

ORDINANCE NO. 18-020

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING THE REAR YARD SETBACK FOR LOTS 1 THROUGH 318 FOR THE SUBDIVISION KNOWN AS CELEBRATION POINTE AND RESTATING THE PLANNED DEVELOPMENT AS RECORDED IN PLAT BOOK 57 PAGES 7-14 AND PROPERTY GENERALLY LOCATED AT 5501 PETERSON ROAD AND SHOWN ON EXHIBIT A; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City Code 22-40, Planned Development, sets forth a procedure for Major Modifications to a Planned Development; and;

WHEREAS, on January 19, 2005, the St. Lucie County Board of County Commissioners granted Preliminary and Final PUD approval along with a change in the zoning classification for the Celebration Pointe development proposed by United Homes International Inc.; and

WHEREAS, on June 11, 2007, the Plat for the Celebration Point Subdivision was recorded with the St. Lucie County Circuit Court in Plat Book 57 Pages 7-14; and

WHEREAS, On December 4, 2017, the Celebration Pointe Planned Development was annexed into the City of Fort Pierce; and

WHEREAS, the property owner Endeavor Wall Homes, LLC has submitted an application for Development Review, for a Major Amendment to a Planned Development, to allow for the modification of the rear yard setback; and

WHEREAS, That in accordance with City Code Section 22-40, for a major modification, the applicant shall follow the same procedure as a new planned development request. Generally, additions, deletions, changes in the use, density, sequence of development or other specifications of an approved PD plan are to be viewed as a major modification.

WHEREAS, the City of Fort Pierce Planning Board, at their May 8, 2018 meeting, voted to recommend approval of the request for Major Amendment to the City Commission; and

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

SECTION 1. The preceding "whereas" clauses are ratified and incorporated as the legislative intent of this ordinance.

SECTION 2. The Planned Development with a Major Modification of Lots 1 through 318 of the Celebration Pointe Planned Development in the City of Fort Pierce, Florida as recorded in plat book 57 pages 7-14, is hereby amended so that the rear yard

setback for all single family lots is 8 feet instead of the previously approved 15 foot rear yard setback as shown in Exhibit "A" Sheet A1.

SECTION 3. All other aspects of the original PD are in effect and restated.

SECTION 4. 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 5. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 6. This Ordinance shall be and become effective immediately upon final passage.

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. 18-020 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, May 20, 2018; 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 June 4, 2018; and was duly introduced, read by title only, and passed on second and final reading June 18, 2018, 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 June 18, 2018.

Linda Hudson
Mayor Commissioner

ATTEST:

Linda W. Cox
City Clerk

(CITY SEAL)

EXHIBIT A
Sheet A1
Major Modification to Planned Development
Single Family Lots Rear Setback 15 Feet to 8 Feet
Lot 1 Through Lot 318

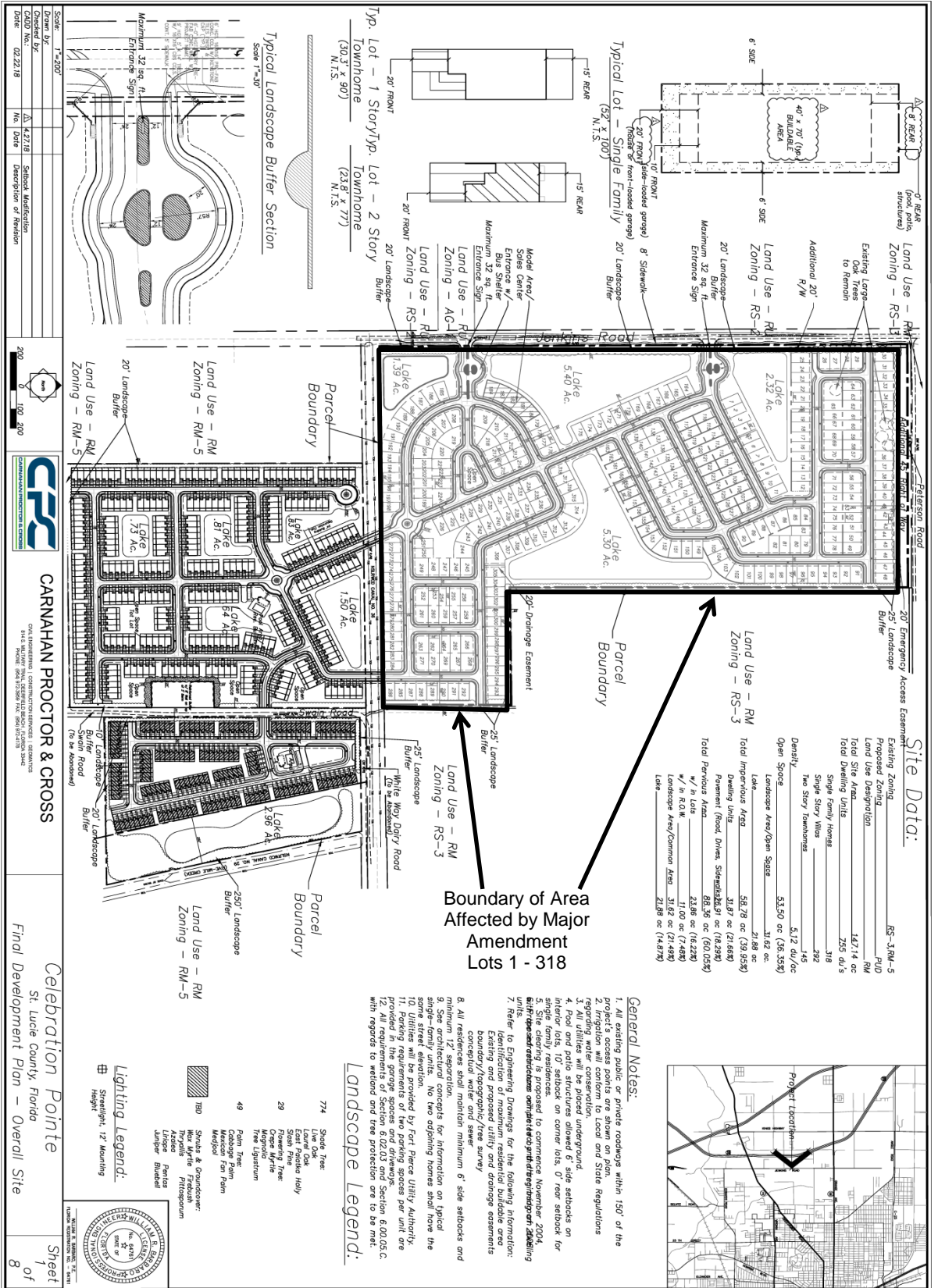


EXHIBIT A
Sheet A2
Major Modification to Planned Development
Single Family Lot Rear Yard Setback 15 Feet to 8 Feet
Lot 1 Through Lot 318

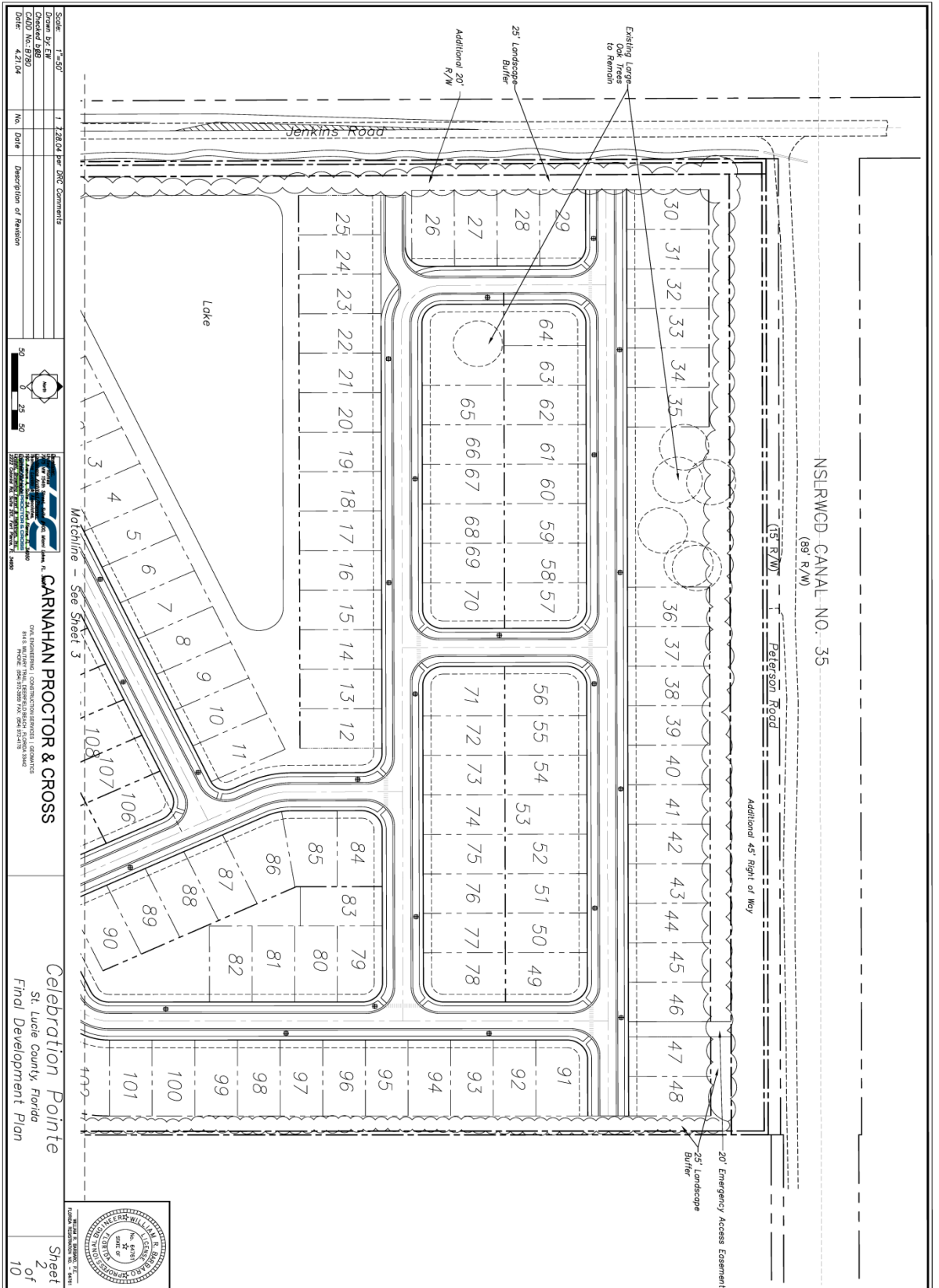


EXHIBIT A
Sheet A3
Major Modification to Planned Development
Single Family Lots Rear Setback 15 Feet to 8 Feet
Lot 1 Through Lot 318

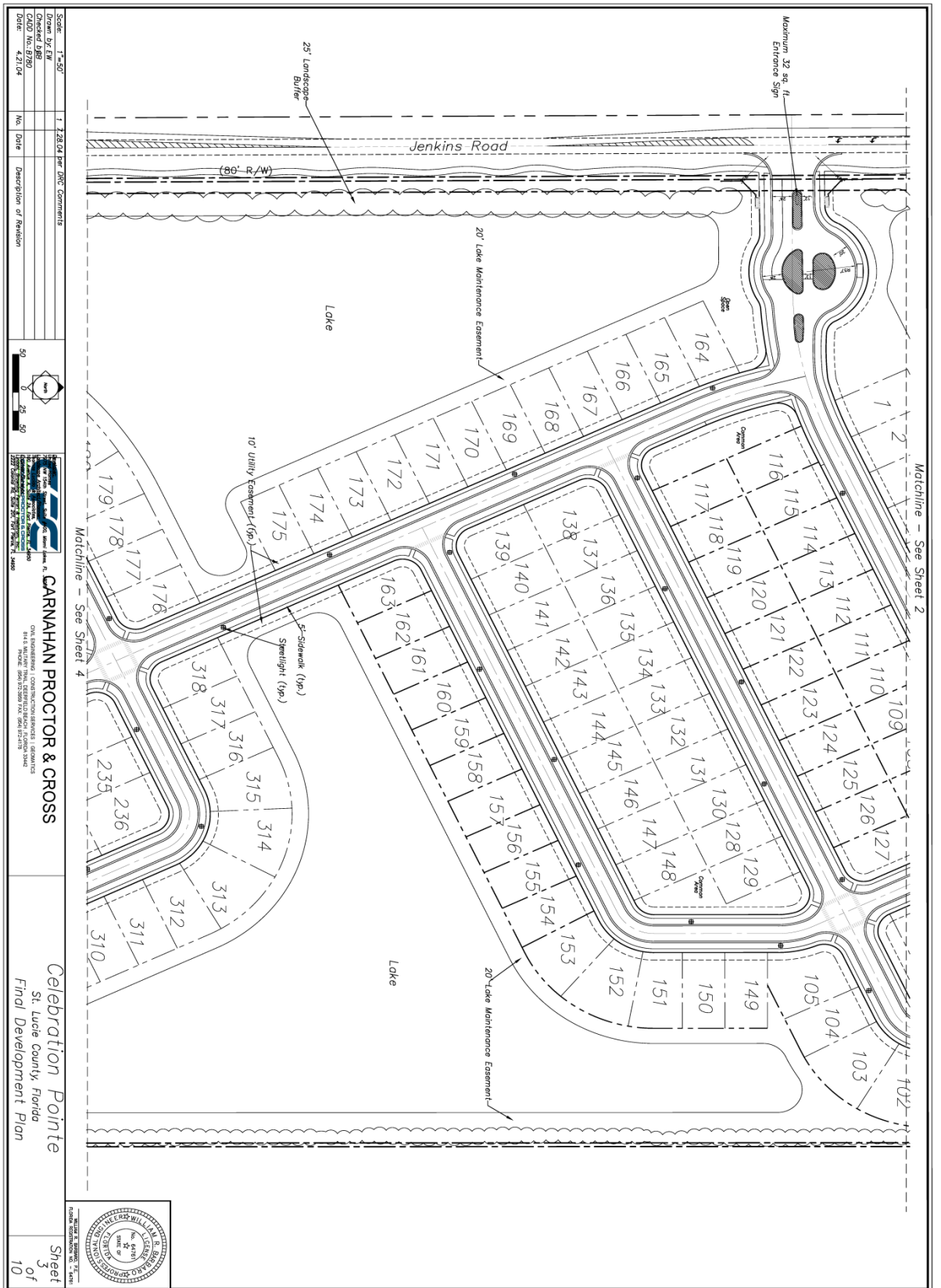
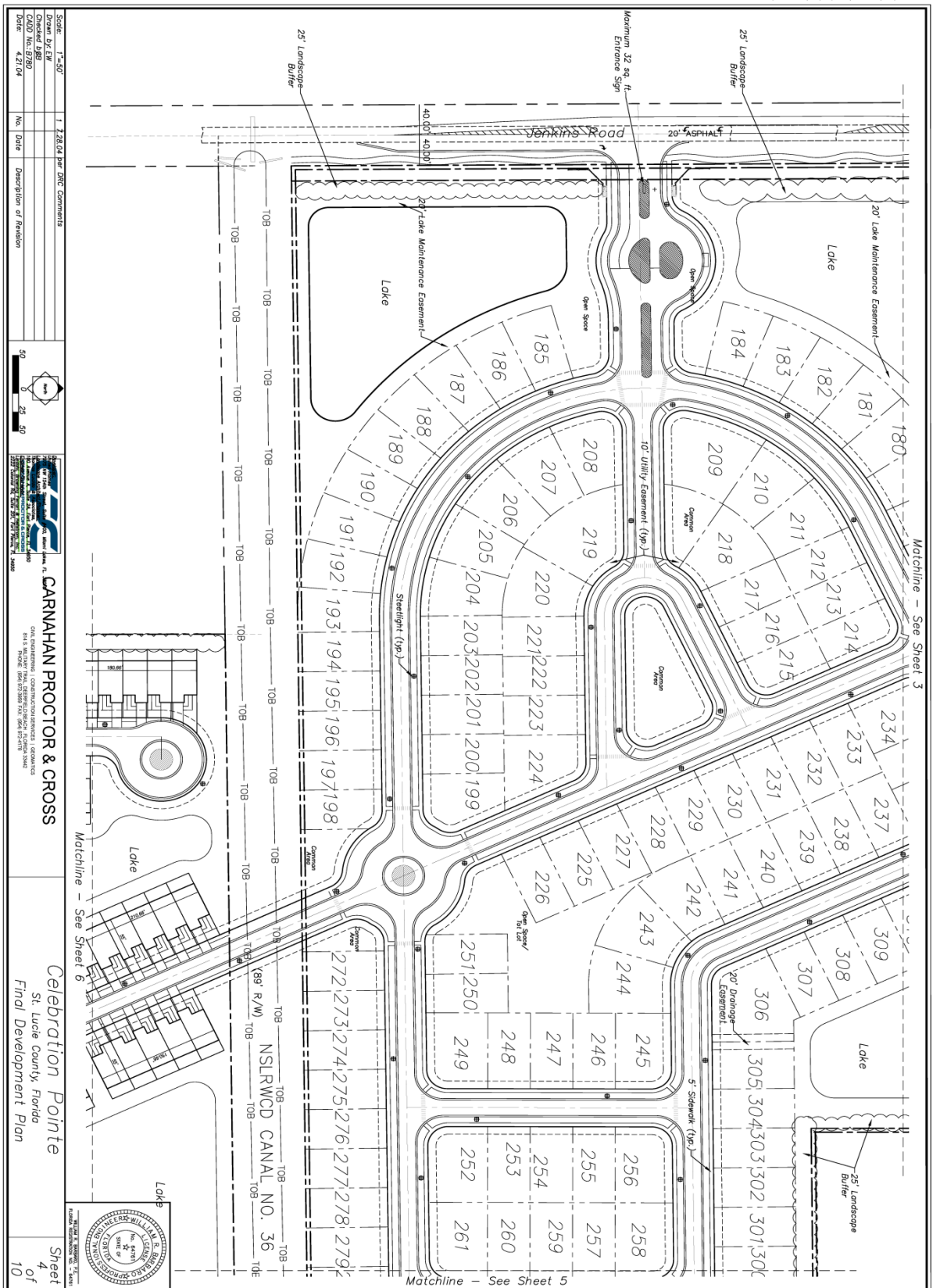


EXHIBIT A
Sheet A4
Major Modification to Planned Development
Single Family Lots Rear Setback 15 Feet to 8 Feet
Lot 1 Through Lot 318



Scale: 1"=50'	No. 1	Date	2/28/04 per DRC Comments
Drawn By: EW			
Checked By: BBS			
Design No.: 42310			
Date: 4/23/04			

No.	Date	Description of Revision

<p>CARNAHAN PROCTOR & CROSS CONSULTING ENGINEERS, ARCHITECTS, PLANNERS 1000 W. UNIVERSITY AVENUE, SUITE 200 GAINESVILLE, FLORIDA 32609 TEL: 352.369.1100 FAX: 352.369.1101</p>	<p>Matchline - See Sheet 6</p>
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<p>NSLRWCD CANAL NO. 36</p>	<p>Sheet 4 of 10</p>
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EXHIBIT A
Sheet A5
Major Modification to Planned Development
Single Family Lots Rear Setback 15 Feet to 8 Feet
Lot 1 Through Lot 318

