

ORDINANCE NO. 2019-14

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO PROVIDE FOR COM (COMMERCIAL) LAND USE FOR A NEWLY ANNEXED 3.49 ACRE PARCEL OF LAND GENERALLY LOCATED ON THE SOUTHWEST CORNER OF CIRCLE DRIVE AND WEST NEW HAVEN AVENUE, AND AS MORE FULLY DESCRIBED HEREIN; ESTABLISHING AN APPROPRIATE LAND USE FOR THE PROPERTY; EXTENDING THE GOALS, OBJECTIVES, AND POLICIES AND OTHER LAND USE PLANNING REQUIREMENTS TO THE PROPERTY; 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 2019 (SSA-2019-02) is hereby adopted.

Section 2.

The Future Land Use Map of the Comprehensive Plan of the City is hereby amended to provide for City of West Melbourne Commercial (COM) for the following described property:

Southeast corner of Circle Drive and West New Haven Avenue – (3.49 acres)
Parcel Identification Numbers – 28-36-02-00-755, 28-36-02-75-14-22, 28-36-02-75-14-24 and 28-36-02-75-14-19

FROM THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 2, TOWNSHIP 28 SOUTH, RANGE 36 EAST, RUN S. 00°16'10" W., 33 FEET; THENCE EAST, A DISTANCE OF 566.49 FEET TO THE POINT OF BEGINNING; THENCE S. 00°13'48" W., A DISTANCE OF 492.63 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 220.22 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 22°52'36", A DISTANCE OF 87.93 FEET; THENCE S. 89°46'12" E., A DISTANCE OF 111.12 FEET; THENCE N. 00°13'48" E., A DISTANCE OF 578.62 FEET; THENCE WEST, A DISTANCE OF 93.80 FEET TO THE POINT OF BEGINNING, SAID LANDS LYING IN BREVARD COUNTY, FLORIDA, LESS AND EXCEPT RIGHT-OF-WAY OF STATE ROAD 500.

LOTS 19, 20, 21, 22, 23, 24, 25, 26 AND 27, BLOCK 14, CITY ACRES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4 PAGE 10, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT RIGHT-OF-WAY OF STATE ROAD 500.

Section 3.

The Comprehensive Plan of the City is hereby amended to establish a proper and appropriate future land use for the newly annexed property described in Section 2 of this ordinance.

Section 4.

The City's goals, objectives, and other land use planning requirements set forth in the Comprehensive Plan are hereby extended to and imposed upon the newly annexed property described in Section 2 of this Ordinance.

Section 5.

The Planning Director is hereby authorized and directed to cause the provisions of Section 2 through 4 of this Ordinance to be incorporated into and made part of the City's Comprehensive Plan.

Section 6.

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 4th day of June 2019.

1ST READING: May 21, 2019

2ND READING: June 4, 2019

Effective date: July 5, 2019