

ORDINANCE 23-

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, REZONING A 0.69-ACRE PROPERTY OWNED BY DONALD F. DEFENTHALER AND A 0.29-ACRE PROPERTY OWNED BY THE CITY OF PORT ST. LUCIE, TOGETHER, LOCATED ON THE SOUTHEAST CORNER OF SW ABRAHAM AVENUE AND SW PORT ST. LUCIE BOULEVARD, FROM LIMITED MIXED-USE DISTRICT (LMD) ZONING DISTRICT TO SINGLE FAMILY RESIDENTIAL (RS-2) FOR PROPERTY LEGALLY DESCRIBED AS PORT ST. LUCIE SECTION THIRTY-THREE, BLOCK 2325, LOTS 1, 2, 3 AND 4 (P22-366); PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Donald F. Defanthaler, owner, seeks to rezone 0.69-acre property located at 736, 742 and 750 SW Abraham Avenue, on the southeast corner of SW Abraham Avenue and SW Port St. Lucie Boulevard, and within the City of Port St. Lucie, from Limited Mixed-Use District (LMD) Zoning District to Single Family Residential (RS-2) Zoning District; and

WHEREAS, the City of Port St. Lucie, owner, seeks to rezone 0.29-acre property located at 4701 SW Port St. Lucie Boulevard, on the southeast corner of SW Abraham Avenue and SW Port St. Lucie Boulevard, and within the City of Port St. Lucie, from Limited Mixed-Use District (LMD) Zoning District to Single Family Residential (RS-2) Zoning District; and

WHEREAS, the proposed zoning is consistent with all applicable elements of the City's adopted Comprehensive Plan and complies with the City's Code of Ordinances; and

WHEREAS, the City of Port St. Lucie Planning and Zoning Board held a public hearing on February 7, 2023, to consider the rezoning application (P22-366), notice of said hearing to adjoining property owners for a radius of seven hundred and fifty (750) feet having been given and advertising of public hearing having been made; and

WHEREAS, the City Council held a public hearing on March 13, 2023, to consider the rezoning application (P22-366), advertising of the public hearing having been made; and

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WHEREAS, the City Council has considered the rezoning application (P22-366) based on substantial and competent evidence and the City Council has determined to rezone the property legally described as Port St. Lucie Section Thirty-Three, Block 2325, Lots 1, 2, 3 and 4.

NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. Ratification of Recitals. The City Council of the City of Port St. Lucie, Florida, hereby adopts and ratifies those matters as set forth in the foregoing recitals.

Section 2. That the properties located at 736, 742 and 750 SW Abraham Avenue and 4701 SW Port St. Lucie Boulevard, on the southeast corner of SW Abraham Avenue and SW Port St. Lucie Boulevard, and legally described as Port St. Lucie Section Thirty-Three, Block 2325, Lots 1, 2, 3, and 4, be rezoned from Limited Mixed-Use District (LMD) Zoning District to Single Family Residential (RS-2) Zoning District; and

Section 3. Conflict. If any ordinance, or parts of ordinances, or if any sections, or parts of sections, of the ordinances of the City of Port St. Lucie, Florida, are in conflict herewith, this Ordinance shall control to the extent of the conflicting provisions.

Section 4. Severability. The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 5. Effective Date. That this Ordinance shall become effective ten (10) days after its final adoption.

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PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida,
this
_____ day of _____ 2023.

CITY OF PORT ST. LUCIE, FLORIDA

BY: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

BY: _____
James D. Stokes, City Attorney