

ORDINANCE NO. 06-007

FILE NO.: PA-05-005

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5 **AN ORDINANCE CHANGING THE FUTURE LAND USE**
6 **DESIGNATION OF THE ST. LUCIE COUNTY**
7 **COMPREHENSIVE PLAN FOR CERTAIN PROPERTY IN**
8 **ST. LUCIE COUNTY, FLORIDA; PROVIDING FOR**
9 **FINDINGS OF CONSISTENCY; AUTHORIZING**
10 **AMENDMENTS TO THE FUTURE LAND USE MAPS OF**
11 **THE COMPREHENSIVE PLAN; PROVIDING FOR**
12 **CONFLICTING PROVISIONS; PROVIDING FOR**
13 **SEVERABILITY; PROVIDING FOR APPLICABILITY;**
14 **PROVIDING FOR FILING WITH THE FLORIDA**
15 **DEPARTMENT OF STATE; PROVIDING FOR FILING**
16 **WITH THE DEPARTMENT OF COMMUNITY AFFAIRS;**
17 **PROVIDING FOR AN EFFECTIVE DATE; AND,**
18 **PROVIDING FOR ADOPTION.**

19
20 **WHEREAS**, the Board of County Commissioners of St. Lucie County, Florida, based on the
21 testimony and evidence including, but not limited to the staff report, has made the following
22 determinations:
23

- 24 1. Jeffrey Freedman presented a petition for a change in Future Land Use Designation
25 from COM (Commercial) to RM (Residential Medium) for the property described in
26 Part A below.
27
- 28 2. On November 17, 2005, the St. Lucie County Local Planning Agency held a public
29 hearing on the petition, after publishing notice at least 10 days prior to the hearing
30 and notifying by mail all owners of property within 500 feet of the subject property,
31 and has recommended that this Board approve the hereafter described request for a
32 change in Future Land Use Designation from COM (Commercial) to RM (Residential
33 Medium) for the property described in Part A below.
34
- 35 3. On January 17, 2006, this Board held a public hearing on the petition, after
36 publishing notice at least 10 days prior to the hearing and notifying by mail all owners
37 of property within 500 feet of the property described in Part A below.
38
- 39 4. The proposed change in land use is consistent with the goals, objectives, and
40 policies of the St. Lucie County Comprehensive Plan as described in Part B.
41
- 42 5. The proposed change in land use is consistent with the existing and proposed use of
43 property in the surrounding area.

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2 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of St. Lucie
3 County, Florida:
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5 **A. CHANGE IN FUTURE LAND USE DESIGNATION**
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7 The future land use designation set forth in the St. Lucie County Comprehensive
8 Plan for the property described as follows:
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10 **THAT PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 13,**
11 **TOWNSHIP 34 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA, BEING MORE**
12 **PARTICULARLY DESCRIBED AS FOLLOWS:**
13

14 **COMMENCING AT A POINT (P.O.C.) BEING THE SOUTHEAST CORNER OF THE**
15 **SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 13; THENCE NORTH**
16 **00 DEGREES 02'03" WEST, ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE**
17 **NORTHWEST 1/4 OF SAID SECTION 13; FOR A DISTANCE OF 708.55 FEET; THENCE**
18 **SOUTH 89 DEGREES 59'58" WEST, A DISTANCE OF 20.00 FEET TO THE POINT OF**
19 **BEGINNING (POB); THENCE CONTINUE SOUTH 89 DEGREES 59'58" WEST,**
20 **PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4**
21 **OF SAID SECTION 13, FOR A DISTANCE OF 691.35 FEET; THENCE NORTH 00**
22 **DEGREES 38' 11" EAST, FOR A DISTANCE OF 486.95 FEET; THENCE NORTH 89**
23 **DEGREES 21' 45" WEST, FOR A DISTANCE OF 110.74 FEET; THENCE NORTH 08**
24 **DEGREES 41' 58" EAST, FOR A DISTANCE OF 108.65 FEET; THENCE NORTH 89**
25 **DEGREE 58' 49" EAST, ALONG A LINE 25 FEET SOUTH OF AND PARALLEL TO THE**
26 **NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION**
27 **13 (THE SAME LINE BEING THE SOUTH LINE OF THAT 25 FOOT RIGHT-OF -WAY**
28 **DEED, RECORDED IN OFFICIAL RECORD BOOK 649, PAGE 27 AND 28, OF THE**
29 **PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA), FOR A DISTANCE OF 779.89**
30 **FEET; THENCE SOUTH 00 DEGREES 02' 03" EAST, ALONG A LINE 20 FEET WEST OF**
31 **AND PARALLEL TO THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST**
32 **1/4 OF SAID SECTION 13 (THE SAME LINE BEING THE WEST LINE OF THAT 20 FOOT**
33 **RIGHT-OF -WAY DEED, RECORDED IN OFFICIAL RECORD BOOK 585, PAGES 1449**
34 **THROUGH 1451, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA), FOR**
35 **A DISTANCE OF 595.81 FEET TO THE POINT OF BEGINNING (P.O.B.).**
36

37 **Said lands contain 9.6627 acres, more or less.**
38

39 **(Location: South side of Miramar Ave, approximately 300 feet east of the**
40 **Turnpike Feeder Road.)**
41

42 **is hereby changed from COM (Commercial) to RM (Residential Medium).**
43

44 **B. FINDING OF CONSISTENCY**
45

46 This Board specifically determines that the approval of this change in the Future
47 Land Use Element is internally consistent with the policies and objectives contained
48 in the St. Lucie County Comprehensive Plan.

1
2 **C. CHANGES TO THE FUTURE LAND USE MAPS**
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4 The St. Lucie County Growth Management Director is hereby authorized and
5 directed to cause these changes to be made in the Future Land Use maps of the
6 Future Land Use Element of the St. Lucie County Comprehensive Plan and to make
7 notation of reference to the date of adoption of this Ordinance.
8

9 **D. CONFLICTING PROVISIONS**
10

11 Special acts of the Florida Legislature applicable only to unincorporated areas of St.
12 Lucie County, County Ordinances, and County Resolutions, or parts thereof, in
13 conflict with this Ordinance are hereby superseded by this Ordinance to the extent of
14 such conflict.
15

16 **E. SEVERABILITY**
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18 If any portion of this Ordinance is for any reason held or declared to be
19 unconstitutional, inoperative or void, such holding shall not effect the remaining
20 portions of this Ordinance. If this Ordinance or any provision thereof shall be held to
21 be inapplicable to any person, property, or circumstances, such holding shall not
22 effect its applicability to any other person, property, or circumstances.
23

24 **F. APPLICABILITY OF ORDINANCE**
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26 This ordinance shall be applicable as stated in Paragraph A.
27

28 **G. FILING WITH THE DEPARTMENT OF STATE**
29

30 The Clerk be and hereby is directed forthwith to send a certified copy of this
31 Ordinance to the Bureau of Laws, Department of State, The Capitol, Tallahassee,
32 Florida, 32304.
33

34 **H. FILING WITH THE DEPARTMENT OF COMMUNITY AFFAIRS**
35

36 The Growth Management Director shall send a certified copy of this Ordinance to the
37 Department of Community Affairs, 2555 S. Shumard Oak Blvd., Tallahassee, Florida,
38 32399-2100.
39

40 **I. EFFECTIVE DATE**
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42 This Ordinance shall take effect thirty-one (31) days after adoption. If the Ordinance
43 is challenged within thirty (30) days after adoption, the Ordinance shall not be
44 effective until the State Land Planning Agency or Administration Commission
45 respectively issues a final order finding the adopted amendment in compliance in
46 accordance with Section 163.3184(10).
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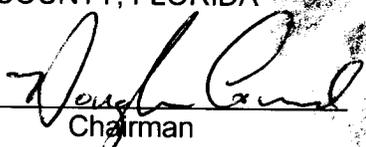
J. **ADOPTION**

After motion and second, the vote on this ordinance was as follows:

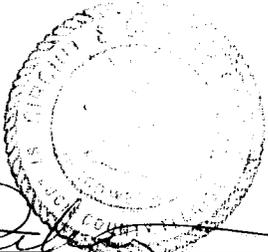
Chairman Douglas Coward	AYE
Vice-Chairman Chris Craft	NAY
Commissioner Frannie Hutchinson	AYE
Commissioner Paula Lewis	AYE
Commissioner Joe Smith	AYE

PASSED AND DULY ADOPTED This 17th day of January 2006.

BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA

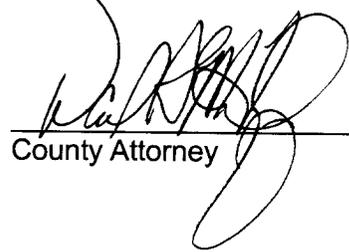
BY 
Chairman

ATTEST:



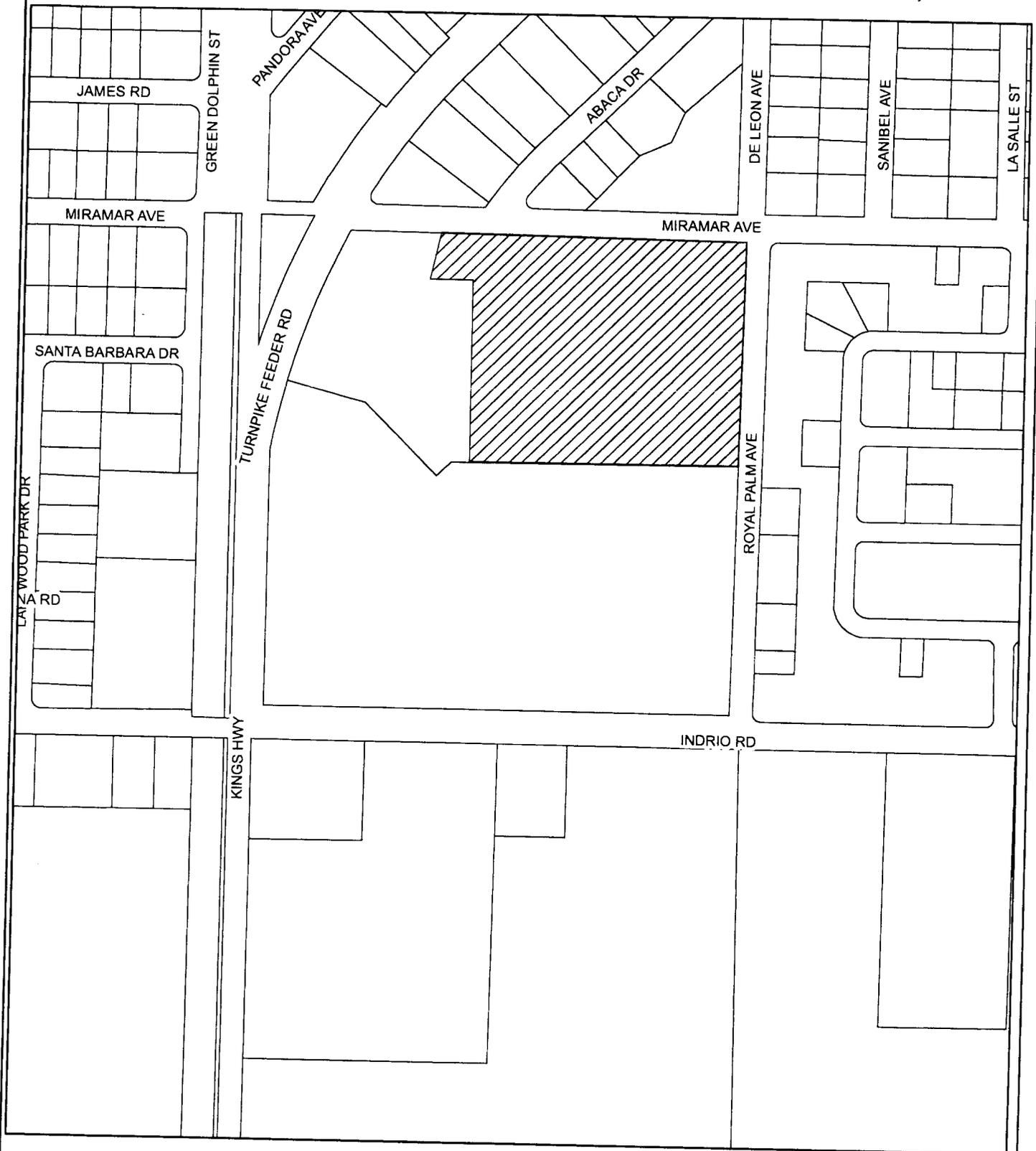
Deputy Clerk

APPROVED AS TO FORM AND
CORRECTNESS:


County Attorney

dw
File:H:/Docs/P&Z/indriocrossings/FLUordinance

A petition of Indrio Crossings Small Scale land use amendment to change land use classification from COM (Commercial) to RM (Residential Medium).



PA 05-005

Legend

 Subject parcel

St. Lucie County
Growth Management Department

Map prepared May 20, 2005

