

**ORDINANCE NO. 2007-07**

**AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, AMENDING THE DISTRICT BOUNDARIES OF THE OFFICIAL ZONING MAP OF THE TOWN OF MALABAR AS PROVIDED FOR IN ARTICLE II, SECTION 1-2.3 OF THE LAND DEVELOPMENT CODE; REZONING A PARCEL IN THE TOWN LOCATED ON THE EAST SIDE OF WEIR STREET NORTH OF MALABAR ROAD; REZONING THE SAID PARCEL FROM TOWN OF MALABAR RS-15 (SINGLE FAMILY RESIDENTIAL) TO TOWN OF MALABAR RR-65 (RURAL RESIDENTIAL); PROVIDING AN EFFECTIVE DATE. (Z.C. 2007-03)**

**THEREFORE BE IT ORDAINED** by the Town Council of the Town of Malabar, Brevard County, Florida, that:

**SECTION 1.**

The property described as follows is hereby rezoned from Town of Malabar RS-15 (Single Family residential) to Town of Malabar RR-65 (Rural Residential) and more particularly described as:

“LOTS 25 THROUGH 32, BLOCK 1 HORACE PRICE SUBD, AS DESCRIBED IN DB 427 PG 149 PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA,

**SECTION 2.**

The Town Clerk is hereby directed to amend the Official Zoning Map of the Town as referenced in Article II, Section 1-2.3 of the Land Development Code to show the zoning change set forth above.

**SECTION 3.**

This Ordinance shall become effective upon adoption.

The foregoing Ordinance was moved for adoption by council member Vail.  
The motion was seconded by Council member Borton and, upon being put to a vote, the vote was as follows:

Council Member Nancy Borton	<u>Nay</u>
Council Member Brian Vail	<u>Nay</u>
Council Member Chuck McClelland	<u>Nay</u>
Council Member Bobbi Moccia	<u>Nay</u>
Council Member Pat Dezman	<u>Nay</u>

FAILED

~~\_\_\_\_\_ PASSED AND ADOPTED~~ by the Town Council, Town of Malabar, Brevard County, Florida this \_\_\_ day of \_\_\_\_\_, 2007.

By:

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Mayor Tom Eschenberg

First Reading: 6/4/2007 tabled  
First Reading cont: 9/5/2007 - FAILED  
Second Reading: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Susan Kabana, CMC  
Town Clerk/Treasurer

Approved as to form and  
legal sufficiency by:

\_\_\_\_\_  
Karl W. Bohne, Jr.  
Town Attorney