

ORDINANCE NO. 19-040

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; REZONING EIGHT (8) PROPERTIES GENERALLY LOCATED AT OR NEAR THE EAST SIDE OF SOUTH JENKINS ROAD, APPROXIMATELY 1,000 FEET SOUTH OF STATE ROAD 70 FROM C-3, GENERAL COMMERCIAL AND R-4, MEDIUM DENSITY RESIDENTIAL, TO PD, PLANNED DEVELOPMENT; FURTHER APPROVING A DEVELOPMENT PLAN PURSUANT TO SECTION 22-40, 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 properties are generally located at the east side of South Jenkins Road, approximately 1,000 feet south of State Road 70 within the City of Fort Pierce, Florida, representing approximately 74.19 acres of land; and

WHEREAS, the owner/applicant seeks rezoning of eight (8) properties generally located at the east side of South Jenkins Road, approximately 1,000 feet south of State Road 70 from C-3, General Commercial (2 properties) and R-4, Medium Density Residential (6 properties), to PD, Planned Development; 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, 2019 meeting, voted 6-0 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 ID: 2419-323-0001-000-1, 2419-323-0002-000-8, 2419-701-0001- 000-1,
2419-311-0002-000-1, 2419-313-0001-010-3, 2419-314-0002- 000-0,
2419-313-0002-000-7, 2419-313-0001-000-0

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

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

THE SOUTH ½ OF THE NE ¼ OF THE SW ¼ OF SAID SECTION, LESS THE EAST 33 FEET THEREOF FOR ROAD RIGHT OF WAY AND ALSO LESS THE NORTH 450 FEET OF THE WEST 581 FEET OF THE EAST 614 FEET THEREOF,

TOGETHER WITH:

THE NE ¼ OF THE SW ¼ OF THE SW ¼ OF SAID SECTION,

TOGETHER WITH:

THE NW ¼ OF THE SE ¼ OF THE SW ¼ OF SAID SECTION,

TOGETHER WITH:

THE WEST 60 FEET OF THE SW $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ OF SAID SECTION, LESS THE SOUTH 42.5 FEET THEREOF FOR CANAL RIGHT OF WAY, AND THE SOUTH $\frac{1}{2}$ OF THE SOUTH $\frac{1}{2}$ OF THE NW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ OF SAID SECTION,

TOGETHER WITH:

THE NORTH $\frac{1}{2}$ OF THE SOUTH $\frac{1}{2}$ OF THE NW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ OF SECTION 19, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ALL LYING IN ST. LUCIE COUNTY, FLORIDA.

TOGETHER WITH:

ALL OF IDEAL SUBDIVISION ACCORDING TO THE AMENDED PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 4, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. BEING IN THE NORTH 13.12 ACRES OF THE NE $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ OF SECTION 19. TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS RIGHT-OF-WAY FOR CANAL AND PUBLIC ROADS, LESS AND EXCEPT A TRACT OF LAND, BEING A PART OF THEREOF, DESCRIBED AS THE NORTH 137 FEET OF THE EAST 350.96 OF THAT CERTAIN TRACT LYING SOUTH OF A 103 FOOT CANAL RIGHT-OF-WAY AS SHOWN ON THE AMENDED PLAT OF IDEAL SUBDIVISION, RECORDED IN PLAT BOOK 7, PAGE 4, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LESS AND EXCEPT THE EAST 33 FEET THEREOF.

TOGETHER WITH:

THE SOUTH 7.68 ACRES OF THE NORTH ONE-HALF (N $\frac{1}{2}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION 19, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS AND EXCEPT THE TRACT OF LAND, BEING A PART THEREOF, DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT THE SOUTHEAST (SE) CORNER OF THE NORTH ONE-HALF (N $\frac{1}{2}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION 19, TOWNSHIP 35 SOUTH, RANGE 40 EAST, RUN WEST A DISTANCE OF TWO-HUNDRED TWENTY-THREE (223) FEET; THENCE, RUN NORTH A DISTANCE OF TWO-HUNDRED TWENTY-SIX AND 02/100 (226.02) FEET; THENCE RUN EAST A DISTANCE OF TWO-HUNDRED TWENTY-THREE (223) FEET; AND THENCE RUN SOUTH A DISTANCE OF TWO-HUNDRED TWENTY-SIX (226.0) FEET TO THE POINT OF BEGINNING, ALL BEING IN ST. LUCIE COUNTY, FLORIDA.

TOGETHER WITH:

THE EAST 614 FEET OF THE NORTH 450 FEET OF THE SOUTH $\frac{1}{2}$ OF THE NE $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ OF SAID SECTION, LESS THE NORTH 200 FEET OF THE EAST 333 FEET THEREOF, AND ALSO LESS THE EAST 33 FEET THEREOF FOR ROAD RIGHT OF WAY, SECTION 19, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ALL LYING IN ST. LUCIE COUNTY, FLORIDA.

said properties being generally located at the east side of South Jenkins Road, approximately 1,000 feet south of State Road 70 in Fort Pierce, Florida shall be and the Zoning Designation is hereby changed from C-3, General Commercial (2 properties) and R-4, Medium Density Residential (6 properties), to PD, Planned Development, as depicted on Exhibit "A" and Exhibit "B", attached hereto and incorporated herein.

SECTION 2. The Development Plan for the subject Planned Development as depicted on Exhibit "C" which is attached hereto and incorporated herein by reference, be and the same are hereby approved, and shall serve as the Development Plan associated with the subject Planned Development

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. 19-040 was duly advertised by title only in the St. Lucie News Tribune on Sunday, September 1, 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 September 16, 2019; and was duly introduced, read by title only, and passed on second and final reading October 7, 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 7th day of October, 2019.

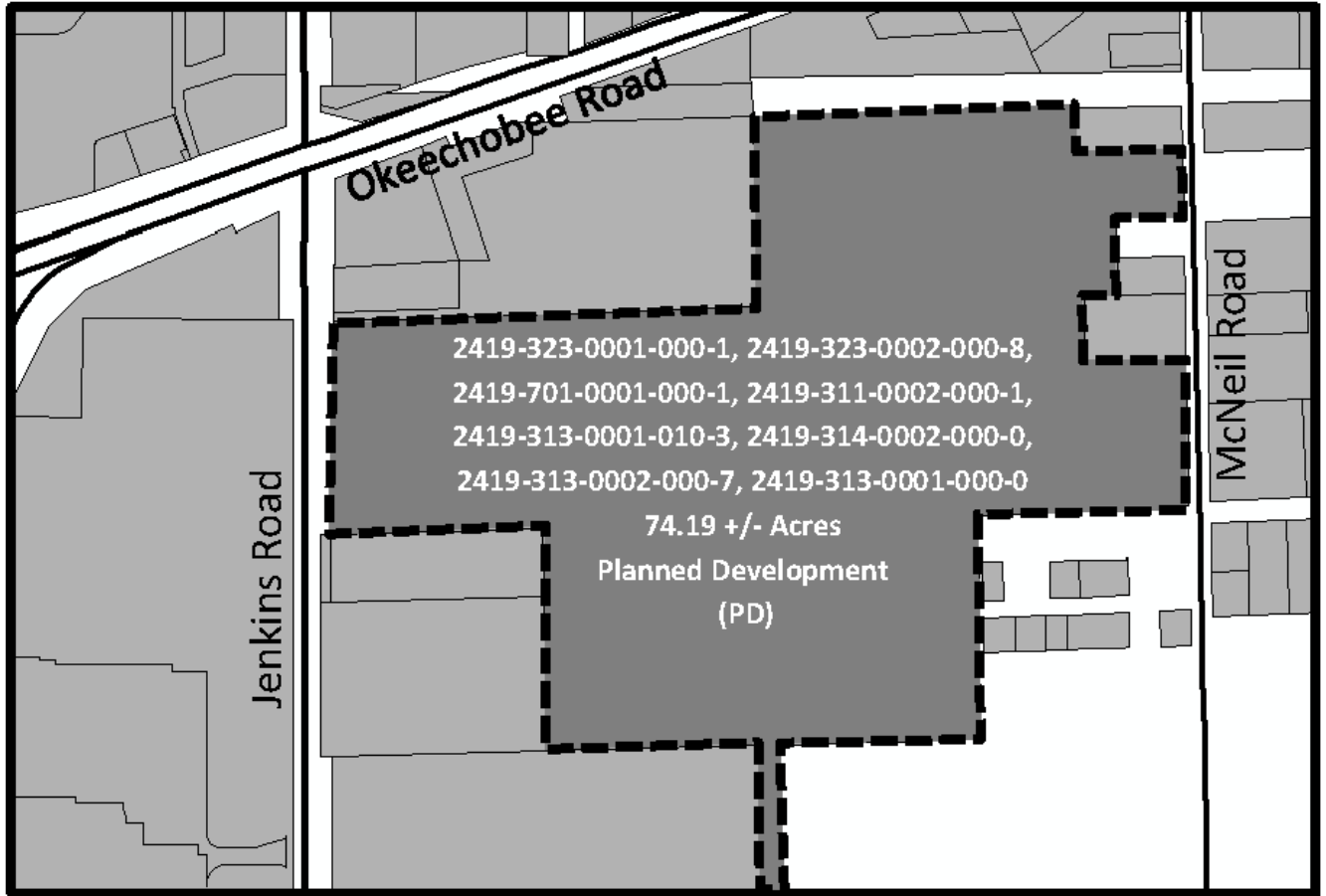
Linda Hudson
Mayor Commissioner

ATTEST:

Linda W. Cox
City Clerk

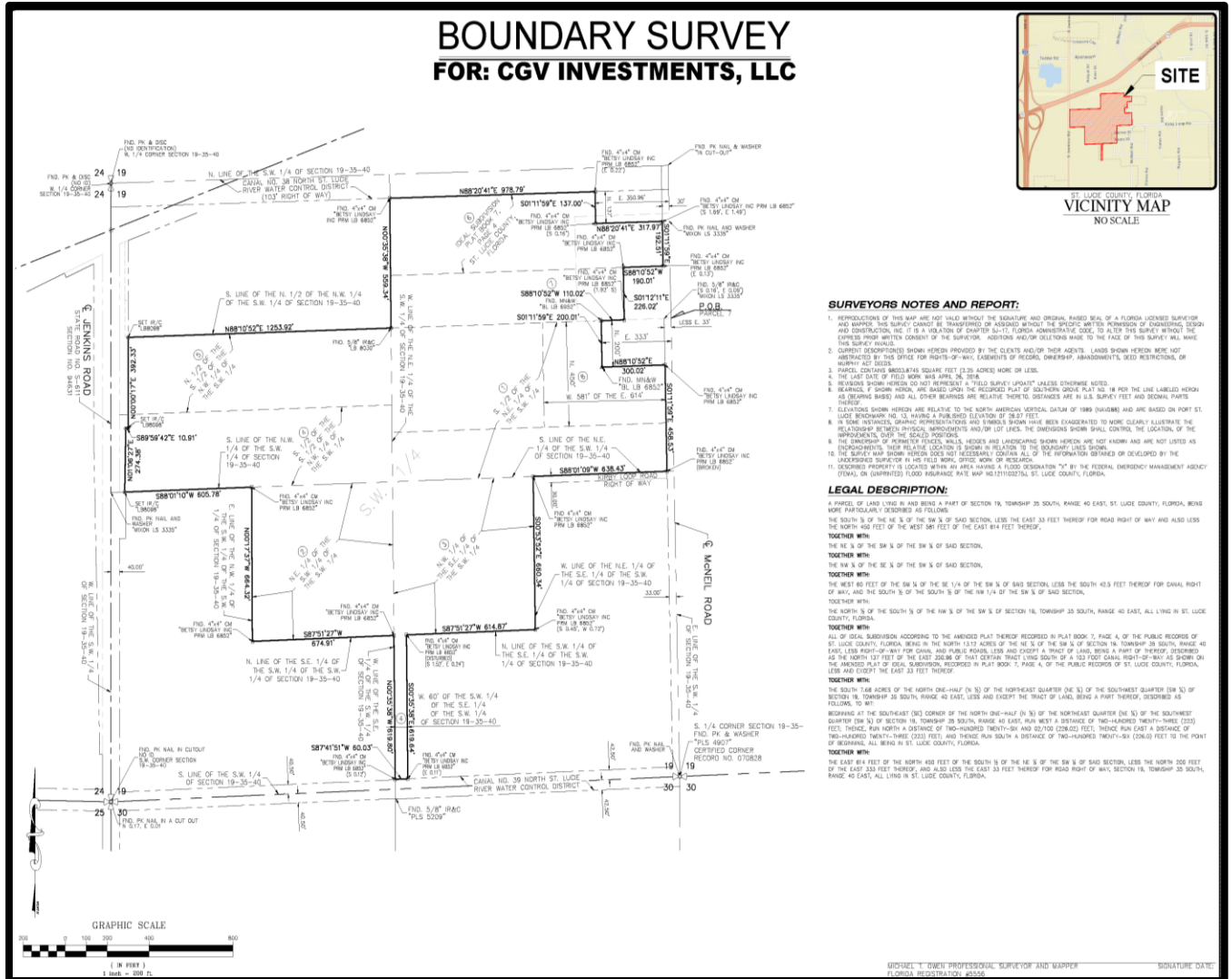
(CITY SEAL)

EXHIBIT A
Proposed Zoning Atlas Map Amendment
PD, Planned Development



The properties are rezoned from C-3, General Commercial (2 Parcels) & R-4, Medium Density Residential (6 Parcels) to PD, Planned Development

Exhibit B
Sketch and Legal Description



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2419-313-0002-000-7, 2419-313-0001-000-0

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TOGETHER WITH:

THE NE ¼ OF THE SW ¼ OF THE SW ¼ OF SAID SECTION,

TOGETHER WITH:

THE NW ¼ OF THE SE ¼ OF THE SW ¼ OF SAID SECTION,

TOGETHER WITH:

THE WEST 60 FEET OF THE SW ¼ OF THE SE ¼ OF THE SW ¼ OF SAID SECTION, LESS THE SOUTH 42.5 FEET THEREOF FOR CANAL RIGHT OF WAY, AND THE SOUTH ½ OF THE SOUTH ½ OF THE NW ¼ OF THE SW ¼ OF SAID SECTION,

Exhibit B (Continued)
Sketch and Legal Description

TOGETHER WITH:

THE NORTH $\frac{1}{2}$ OF THE SOUTH $\frac{1}{2}$ OF THE NW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ OF SECTION 19, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ALL LYING IN ST. LUCIE COUNTY, FLORIDA.

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