

ORDINANCE NO. 23-015

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; **REZONING THE PROPERTY GENERALLY LOCATED AT OR NEAR 805 VIRGINIA AVE, FROM HIGH DENSITY RESIDENTIAL (R-5) TO OFFICE COMMERCIAL (C-1)**; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the subject property is generally located at or near 805 Virginia Ave, within the City of Fort Pierce, Florida, representing approximately 2.54 acres of land; and

WHEREAS, The City of Fort Pierce has applied for rezoning of the subject property generally located at 805 Virginia Ave from High Density Residential, R-5, to Office Commercial, C-1; 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 125-136; and

WHEREAS, the City of Fort Pierce Planning Board, at their December 12th 2022, meeting, voted to recommend approval of the request; and

WHEREAS, the proposed future land use amendment is consistent with the comprehensive plan, and 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 section 125-136; and

WHEREAS, the City of Fort Pierce Planning Board, at their December 12th 2022, meeting, voted 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. The preceding "whereas" clauses are ratified and incorporated as the legislative intent of this ordinance.

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

Parcel ID: 2422-602-0001-000-7

LEGAL DESCRIPTION:

MARAVILLA GARDENS S/D-UNIT 1- LOT 1-LESS N 20 FT AS IN OR 584-1198- (OR 1662-1558)

Containing 2.54 acres, more or less

Said property being generally located at or near 805 Virginia Ave in Fort Pierce, Florida shall be and the Zoning Designation is hereby changed from High Density Residential, R-5, to Office Commercial, C-1, as depicted on Exhibit "A", 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, which 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 of ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

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

APPROVED AS TO FORM & CORRECTNESS:

Tanya M. Earley, 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.23-015 was duly advertised accordance with section 163.3187, Florida Statutes by display advertising in the St. Lucie News Tribune on January 22, 2023; 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 February 6, 2023; and was duly introduced, read by title only, and passed on second and final reading February 21, 2022, 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 22nd day of February 2023.

Linda Hudson
Mayor Commissioner

ATTEST:

Linda W. Cox
City Clerk

(City Seal)

EXHIBIT A

Proposed Zoning Map Amendment
High Density Residential, R-5, to Office Commercial, C-1

