

ORD. Failed  
12/17/18

**ORDINANCE 2018-07**

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; AMENDING LAND USE MAP AND ZONING MAP FOR THE FIVE (5.18+/-) ACRES AT THE SOUTHEAST CORNER OF MALABAR ROAD AND MARIE STREET IN TOWNSHIP 28, RANGE 38, SECTION 31, LOT 54-B AND 54-B-1.01, AKA 2405 AND 2415 MALABAR ROAD, MALABAR, FLORIDA, FROM OFFICE INSTITUTIONAL AND RURAL RESIDENTIAL TO COMMERCIAL GENERAL (CG); PROVIDING FOR AMENDMENT TO THE OFFICIAL TOWN ZONING MAP; PROVIDING AN EFFECTIVE DATE.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, as follows:**

**Section 1.** The Town Council has considered the recommendation of the Planning and Zoning Board and approves the land use and zoning change. The property described below is hereby re-designated on the land use map and rezoned on the zoning map from *Office Institutional and Rural Residential* to *Commercial General (CG)* for the property described as follows:

*The entire portion of Lots 54-B-1 and Lot 54-B-1.01 in Township 28, Range 38, Section 31, Malabar, Brevard County, Florida. This property is located at the southeast corner of Malabar Road and Marie Street.*

**Section 2.** The Town Clerk is hereby authorized and directed to cause the revisions to the Land Use Map and Official Town Zoning Map as referenced in Article II of the Land Development Code to show the zoning change set forth above.

**Section 3.** The effective date of this ordinance shall be six (6) days following adoption by Council.

The foregoing Ordinance was moved for adoption by Council Member Rivet. The motion was seconded by Council Member KORN and, upon being put to a vote, the vote was as follows:

- Council Member Grant Ball
- Council Member Brian Vail
- Council Member Steve Rivet
- Council Member Dick Korn
- Council Member Danny White

DENIAL

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~~This ordinance will become effective and considered adopted by the Town Council, Town of Malabar, Brevard County, Florida six business days from the date of this meeting: January 15, 2019.~~

(seal)

BY:  
TOWN OF MALABAR

N/A  
Mayor Patrick T. Reilly, Council Chair

ATTEST:

By: N/A  
Debby K. Franklin, C.M.C.  
Town Clerk/Treasurer

Approved as to form and content:

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

Legally Advertised to Comply with FS 163 and 166.

Hearing at P&Z:	<u>12/12/2018</u>	DENY 5 to 0
Ord First Reading:	<u>12/17/2018</u>	DENY 5 to 0
Second Reading:	<u>1/7/2019</u>	N/A
Effective Date:	<u>1/15/2019</u>	N/A