

**ORDINANCE NO. 18-011**

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; **REZONING** THE PROPERTY GENERALLY LOCATED AT **3798 SELVITZ ROAD**, FROM IH, INDUSTRIAL HEAVY (ST. LUCIE COUNTY ZONING), TO I-3, HEAVY INDUSTRIAL (CITY OF FORT PIERCE); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the subject property is located at 3798 Selvitz Road, within the City of Fort Pierce, Florida, representing 39.71 Acres of land; and

**WHEREAS**, the subject site was annexed into City limits in 2004 via Ordinance K-310 for the purpose of annexing property generally located between Selvitz Road and 25th Street; and

**WHEREAS**, the subject property, in a group of seven parcels, was annexed because it was identified as being contiguous to the municipal boundary and there were corresponding FPUA annexation agreements on file with the City; and

**WHEREAS**, three of the seven parcels annexed were designated with an IH, Heavy Industrial, zoning classification by St. Lucie County at the time of annexation; however, the City Code did not include a heavy industrial zoning classification until several years after annexation, in December, 2008 via Ordinance L-63; and

**WHEREAS**, in the absence of an equivalent City of Fort Pierce zoning designation to assign, the property has retained the St. Lucie County IH, Industrial Heavy designation; and

**WHEREAS**, the subject site is presently designated IH, Industrial Heavy (St. Lucie County Zoning); and

**WHEREAS**, the applicant seeks rezoning of the subject site, Parcel ID: 2429-331-0003-000-1, from IH, Industrial Heavy (St. Lucie County Zoning) to HI, Heavy Industrial (City of Fort Pierce Zoning); and

**WHEREAS**, the proposed zoning atlas amendment (rezoning) is consistent with the comprehensive plan, and will not have an adverse effect on the ability of the city to satisfy land and water use needs, and meet transportation demands and provide community facilities and services, and will promote and protect the public health, safety and general welfare as required by City Code 22-131; and

**WHEREAS**, the City of Fort Pierce Planning Board, at their April 10th, 2018 meeting, voted unanimously to recommend approval of the proposed Zoning Atlas Amendment for Ordinance 18-011.

**NOW, THEREFORE, BE IT ORDAINED** by the City Commission of the City of Fort Pierce, Florida as follows:

**SECTION 1.** From and after the effective date hereof, the following property is shown on Exhibit A and is legally described as:

3798 Selvitz Road, Parcel ID: 2429-331-0003-000-1

LEGAL DESCRIPTION:

29 35 40 THAT PART OF SE 1/4 OF SW 1/4 LYG SE OF S R/W LI OF FEC RR AND SW OF TEN MILE CREEK (NSLWMD CANAL #71) AND BEG AT INT OF W LI OF SE 1/4 OF SW 1/4 AND S R/W LI OF FEC RR

RUN S ON 1/4 1/4 SEC LI TO PT 222.51 FT S OF N LI OF S 1/2 OF SE 1/4 OF SW 1/4, TH RUN W 300 FT, TH N // TO 1/4 1/4 SEC LI TO INT WITH S R/W FEC RR R/W TO POB AND THAT PART OF SE 1/4 LYG SLY OF 10 MILE CREEK (NSLWMD CANAL #71)-LESS AS IN OR 328-1222- (39.71 AC) (OR 1814-1541 ERRONEOUS LGAL)

Shall be and the same is hereby rezoned from IH, Industrial Heavy (St. Lucie County Zoning), to I-3, Heavy Industrial (City of Fort Pierce); said property being located at 3798 Selvitz Road in Fort Pierce, Florida.

**SECTION 2.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**SECTION 3.** All ordinances or parts of ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

**SECTION 4.** This Ordinance is and the same shall become effective immediately upon final passage.

**APPROVED AS TO FORM & CORRECTNESS:**

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James M. Messer, Esq.  
City Attorney

STATE OF FLORIDA  
COUNTY OF ST. LUCIE

**WE, THE UNDERSIGNED**, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 18-011 was duly advertised by title only in the St. Lucie News Tribune on April 22nd, 2018; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on May 7th, 2018; and was duly introduced, read by title only, and passed on second and final reading May 21st, 2018 by the City Commission of the City of Fort Pierce, Florida.

**IN WITNESS HEREWITH**, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 21<sup>ST</sup> day of May, 2018.

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Linda Hudson  
MAYOR COMMISSIONER

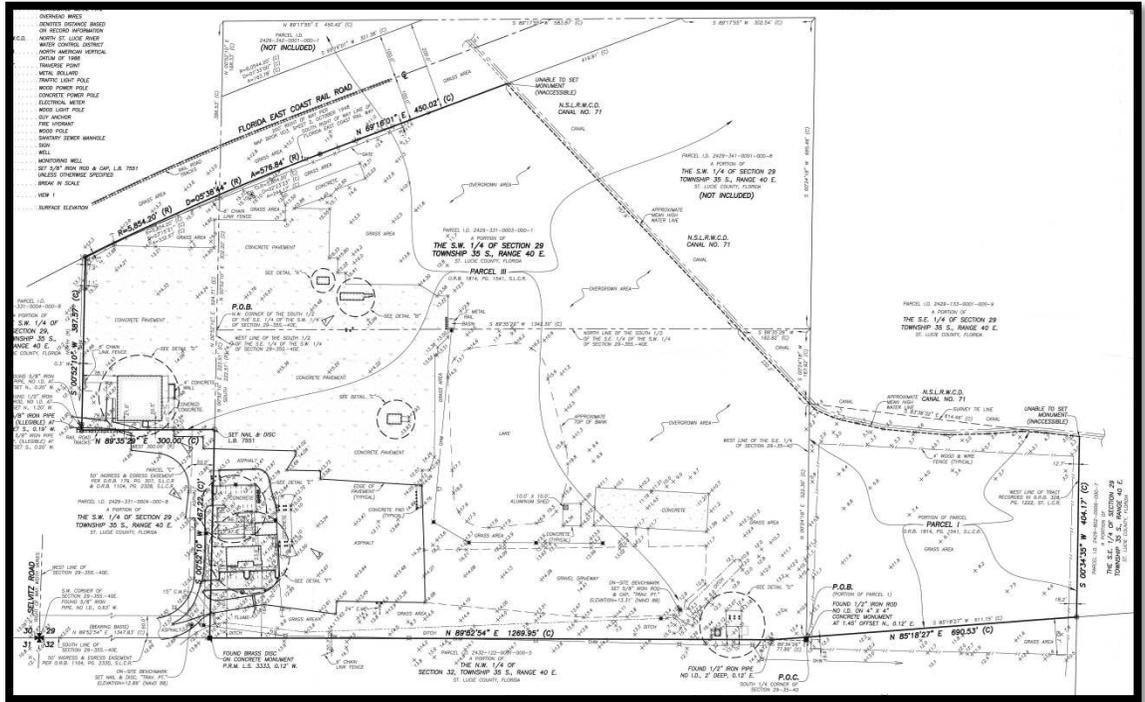
ATTEST:

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Linda W. Cox  
CITY CLERK

(CITY SEAL)

**EXHIBIT A**  
Sketch & Legal Description of Subject Property



**Parcel ID: 2429-331-0003-000-1**

**LEGAL DESCRIPTION:**

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