

**ORDINANCE 2020-03 – FAILED AT 1<sup>ST</sup> READING 6/15/2020**

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN AND THE ZONING MAP FOR THE 1.35+/- ACRE SITE KNOWN AS PARCEL 568 IN SECTION 10, TOWNSHIP 29 AND RANGE 37 LOCATED AT THE NORTHEAST CORNER OF BABCOCK AND OSAGE STREETS, MALABAR, FLORIDA FROM RESIDENTIAL/LIMITED COMMERCIAL (R/LC) AND OFFICE INSTITUTIONAL (OI) TO COMMERCIAL GENERAL (CG); PROVIDING FOR AMENDMENT TO THE FUTURE LAND USE AND TOWN ZONING MAPS; PROVIDING FOR 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 future land use and zoning change for the property described below and is hereby re-designated on the future land use map and rezoned on the zoning map from *Residential/Limited Commercial (R/LC) to Commercial General (CG)*:

*The entire portion of Parcel 568 located in Township 29, Range 37, Section 10, Malabar, Brevard County, Florida. This property is located at the northeast corner of Babcock and Osage Streets and consists of 1.35 acres +/-.*

**Section 2.** The Town Clerk is hereby authorized and directed to cause the revisions to the Future 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 Vail and, upon being put to a vote, the vote was as follows:

Council Member Grant Ball	Aye
Council Member Brian Vail	Nay
Council Member Steve Rivet	Aye
Council Member David Scardino	Nay
Council Member Danny White	Nay

This ordinance will become effective and considered adopted by the Malabar Town Council six business days from the date of adoption at second reading.

(seal)

**BY:**

**TOWN OF MALABAR**

\_\_\_\_\_  
Mayor Patrick T. Reilly, Council Chair

ATTEST:

By: \_\_\_\_\_  
Debby K. Franklin, C.M.C.  
Town Clerk/Treasurer

Approved as to form and content:

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

P&Z PH: 6/10/2020  
1<sup>st</sup> Reading: 6/15/2020  
2<sup>nd</sup> Reading: \_\_\_\_\_

FAILED 6/15/20