

ORDINANCE NO. O-25-01

AN ORDINANCE OF THE CITY OF SEBASTIAN, FLORIDA, APPROVING A SMALL-SCALE AMENDMENT TO THE COMPREHENSIVE PLAN FUTURE LAND USE MAP TO DESIGNATE A LAND USE CLASSIFICATION OF LOW DENSITY RESIDENTIAL (LDR) FOR LAND WITH A CURRENT LAND USE DESIGNATION OF INSTITUTIONAL (INST) FOR PROPERTY CONSISTING OF 3.96 ACRES, MORE OR LESS, LOCATED NORTH OF DAY DRIVE, SOUTH OF SPRING VALLEY AVE, WEST OF ALEXIS ST AND EAST OF SCHUMANN WATERWAY. AUTHORIZING FINDINGS AND ADMINISTRATIVE ACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING AN EFFECTIVE DATE AND PROVIDING AN ADOPTION SCHEDULE.

WHEREAS, after careful review and a public hearing on January 16, 2025, the Planning and Zoning Commission, sitting as the Local Planning Agency of the City of Sebastian, a favorable recommendation was made for the adoption of the requested change to the Future Land Use Map (FLUM) and the change was found to be consistent with the Comprehensive Plan; and

WHEREAS, the Sebastian City Council has considered the criteria identified in the Comprehensive Plan and Florida Statutes together with the findings and recommendations of its Staff and the City of Sebastian Planning and Zoning Commission; and

WHEREAS, the Sebastian City Council has provided notice of the proposed Future Land Use Map Amendment and has conducted the required public hearings to receive citizen input; and

WHEREAS, the Sebastian City Council has determined that the proposed changes in the City Comprehensive Future Land Use Map are consistent with the existing future development goals of the City of Sebastian; encourages the most appropriate use of land, water and other resources; promotes and protects the public health, safety, and general welfare; provides adequate and efficient infrastructure and resources; and protects the public interest within the City of Sebastian.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEBASTIAN, INDIAN RIVER COUNTY, FLORIDA, AS FOLLOWS:

Section 1. AFFECTED PROPERTY. The amendment to the Comprehensive Plan Future Land Use Map adopted by this Ordinance shall affect the following described real property, now lying and being within the incorporated area of the City of Sebastian, Indian River County, Florida:

See attached Exhibit "A" Property Warranty and Survey

Section 2. DESIGNATION. The Comprehensive Plan Future Land Use Map shall be amended to include the affected property, and designate the same as Low Density Residential (LDR) in accordance with the requirements of Florida law.

See attached Exhibit "B" Future Land Use Map

Section 3. CONFLICTS. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. SEVERABILITY. In the event a court of competent jurisdiction shall hold or determine that any part of this Ordinance is invalid or unconstitutional, the remainder of the Ordinance shall not be affected and it shall be presumed that the Sebastian City Council did not intend to enact such invalid or unconstitutional provision. It shall further be assumed that the Sebastian City Council would have enacted the remainder of this Ordinance without said invalid or unconstitutional provision, thereby causing said remainder to remain in full force and effect.

Section 5. SCRIVENER'S ERRORS. Sections of this ordinance may be renumbered or re-lettered and corrections of typographical errors which do not affect the intent may be authorized by the City Manager, or the City Manager's designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

Section 6. EFFECTIVE DATE. Pursuant to Florida Statutes §163.3187(5)(c), this Ordinance shall take effect thirty-one (31) days from the date of adoption.

Section 7. ADOPTION SCHEDULE. That this Ordinance was passed on the first reading at a regular meeting of the Sebastian City Council on the 26 day of February, 2025, and adopted on second/final reading at a regular meeting of the City Council on the 12 day of March, 2025.

PASSAGE UPON FIRST READING

The foregoing Ordinance was moved for passage upon first reading this 26 day of February, 2025, by Councilmember Jones. The motion was seconded by Councilmember Dodd and, upon being put to a vote, the vote was as follows:

Mayor Bob McPartlan	<u>aye</u>
Vice Mayor Fred Jones	<u>aye</u>
Councilmember Kelly Dixon	<u>aye</u>
Councilmember Ed Dodd	<u>aye</u>
Councilmember Christopher Nunn	<u>aye</u>

ATTEST:

Jeanette Williams
Jeanette Williams, MMC
City Clerk

ADOPTION

The foregoing Ordinance was moved for adoption by Councilmember Dodd. The Motion was seconded by Councilmember Dixon and, upon being put to a vote, the vote was as follows:

Mayor Bob McPartlan	<u>aye</u>
Vice Mayor Fred Jones	<u>aye</u>
Councilmember Kelly Dixon	<u>aye</u>
Councilmember Ed Dodd	<u>aye</u>
Councilmember Christopher Nunn	<u>aye</u>

The Mayor thereupon declared this Ordinance duly passed and adopted this 12th day of March, 2025.

CITY OF SEBASTIAN, FLORIDA

By: Bob McPartlan
BOB McPARTLAN, MAYOR



ATTEST:

Jeanette Williams
JEANETTE WILLIAMS, MMC
CITY CLERK

Approved as to form and legality for
reliance by the City of Sebastian only:

Jennifer Cockcroft
JENNIFER COCKCROFT, ESQ., BCS
CITY ATTORNEY

This ordinance is effective the 11th day of April, 2025, in accordance with the date prescribed by Florida Statutes, 163.3187(5)(c).

REC FEE: \$6.00
DOC STMP: \$178.50

RECEIVED
SEP 03 2024
BY: _____

This Document Prepared by and return to:
Security Title of Indian River, Inc.
3710 20th Street
Vero Beach, Florida 32960
Diane M. Shampine

DOCUMENTARY STAMPS
DEED \$ 178.50
NOTE \$
JEFFREY K. BARTON, CLERK
INDIAN RIVER COUNTY

IN THE RECORDS OF
JEFFREY K. BARTON
CLERK CIRCUIT COURT
INDIAN RIVER CO., FLA.

1424238

RETURN TO: Security Title
3710-20th Street
Vero Beach, Florida 32960

Parcel ID Number: 31-39-19-00001-0014-00001.0

Warranty Deed

This Indenture, Made this 7TH day of March, 2003 A.D., Between Michael Silverman, a single man

of the County of Indian River, State of Florida, grantor, and St. Lucie Development Corporation,, a corporation existing under the laws of the State of Florida whose address is: 3710 20th Street, Vero Beach, FL 32960

03 MAR 11 AM 9:44

of the County of Indian River, State of Florida, grantee.

Witnesseth that the GRANTOR, for and in consideration of the sum of -----TEN DOLLARS (\$10)----- DOLLARS, and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate, lying and being in the County of Indian River State of Florida to wit:

Tract N, less and except and approximately .03 acre dedicated parcel ("lift station) of SEBASTIAN HIGHLANDS, UNIT 17, according to the Plat thereof as recorded in Plat Book 8, Pages 46, 46A through 46P, of the Public Records of Indian River County, Florida.

Subject to restrictions, reservations and easements of record, if any, and taxes subsequent to December 31, 2002.

The property herein conveyed is VACANT LAND and DOES NOT constitute the HOMESTEAD property of the Grantor. The Grantor's HOMESTEAD address is other than the property being conveyed.

and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

In Witness Whereof, the grantor has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Printed Name: PERRY C. LANE

Michael Silverman (Seal)

P.O. Address: 45 48th Avenue, Vero Beach, FL 32968

Witness

Printed Name: Diane M. Shampine
Witness

STATE OF Florida
COUNTY OF Indian River

The foregoing instrument was acknowledged before me this 7TH day of March, 2003 by Michael Silverman, a single man

he is personally known to me or he has produced his Florida driver's license as identification

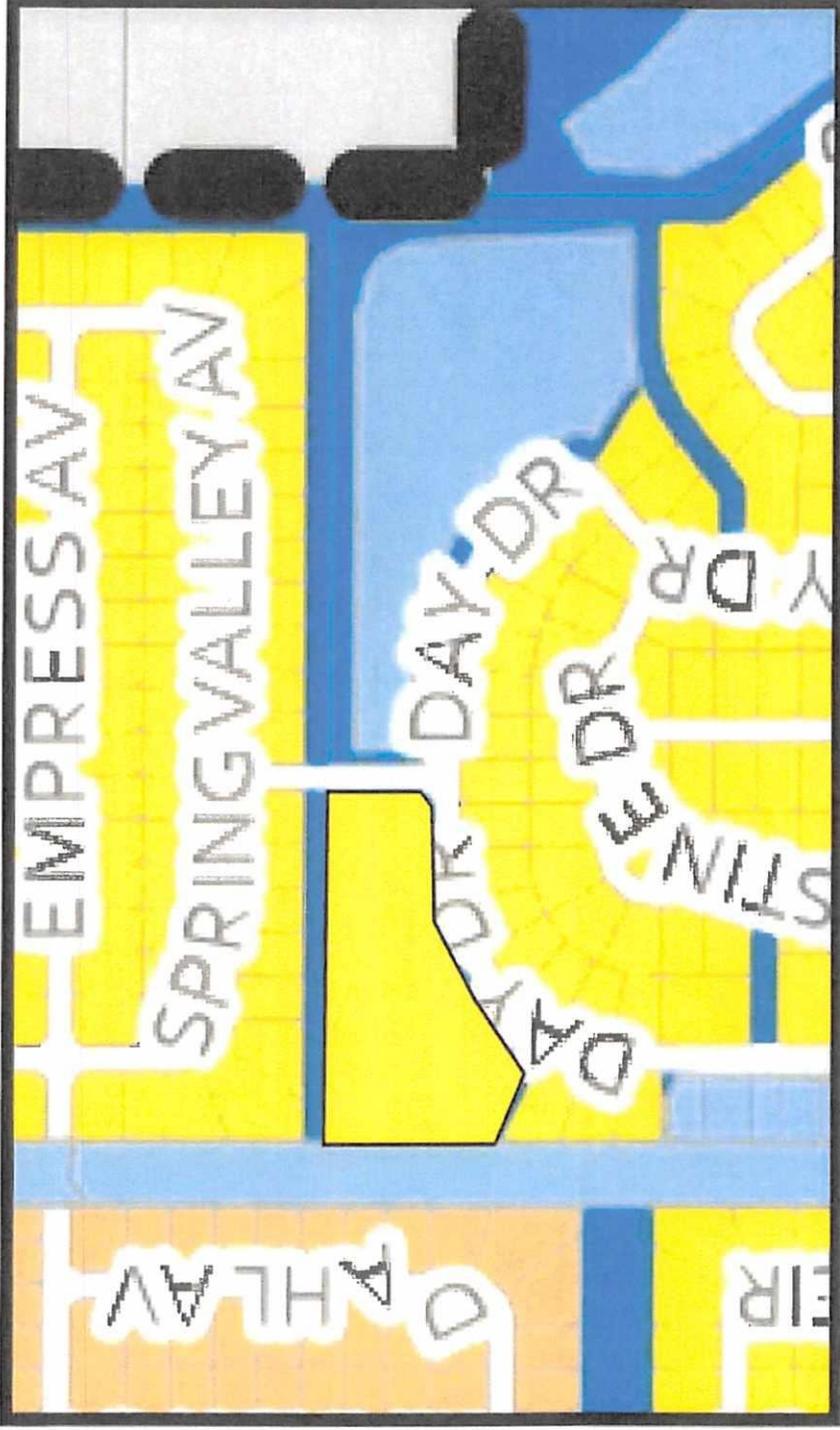
 Perry C Lane
My Commission DD172522
Expires March 14, 2007

Printed Name: Perry C. Lane
Notary Public
My Commission Expires

DR1572P60303

LEGEND OF SURVEY INSTRUMENTS

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Proposed Land Use Map