

## ORDINANCE NO. 2016-17

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA, REZONING NEWLY ANNEXED PROPERTY LOCATED AT 2394 MINTON ROAD, LYING IN SECTION 12, TOWNSHIP 28 SOUTH, RANGE 36 EAST, AND AS MORE FULLY DESCRIBED HEREIN FROM BREVARD COUNTY BU-1 (GENERAL RETAIL COMMERCIAL) TO CITY OF WEST MELBOURNE C-1 (LOW-DENSITY COMMERCIAL DISTRICT); 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 newly annexed property located at 2394 Minton Road and described more particularly as follows is hereby rezoned to City of West Melbourne C-1 (Low-Density Commercial District):

DESCRIPTION (ORB 5561, Page 2761)

From the N.E. corner of Section 12, Township 28 South, Range 36 East, Brevard County, Florida, run S87°37'50"W, along the North line of said Section 12 a distance of 33.04 feet to the West right of way line of Malabar Road, also known as Minton Road; thence S0°23'20"W, parallel with the East line of said Section 12 and along said West right of way line of Malabar Road a distance of 630.0 feet to the Point of Beginning of the herein described parcel; thence continue S0°23'20"W, along said right of way a distance of 70.07 feet; thence N 89°04'01"W, a distance of 270.90 feet; thence N0°23'20"E, a distance of 73.64 feet; thence S88°18'40" E, a distance of 270.96 feet to the Point of Beginning.

AND

From the N.E. corner of Section 12, Township 28 South, Range 36 East, Brevard County, Florida, run S87°37'50"W, along the North line of said Section 12 a distance of 33.04 feet to the West right of way line of Malabar Road, also known as Minton Road; thence S0°23'20"W, along said West right of way line of Malabar Road and parallel with the East line of said Section 12, a distance of 700.07 feet to the Point of Beginning of the herein described parcel; thence continue S0°23'20"W, along said West right of way line a distance of 98.0 feet; thence N89°01'40"W, a distance of 296.84 feet; thence N0°47'21"E, a distance of 31.95 feet; thence N21°47'33"E, a distance of 70.46 feet; thence S89°04'01"E, a distance of 270.90 feet to the Point of Beginning.

AND

From the N.E. corner of Section 12, Township 28 South, Range 36 East, Brevard County, Florida, run S87°37'50"W, along the North line of said

Section 12 a distance of 33.04 feet to the West right of way line of Malabar Road, also known as Minton Road; thence S0°23'20" W, parallel with the East line of said Section 12 and along said West right of way line of Malabar Road a distance of 870.07 feet to the North line of property as described in Deed Book 351, Page 408, Brevard County Public Records; thence S87°41'20"W, along said North line of Deed Book 351, Page 408, a distance of 225.30 feet to the Point of Beginning of the herein described parcel; thence continue S87°41'20"W, along said North line of Deed Book 351, Page 408, a distance of 96.48 feet to the East line of property as described in Deed Book 119, Page 415, Brevard County Public Records; thence N0°47'21"E, along said East line of Deed Book 119, Page 415, a distance of 121.01 feet; thence N. 87°41'20" E., a distance of 24 feet; thence S 0°47'21"W, a distance of 31.95 feet; thence S89°01'40"E, a distance of 69.84 feet; thence S0°55'07"E, a distance of 84.95 feet to the Point of Beginning.

**Section 3.**

That this Ordinance shall become effective simultaneously with the effectivity of Ordinance No. 2016-16.

PASSED AND ADOPTED by the City Council of the City of West Melbourne, Brevard County, Florida, this 4<sup>th</sup> day of October, 2016.



*Hal Rose*

Hal J. Rose, Mayor

*Sue Frank*

Sue Frank, City Clerk

Reviewed as to form and content:

*Morris Richardson*

Morris Richardson, City Attorney

1ST READING: September 20, 2016  
2<sup>nd</sup> READING: October 4, 2016