

ORDINANCE NO. 17-013

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; **REZONING** PROPERTY LOCATED GENERALLY BETWEEN **1000 AND 1190 AVENUE O** FROM SINGLE FAMILY MODERATE DENSITY RESIDENTIAL ZONE, R-3, TO GENERAL COMMERCIAL ZONE, C-3 AND NEIGHBORHOOD COMMERCIAL ZONE, C-2; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the subject property is located between 1000 and 1190 Avenue O within the City of Fort Pierce, Florida, representing 4.42 acres of land.

WHEREAS, the subject site is presently designated Single Family Moderate Density Zone (R-3) zone; and

WHEREAS, the applicant seeks rezoning of the subject 4.42 acre site, Parcel ID: 2404-144-0000-000-9 from of Single Family Moderate Density Zone (R-3) to General Commercial (C-3) zone for the eastern 310 ft. and Neighborhood Commercial (C-2) zone for the western 350 ft. of the site.

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 described properties are hereby rezoned as follows:

Parcel ID: 2404-144-0000-000-9: From the SE corner of the NE 1/4 of Section 4, Township 35 South, Range 40 East run North 0 deg. 18'58" West, 396 feet to the Point of Beginning of the lands herein described: From said Point of Beginning run South 89 deg. 41'02" West, 660.00 feet, thence North parallel to the East line of Section 0 deg. 18'58" West 332.28 feet more or less to South right of way of Avenue "O", thence North 89 deg: 41'02" East 207.62 feet to point of curvature to right, radius 542.96 feet, central angle 26 degrees 57' arc, 255.39 feet to a point; thence run South 63 deg. 21'58" East 85.61 feet to point of curvature, curve to left, radius 602.96 feet, are 138 feet more or less; thence South 0 degrees 18'58" east 185 feet more or less to the Point of Beginning.

All lying and being In Section 4, Township 35 South, Range 40 East, In St. Lucie County, Florida.

and further depicted on Exhibit "A", attached hereto and incorporated herein. The eastern 310 ft. of said property being rezoned from Single Family Moderate Density Residential Zone (R-3) to General Commercial (C-3); said property being generally located at 1000 Avenue O in Fort Pierce, Florida. The western 350 ft. of said property being rezoned from Single Family Moderate Density Residential

Zone (R-3) to Neighborhood Commercial (C-2); said property being generally located at 1100 Avenue O 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. 17-013 was duly advertised by title only in the St. Lucie News Tribune on March 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 April 3rd, 2017; and was duly introduced, read by title only, and passed on second and final reading April 17th, 2017 by the City Commission of the City of Fort Pierce, Florida.

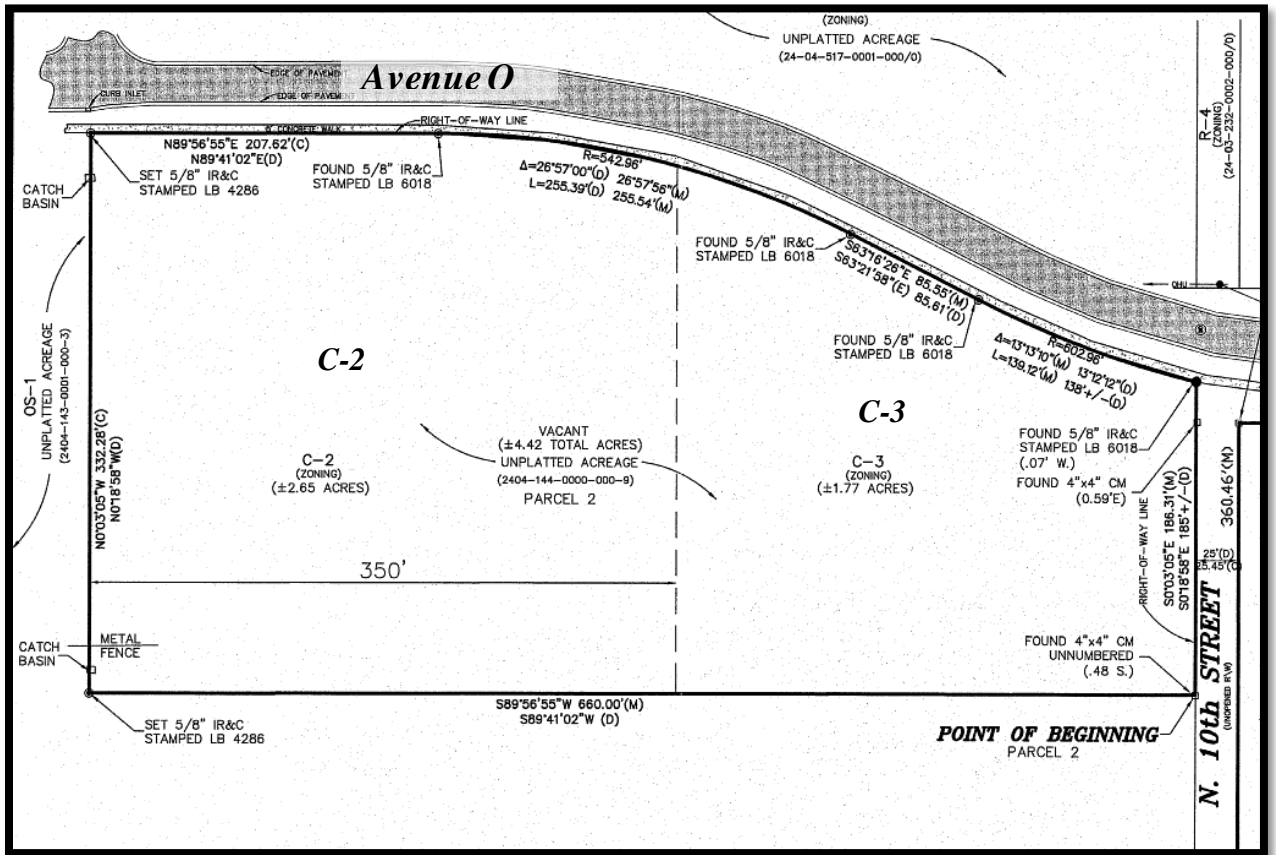
IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 18th day of April, 2017.

MAYOR COMMISSIONER

CITY CLERK

(CITY SEAL)

EXHIBIT A
Sketch & Legal Description
Parcel ID: 2404-144-0000-000-9



B. Parcel ID: 2404-144-0000-000-9: From the SE corner of the NE 1/4 of Section 4, Township 35 South, Range 40 East run North 0 deg. 18'58" West, 396 feet to the Point of Beginning of the lands herein described: From said Point of Beginning run South 89 deg. 41'02" West, 660.00 feet, thence North parallel to the East line of Section 0 deg. 18'58"11 West 332.28 feet more or less to South right of way of Avenue "O", thence North 89 deg: 41'02" East 207.62 feet to point of curvature to right, radius 542.96 feet, central angle 26 degrees 57' arc, 255.39 feet to a point; thence run South 63 deg. 21'58" East 85.61 feet to point of curvature, curve to left, radius 602.96 feet, are 138 feet more or less; thence South 0 degrees 18'58" east 185 feet more or less to the Point of Beginning.

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