

**ORDINANCE NO. 2008-02**

**AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, AMENDING THE DISTRICT BOUNDARIES OF THE OFFICIAL ZONING MAP OF THE TOWN OF MALABAR AS PROVIDED FOR IN ARTICLE II, SECTION 1-2.3 OF THE LAND DEVELOPMENT CODE; REZONING PARCELS IN THE TOWN LOCATED ON THE NORTH SIDE OF BOOTH ROAD AND EAST OF BABCOCK STREET; REZONING THE SAID PARCEL FROM TOWN OF MALABAR OI (OFFICE INSTITUTIONAL) TO TOWN OF MALABAR CG (COMMERCIAL GENERAL); PROVIDING AN EFFECTIVE DATE. (Z.C. 2008-01)**

**THEREFORE BE IT ORDAINED** by the Town Council of the Town of Malabar, Brevard County, Florida, that:

**SECTION 1.**

The property described as follows is hereby rezoned from Town of Malabar OI (Office Institutional) to Town of Malabar CG (Commercial General) and more particularly described as:

“Lots 1, 2, 7 to 12, 17 to 25, W ½, S 400FT of W ½ of Lot 24 ex W 50 ft as desc in ORB 1550 PG 718 par 720

AND

Lots 1, 2, 7 -12, 17 to 25, w ½, E ½ of N 200 ft of S 400 ft of Lot 24 of PB 1 PG 165 EX E 25 ft as des in ORB 1970 PG 547

AND

Lots 1, 2, 7 to 12, 17 to 25, W ½, E ½ of S 200 ft of Lot 24 of PB 1 PG 165 EX S 35 ft & E 25 ft as DES in ORB 2248 PG 575”

**SECTION 2.**

Upon approval of this ordinance the Town Clerk is hereby directed to amend the Official Zoning Map of the Town as referenced in Article II, Section 1-2.3 of the Land Development Code to show the zoning change set forth above.

**SECTION 3.**

This Ordinance shall become effective simultaneously with the effective date of Ordinance No. 2008-02.

The foregoing Ordinance was moved for adoption by council member \_\_\_\_\_.  
The motion was seconded by Council member \_\_\_\_\_ and, upon being put to a vote, the vote was as follows:

Council Member Nancy Borton \_\_\_\_\_  
Council Member Brian Vail \_\_\_\_\_  
Council Member Charles (Chuck) McClelland \_\_\_\_\_  
Council Member Jeffrey (Jeff) McKnight \_\_\_\_\_  
Council Member Patricia D. Dezman \_\_\_\_\_

**PASSED AND ADOPTED** by the Town Council, Town of Malabar, Brevard County, Florida this \_\_\_\_ day of \_\_\_\_\_, 2008.

By:

\_\_\_\_\_  
Mayor Thomas M. Eschenberg

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Debby K. Franklin  
Town Clerk/Treasurer

Approved as to form and  
legal sufficiency by:

\_\_\_\_\_  
Karl W. Bohne, Jr.  
Town Attorney