

ORDINANCE NO. 2016-11

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA, REZONING 154 ACRES MORE OR LESS OF PROPERTY LOCATED ON THE SOUTH SIDE OF U.S. 192, WEST OF I-95 AND EAST OF SIMON ROAD AND AS MORE FULLY DESCRIBED HEREIN TO CITY OF WEST MELBOURNE GTWY-I (GATEWAY INTERCHANGE); PROVIDING AN EFFECTIVE DATE.

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

Section 1.

The Planning Director is hereby directed to change the Official Zoning Map of the City as referenced in Section 98-66 of the Code of Ordinances to show the zoning change set forth in Section 2 of this Ordinance.

Section 2.

The property located ON THE SOUTH SIDE OF U.S. 192, WEST OF I-95 AND EAST OF SIMON ROAD and described more particularly as follows is hereby rezoned to City of West Melbourne G-I (Gateway Interchange):

A PARCEL OF LAND BEING ALL OF LOT 4, LOT 5 AND LOT 6 AND A PORTION OF LOTS 7 THROUGH 14 INCLUSIVE, SECTION 3, TOWNSHIP 28 SOUTH, RANGE 36 EAST, OF THE TALLAHASSEE BASE MERIDIAN, BEING A PART OF THE FLORIDA INDIAN RIVER LANDS COMPANY SUBDIVISION AS RECORDED IN PLAT BOOK 2 PAGE 80, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING FOR REFERENCE AT THE SOUTHWEST CORNER OF SECTION 3, TOWNSHIP 28 SOUTH, RANGE 36 EAST; THENCE, BEARING NORTH 00°11'53" WEST, ALONG THE WESTERLY LINE OF SAID SECTION 3, A DISTANCE OF 48.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF THE MELBOURNE TILLMAN DRAINAGE DISTRICT CANAL NO 84 (A 96' WIDE RIGHT OF WAY); THENCE, BEARING NORTH 89°36'49" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 20.00 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF SIMON ROAD (A 40' WIDE RIGHT OF WAY); THENCE, BEARING NORTH 00°11'53" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 612.37 FEET TO A POINT; THENCE, BEARING NORTH 89°32'26" EAST, A DISTANCE OF 1298.69 FEET TO A POINT; THENCE, BEARING NORTH 00°11'19" WEST, A DISTANCE OF 657.69 FEET TO A POINT; THENCE, BEARING SOUTH 89°42'58" WEST, A DISTANCE OF 1299.05' TO A POINT ON AFORESAID EASTERLY RIGHT OF WAY LINE OF SIMON ROAD; THENCE, BEARING NORTH 00°11'53" WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 1188.94 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO 500 (KISSIMMEE HIGHWAY OR US 192); THENCE, BEARING NORTH 89°37'49" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 3378.54 FEET TO A POINT; THENCE, LEAVING SAID RIGHT OF WAY LINE, BEARING SOUTH 00°07'05" WEST, A DISTANCE OF 202.49 FEET TO A POINT; THENCE, BEARING NORTH 89°17'28" EAST, A DISTANCE OF 325.96 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF BRANDYWINE LANE (A 60 FOOT WIDE

RIGHT OF WAY); THENCE, BEARING SOUTH 54°02'44" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 154.07 TO A POINT; THENCE, LEAVING SAID RIGHT OF WAY LINE, BEARING SOUTH 00°11'39" EAST, A DISTANCE OF 308.73 FEET TO A POINT; THENCE, BEARING SOUTH 89°34'36" WEST A DISTANCE OF 550.01 FEET TO A POINT ON THE EASTERLY LINE OF AFORESAID LOT 13; THENCE, BEARING SOUTH 00°11'28" EAST ALONG THE EAST LINE OF SAID LOT 13 AND THEN ALONG THE EAST LINE OF AFORESAID LOT 4, A DISTANCE OF 1858.88 FEET TO A POINT ON AFORESAID NORTHERLY RIGHT OF WAY LINE OF THE MELBOURNE TILLMAN DRAINAGE DISTRICT CANAL NO 84; THENCE, BEARING SOUTH 89°38'10" WEST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 658.46 FEET TO A POINT; THENCE, BEARING SOUTH 89°33'45" WEST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 2619.08 FEET TO THE POINT OF BEGINNING. THE PARCEL DESCRIBED ABOVE CONTAINS AN AREA OF 7,444,212 SQUARE FEET OR 170.896 ACRES, MORE OR LESS, AND SUBJECT TO ANY AND ALL EASEMENTS AND OR RESTRICTIONS CONTAINED WITHIN THE CHAIN OF TITLE. LESS AND EXCEPT ROAD RIGHT OF WAY FOR THE ST. JOHNS HERITAGE PARKWAY AS DESCRIBED IN O.R. BOOK 7102, PG. 973. LESS AND EXCEPT COUNTY STORMWATER POND TRACT AS DESCRIBED IN O.R. BOOK 7102, PG. 1082.

Section 3.

That this Ordinance shall become effective simultaneously with the effectiveness of Ordinance No. 2016-09, amending the land use of the subject property.

PASSED AND ADOPTED by the City Council of the City of West Melbourne, Brevard County, Florida, this 20th day of September, 2016.



Sue Frank

 Sue Frank, City Clerk

Hal Rose

 Hal J. Rose, Mayor

Reviewed as to form and content:

[Signature]

 Morris Richardson, City Attorney

1st READING: August 16, 2016
 2nd READING: September 20, 2016