

ORDINANCE NO. 17-007

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; **REZONING** PROPERTY LOCATED AT **604 MIDWAY ROAD**, FROM NEIGHBORHOOD COMMERCIAL, C-2, TO OFFICE COMMERCIAL, C-1; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on October 21st, 2008, the City of Fort Pierce Commission adopted Ordinance L-50 for the purpose of annexing real property located at 604 Midway Road, directing the St. Lucie County Property Appraiser to assess said property and place it on the City tax rolls as of the enactment date, directing the St. Lucie County Tax Collector to collect taxes on said property, certifying the Zoning designation of said land, and establishing the Future Land Use designation of said land; and

WHEREAS, Ordinance L-50 annexed real property located at 604 Midway Road, which totals 3.53 acres of property, assigning a Zoning designation of C-2, Neighborhood Commercial Zone; and

WHEREAS, the applicant seeks rezoning of the subject site, Parcel 3403-243-0001-000-0, from Neighborhood Commercial (C-2), to Office Commercial (C-1); and

WHEREAS, the proposed zoning atlas amendment (rezoning) is consistent with the comprehensive plan, will not have an adverse effect on the ability of the city to satisfy land and water use needs; and meet transportation demands and provide community facilities and services, and will promote and protect the public health, safety and general welfare as required by City Code 22-131; and

WHEREAS, the City of Fort Pierce Planning Board, at their February 14th, 2017 meeting, voted unanimously to recommend approval of the request;

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida, a municipal corporation, as follows:

SECTION 1. From and after the effective date hereof, the following properties legally described as:

Parcel ID: 3403-243-0001-000-0: 3 36 40 BEG 1360 FT E OF CENTER OF OLEANDER AV AND MIDWAY, TH RUN N 670 FT, TH E 245 FT, TH S 670 FT, TH W 245 FT TO POB-LESS MIDWAY RD R/W AND LESS TO SLC AS IN OR 761-1911 AND LESS FOR ADDL RD R/W MPDAF: FROM W 1/4 COR OF SEC, TH N 00 11 02 W 48.16 FT, TH S 89 42 45 E 1308.27 FT, TH N 00 17 15 E 40 FT TO POB; TH CONT N 00 17 15 E 15.05 FT, TH N 89 00 38 E 25.24 FT, TH S 89 40 58 E 219.89 FT, TH S 00 17 15 W 15.50 FT, TH N 89 42 45 W 245.13 FT TO POB- (3.53 AC - 153,767 SF) (OR 3799-1231).

and further depicted on Exhibit "A", attached hereto and incorporated herein, shall be and the same is hereby rezoned from Neighborhood Commercial (C-2), to Office Commercial (C-1); said property being generally located at 604 Midway Road in Fort Pierce, Florida.

SECTION 2. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain

in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 3. All ordinance or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This Ordinance is and the same shall become effective immediately upon final passage thereof.

APPROVED AS TO FORM & CORRECTNESS:

James M. Messer, Esq.
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 17-007 was duly advertised by title only in the St. Lucie News Tribune on February 19th, 2017; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on March 6th, 2017; and was duly introduced, read by title only, and passed on second and final reading March 20th, 2017 by the City Commission of the City of Fort Pierce, Florida.

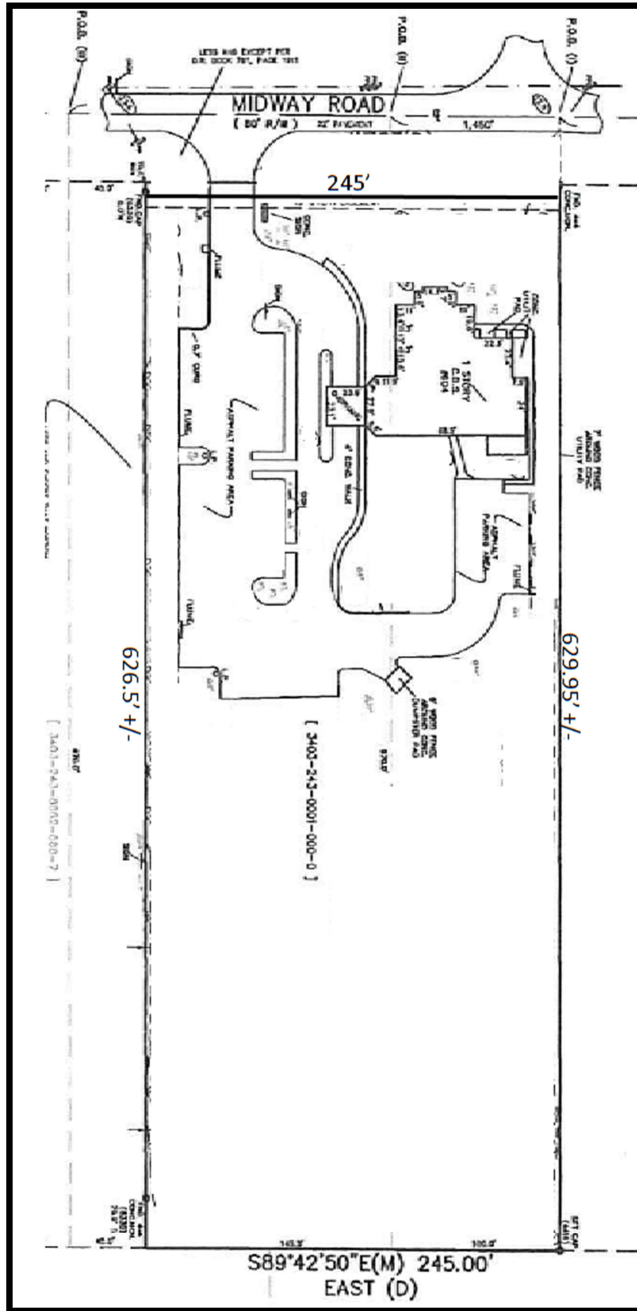
IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 21st day of March, 2017.

MAYOR COMMISSIONER

CITY CLERK

(CITY SEAL)

EXHIBIT A
Sketch & Legal Description of Subject Property



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