

ORDINANCE NO. : 589

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA AMENDING THE CITY OF PORT ST. JOE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR LESS RESTRICTIVE LAND USES UNDER ARTICLE III, SECTION 3.04, DISTRICT R-2B IN A SPECIFICALLY DEFINED AREA; CONTAINING A SUNSET PROVISION PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERALBILITY; PROVIDING FOR APPLICABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the property described in Exhibit A, attached hereto, and made a part hereof, (hereinafter referred to as "Property"), was platted as part of the City of Port St. Joe in 1937; and

WHEREAS, the City Commission having found that less restrictive land use allowances within that specifically identified parcel of Property located within Article III, Section 3.04, District R-2B, of the Land Development Code, is in the best interest of the City; and

WHEREAS, the Property consists of primarily residential property; and

WHEREAS, in the aftermath of Hurricane Michael the current restrictions for the Property creates hardship for the owner of that certain individual lot within the Property area due to certain City Land Development Regulations;

NOW THEREFORE, be it enacted by the people of the City of Port St. Joe, Florida that:

1. RECITALS. The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

2. From and after the effective date of this ordinance, Land Development Regulation Code, Article III, Section 3.04, District R-2B is amended by adding a subsection “R” with the following text:

“Single-family sectional, modular, and mobile homes shall be allowed within the boundary of the Property designated in Exhibit “A” so long as they meet any and all State and Federal Regulations applicable thereto and all other requirements of Ordinances, rules and regulations of the City of Port St. Joe, Florida. Those State and Federal regulations are incorporated herein by reference.”

3. INCLUSION INTO THE CODE OF ORDINANCES. It is the intent of the City Commission of the City of Port St. Joe that the provisions of this ordinance shall become and be made a part of the City of Port St. Joe’s Code of Ordinances, and that the sections of this Ordinance may be renumbered or re-lettered and the word “ordinance” may be changed to “section”, “article”, “regulation”, or such other appropriate word or phrase in order to accomplish such intentions.

4. SUNSET PROVISION. This Ordinance shall sunset and be repealed if the ownership of the subject property is transferred to any other individual or entity that is not an immediate family member of the owner of the property on the date of the adoption of this Ordinance. Immediate family member shall be defined as follows: Parents, siblings, children, grandchildren. If the ownership of the subject property is transferred to a non-immediate family member as defined above the mobile home shall be removed from the property within thirty (30) days from the date of said transfer of ownership.

5. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared.

6. REPLEALER. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

7. The appropriate officers and agents of the City are authorized and directed to codify, include, and publish the provisions of this Ordinance within the Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained.

8. This Ordinance shall take effect immediately upon its adoption.

THIS ORDINANCE ADOPTED this 15th day of June, 2021.

BOARD OF CITY COMMISSIONERS

PORT ST. JOE, FLORIDA



REX BUZZETT

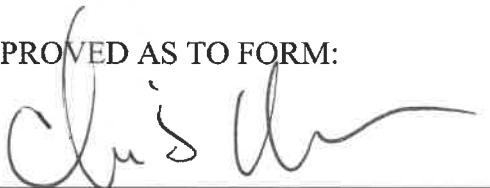
MAYOR-COMMISSSIONER

ATTEST:



CHARLOTTE M. PIERCE
CITY CLERK

APPROVED AS TO FORM:



CLINTON T. MCCA HILL
CITY ATTORNEY

EXHIBIT A

The parcel of property set forth below is in the 200 Block of Avenue E and has frontage on Avenue E, Port St. Joe, Florida and is more specifically described within the listed parcel identification number located in the public records of Gulf County, Florida.

1. 05875-000R