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ORDINANCE NO. 05-018
File Number PA-04-010

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AN ORDINANCE CHANGING THE FUTURE LAND USE DESIGNATION OF THE ST. LUCIE COUNTY COMPREHENSIVE PLAN FOR CERTAIN PROPERTY IN ST. LUCIE COUNTY, FLORIDA; PROVIDING FOR FINDINGS OF CONSISTENCY; AUTHORIZING AMENDMENTS TO THE FUTURE LAND USE MAPS OF THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR FILING WITH THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

WHEREAS, the Board of County Commissioners of St. Lucie County, Florida, has made the following determinations:

1. Home Dynamics Corporation, presented a petition for a change in Future Land Use Designation from COM (Commercial) and RU (Residential Urban) to RM (Residential Medium);
2. On December 9, 2004 the St. Lucie County Local Planning Agency held a public hearing on the petition, after publishing notice at least 10 days prior to the hearing and notifying by mail all owners of property within 500 feet of the subject property, and recommended that this Board not transmit the change in Future Land Use Designation from COM (Commercial) and RU (Residential Urban) to RM (Residential, Medium) for the property described in Part A below;
3. On December 21, 2004, this Board held a public hearing on the petition, after publishing notice at least 10 days prior to the hearing and notifying by mail the owners of property within 500 feet of the subject property.
4. On December 21, 2004 this Board authorized the transmittal of a change in Future Land Use Designation from COM (Commercial) and RU (Residential, Urban) to RM (Residential, Medium) to the Florida Department of Community Affairs for further agency review in accordance with the provisions of Chapter 163, Florida Statutes; and
5. On June 7, 2005, this Board held a public hearing on the petition, after publishing a notice of such hearing in the Fort Pierce Tribune on May 28, 2005 and notifying by mail all owners of property within 500 feet of the subject property.

EDWIN M. FRY, Jr., CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 2648729 06/20/2005 at 09:35 AM
OR BOOK 2276 PAGE 1167 - 1172 Doc Type: ORDN
RECORDING: \$52.50

EDWIN M. FRY, Jr., CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 2669722 07/19/2005 at 10:58 AM
OR BOOK 2306 PAGE 1029 - 1036 Doc Type: ORDN
RECORDING: \$89.50

1
2 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of St.
3 Lucie County, Florida:
4

5
6 **A. CHANGE IN FUTURE LAND USE DESIGNATION**
7

8 The future land use designation set forth in the St. Lucie County Comprehensive Plan for the
9 property described as follows:
10

11 That certain parcel situate, lying and being in St. Lucie County, Florida, more
12 particularly described as:
13

14 The Northeast ¼ of the Northeast ¼ of Section 29, Township 35 South, Range 40
15 East, LESS AND EXCEPT the following:
16

17 Right-of-way for Hawley Road (South 25th Street), right-of-way for Edwards Road,
18 and right-of-way for North St. Lucie River Water Management District Canal located
19 along the Western boundary of the above described land.
20

21 LESS ALL OF THE FOLLOWING:
22

23 **PARCEL "C"**
24

25 A strip of land lying in Section 29, Township 35 South, Range 40 East, St. Lucie
26 County, Florida, and being more particularly bounded and described as follows:
27

28 COMMENCE at the Northeast corner of said Section 29; thence South 00 Degrees
29 06'35" East, along the East line of said Section 29, a distance of 40.00 feet; thence
30 South 89 Degrees 59'07" West, a distance of 40.00 feet, to the intersection of the
31 South right-of-way of Edwards Road and the West right-of-way of South 25th Street;
32 thence continue South 89 Degrees 59'07" West, along said South right-of-way of
33 Edwards Road and parallel with the North line of said Section 29, a distance of
34 310.00 feet to the POINT OF BEGINNING; thence continue South 89 Degrees
35 59'07" West, along said South right-of-way of Edwards Road and parallel with said
36 North line of Section 29, a distance of 499.71 feet, to the Point of Curvature of a
37 curve concave to the Southeast, having a radius of 1392.58 feet; thence along the arc
38 of said curve, through a central angle of 18 Degrees 41'28" Southwesterly 454.29
39 feet, to a point 25.00 feet, at a right angle, East of the West line of the Northeast ¼ of
40 the Northeast ¼ of said Section 29; thence South 00 Degrees 07'41" West, parallel
41 with said West line of the Northeast ¼ of the Northeast ¼, a distance of 21.15 feet to

1 a Point of Intersection of a line 25.00 feet, at a right angle, East of said West line of
2 the Northeast ¼ of the Northeast ¼ of Section 29 and a curve concave to the
3 Southeast, having a radius of 1372.58 feet; thence along the arc of said curve,
4 through a central angle of 18 Degrees 58'34"; Northeasterly 454.59 feet to a Point of
5 Tangency; thence North 89 Degrees 59'07" East, parallel with said South right-of-
6 way of Edwards Road, a distance of 499.74 feet; thence North 00 Degrees 06'35"
7 West, parallel with said East line of Section 29, a distance of 20.00 feet, to the
8 POINT OF BEGINNING; containing 0.438 acres, more or less.
9

10 PARCEL "D"

11
12 A strip of land lying in Section 29, Township 35 South, Range 40 East, St. Lucie
13 County, Florida, and being more particularly bounded and described as follows:
14

15 Commence at the Northeast corner of said Section 29, thence South 00 Degrees
16 06'35" East, along the East line of said Section 29, a distance of 40.00 feet; thence
17 South 89 Degrees 59'07" West, a distance of 40.00 feet to the intersection of the
18 South right-of-way of Edwards Road and the West right-of-way of South 25th Street,
19 said point being at the POINT OF BEGINNING; thence continue South 89 Degrees
20 59'07" West, along said South right-of-way of Edwards Road and parallel with the
21 North line of said Section 29, a distance of 310.00 feet; thence South 00 Degrees
22 06'35" East, parallel with the said East line of Section 29, a distance of 20.00 feet;
23 thence North 89 Degrees 59'07" East, parallel with said North line of Section 29, a
24 distance of 290.00 feet; thence South 00 Degrees 06'35" East, parallel with said East
25 line of Section 29, a distance of 230.00 feet; thence North 89 Degrees 59'07" East,
26 parallel with said North line of Section 29, a distance of 20.00 feet, to a point on said
27 West right-of-way of South 25th Street; thence North 00 Degrees 06'35" West, along
28 said West right-of-way of South 25th Street and parallel with said East line of Section
29 29, a distance of 250.00 feet to the POINT OF BEGINNING; containing 0.248 acres,
30 more or less
31

32 PARCEL "E"

33
34 A strip of land lying in Section 29, Township 35 South, Range 40 East, St. Lucie
35 County, Florida, and being more particularly bounded and described as follows:
36

37 Commence at the Northeast corner of said Section 29, thence South 00 Degrees
38 06'35" East, along the East line of said Section 29, a distance of 40.00 feet; thence
39 South 89 Degrees 59'07" West, a distance of 40.00 feet to the intersection of the
40 South right-of-way of Edwards Road and the West right-of-way of South 25th Street;
41 thence South 00 Degrees 06'35" East, along said West right-of-way of South 25th

1 Street and parallel with said East line of Section 29, a distance of 250.00 feet to the
2 POINT OF BEGINNING; thence South 00 Degrees 06'35" East along said West
3 right-of-way of South 25th Street and parallel with said East line of Section 29, a
4 distance of 160.65 feet; thence South 89 Degrees 59'07" West parallel with North
5 line of said Section 29, a distance of 20.00 feet; thence North 00 Degrees 06'35"
6 West parallel with said West right-of-way of South 25th Street, a distance of 160.65
7 feet; thence North 89 Degrees 59'07" East parallel with said North line of Section 29,
8 a distance of 20.00 feet to the POINT OF BEGINNING; containing 0.074 acres, more
9 or less.

10
11 PARCEL "F"

12
13 A strip of land lying in Section 29, Township 35 South, Range 40 East, St. Lucie
14 County, Florida, and being more particularly bounded and described as follows:
15

16 Commence at the Northeast corner of said Section 29, thence South 00 Degrees
17 06'35" East, along the East line of said Section 29, a distance of 40.00 feet; thence
18 South 89 Degrees 59'07" West, a distance of 40.00 feet to the intersection of the
19 South right-of-way of Edwards Road and the West right-of-way of South 25th Street;
20 thence South 00 Degrees 06'35" East along said West right-of-way of South 25th
21 Street and parallel with said East line of Section 29, a distance of 410.65 feet to the
22 POINT OF BEGINNING; thence continue South 00 Degrees 06'35" East along said
23 West right-of-way of South 25th Street and parallel with said East line of Section 29,
24 a distance of 877.12 feet to a point on the South line of the Northeast ¼ of the
25 Northeast ¼ of Section 29; thence South 89 Degrees 19'20" West, along said South
26 line of Northeast ¼ of the Northeast ¼ of Section 29, a distance of 20.00 feet; thence
27 North 00 Degrees 06'35" West, parallel with said West right-of-way of South 25th
28 Street, a distance of 877.35 feet; thence North 89 Degrees 59'07" East, parallel with
29 the North line of said Section 29, a distance of 20.00 feet to the POINT OF
30 BEGINNING; continuing 0.403 acres, more or less.
31

32 PARCEL "G"

33
34 A strip of land lying in the Northeast ¼ of Section 29, Township 35 South, Range 40
35 East, St. Lucie County, Florida, and being more particularly described as follows:
36

37 Commence at the Northeast corner of said Section 29, thence South 00 Degrees
38 06'35" East, along the East line of said Section 29, a distance of 60.00 feet; thence
39 South 89 Degrees 59'12" West, a distance of 60.00 feet to a point on the West right-
40 of-way line of South 25th Street and the POINT OF BEGINNING of the herein
41 described strip of land, thence South 00 Degrees 06'35" East, along said West right-

1 of-way line and parallel with the East line of said Section 29, a distance of 1268.02
2 feet, to a point on the South line of the Northeast ¼ of the Northeast ¼; thence South
3 89 Degrees 19'26" West, along said South line, a distance of 20.00 feet; thence North
4 00 Degrees 06'35": West, along a line parallel to the aforementioned East line of said
5 Section 29, a distance of 1268.25 feet, to a point on the South right-of-way line of
6 Edwards Road; thence North 89 Degrees 59'12" East, along said South right-of-way
7 line and parallel to the North line of Section 29, a distance of 20.00 feet to the POINT
8 OF BEGINNING of the herein described strip of land.

9
10 owned by Home Dynamics Corporation, is hereby changed from COM (Commercial) and
11 RU (Residential Urban) to RM (Residential Medium).

12
13 Location: Southwest corner of the intersection of South 25th Street and Edwards Road.
14

15
16 **B. FINDING OF CONSISTENCY**

17
18 This Board specifically determines that the approval of this change in the Future Land Use
19 Element is internally consistent with the policies and objectives contained in the St. Lucie
20 County Comprehensive Plan, specifically Policies 11.1.3.6 and 11.1.3.7 of the Capital
21 Improvements Element, which identify this approval as a Preliminary Development Order
22 and provide for the recognition that impacts of this approval on the public facilities of St.
23 Lucie County will not occur until such time as a Final Development Order is issued.
24

25
26 **C. CHANGES TO THE FUTURE LAND USE MAPS**

27
28 The St. Lucie County Growth Management Director is hereby authorized and directed to
29 cause these changes to be made in the Future Land Use maps of the Future Land Use
30 Element of the St. Lucie County Comprehensive Plan and to make notation of reference to
31 the date of adoption of this Ordinance.
32

33
34 **D. CONFLICTING PROVISIONS**

35
36 Special acts of the Florida Legislature applicable only to unincorporated areas of St. Lucie
37 County, County Ordinances and County Resolutions, or parts thereof, in conflict with this
38 Ordinance are hereby superseded by this Ordinance to the extent of such conflict.
39

40
41 **E. SEVERABILITY**

1
2 If any portion of this Ordinance is for any reason held or declared to be unconstitutional,
3 inoperative or void, such holding shall not affect the remaining portions of this Ordinance. If
4 this Ordinance or any provision thereof shall be held to be inapplicable to any person,
5 property, or circumstances, such holding shall not affect its applicability to any other person,
6 property or circumstances.
7

8
9 **F. APPLICABILITY OF ORDINANCE**

10 This ordinance shall be applicable as stated in Paragraph A.
11
12

13
14 **G. FILING WITH THE DEPARTMENT OF STATE**

15 The Clerk is hereby directed forthwith to send a certified copy of this Ordinance to the
16 Bureau of Laws, Department of State, The Capitol, Tallahassee, Florida, 32304.
17
18

19
20 **H. FILING WITH THE DEPARTMENT OF COMMUNITY AFFAIRS**

21 The Growth Management Director shall send a certified copy of this Ordinance to the
22 Department of Community Affairs, 2555 Shumard Oak Boulevard Tallahassee, FL 32399-
23 2100.
24

25
26 **I. EFFECTIVE DATE**

27 This Ordinance shall take effect upon the issuance by the State Land Planning Agency of a
28 Notice of Intent to find the adopted amendment in compliance in accordance with Section
29 163.3184(9), Florida Statutes, or until the Administration Commission issues a final order
30 finding the adopted amendment in compliance in accordance with Section 163.3184(10).
31
32

33
34 **J. ADOPTION**

35 After motion and second, the vote on this resolution was as follows:
36

37
38 Chairperson Frannie Hutchinson AYE
39
40 Vice Chairperson Doug Coward AYE
41

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Commissioner Chris Craft AYE
Commissioner Paula A. Lewis AYE
Commissioner Joe Smith AYE

PASSED AND DULY ADOPTED this 7th day of June, 2005.

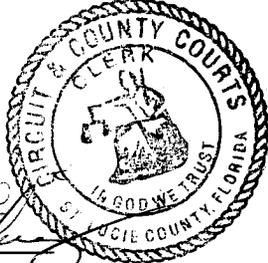
**BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA**

BY *[Signature]*
Vice Chairman

**APPROVED AS TO FORM AND
CORRECTNESS:**

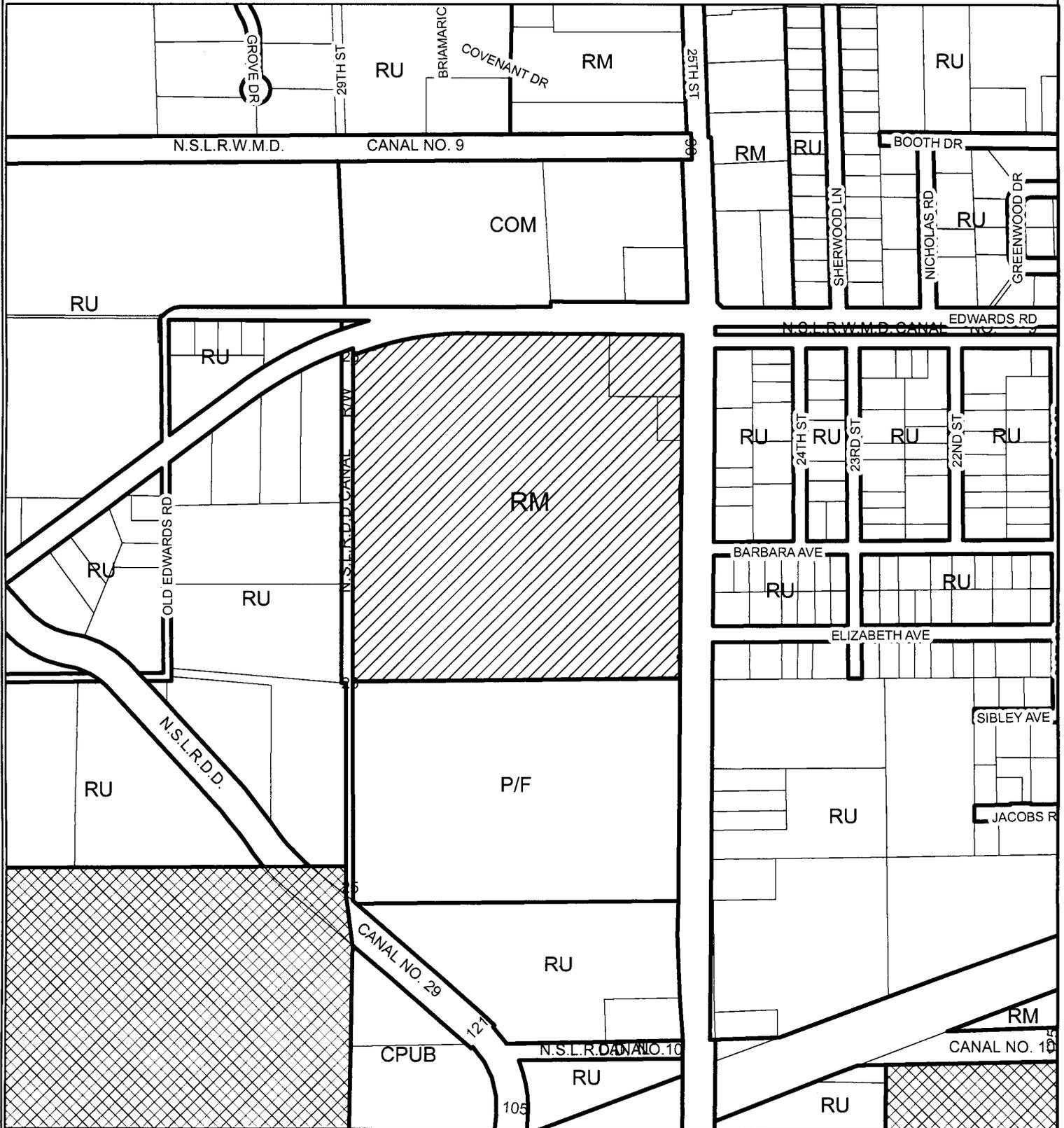
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Asst COUNTY ATTORNEY

ATTEST:



[Signature]
DEPUTY CLERK

Home Dynamics Corporation



PA 04-010



Subject property



City of Ft. Pierce



Map prepared June 14, 2005

