

ORDINANCE NO. 1741 - 2018

AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, CHANGING THE ZONING CLASSIFICATION FROM THE R2 (SINGLE FAMILY DWELLING) DISTRICT TO THE PUD(PLANNED UNIT DEVELOPMENT) DISTRICT IN PLANNING DISTRICT 8 OF APPROXIMATELY 7.96 ACRES LOCATED AT THE END OF BROOKVIEW LANE, EAST OF BAYBERRY LANE AND AT THE END OF BROOKVIEW LANE AND WEST OF BERYL DRIVE IN THE CITY OF ROCKLEDGE, AS MORE PARTICULARLY DESCRIBED IN "EXHIBIT A" OF THIS ORDINANCE; AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF ROCKLEDGE TO REFLECT THE CHANGE OF ZONING AFFECTED BY THIS ORDINANCE; DIRECTING THE CITY MANAGER TO CAUSE THE APPROPRIATE DESIGNATION TO BE MADE ON THE FACE OF THE OFFICIAL CITY ZONING MAP; INDICATING THE NEW ZONING CLASSIFICATION OF THE PROPERTY DESCRIBED IN THIS ORDINANCE; DECLARING THAT INVALIDITY OF ANY PORTION HEREOF SHALL NOT AFFECT THE REMAINING PORTIONS OF THIS ORDINANCE; PROVIDING FOR THE EFFECTIVE DATE HEREOF AND FOR OTHER PURPOSES.

**WHEREAS**, Application ZDA-18-02 was made by MR. CHRIS GARDNER, as MANAGER OF CONDEV BROOKVIEW, LLC, to the City Council of the City of Rockledge, Florida, to change the zoning classification of the real property herein described from the R2 (Single Family Dwelling) District to the PUD (Planned Unit Development) District; and

**WHEREAS**, the Rockledge City Council referred said application to the Rockledge Planning Commission for its review and recommendation as to the relationship of the proposed rezoning to the Rockledge Comprehensive Plan, and, after a public hearing, with due public notice, said Planning Commission

rendered its report and recommendation to the City Council, which recommended approval of the requested changes; and

**WHEREAS**, after considering the aforesaid application for rezoning, and the recommendation of the Planning Commission, and after hearing the property owners, parties in interest, and all citizens wishing to present their views relative to said proposed zoning change, the Rockledge City Council has determined that the requested rezoning to the PUD (Planned Unit Development) District is consistent with the Rockledge Comprehensive Plan and should be granted in this instance.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKLEDGE, FLORIDA, AS FOLLOWS:**

**SECTION 1.** That the zoning classification of the real property described in "Exhibit A" of this Ordinance located in the City of Rockledge, County of Brevard, State of Florida, be and the same is hereby changed from the R2 (Single Family Dwelling) District to the PUD (Planned Unit Development) District.

**SECTION 2.** That the zoning Ordinance of the City of Rockledge and the official zoning map referred to therein, and any amendments to said Ordinance and zoning map to the extent that the same specifically zone the real property herein described, be and the same are hereby amended to provide and show the zoning change made by this Ordinance, and the Rockledge City Manager is directed to forthwith designate on the face of said

official zoning map the new zoning classification of the property described in this Ordinance.

**SECTION 3.** The provisions of this Ordinance are severable, and if any section, sentence, clause, or phrase hereof is for any reason held to be unconstitutional, invalid, or ineffective, such holding shall not affect the validity of the remaining portions of this Ordinance, it being expressly declared to be the City Council's intent that it would have passed the valid portions of this Ordinance without the inclusion therein of any invalid portion or portions.

**SECTION 4.** This Ordinance shall become effective ten (10) days following its adoption and signed by the Chairman of the City Council.

**ADOPTED** at a regular meeting of the City Council of the City of Rockledge, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Chairman, City Council of the  
City of Rockledge, Florida

ATTEST:

\_\_\_\_\_  
City Clerk

1<sup>st</sup> Reading: 10/03/2018\_\_\_\_\_

2<sup>nd</sup> Reading: \_\_\_\_\_

**"EXHIBIT A"**

OR BK 8122 PG 2082

**Exhibit "A"**

**Parcel 1:**

A parcel of land lying in Section 16, Township 25 South, Range 36 East, Brevard County, Florida, being more particularly described as follows:

Commence at the North 1/4 corner of said Section 16 and run N. 89 degrees 47 minutes 13 seconds W., along the North line of said Section, a distance of 67.90 feet to the point of beginning; thence continue N. 89 degrees 47 minutes 13 seconds W., along said North line, a distance of 444.87 feet; thence S. 00 degrees 12 minutes 47 seconds W., 120.01 feet; thence N. 89 degrees 47 minutes 13 seconds W., a distance of 8.89 feet to a point on an East line of BUCKINGHAM AT LEVITT PARK, HICKORY SECTION FIVE-A, recorded in Plat Book 21, Pages 137 and 138, Public Records of Brevard County, Florida; thence S. 00 degrees 12 minutes 47 seconds W., along the East line, a distance of 103.13 feet to the point of curvature of a 322.50 foot radius curve to the left; thence southeasterly along the arc of said curve and along said East line, through a central angle of 28 degrees 07 minutes 22 seconds, a distance of 158.29 feet to a point of tangency; thence S. 27 degrees 54 minutes 35 seconds E., along said East line, a distance of 141.56 feet; thence S. 89 degrees 47 minutes 13 seconds E., parallel to and 500 feet distant from aforesaid North line, a distance of 342.85 feet; thence N. 00 degrees 34 minutes 07 seconds E., a distance of 500.01 feet to the point of beginning.

**Parcel 2:**

A parcel of land lying in the Northeast 1/4 and Northwest 1/4 of Section 16, Township 25 South, Range 36 East, Brevard County, Florida, being more particularly described as follows:

Commence at the Northeast corner of the Northwest 1/4 of said Northeast 1/4 and run S. 00 degrees 34 minutes 07 seconds W., along the East line of said Northwest 1/4 of the Northeast 1/4, a distance of 500.00 feet; thence N. 89 degrees 35 minutes 03 seconds W., parallel to and 500.00 feet distance South, by right angle measurement, from the North line of said Northeast 1/4, a distance of 1297.54 feet to the POINT OF BEGINNING; thence continue N. 89 degrees 35 minutes 03 seconds W., parallel to and 500.00 feet distance from said North line, a distance of 46.08 feet to an intersection with the West line of the Northeast 1/4; thence N. 89 degrees 47 minutes 13 seconds W., parallel to and 500.00 feet distance, by right angle measurement, from the North line of said Northwest 1/4, a distance of 415.15 feet to a point on an Easterly line of BUCKINGHAM AT LEVITT PARK, HICKORY SECTION FIVE-A, recorded in Plat Book 21, Pages 137 and 138 of the public records of Brevard County, Florida; thence S. 27 degrees 54 minutes 35 seconds E., along said Easterly line, a distance of 383.43 feet to an angle point; thence S. 50 degrees 07 minutes 20 seconds E., along said Easterly line, a distance of 63.63 feet to an angle point; thence S. 63 degrees 10 minutes 24 seconds E., along said Easterly line, a distance of 215.98 feet to a Northerly corner of BUCKINGHAM AT LEVITT PARK, SECTION SIX, PART ONE, recorded in Plat Book 27, Page 37 of the public records of Brevard County, Florida; thence S. 48 degrees 15 minutes 45 seconds E., along a Northerly line of said BUCKINGHAM AT LEVITT PARK, SECTION SIX, PART ONE, a distance of 47.13 feet; thence N. 00 degrees 34 minutes 07 seconds E., parallel to the aforesaid East line of the Northwest 1/4 of the Northwest 1/4, a distance of 506.62 feet to the POINT OF BEGINNING.

File Number: 38354

Legal Description with Non Homestead  
Clerk's Choice