

**DRAFT ORDINANCE NO. 19-032**

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; REZONING ONE (1) PARCEL GENERALLY LOCATED AT OR NEAR THE WEST SIDE OF MCNEIL ROAD, APPROXIMATELY 1,000 FEET NORTHWEST OF STATE ROAD 70 FROM CITY OF FORT PIERCE C-3, GENERAL COMMERCIAL TO CITY OF FORT PIERCE R-5, HIGH DENSITY RESIDENTIAL; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the subject property is located at or near the west side of McNeil Road, approximately 1,000 feet northwest of State Road 70 within the City of Fort Pierce, Florida, representing approximately 9.186 acres of land; and

**WHEREAS**, the owner/applicant seeks rezoning of the subject property located at or near the west side of McNeil Road, approximately 1,000 feet northwest of State Road 70 from C-3, General Commercial to R-5, Medium Density Residential; and

**WHEREAS**, the proposed zoning atlas map 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 June 11<sup>th</sup>, 2019 meeting, voted unanimously to recommend approval of the request; and

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

**SECTION 1.** From and after the effective date hereof, the following described properties are hereby rezoned as follows:

Parcels IDs: 2419-211-0004-000-8

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

A PARCEL OF LAND LYING IN SECTION 19, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 19, THENCE N01°20'45"E ALONG THE EAST LINE OF SECTION 18, TOWNSHIP 35 SOUTH RANGE 40 EAST, A DISTANCE OF 357.81 FEET TO THE POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF OKEECHOBEE ROAD (AKA S.R. 70); THENCE S52°29'55"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 2102.04 FEET; THENCE S55°45'47"W A DISTANCE OF 210.34 FEET; THENCE S52°29'33"W A DISTANCE OF 71.28 FEET; THENCE SOUTH 52°29'55" WEST, A DISTANCE OF 230.26 FEET; THENCE SOUTH 29°51'40" WEST, A DISTANCE OF 31.18 FEET; THENCE SOUTH 52°29'55" WEST, A DISTANCE OF 675.96 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF MCNEIL ROAD EXTENSION; THENCE ALONG THE EASTERLY RIGHT-OF-WAY OF MCNEIL ROAD EXTENSION THE FOLLOWING 4 COURSES AND DISTANCES; THENCE

NORTH 37°30'05" WEST, A DISTANCE OF 350.00 FEET; THENCE SOUTH 52°29'55" WEST, A DISTANCE OF 10.00 FEET; THENCE NORTH 37°30'05" WEST, A DISTANCE OF 230.00 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 595.00 FEET AND A CENTRAL ANGLE OF 42°32'58"; THENCE NORTHWESTERLY ALONG THE ARC A DISTANCE OF 441.86 FEET; THENCE NORTH 84°57'07" WEST, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL;

TO AN INTERSECTION WITH A NON TANGENT CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 655.00 FEET, THE CHORD OF WHICH BEARS SOUTH 00°51'40" EAST, 134.86 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 135.10 FEET THROUGH A CENTRAL ANGLE OF 11°49'05"; THENCE SOUTH 89°21'58" WEST, A DISTANCE OF 391.21 FEET; THENCE NORTH 82°29'17" WEST, A DISTANCE OF 53.44 FEET; THENCE NORTH 05°25'09" EAST, A DISTANCE OF 509.05 FEET; THENCE SOUTH 89°01'36" WEST, A DISTANCE OF 313.99 FEET; THENCE NORTH 45°38'03" WEST, A DISTANCE OF 28.13 FEET; THENCE NORTH 00°38'03" WEST, A DISTANCE OF 202.81 FEET; THENCE NORTH 89°01'38" EAST, A DISTANCE OF 671.63 FEET TO THE INTERSECTION WITH A NON TANGENT CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 250.00 FEET, THE CHORD OF WHICH BEARS SOUTH 55°33'29" EAST, 128.13 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 129.58 FEET THROUGH A CENTRAL ANGLE OF 29°41'49"; THENCE SOUTH 70°24'24" EAST, A DISTANCE OF 66.44 FEET TO THE INTERSECTION WITH A NON TANGENT CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 2,103.43 FEET, THE CHORD OF WHICH BEARS SOUTH 12°08'55" WEST, 520.01 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 521.35 FEET THROUGH A CENTRAL ANGLE OF 14°12'04" TO THE POINT OF BEGINNING.

CONTAINING 9.186 ACRES, MORE OR LESS.

said properties being generally located at or near the west side of McNeil Road, approximately 1,000 feet northwest of State Road 70 in Fort Pierce, Florida shall be and the Zoning Designation is hereby changed from C-3, General Commercial, to R-5, High Density Residential, as depicted on Exhibit "A" and Exhibit "B", attached hereto and incorporated herein.

**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 ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

**SECTION 4.** This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

---

Peter J. Sweeney  
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. 19-032 was duly advertised by title only in the St. Lucie News Tribune on Sunday, June 30, 2019; 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 July 17, 2019; and was duly introduced, read

by title only, and passed on second and final reading September \_\_, 2019, 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 \_\_<sup>th</sup> day of July, 2019.

---

Linda Hudson  
Mayor Commissioner

ATTEST:

---

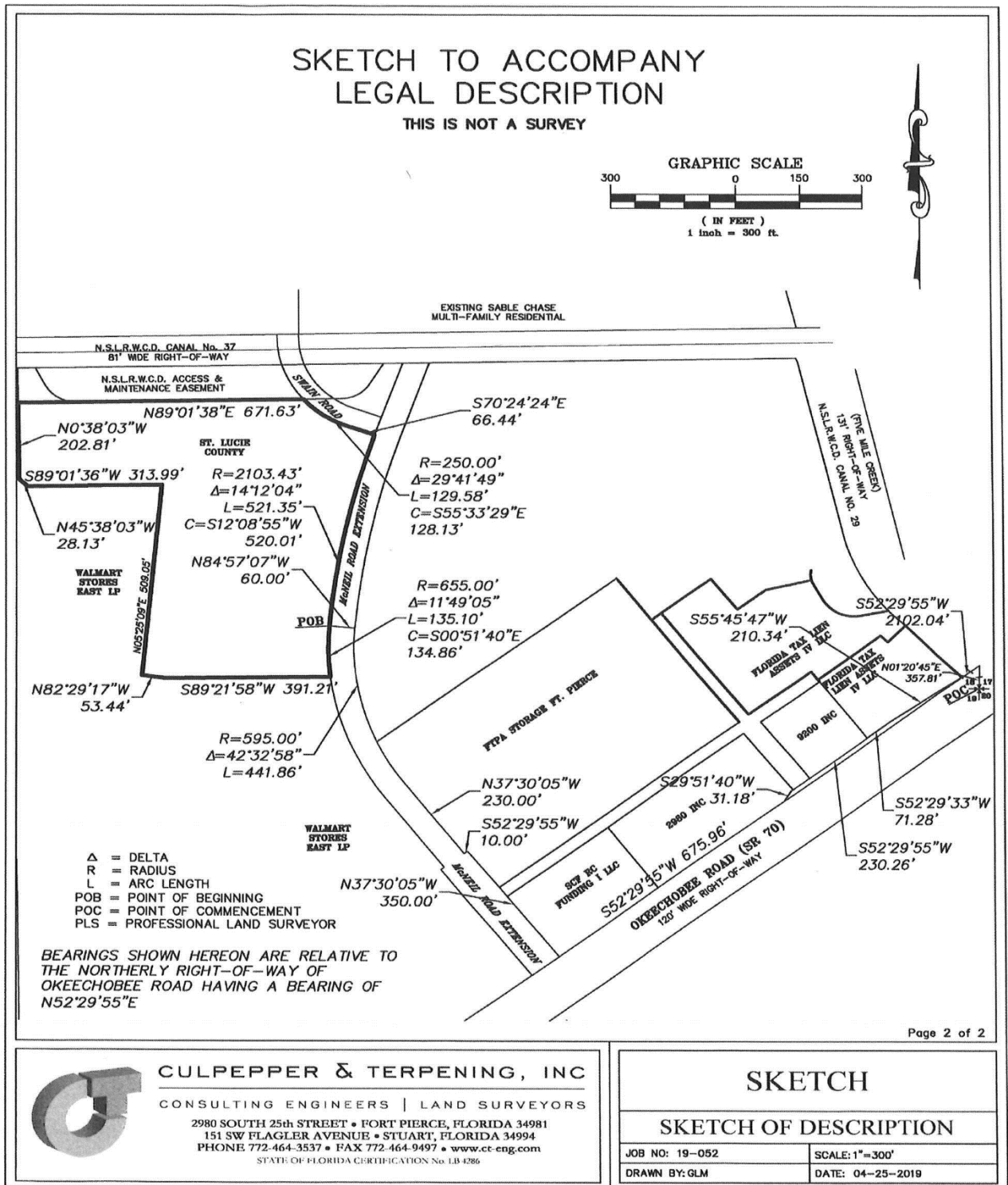
Linda W. Cox  
City Clerk

**(CITY SEAL)**

**EXHIBIT A**  
Proposed Zoning Atlas Map Amendment  
R-5, High Density Residential



Exhibit B  
Sketch and Legal Description



**Parcels IDs: 2419-211-0004-000-8**

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

A PARCEL OF LAND LYING IN SECTION 19, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 19, THENCE N01°20'45"E ALONG THE EAST LINE OF SECTION 18, TOWNSHIP 35 SOUTH RANGE 40 EAST, A DISTANCE OF 357.81 FEET TO THE POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF OKEECHOBEE ROAD (AKA S.R. 70); THENCE S52°29'55"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 2102.04 FEET; THENCE S55°45'47"W A DISTANCE OF 210.34 FEET; THENCE S52°29'33"W A DISTANCE OF 71.28 FEET; THENCE SOUTH 52°29'55" WEST, A DISTANCE OF 230.26

Exhibit B (Cont.)  
Sketch and Legal Description

FEET; THENCE SOUTH 29°51'40" WEST, A DISTANCE OF 31.18 FEET; THENCE SOUTH 52°29'55" WEST, A DISTANCE OF 675.96 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF MCNEIL ROAD EXTENSION; THENCE ALONG THE EASTERLY RIGHT-OF-WAY OF MCNEIL ROAD EXTENSION THE FOLLOWING 4 COURSES AND DISTANCES; THENCE NORTH 37°30'05" WEST, A DISTANCE OF 350.00 FEET; THENCE SOUTH 52°29'55" WEST, A DISTANCE OF 10.00 FEET; THENCE NORTH 37°30'05" WEST, A DISTANCE OF 230.00 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 595.00 FEET AND A CENTRAL ANGLE OF 42°32'58"; THENCE NORTHWESTERLY ALONG THE ARC A DISTANCE OF 441.86 FEET; THENCE NORTH 84°57'07" WEST, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL;

TO AN INTERSECTION WITH A NON TANGENT CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 655.00 FEET, THE CHORD OF WHICH BEARS SOUTH 00°51'40" EAST, 134.86 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 135.10 FEET THROUGH A CENTRAL ANGLE OF 11°49'05"; THENCE SOUTH 89°21'58" WEST, A DISTANCE OF 391.21 FEET; THENCE NORTH 82°29'17" WEST, A DISTANCE OF 53.44 FEET; THENCE NORTH 05°25'09" EAST, A DISTANCE OF 509.05 FEET; THENCE SOUTH 89°01'36" WEST, A DISTANCE OF 313.99 FEET; THENCE NORTH 45°38'03" WEST, A DISTANCE OF 28.13 FEET; THENCE NORTH 00°38'03" WEST, A DISTANCE OF 202.81 FEET; THENCE NORTH 89°01'38" EAST, A DISTANCE OF 671.63 FEET TO THE INTERSECTION WITH A NON TANGENT CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 250.00 FEET, THE CHORD OF WHICH BEARS SOUTH 55°33'29" EAST, 128.13 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 129.58 FEET THROUGH A CENTRAL ANGLE OF 29°41'49"; THENCE SOUTH 70°24'24" EAST, A DISTANCE OF 66.44 FEET TO THE INTERSECTION WITH A NON TANGENT CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 2,103.43 FEET, THE CHORD OF WHICH BEARS SOUTH 12°08'55" WEST, 520.01 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 521.35 FEET THROUGH A CENTRAL ANGLE OF 14°12'04" TO THE POINT OF BEGINNING.

CONTAINING 9.186 ACRES, MORE OR LESS.