

## ORDINANCE NO. 2022-07

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE FOR FIVE (5) PARCELS OF LAND TOTALLING 4.51 ACRES LOCATED ON PARK HILL BOULEVARD, SOUTH OF HENRY AVENUE, AND AS MORE FULLY DESCRIBED HEREIN FROM LD-RES (LOW-DENSITY RESIDENTIAL) TO INST (INSTITUTIONAL); PROVIDING AN EFFECTIVE DATE.

**BE IT ORDAINED** by the City Council of the City of West Melbourne, Brevard County, Florida, that:

### **Section 1.**

Comprehensive Plan Amendment Number 2 in 2022 (Case #SSA-2022-02) is hereby adopted.

### **Section 2.**

The Future Land Use Map of the Comprehensive Plan of the City is hereby amended to change the future land use designation from Low Density Residential (LD-RES) to INST (Institutional) for the following described property:

**DESCRIPTION: PARCEL NO. 1 - Parcel ID 28-37-08-02-2-7 (500 Park Hill Blvd.)**

THE SOUTH 1/2 OF THE NORTH 1/2 OF LOTS 1 AND 2 OF RIBLET'S RESUBDIVISION, AS RECORDED IN PLAT BOOK 8, PAGE 12, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; LESS AND EXCEPT THE WESTERLY 155 FEET THEREOF AND LESS AND EXCEPT PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 349, PAGE 454, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. AND LESS AND EXCEPT THAT PROPERTY LYING NORTH OF THE SOUTH LINE OF LOTS 13 AND 30, BLOCK 12 AND LOT 13, BLOCK 11 OF PLAT NO.1 OF PARK HILL AS RECORDED IN PLAT BOOK 5, PAGE 68, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

**DESCRIPTION: PARCEL NO. 2 - Parcel ID 28-37-08-02-1-16 (475 Park Hill Blvd.)**

THAT PART OF THE PROPERTY DESCRIBED IN THE DEED RECORDED IN DEED BOOK 364, PAGE 148, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS:

LOT 20, LESS AND EXCEPT THE NORTH 10 FEET OF LOT 20 AND LOT 21, BLOCK 13, AND LOTS 1, 2 AND NORTH 1/2 OF LOT 3, BLOCK 14, PLAT NO. 1 OF PARK HILL, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 68, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; LESS AND EXCEPT ANY PART OF LOT 2 AND THE NORTH 1/2 OF LOT 3, BLOCK 14, LYING SOUTH OF THE BOUNDARY LINE DESCRIBED IN OFFICIAL RECORDS BOOK 1868, PAGE 846, DESCRIBED AS FOLLOWS: BOUNDARY BETWEEN HOLDING OF DONALD LEE RIGSBY SAID HOLDING BEING LOTS 1, 2 AND NORTH 1/2 OF LOT 3 OF BLOCK 14 IN PLAT NO. 1 PARK HILL ACCORDING TO PLAT BOOK 5, PAGE 68,

PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND HOLDING OF JOEL VELIE THE NORTH 208 FEET OF PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 66, PAGE 1, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, (BEING NORTH 208 FEET OF PROPERTY DESCRIBED IN DEED BOOK 388, PAGE 327), SHALL BE A LINE LYING 1 FOOT NORTH OF EXISTING CHAIN LINK FENCE NOW STANDING 16.58 FEET NORTH OF THE SOUTH BOUNDARY OF THE NORTH 1/2 OF LOT 3, BLOCK 14 AT THE WEST END OF SAID BOUNDARY AND STANDING 22.97 FEET NORTH OF SAID SOUTH BOUNDARY OF THE NORTH 1/2 OF SAID LOT 3, BLOCK 14, AT THE EAST END OF SAID SOUTH BOUNDARY. TOGETHER WITH THE PART OF THE PROPERTY DESCRIBED IN THE DEED RECORDED IN OFFICIAL RECORDS BOOK 305, PAGE 501, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS:

BEGIN 550 FEET SOUTH OF THE NORTHWEST CORNER OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 28 SOUTH, RANGE 37 EAST, RUN EAST PARALLEL TO THE NORTH LINE OF SAID EAST 1/2, 128 FEET; THENCE SOUTH PARALLEL TO THE WEST LINE OF SAID EAST 1/2, 50 FEET; THENCE WEST PARALLEL TO THE NORTH LINE OF SAID EAST 1/2, 128 FEET; THENCE NORTH ON THE WEST LINE OF SAID EAST 1/2, 50 FEET TO THE POINT OF BEGINNING, BEING A PART OF THAT AVENUE KNOWN AS ELISABETH AVENUE, ACCORDING TO PLAT NO. 1 PARK HILL SUBDIVISION AS FOUND FILED IN PLAT BOOK 5, PAGE 68, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

DESCRIPTION: PARCEL NO. 3 - Parcel ID 28-37-08-02-1-10 (No assigned address)  
BEGIN AT THE NORTHWEST CORNER OF THE SOUTH TEN ACRES OF LOTS 1 AND 2, OF RIBLET'S RESUBDIVISION OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, BEING ALL OF BLOCKS 11 TO 19 INCLUSIVE, OF RIBLET'S FIRST SUBDIVISION, ACCORDING TO PLAT RECORDED IN PLAT BOOK 8, PAGE 12, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND IN DEED BOOK 346, PAGE 422; THENCE EAST ALONG THE NORTH LINE OF SAID TEN ACRE TRACT 140 FEET; THENCE SOUTH PARALLEL TO THE WEST BOUNDARY OF SAID TEN ACRE TRACT 278.87 FEET; THENCE WEST 140 FEET TO THE WEST BOUNDARY OF SAID TEN ACRE TRACT; THENCE NORTH ALONG THE WEST BOUNDARY OF SAID TEN ACRE TRACT 278.87 FEET TO THE POINT OF BEGINNING.

EXCEPT THEREFROM 208 FEET FROM NORTHWEST CORNER RUNNING A DISTANCE OF 140 FEET EAST AND THENCE 208 FEET SOUTH, THENCE 140 FEET WEST AND THENCE 208 FEET NORTH TO POINT OF BEGINNING.

DESCRIPTION: PARCEL NO. 4 - Parcel ID 28-37-08-02-1-11 (561 Park Hill Blvd.)  
NORTH 208 FEET OF THE FOLLOWING DESCRIPTION: BEGIN AT THE NORTHWEST CORNER OF THE SOUTH TEN ACRES OF LOTS 1 AND 2, OF RIBLET'S RESUBDIVISION OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, BEING ALL OF BLOCKS 11 TO 19 INCLUSIVE, OF RIBLET'S FIRST SUBDIVISION, ACCORDING TO PLAT BOOK 8, PAGE 12, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND IN DEED BOOK 346, PAGE 422; THENCE EAST ALONG THE NORTH LINE OF SAID TEN ACRE TRACT 140 FEET;

THENCE SOUTH PARALLEL TO THE WEST BOUNDARY OF SAID TEN ACRE TRACT 278.87 FEET; THENCE WEST 140 FEET TO THE WEST BOUNDARY OF SAID TEN ACRE TRACT; THENCE NORTH ALONG THE WEST BOUNDARY OF SAID TEN ACRE TRACT 278.87 FEET TO THE POINT OF BEGINNING.  
TOGETHER WITH:

BOUNDARY BETWEEN HOLDING OF RONALD LEE RIGSBY SAID HOLDING BEING LOTS 1, 2 AND SOUTH HALF OF LOT 3 OF BLOCK 14 IN PLAT NO. 1 PARK HILL ACCORDING TO PLAT BOOK 5, PAGE 68, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND HOLDING OF JOEL VELIE BEING THE NORTH 208 FEET OF PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 66 PAGE 1, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, (BEING NORTH 208 FT OF PROPERTY DESCRIBED IN DEED BOOK 366, PAGE 327), SHALL BE A LINE LYING 1 FOOT NORTH AT EXISTING CHAIN LINK FENCE NOW STANDING 16.56 FEET NORTH OF THE SOUTH BOUNDARY OF NORTH HALF OF LOT 3, BLOCK 14 AT THE WEST END OF SAID SOUTH BOUNDARY AND STANDING 22.97 FEET NORTH OF SAID SOUTH BOUNDARY OF SAID LOT 3, BLOCK 14, AT THE EAST END OF SAID SOUTH BOUNDARY.

DESCRIPTION: PARCEL NO. 5 - Parcel ID 28-37-08-02-2-4 (No assigned address)  
LOTS 11, 12 AND 13, BLOCK 12, PLAT NO. 1 PARK HILL, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN 316 FEET EAST AND 275 FEET SOUTH OF THE NORTHWEST CORNER OF EAST 1/2 OF NORTHWEST 1/4 OF NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 28 SOUTH, RANGE 37 EAST; THENCE RUN EAST PARALLEL TO THE NORTH LINE OF SAID EAST 1/2, 128 FEET; THENCE SOUTH PARALLEL TO THE WEST LINE OF SAID EAST 1/2, 75 FEET; THENCE WEST PARALLEL TO THE NORTH LINE OF SAID EAST 1/2, 128 FEET; THENCE NORTH PARALLEL TO THE WEST LINE OF SAID EAST 1/2, 75 FEET TO THE POINT OF BEGINNING. ALL LYING AND BEING SITUATED IN BREVARD COUNTY, FLORIDA.

**Section 3.**

The Planning Director is hereby authorized and directed to cause the provisions of Section 2 of this Ordinance to be incorporated into and made part of the City's Comprehensive Plan.

**Section 4.**

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND ADOPTED by the City Council of the City of West Melbourne,  
Brevard County, Florida, this 3<sup>rd</sup> day of May 2022.

1ST READING: April 19, 2022  
2ND READING: May 3, 2022

Effective date: June 4, 2022