

**ORDINANCE NO. 24-004**

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **REZONING A TOTAL OF +/- 3.72 ACRES OF PROPERTY GENERALLY LOCATED AT OR NEAR 3307 S US HWY 1 IN ORDER TO REZONE +/-2.66 ACRES (“AREA 1”) OF THE PROPERTY FROM COUNTY ZONING OF COMMERCIAL, GENERAL (CG) TO CITY ZONING OF GENERAL COMMERCIAL (C-3) AND TO REZONE +/- 1.05 ACRES (“AREA 2”) OF THE PROPERTY FROM COUNTY ZONING OF RESIDENTIAL MULTI-FAMILY (RM-11) TO RESIDENTIAL HIGH (R-5); 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 generally located at or near 3307 S. US Hwy 1 within the City of Fort Pierce, Florida, representing approximately 3.72 acres of land, more or less; and

**WHEREAS**, the total area of the property subject of this rezoning comprises +/- 3.72 acres and is delineated into two areas, “AREA 1” measures +/- 2.66 Acres, and “AREA 2” measures +/- 1.05 Acres, as described herein; 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 property subject of this rezoning was presented to City Commission on December 4, 2023 pursuant to Ordinance 23-053, and received approval for the annexation of +/- 3.72 Acres and for the Future Land Use of “AREA 1” to be designated General Commercial (GC) and “AREA 2” to be designated High Density Residential (RH); and

**WHEREAS**, the property retained the existing County zoning districts when the property was annexed: and

**WHEREAS**, the property owner has requested a rezoning of the subject property from County zoning to City zoning; and

**WHEREAS**, this ordinance proposes the rezoning of “AREA 1” from County zoning of Commercial, General (CG) to City zoning of General Commercial (C-3) and “AREA 2” to be rezoned from County zoning of Residential Multi-Family (RM-11) to City zoning of Residential High (R-5); and

**WHEREAS**, the City of Fort Pierce Planning Board, at their August 14, 2023, meeting voted 6 to 0 to recommend approval of the proposed requested rezoning.

**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:

Parcel ID: 2427-601-0050-000-7

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

**MARAVILLA GARDENS S/D-UNIT THREE- N 150 FT OF S 202.68 FT OF LOT 177-LESS US 1 AND LESS W 60FT-  
“AREA 1”**

**Site: 2.656 Acres**

**LEGAL DESCRIPTION:**

A PARCEL OF LAND LYING IN SECTION 27, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, BEING A PORTION OF LOT 177 OF UNIT THREE MARAVILLA GARDENS, A SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE(S) 62, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 150 FEET OF THE SOUTH 202.68 FEET OF SAID LOT 177.

EXCEPTING THEREFROM RIGHTS OF WAY TO FLORIDA POWER AND LIGHT COMPANY FOR AN ELECTRIC TRANSMISSION AND DISTRIBUTION LINE.

ALSO EXCEPTING THEREFROM, THE EAST 10 FEET THEREOF WHICH HAS BEEN DEEDED TO THE CITY OF FORT PIERCE, FOR THE LAYING AND MAINTAINING OF WATER MAINS AND OTHER UTILITIES, AND THE WEST 365.50 FEET THEREOF.

CONTAINING 2.656 ACRES, MORE OR LESS.

Zoning: C-3, General Commercial

**“AREA 2”**

**Site: 1.052 Acres**

**LEGAL DESCRIPTION:**

A PARCEL OF LAND LYING IN SECTION 27, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, BEING A PORTION OF LOT 177 OF UNIT THREE MARAVILLA GARDENS, A SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE(S) 62, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 305.50 FEET OF THE FOLLOWING DESCRIBED PARCEL:

THE NORTH 150 FEET OF THE SOUTH 202.68 FEET OF LOT 177 OF UNIT THREE MARAVILLA GARDENS, A SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE(S) 62, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

EXCEPTING THEREFROM RIGHTS OF WAY TO FLORIDA POWER AND LIGHT COMPANY FOR AN ELECTRIC TRANSMISSION AND DISTRIBUTION LINE.

ALSO EXCEPTING THEREFROM, THE EAST 10 FEET THEREOF WHICH HAS BEEN DEEDED TO THE CITY OF FORT PIERCE, FOR THE LAYING AND MAINTAINING OF WATER MAINS AND OTHER UTILITIES, AND THE WEST 60 FEET THEREOF CONVEYED TO ST. LUCIE COUNTY, FLORIDA.

CONTAINING 1.052 ACRES, MORE OR LESS.

Zoning: R-5, Residential High

As depicted on Exhibit "A," Exhibit "B" and Exhibit "C."

**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 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:**

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**Sara Hedges, 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.24-004 was duly advertised accordance with section 163.3187, Florida Statutes by display advertising St. Lucie News Tribune on Sunday, March 3, 2024; 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 **XXXX** on first reading by the City Commission of the City of Fort Pierce, Florida, on, March 18, 2024; and was duly introduced, read by title only, and **XXXX** on second and final reading April 1, 2024, 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 XX day of 2024.

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**Linda Hudson**  
**Mayor Commissioner**

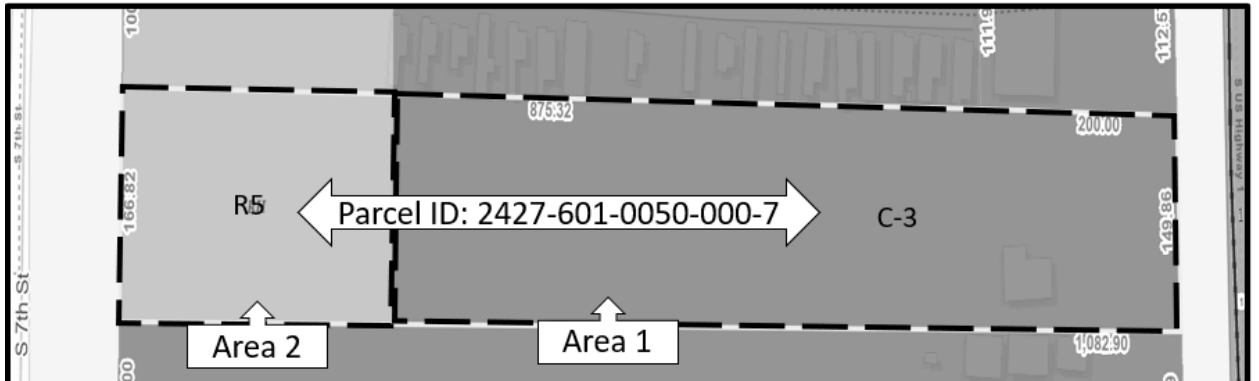
ATTEST:

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**Linda W. Cox**  
**City Clerk**

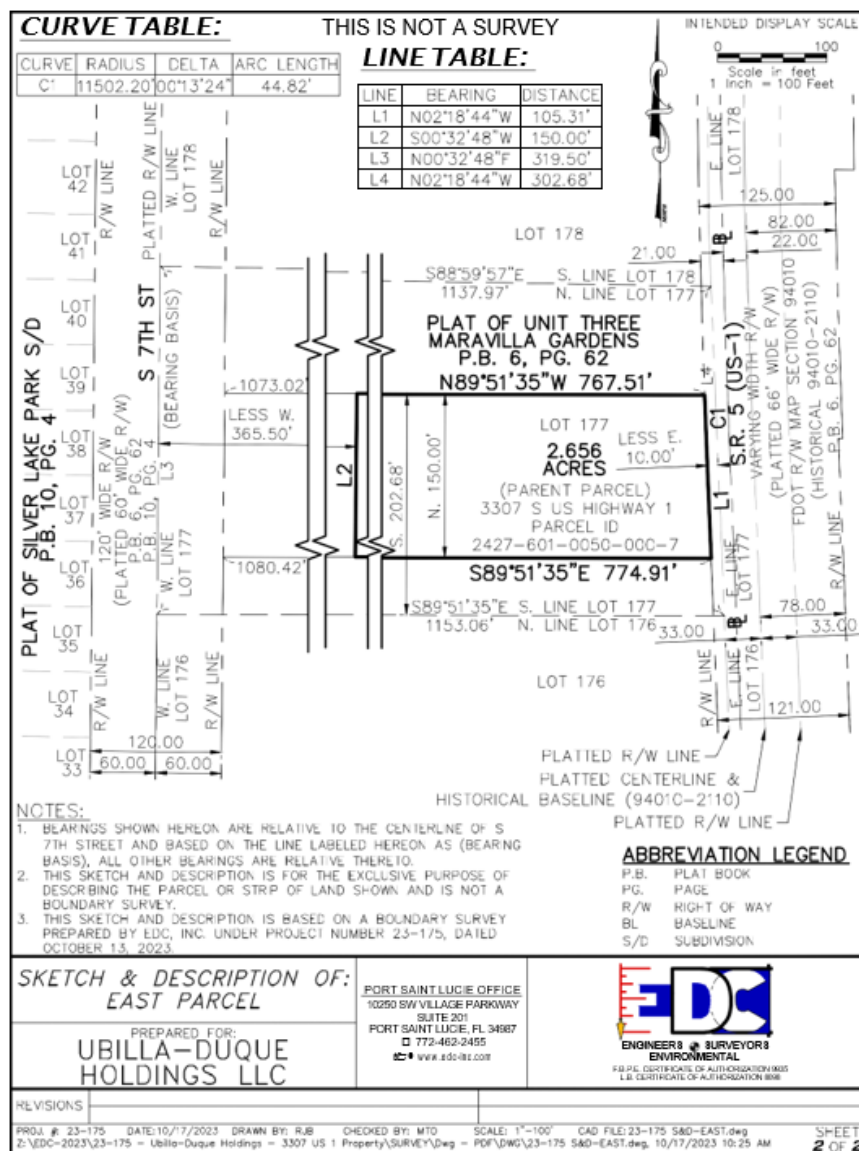
(CITY SEAL)

**EXHIBIT A**  
Proposed Zoning Atlas Map Amendment  
(R-5) High Density Residential/(C-3) General Commercial



**EXHIBIT B**  
Sketch and Legal Description

**AREA 1**



**EXHIBIT C**  
Sketch and Legal Description

**AREA 2**

