

ORDINANCE NO. 2007-08

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, ADOPTING COMPREHENSIVE PLAN AMENDMENT NO. 2007-03 (SSA); AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE TOWN FROM RR (RURAL RESIDENTIAL) TO OI (OFFICE INSTITUTIONAL) FOR A PARCEL IN THE TOWN LYING ON THE NORTH SIDE OF MALABAR ROAD AND WEST OF COREY ROAD; PROVIDING AN EFFECTIVE DATE.

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

SECTION 1.

Comprehensive Plan Amendment No. 2007-03 (SSA) is hereby adopted.

SECTION 2.

The Future Land Use Map of the Comprehensive Plan of the Town is hereby amended to provide for Office Institutional use for the parcel as more particularly described as follows:

“TOWNSHIP 28, RANGE 37, SECTION 35, BLOCK 00, LOT 755; AS DESCRIBED IN ORB 5594 PG 4748 PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA”

SECTION 3.

The Town Clerk is hereby authorized and directed to cause the revisions of Section 2 of this Ordinance to be incorporated into and made part of the Town's Comprehensive Plan.

SECTION 4.

The effective date of this plan amendment shall be the date a final determination is made by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184 Florida Statutes, whichever occurs earlier. No development orders, development permits, or land use dependent on this amendment may be issued or commence before it has become effective. If a final order of non-compliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption by resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Community Affairs, Bureau of Local Planning, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399-2100.

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

Council Member Nancy Borton _____
Council Member Brian Vail _____
Council Member Chuck McClelland _____
Council Member Bobbi Moccia _____
Council Member Pat Dezman _____

PASSED AND ADOPTED by the Town Council, Town of Malabar, Brevard County, Florida this ____ day of _____, 2007.

By:

Mayor Tom Eschenberg

First Reading: 6/4/2007
Second Reading: _____

ATTEST:

Susan Kabana, CMC
Town Clerk/Treasurer

Approved as to form and
legal sufficiency by:

Karl W. Bohne, Jr.
Town Attorney