LEON COUNTY ORDINANCE NO. ____

AN ORDINANCE AMENDING LEON COUNTYORDINANCE NO. 92-11 TO PROVIDE FOR A CHANGE IN ZONE CLASSIFICATION FROM LP LAKE PROTECTION TO PUD PLANNED UNIT DEVELOPMENT IN LEON COUNTY, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA:

SECTION 1. The Official Zoning Map as adopted in Leon County Ordinance No.92-11 is hereby amended as it pertains to the following described real property:

RZ-443: From LP Lake Protection Zoning District to PUD-XX Summerfield Planned Unit Development Zoning District:

Legal Description

BEGIN at a concrete monument marking the northeast corner of Lakeside, a subdivision as per map or plat thereof recorded in Plat book 11, Page 26 of the Public Records of Leon County, Florida, said point lying on the southerly right of way boundary of State Road 63 (U.S. Highway 27) as per the Florida Department of Transportation Right of Way Map, Section Number 55010-2501, last dated July 12, 1962, and thence run Southeasterly along said southerly right of way as follows: South 42 degrees 56 minutes 18 seconds East 775.01 feet to a point of curve to the right; thence run Southeasterly along said curve having a radius of 11,359.20 feet, through a central angle of 01 degrees 20 minutes 36 seconds, for an arc distance of 266.30 feet; thence run South 48 degrees 28 minutes 52 seconds West 20.00 feet to a point lying on a curve concave southwesterly; thence run Southeasterly along said curve having a radius of 11,339.20 feet, through a central angle of 04 degrees 00 minutes 00 seconds, for an arc distance of 791.62 feet (the chord of said arc bears South 39 degrees 31 minutes 08 seconds East 791.46 feet); thence run North 52 degrees 28 minutes 52 seconds East 20.00 feet to a point lying on a curve concave southwesterly; thence run Southeasterly along said curve having a radius of 11,359.20 feet, through a central angle of 01 degrees 30 minutes 00 seconds, for an arc distance of 297.38 feet (the chord of said arc bears South 36 degrees 46 minutes 08 seconds East 297.37 feet; thence run South 53 degrees 58 minutes 52 seconds West 20.00 feet to a point lying a curve concave southwesterly; thence run Southeasterly along said curve having a radius of 11,339.20 feet, through a central angle of 02 degrees 21 minutes 24 seconds, for an arc distance of 466.42 feet (the chord of said arc bears South 34 degrees 50 minutes 26 seconds East 466.39 feet) to a point of tangency; thence run South 33 degrees 39 minutes 44 seconds East 128.64 feet; thence run North 56 degrees 20

minutes 16 seconds East 20.00 feet; thence run South 33 degrees 39 minutes 44 seconds East 107.40 feet to the northwest corner of View Pointe, a subdivision as per map or plat thereof, recorded in Plat Book 12, Page 17 of said Public Records; thence leaving said southerly right of way, run South 54 degrees 01 minutes 23 seconds West along the northerly boundary of said subdivision, a distance of 1345.28 feet to the northerly right of way boundary of Old Bainbridge Road; thence run Northwesterly along said northerly right of way as follows: Northwesterly along a curve having a radius of 1151.42 feet, through a central angle 23 degrees 25 minutes 05 seconds, for an arc distance of 470.61 feet (the chord of said arc bears North 49 degrees 25 minutes 10 seconds West 467.34 feet; thence North 61 degrees 07 minutes 42 seconds West 465.15 feet to the southeast corner of that parcel of land described in the instrument recorded in Official Records Book 2832, Page 268 of said public records; thence leaving said northerly right of way, run North 28 degrees 54 minutes 01 seconds East along the southerly boundary of said parcel, a distance of 420.00 feet; thence run North 61 degrees 07 minutes 42 seconds West along the easterly boundary of said parcel, and a projection thereof, a distance of 294.83 feet to the northwest corner of that parcel of land described in the instrument recorded in Official Records Book 668, Page 48 of said public records; thence run South 28 degrees 54 minutes 01 seconds West along the northerly boundary of said parcel, a distance of 420.00 feet to an iron pipe marking the southwest corner of said parcel and lying on the northerly right of way boundary of Old Bainbridge Road; thence run Northwesterly along said northerly right of way boundary as follows: North 61 degrees 07 minutes 42 seconds West 483.68 feet to a point of curve to the left; thence run Northwesterly along said curve, through a central angle of 04 degrees 03 minutes 11 seconds, for an arc distance of 403.49 feet (the chord of said arc bears North 63 degrees 09 minutes 18 seconds West 403.41 feet); thence run North 65 degrees 10 minutes 53 seconds West 106.99 feet to the southeast corner of that parcel of land described in the instrument recorded in Official Records Book 1827, Page 187 of said public records; thence leaving said northerly right of way, run North 00 degrees 05 minutes 28 seconds East along the easterly boundary of said parcel, a distance of 701.06 feet to a concrete monument marking the southeast corner of the aforesaid Lakeside subdivision; thence continue North 00 degrees 05 minutes 28 seconds East along the easterly boundary of Lakeside subdivision, a distance of 40.77 feet; thence run North 47 degrees 13 minutes 58 seconds East along the southerly boundary of said Lakeside subdivision, a distance of 1636.63 feet to the POINT OF BEGINNING, containing 106.96 acres, more or less. Lying in a portion of Section 5, Township 1 North, Range 1 West and a portion of Section 32, Township 2 North, Range 1 West, Leon County, Florida.

Bearings are Grid Bearings, referenced to State Plane Coordinates, North American Datum of 1983, 1990 Adjustment (N.A.D. 83/90), Florida North Zone, Lambert Projection, based on National Geodetic Survey (NGS) control points "TLC 1 10 1N1W" (NGS PID BE4008) and "TALLPORT" (NGS PID BE3946).

SECTION 2. The Summerfield Planned Unit Development Concept

Plan is approved subject to the following conditions:

1) A. **ADD BOARD'S ADOPTED CONDITIONS HERE**

2) Z.

The application of the owners of the property described in Section 1 for PUD zoning is hereby granted and approved, and the Leon County Code of Laws is hereby amended to incorporate the Plan of Development filed with said application, as amended herein, and each and every part thereof, as if set forth herein at length. The said Plan of Development and all papers, and documents constituting a part thereof being on file in the office of the Tallahassee-Leon County Planning Department, including those revisions thereto appertaining adopted by the Board of County Commissioners, and such property shall be designated on the Official Zoning Map as PUD.

SECTION 3. All Ordinance or parts of Ordinance in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, except to the extent of any conflicts with the Tallahassee-Leon County Comprehensive Plan as amended, which provisions shall prevail over any parts of this Ordinance which are inconsistent, either in whole or in part, with the said Comprehensive Plan.

SECTION 4. If any word, phrase, clause, section or portion of this Ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or words shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. This Ordinance shall become effective as provided by law.

DULY PASSED AND ADOPTED by the Board of County Commissioners of Leon County, Florida, on this __the day of _____,

DULY PASSED AND ADOPTED by the Board of County Commissioners of Leon County, Florida, on this ____ day of , 2004.

LEON COUNTY, FLORIDA

_____
Jane Sauls, Chairman
Board of County Commissioners

ATTEST:
Bob Inzer, Clerk of the Court
Leon County, Florida

By: _____

APPROVED AS TO FORM:
Leon County Attorney-s Office
Leon County, Florida

By: _____
Herbert W. A. Thiele, Esq.
County Attorney.