Enforcement Fine in the above-referenced case. The Respondent requests that this Motion be heard at the next regularly-scheduled meeting of the Board.

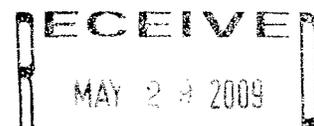
Thank you for your kind assistance.

Sincerely,



Gary S. Edinger

/gse
Enclosure
cc: McArthur Shelton



BY: _____

**CODE ENFORCEMENT BOARD OF THE
CITY OF PALATKA, FLORIDA**

CITY OF PALATKA, Petitioner,

COMPLAINT NO. 05-417

vs

M. Shelton Construction Company Incorporated, Respondent(s)

FINDING OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS CAUSE having come before the Board for public hearing on May 27, 2009, after due notice to the Respondent; and, the Board having received sworn testimony and evidence at said hearing; it is now,

DETERMINED THAT:

I. FINDINGS OF FACT AND CONCLUSIONS OF LAW:

- a) The Respondent(s) is the owner of property described as 1406 Ocean Street, Putnam County Tax parcel number 42-10-27-9110-0000-0140, located within the City of Palatka, Putnam County, Florida.
- b) Conditions at the property at issue constitute violations of Section 30-32 Weeds, Debris, Prohibited Conditions and Section 30-166 Minimum Maintenance Standards, of the Palatka Municipal Code.

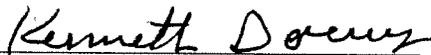
IT IS ACCORDINGLY ORDERED THAT:

II. ORDER:

- a) The \$50.00 per day fine is hereby stopped on the above-described property effective April 13, 2009. Total daily fine assessed is \$59,600.00.
- b) Administrative costs are hereby assessed in the amount of \$2070.45, as incurred in the prosecution of this case by the City of Palatka through the 27th day of May, 2009.
- c) The fine described in paragraph a), as well as the costs described in paragraph b), shall constitute a lien upon the property described herein when this document is recorded within the official records of Putnam County, Florida.
- d) This Finding of Fact, Conclusions of Law and Order supersedes that Finding of Fact, Conclusions of Law and Order recorded in the official records, Book 1089, Page 785 dated April 3, 2006 in the Putnam County Clerk of Courts records.

DONE AND ORDERED this 27th day of May, 2009, at Palatka, Putnam County, Florida.

CODE ENFORCEMENT BOARD OF THE CITY OF PALATKA FLORIDA

BY 
Kenneth Downs, Its Chairman

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Findings of Fact, Conclusions of Law and Order has been furnished by Certified mail, Regular mail, to the Respondent and/or authorized representative at 2936 NE 19th Drive, #C, Gainesville, FL 32609, this ____ day of July, 2009.

Prepared by:
Elizabeth A. Hearn, City of Palatka
201 N 2nd Street, Palatka, FL 32177


Elizabeth A. Hearn, Code Enforcement Officer

Donald E. Holmes

Law Office of
Donald E. Holmes, P.A.

Joe Boatwright

222 N. Third Street
Palatka, Florida 32177-3710
Telephone (386) 328-1111 Telecopier (386) 328-3003

June 26, 2008

Mr. Steve D. Tran, Esquire
305 NE 1st St.
Gainesville, FL 32601

RE: State of Florida v. M. Shelton Construction Company, Inc.
Case No. 08-309-CA-53

Dear Mr. Tran,

I am in receipt of your letter of June 20, 2008. You are correct in understanding that my client often settles lien foreclosure cases in exchange for payment of "costs of investigation and prosecution" and relatively nominal fines. However, such settlements can only be discussed and negotiated after the code violation which led to the assessment of fines has been remedied. It is my understanding that the code violation which led to the assessment of fines in the above-captioned case has not been remedied as of the writing of this letter.

As is alleged in your letter of June 20, 2008, it is my understanding that your client in fact secured a permit for construction of a roof at some point in the past at the site of the code violations at issue. However, I know of no theory under which obtaining a roof construction permit could be asserted as excusing your client's compliance with the codes which he has allegedly violated.

The main goal of the Code Enforcement Department and Code Enforcement Board of the City of Palatka is to achieve code compliance at properties which, for a variety of reasons, have suffered long-standing code violations. It is not the goal of the Code Enforcement Department or Code Enforcement Board to force the sale of property through foreclosure proceedings. As a result, both my office and the Code Enforcement Department at the City of Palatka are more than willing to work with you and your client in an effort to resolve this matter in a fashion which occasions the least amount of legal expense and maneuvering as is possible. However, in order to pursue this course your client must take the first step by remedying the code violations which form the basis of the Order which lead to the imposition of a lien upon your client's property. While I am not aware of any code violations noted at your client's property other than those which form the basis of the code enforcement action captioned above, if there are presently other code violations existing at your client's property, these also must be remedied in order for your client to obtain a "clean bill of health" from the City Code Enforcement Department.

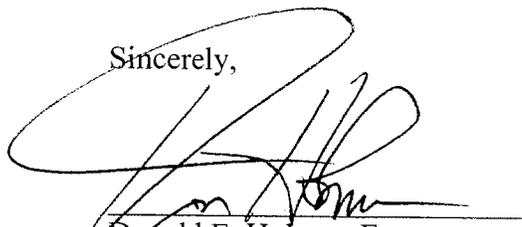


BY: _____

It is my suggestion that you contact Ms. Debbie Banks at 386-329-0103 for the purpose of discussing with her the action necessary to remedy the code violations discussed above. Perhaps a time table for achieving code compliance can then be agreed upon. As soon as code compliance has been achieved, I would then request that your client's case be brought back before the Code Enforcement Board for the purpose of considering a "fine reduction" and assessment of cost of prosecution. You and or your client would naturally be welcome to attend these proceedings. However, your attendance is not mandatory. If, as the Code Enforcement Board has consistently done in the past, it chooses to drastically reduce the accumulated fines which now encumber your client's property, then upon payment of the reduced fine amount and payment of costs of prosecution, the Code Enforcement lien attached to your client's property (and all other property which your client owns in Putnam County) would be satisfied by document recorded within the Official Records of Putnam County, Florida.

In the event you have any questions concerning this letter, please feel free to contact me at your convenience. As stated above, it is my hope that this matter can be resolved in the fashion described above and that your client's money can be spent in remedying the code violations at issue rather than in wrangling about this matter in court. However, in the event your client chooses not to proceed as described above, it will be my intent to notice this action for trial. I acknowledge that you have alleged that certain procedural defects should prevent the City of Palatka from prevailing in the above-captioned action. Unfortunately for your client, unless the property at issue is now in compliance with the City of Palatka's codes, or unless the court in the above-captioned action should issue your client some sort of blanket exemption from compliance with Palatka's codes, even if you prevail in the above-captioned action a new case will simply be initiated against your client alleging whatever code violations currently exist and we will then repeat the code enforcement process with the hope of eliminating any procedural defects which may have resulted in our not prevailing in the above-captioned case. It would accordingly seem to benefit your client to attempt to work with the City of Palatka at this point rather than against us. However, I will trust this decision to you and your client and will proceed accordingly.

Sincerely,



Donald E. Holmes, Esq.

c: Debbie Banks
djf

Debbie Banks

From: Debbie Banks [dbanks@gbso.net]
Sent: Wednesday, June 18, 2008 4:52 PM
To: Donald Holmes
Cc: Woody Boynton; Jim Lee
Subject: RE: Code Case- Shelton Construction

December 1, 2004 Roofing permit pulled but it expired due to lack of final inspection. This is the only permit on file. Roof still in violation.

June 2, 2005 - warning sent certified . Receipt signed for McArthur Shelton on 6-3-05

July 27, 2005 taken to CEB but Ms. Chandler advised the property was in compliance. (Probably establishing for repeat offender)

September 29, 2005 - warning sent certified. Receipt signed for by Audrey Boone.

December 7, 2005 - CEB assessed \$50 per day fine

December 13, 2005 - Ms. Chandler sent CEB minutes and copy of Findings to be recorded via certified mail. Receipt signed for by Audrey Boone

January 16, 2006 - Ms. Chandler sent Notice of Intent to File Lien via certified mail but it came back unclaimed. She then sent it regular mail and did not receive it back.

The Findings were recorded and it states they were sent certified but I did not a receipt in the file.

August 4, 2006 - Ms Williams sent a warning certified. Receipt signed for by Audrey Boone.

I believe all notice were sent properly and certified with the exception of the recorded Findings of Fact, Conclusion of Law and Order. Ms. Chandler may have sent that certified but I cannot find it in the file.

Please let me know if I can be of further assistance or if it is your opinion we start over.

Thank you,
Debbie

-----Original Message-----

From: Donald Holmes [mailto:don@donholmeslaw.com]
Sent: Wednesday, June 18, 2008 2:18 PM
To: DEBBIE BANKS
Cc: Woody Boynton
Subject: Code Case- Shelton Construction

Debbie

I'm sending over an answer that I received on behalf of Shelton Construction to the lien foreclosure action I filed on behalf of the City. You will see from a reading of the answer that Shelton's attorney claims that Shelton had a construction permit (issued before the Notice of Violation) which excuses the code violation. Next, Shelton claims that the City didn't serve any orders or notices in this action by certified mail as required by Section 30-148(c) of the Palatka Municipal Code.

I'd appreciate you looking at Shelton's claims and advising me of your

thoughts. I guess the issue of certified mail is again on our radar. In order to eliminate any confusion (once and for all -- maybe), can you tell me exactly which Notices/Orders in a typical code enforcement case the city is sending by certified mail and which notices are going out by regular mail.

Thanks,
Don

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TAX ADVICE DISCLOSURE: Pursuant to the requirements of Internal Revenue Service Circular 230, we advise you that any federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of: (1) avoiding penalties that may be imposed under the Internal Revenue Code or (2) promoting, marketing or recommending to another party any transaction or matter addressed in this communication.

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Thank you.

Donald E. Holmes, P.A. (386) 328-1111

CODE ENFORCEMENT BOARD OF THE
CITY OF PALATKA, FLORIDA

CITY OF PALATKA, Petitioner,

COMPLAINT NO. 05-417

vs

M Shelton Construction Co. Inc., Respondent(s)

* OFFICIAL RECORDS *
BK 1089 PG 785

FINDING OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS CAUSE came before the Board for costs of prosecution assessment on December 7, 2005 and the Board having been presented with supporting evidence and inspection reports there-upon issues its Findings of Fact, Conclusions of Law and Order as follows:

I. FINDINGS OF FACT:

1. The Respondent(s) is the owner of property described as 1406 Ocean Street, parcel number 42-10-27-9110-0000-0140 of the City of Palatka, Putnam County, Florida.
2. The Respondent was properly notified that the above-described property needed to be brought into compliance within a given time, and has failed to make repairs to the roof and structure, or to paint the exterior of the residence, or to mow and maintain the property, or secure the property from access.

II. CONCLUSIONS OF LAW:

1. The Respondent was in violation of Section 30-34 Weeds, Debris, Prohibited Conditions and Section 30-166 Minimum Maintenance Standards.

III. ORDER

1. A \$50.00 per day fine is hereby levied on the above-described property effective January 7, 2006 and shall continue until the violation is remedied.
2. Administrative costs will be assessed against the property at a later date.

DONE AND ORDERED this 7th day of December, 2005, at Palatka, Putnam County, Florida.

CODE ENFORCEMENT BOARD OF THE CITY OF
PALATKA FLORIDA

TIM SMITH, PUTNAM CO. CLERK OF COURT
RCD: 04/03/2006 @ 09:12

BY Kenneth Downs
Kenneth Downs, Its Chairman

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Findings of Fact, Conclusions of Law and Order has been furnished by Certified mail to the Respondent and/or authorized counsel, M Shelton Construction Co. Inc., 2936 NE 19th Drive #C, Gainesville, FL 32609, this 7th day of December, 2005.

Prepared by:
Jeanne Chandler
City of Palatka
201 N 2nd Street
Palatka, FL 32177



Jeanne Chandler
Jeanne Chandler, Secretary to the Code Enforcement Board

COX

0000579211



**January 24, 2007 Code Enforcement Board Hearing
Minutes & Proceedings**

107 Madison Street continued

Discussion on liens, compliance, and fines continued. The main issue is that the exterior be brought into compliance.

Mr. Holmes said the City Commission could be asked that the lien be released if the fine is paid and property in compliance based on Mrs. Banks' inspection, and that she is able to report that to the Commission.

Motion by Mr. Carnes to recommend to the City Commission that all liens excluding costs of prosecution be removed from this property if the property is brought into compliance by the next City Commission meeting in February. Second by Mr. Lyon. Motion carried.

Mr. Carnes said the Board does not have the authority to remove the lien, that has to be done by the City Commission.

Mr. Smith said he would be in Washington DC on the second Thursday.

Mrs. Banks said she could present the case and explain the circumstances.

Case 01-379 Dunham between 19 & 20 ST (37-10-26-6850-3510-0110)

Owner: Carolyn Williamson/ Pastor Deese

Release of Lien filed after new deed presented – Banks

Mrs. Banks reported that the property has been transferred, the deed has been recorded, the property is in compliance and the case has been closed.

Case 05-417 1406 Ocean Street

Owner: M. Shelton Construction Co., Inc.

Foreclosure of lien – Banks

Mrs. Banks presented photo evidence and stated that: this case is from September 2005; the Board had voted to begin a daily fine on January 7, 2006; the costs of prosecution to date are \$274.64; the \$50 per day fine accrued as of today are \$19,100 for a total of \$19,374.64; and the taxes are current. She said the property appraiser assesses the value of the property at \$65,322.00 and it is hoped that a foreclosure may force the owner into action. This used to be a very nice house, but now the roof is severely damaged, there has been a dumpster in the front of the house for years, and the yard is overgrown.

Motion by Mr. Carnes to foreclose on the City's lien. Second by Mr. Lyon. Motion carried.

Case 05-45 1404 St. Johns Avenue

Owners: Donald & Donnesha Hampton

Foreclosure of lien - Banks

Mrs. Banks reported this is a highly undesirable house in a highly visible area. The house is falling in and is very unsafe. Reports from surrounding property owners state that a neighboring property owner who is not the owner but is renting this property to a friend. The Board voted to begin a daily fine of \$25 per day on April 26, 2005 which now totals \$15,350.00; the costs of prosecution to date are \$334.64 for a total of \$15,680.64. Taxes are past due. The property appraiser has assessed the value of the property at \$17,238.00 which, in Mrs. Banks' opinion, is extremely overvalued. She requested this lien be foreclosed on to eliminate an unsafe eyesore.

Motion by Mr. Carnes to foreclose on the lien. Second by Mrs. Jones. Motion carried.

Case 03-282 1101 S Church Street (07-10-27-3550-0130-0031)

Owner: Michael Evans & Dawn Vickers

Mrs. Banks requested this case be tabled while she works on it with the Police Department.



City of Palatka

Building & Zoning

201 N. 2nd Street

Palatka, Florida 32177

386-329-0103 • Fax 386-329-0172



NOTICE OF INTENT TO FILE LIEN

January 16, 2006

M. Shelton Construction Co. Inc.
2936 NE 19th Drive #C
Gainesville, FL 32609

Re: Case #05-417
1406 Ocean St

Dear Mr. Shelton:

The Code Enforcement Board of the City of Palatka met on December 7, 2005 and determined that your property was in violation of certain codes adopted by the City of Palatka. **The Code Enforcement Board determined that if the violations were not corrected by January 7, 2006, a fine in the amount of \$50.00 dollars per day would be assessed and would continue to accrue until the violations were corrected.** An inspection conducted by staff on January 13, 2006, revealed that the violation(s) cited by the Code Enforcement Board have not been corrected. Accordingly, a fine in the amount of \$50.00 dollars per day began to accrue on January 7, 2006. Documents will be filed within the Official Records of Putnam County, Florida fifteen days from the date of this letter and will constitute a lien on your property which may affect your ability to sell your property or pledge your property as collateral for a loan.

YOU ARE HEREBY NOTIFIED that if you believe that the violations in which you were cited were corrected within the time allowed by the Code Enforcement Board and that no fine should be assessed against you, you may object to the filing of a lien against your property by requesting a hearing before the Code Enforcement Board. Your request must be made in writing and delivered to the City of Palatka Building Department within fifteen days of the date of this letter. The City of Palatka Building Department is located at 205 North 2nd Street, Palatka, FL 32177.

If you do not request a hearing, the City of Palatka will assume that you agree that the cited violation was not corrected within the allowed time and a lien will be filed against your property for the amount of the fine imposed by the Code Enforcement Board.

If you have any questions concerning this notice, please call Jeanne Chandler, Code Enforcement Board Secretary, at 386-329-0103.

Sincerely,

Jeanne Chandler
Code Enforcement Board Secretary

Attachment

Call or Priority Mail
3744
12002
Seals



City of Palatka

Building & Zoning

201 N. 2nd Street

Palatka, Florida 32177

386-329-0103 • Fax 386-329-0172



December 13, 2005

M Shelton Construction Co. Inc.
2936 NE 19th Drive #C
Gainesville, FL 32609

RE Case 05-417
1406 Ocean St

Dear Mr. Shelton:

Attached is a copy of the December 7, 2005 Code Enforcement Board meeting minutes and Findings of Fact. *These Findings will be recorded as a daily fine against this property if the property is not brought into compliance by January 7, 2006.* Liens against this property will extend to any other property you own in the county.

Please contact me when the property is in compliance so that I may make a final inspection. I can be reached at the above number if you have any questions.

Sincerely

Sharon Chandler

Attachment

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p><i>X Audrey Boone</i></p>	
<p>1. Article Addressed to:</p> <p><i>M. Shelton Const Co. Inc</i> <i>2936 NE 19 Street #C</i> <i>Gainesville FL</i> <i>32609</i></p>		<p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p><i>Boone</i></p> <p>C. Date of Delivery <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><i>12/16</i></p>	
<p>2. Article Number (Transfer from service label)</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p>	
<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>7005 1820 0002 5731 9105</p>		<p>102595-02-M</p>	

and no activity on the Building permit. Staff recommends a \$25.00 a day fine be effective January 7, 2006 not in compliance.

Motion by Ms. Kitchens that the Board find that the code violations alleged by the Code Enforcement Officer in fact exist and that if the violations are not corrected by January 7, 2006 a fine in the amount of \$25.00 per day be assessed. Seconded by Ms. Jones. All voted affirmative. Motion carried.

NEW BUSINESS

* Case 05-417, 1406 Ocean St

Staff advised that a certified notice was sent on September 29, 2005 and signed for by Audrey Boone on October 3, 2005. Staff received a second complaint on the property on October 27, 2005. A re-inspection and pictures taken on November 2, 2005 noted no change. Pictures taken on November 28, 2005 showed no change. This property has been before the Board in 2004 and early this year. This is a repeat offender. Staff recommends a \$50.00 a day fine be effective January 7, 2006 if not in compliance.

Motion by Ms. Kitchens that the Board find that the code violations alleged by the Code Enforcement Officer in fact exist and that if the violations are not corrected by January 7, 2006 a fine in the amount of \$50.00 per day be assessed. Seconded by Mr. Carnes. All voted affirmative. Motion carried.

Case 05-436, 2011 Geary St

Staff advised that a certified notice was sent on September 30, 2005 and signed for by Nouri Alizy on October 3, 2005. A second inspection and pictures taken on November 2, 2005 noted no change. The owner's brother is living in the house and it appears he is trying to run a second hand business out of his home. Pictures taken on November 28, 2005 noted no change however, a trailer was parked on the right of way with additional furniture and items. Staff recommends a \$25.00 a day fine be effective January 7, 2006 if not in compliance.

Motion by Ms. Kitchens that the Board find that the code violations alleged by the Code Enforcement Officer in fact exist and that if the violations are not corrected by January 7, 2006 a fine in the amount of \$25.00 per day be assessed. Seconded by Mr. Carnes. All voted affirmative. Motion carried.

Case 05-443, 1507 Bronson St

Staff advised that the property is overgrown and the front windows are broken out. A certified notice was sent on October 5, 2005 and signed for by J. Jackson on October 7, 2005. A second inspection on November 8, 2005 noted no change. Pictures taken on November 28, 2005 showed no change. The property is vacant and the taxes have not been paid for the past five years. Staff recommends a \$25.00 a day fine be effective January 7, 2006 if not in compliance.

Motion by Ms. Kitchens that the Board find that the code violations alleged by the Code Enforcement Officer in fact exist and that if the violations are not corrected by January 7, 2006 a fine in the amount of \$25.00 per day be assessed. Seconded by Mr. Carnes. All voted affirmative. Motion carried.

Case 05-417
1406 Ocean St
M Shelton Construction Co. Inc.

Section 30-32 Weeds, Debris, Prohibited Conditions
Section 30-166 Minimum Maintenance Standards

Sept 27, 2005 – complaint confirmed – property overgrown blue tarp
on roof – extensive roof damage – took pictures

Sept 29, 2005 – Notice of Violation sent

Oct 3, 2005 – Certified sign by Audrey Boone

Oct 27, 2005 - 2nd complaint regarding overgrown property

Nov 2, 2005 – re-inspected – took pictures – no change

Nov 28, 2005 – took pictures for CEB agenda – no change

Dec 7, 2005 –

This property was cited in June 2005 for same problem and in August
2004, and in October, 2003 - Staff recommends \$50.00 per day fine
effective Jan 7th 2006 if not in compliance -

**CITY OF PALATKA
WARNING NOTICE OF CODE VIOLATION**

WARNING NOTICE: YOU ARE IN VIOLATION OF CITY OF PALATKA MUNICIPAL CODE. SHOULD THE VIOLATION CONTINUE BEYOND THE TIME SPECIFIED FOR CORRECTION, OR SHOULD THE VIOLATION BE REPEATED, A CITATION MAY BE ISSUED TO YOU AND/OR YOUR CASE MAY BE PRESENTED TO THE PALATKA CODE ENFORCEMENT BOARD. THE ISSUANCE OF A CITATION WILL REQUIRE A FINE TO BE PAID OR REQUIRE YOUR APPEARANCE BEFORE THE COURT. FINDING OF A VIOLATION BY THE COURT MAY RESULT IN A FINE OF UP TO \$500. **THE CODE ENFORCEMENT BOARD MAY IMPOSE A FINE OF UP TO \$250 FOR EACH DAY UNTIL THE VIOLATION IS CORRECTED. COSTS OF PROSECUTION WILL BE CHARGED IF YOUR CASE APPEARS ON THEIR AGENDA. COSTS AND/OR FINES WILL BECOME A LIEN AGAINST YOUR PROPERTY IF LEFT UNPAID. APPEALS MUST BE MADE WITHIN 30 DAYS OF HEARING TO THE CIRCUIT COURT OF APPEALS.**

Date of Violation: September 29, 2005

Case Number: 05 - 417

Location of Violation: 1406 OCEAN STREET

Parcel Number: 42-10-27-9110-0000-0140

Responsible Person: M SHELTON CONSTRUCTION CO. INC.

Mailing Address: 2936 NE 19TH DRIVE #C, GAINESVILLE, FL 32609

IN ACCORDANCE WITH CITY OF PALATKA MUNICIPAL CODES YOU ARE HEREBY NOTIFIED THAT YOU ARE IN VIOLATION OF PALATKA CITY CODE:

Section 30-32 WEEDS, DEBRIS, PROHIBITED CONDITIONS

It shall be unlawful for any owner or owners of any lot, parcel, or tract of land within the city to:

- (1) Permit weeds, grass or undergrowth to grow thereon to from the ground.
- (2) Permit rubbish, trash, debris, dead trees or other unsight thereon.

Violation Text: Lot to be mowed and maintained from lot li

SECTION 30-166 MINIMUM MAINTENANCE STANDARD

It shall be unlawful for any owner or owners of commercial to fail to maintain their property according to the minimum s ordinance.

Violation Text: Lot to be mowed and maintained from lot to be trimmed and the roof is to be repaired by a licensed r

Text: As directed by officer. Failure to comply by Oct Enforcement Board action on December 7, 2005 at 4:0 Palatka, FL 32177. *Please call with any questions.*

**BUILDING & ZONING DE
201 N 2ND STRE
PALATKA, FL 32
HOURS: 8:30AM -
MON-FRI (386)329**

Jeanne Chandler
JEANNE CHANDLER - ISSUING OFFICER

<p>PS Form 3811, February 2004 Domestic Return Receipt</p>		<p>2. Article Number (Transfer from service label)</p> <p>7005 0390 0006 2948 9112</p>	
<p>1. Article Addressed to:</p> <p>M. Shelton Construction 2936 NE 19th Drive H.C. Gainesville, FL 32609</p>		<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>4. Restricted Delivery? (Extra Fee)</p> <p><input type="checkbox"/> Yes</p>		<p>5. Signature</p> <p><i>Audrey Boone</i></p> <p>Received by (Printed Name) <i>Audrey Boone</i></p> <p>6. Date of Delivery <i>10/1/05</i></p>	
<p>7. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>8. COMPLETE THIS SECTION ON DELIVERY</p> <p><input type="checkbox"/> Agent</p> <p><input type="checkbox"/> Addressee</p>	

Agenda Item

12

Agenda Item

13

MEMORANDUM

DATE: August 18, 2009
TO: City of Palatka City Commission
FROM: Community Garden Committee
RE: Approval of Proposed Garden Sites

Janice Watson, Co-chair

The Community Garden Committee is requesting approval for the following potential garden sites on city property.

Oakhill Park located on Westover Drive

Triangle property located at Carr Street

If these properties are approved, the University of Florida Agricultural Extension Office has agreed to assist by preparing the soil for planting by spraying for weeds, tilling and fertilizing. Once the soil is prepared, we will obtain commitments from individuals, business and organizations to adopt a plot. Those adopting a plot will be required to sign a release of liability, as well as a simple agreement of gardening rules. The produce from the gardens will be utilized by the gardener, may be traded with other gardeners, or donated to feed those in need within our community. No produce will be sold for profit, as stipulated in the garden rules.

Community gardens are a positive influence in neighborhoods; they stimulate community interactions, create beauty in open spaces, provide a place for recreation, exercise, and education, and produce nutritious food to reduce family food budgets. A 600 square foot garden can save the average family \$500 per year, using an average of \$2 per pound.

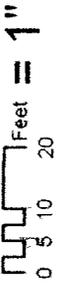
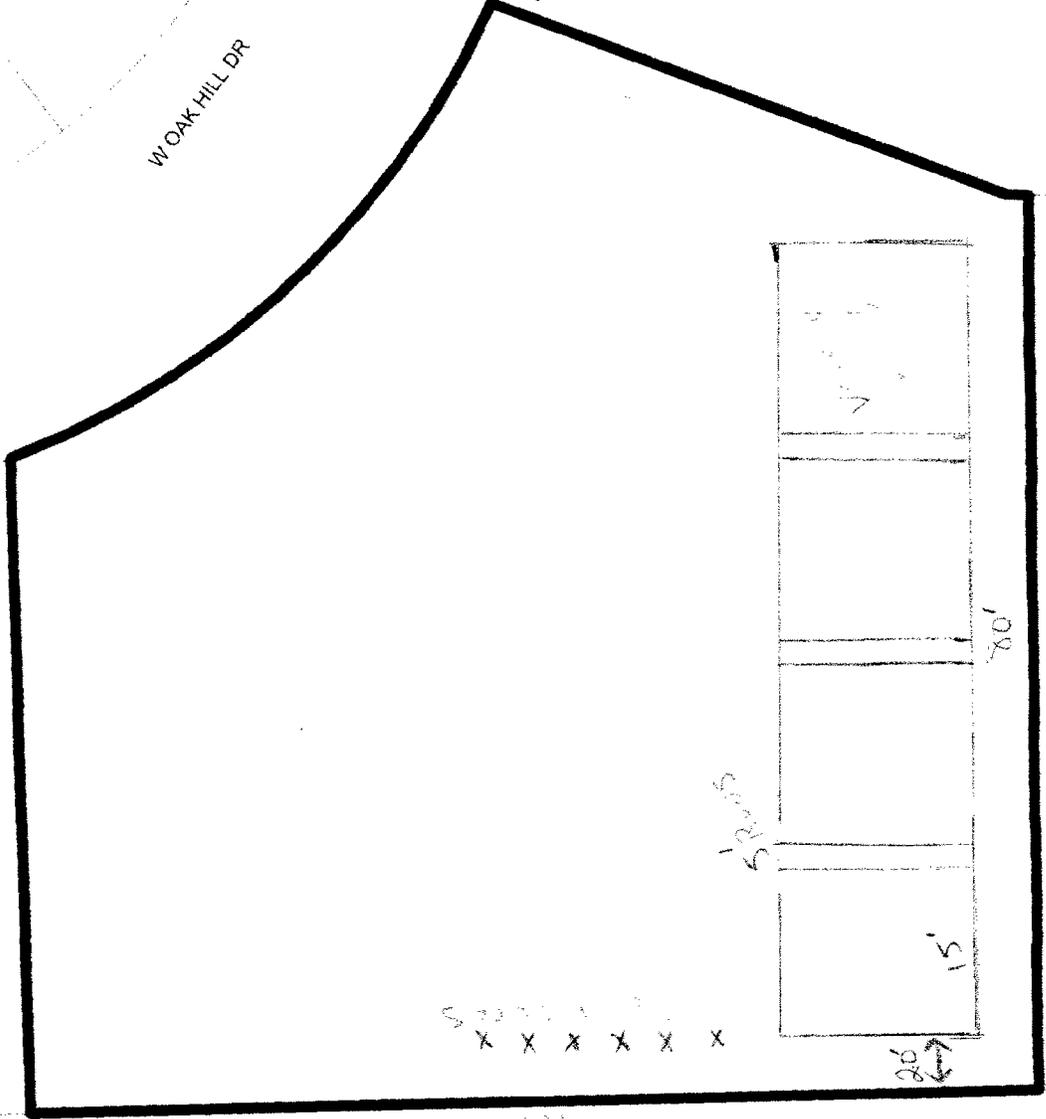
Once property is approved, local support will be solicited for additional needs such as seeds, fencing, tools, and a tool shed. Grant opportunities will also be explored. Mr. Breck Sloan from Beck's has agreed to donate seeds and possibly funding for a scholarship to a student pursuing a degree in the field of agriculture. Ace Hardware in East Palatka has also agreed to assist in some manner.

Attachments: Proposed site plans

West Oak Hill Drive Park Proposed Community Garden

W OAK HILL DR

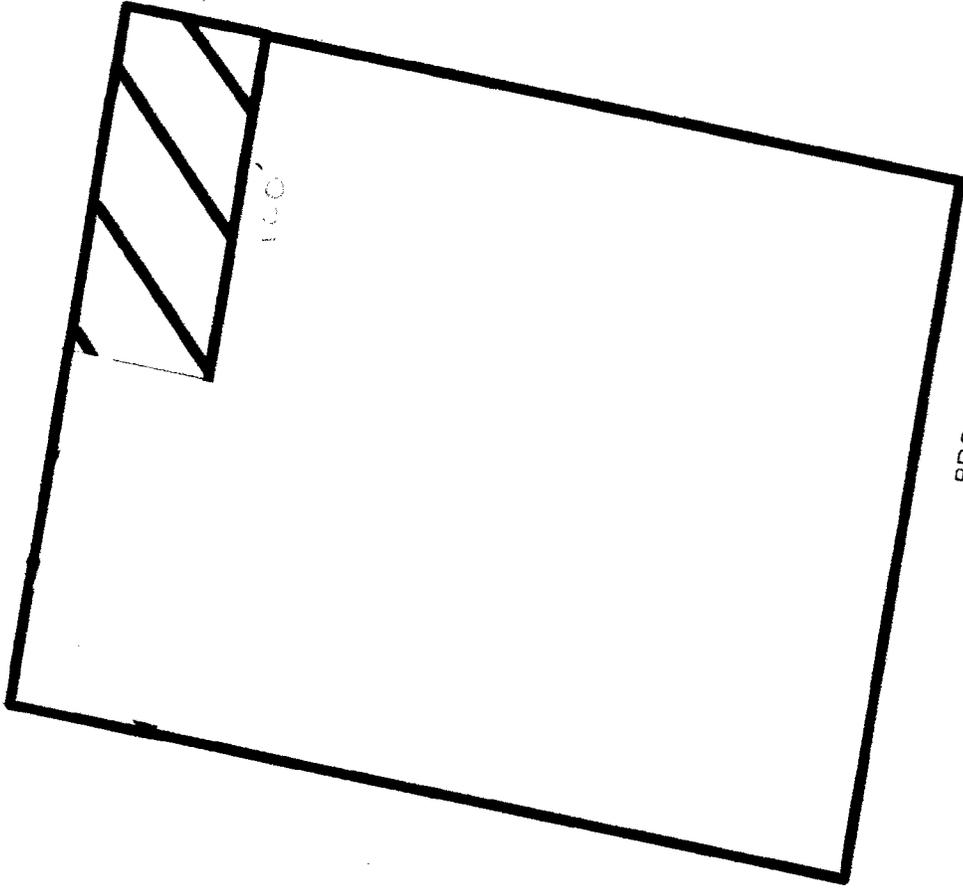
WESTOVER DR



Calvary Missionary Baptist Church Proposed Community Garden

DUNHAM ST

DUNHAM ST



N 13TH ST

BRONSON ST

