

ORDINANCE NO. 2013-67

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; AMENDING THE OFFICIAL ZONING MAP OF THE TOWN IN ARTICLE II OF THE TOWN LAND DEVELOPMENT CODE; REZONING THE PROPERTY AS FOLLOWS: A PARCEL OF LAND LYING ON THE NORTH SIDE OF MALABAR ROAD, LOCATED IN TOWNSHIP 28, RANGE 37, SECTION 36, PARCEL 00753, ALSO KNOWN AS 1490 MARIE STREET, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 36; THENCE NORTH 89 DEGREES 50' 34" WEST ALONG THE SOUTH LINE OF THE NORTHEAST ONE-QUARTER OF SAID SOUTHEAST ONE-QUARTER OF SAID SECTION 36, 30.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89 DEGREES 50' 34" WEST; ALONG SAID SOUTH LINE 423.00 FEET; THENCE NORTH 00 DEGREES 29' 19" EAST 260.00 FEET; THENCE SOUTH 89 DEGREES 50' 34" EAST, 423.00 FEET; THENCE SOUTH 00 DEGREES 29' 19" WEST, 260.00 FEET TO THE POINT OF BEGINNING, IN THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; FROM COMMERCIAL LIMITED (CL) TO RESIDENTIAL LIMITED COMMERCIAL (R/LC); PROVIDING FOR AMENDMENT TO THE OFFICIAL TOWN ZONING MAP; PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, as follows:

Section 1. The property described as follows is hereby rezoned from *Commercial Limited (CL)* to *Residential/Limited Commercial (R/LC)* for the property described as follows:

a 2.4 acre site located in Township 28, Range 37, Section 36, Lot 00753, also known as 1490 Marie Street, Malabar, Florida, more particularly described as follows:

Commence at the Southeast corner of the Southeast one-quarter of the Northeast one-quarter of the Southeast one-quarter of said Section 36; thence North 89 degrees 50' 34" West along the South line of the Northeast one-quarter of said Southeast one-quarter of said Section 36, 30.00 feet to the Point of Beginning; thence continue North 89 degrees 50' 34" West; along said South line 423.00 feet; thence North 00 degrees 29' 19" East 260.00 feet; thence South 89 degrees 50' 34" East, 423.00 feet; thence South 00 degrees 29' 19" West, 260.00 feet to the Point of Beginning.

Section 2. The Town Clerk is hereby authorized and directed to cause the revisions to the official Town Zoning Map as referenced in Article II of the Land Development code to show the zoning change set forth above.

Section 3. The effective date of this ordinance shall be immediately following adoption by Council.

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

Council Member Jim Milucky
Council Member Wayne Abare
Council Member Steve Rivet
Council Member Dick Korn
Council Member Marisa Acquaviva

Aye
Aye
Aye
Aye
Aye

Passed and adopted by the Town Council, Town of Malabar, Brevard County, Florida this 18
day of Nov, 2013.

(seal)

BY:
TOWN OF MALABAR

Carl A. Beatty
Mayor Carl A. Beatty

ATTEST:

By: Debby K. Franklin
Debby K. Franklin, C.M.C.
Town Clerk/Treasurer

PH at P&Z: 10/23/2013
First Reading: 11/04/2013
Second Reading: 11/18/13

Approved as to form and content:

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

Land Use Along Malabar Rd. (Marie St. to RR Tracks)

Present Land Use

DRAFT

Proposed Land Use

