



CFN 2019123247
 Bk 5594 Pgs 1015-1018 (4 Pgs)
 DATE: 09/24/2019 09:48:13 AM
 ARMANDO RAMIREZ, CLERK OF COURT
 OSCEOLA COUNTY
 RECORDING FEES \$0.00

RETURN TO:
 CITY OF ST. CLOUD
 DEPT. OF PLANNING AND ZONING
 1300 9TH STREET
 ST. CLOUD, FL 34769

ORDINANCE NO. 2019-38

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ST. CLOUD, FLORIDA, ASSIGNING A ZONING DISTRICT OF "NB" NEIGHBORHOOD BUSINESS, COMPATIBLE WITH A "COMMERCIAL" FUTURE LAND USE DESIGNATION, FOR APPROXIMATELY 1.67 ACRES IDENTIFIED AS LOT 32, HICKORY TREE ROAD, LOCATED AT THE NORTHWEST CORNER OF HICKORY TREE ROAD AND OLD HICKORY TREE ROAD; PROVIDING FOR ENTERING THE DESIGNATION ON THE OFFICIAL ZONING MAP, FILING OF THE PLANNING COMMISSION RECOMMENDATION AND PROOF OF PUBLICATION, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, zoning districts are required to be consistent with Comprehensive Plan of the City of St. Cloud; and,

WHEREAS, the proposed zoning is consistent with the existing Future Land Use designation of "Commercial"; and,

WHEREAS, the property described below is less than five percent (5%) of the total land area of the City of St. Cloud; and,

WHEREAS, the City Council has received the recommendation of the Planning Commission dated July 16, 2019; and,

WHEREAS, the City Council has held a Public Hearing on this matter after public notice has been provided, as required by law; and,

WHEREAS, it is in the best interest of the City of St. Cloud and its citizens that the proposed rezoning be approved.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of St. Cloud, Florida, as follows:

SECTION 1:

That Ordinance No. 87-HH of the City of St. Cloud, Florida, passed and adopted October 1, 1987, and any amendments to the ordinance, being the Land Development Code of the City of St. Cloud, Florida, is hereby amended to include and designate on the Official Zoning Map a "NB-Neighborhood Business" zoning district classification for the property described below and as shown on Exhibit "A":

LOT 32, THE SEMINOLE LAND AND INVESTMENT COMPANY'S (INCORPORATED) SUBDIVISION OF SECTION 19, TOWNSHIP 26 SOUTH, RANGE 31 EAST, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 'B' PAGE 25, OF THE PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA, LESS ROAD RIGHT OF WAY, PURSUANT TO COUNTY ROAD MAP IN BOOK 1, PAGE 55 FILED AUGUST 26, 1988 PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA, AND LESS AND EXCEPT THE FOLLOWING:

A PARCEL OF LAND BEING A PORTION OF LOT 32, THE SEMINOLE LAND AND INVESTMENT COMPANY'S SUBDIVISION OF SECTION 19, TOWNSHIP 26 SOUTH, RANGE 31 EAST, AS RECORDED IN PLAT BOOK "B" PAGE 25, OF THE PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 32; THENCE RUN S 00°30'10" W ALONG THE WEST LINE OF SAID LOT 32, A DISTANCE OF 249.09 FEET TO THE POINT OF BEGINNING; THENCE RUN S 89°38'39" E, A DISTANCE OF 625.56 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF HICKORY TREE ROAD (STATE ROAD 15); THENCE ALONG SAID WEST RIGHT OF WAY LINE OF THE FOLLOWING TWO (2) COURSES AND DISTANCES; THENCE RUN S 01°46'38" W, A DISTANCE OF 23.71 FEET; THENCE RUN S 46°22'58" W, A DISTANCE OF 27.79 FEET TO THE POINT ON THE NORTH MAINTAINED RIGHT OF WAY LINE OF OLD HICKORY TREE ROAD PER OSCEOLA COUNTY ROAD MAP BOOK 1, PAGE 55; THENCE RUN N 89°38'39" W ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 605.08 FEET TO A POINT ON AFORESAID WEST LINE OF LOT 32; THENCE RUN N 00°30'10" E ALONG SAID WEST LINE, A DISTANCE OF 43.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.613 ACRES, MORE OR LESS.

REMAINING LOT 32 CONTAINS 3.58 ACRES MORE OR LESS

ALSO LESS AND EXCEPT THE FOLLOWING:

BEGINNING AT THE NORTHWEST CORNER OF LOT 32; THENCE RUN S 00°30'10" W ALONG THE WEST LINE OF SAID LOT 32, A DISTANCE OF 249.09 FEET TO A POINT 45.00 FEET N 00°30'10" E OF THE NORTH RIGHT OF WAY LINE OF OLD HICKORY TREE ROAD; THENCE RUN S 89°38'39" E, PARALLEL TO SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 312.78 FEET; THENCE RUN N 01°08'19" E, A DISTANCE OF 248.64 FEET TO THE NORTH LINE OF AFORESAID LOT 32, THENCE RUN N 89°33'29" W ALONG SAID NORTH LINE 315.54 FEET TO THE POINT OF BEGINNING.

CONTAINS 1.79 ACRES MORE OR LESS

TRACT B CONTAINS 1.79 ACRES MORE OR LESS.

Including the full width of any and all adjacent rights-of-way.

SECTION 2:

The property is rezoned to "NB" Neighborhood Business, making applicable all provisions of the Land Development Code of the City of St. Cloud, Florida.

SECTION 3:

The City Manager or his/her designee is authorized and directed to promptly enter such change on the Official Zoning Map.

SECTION 4:

Upon adoption of this ordinance, the Planning Commission recommendation and "Proof of Publication" of the required Public Hearing notices shall be filed in the Department of Planning and Zoning.

SECTION 5:

If any section or portion of a section of this ordinance proves to be invalid, unlawful or unconstitutional, it shall not be held to impair the validity, force or effect of any other section or part of this ordinance.

SECTION 6:

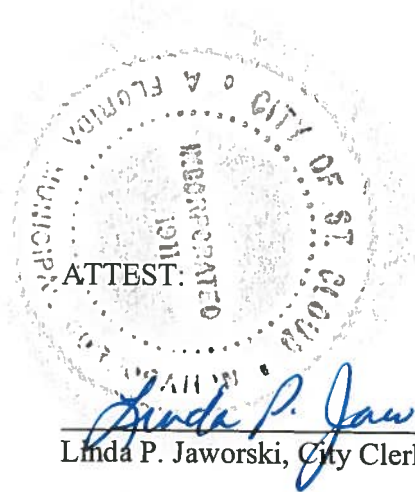
The City Clerk, after consultation with the City Attorney, is authorized to correct scrivener's errors found by filing a corrected copy of this ordinance in the official records of the City.

SECTION 7:

Effective Date. This ordinance has been published and shall take effect as provided by law.

First Reading on the 22nd day of August, 2019

Second Reading and Final Passage on the 12th day of September, 2019



Linda P. Jaworski, City Clerk


Nathan Blackwell, Mayor

LEGAL IN FORM AND VALID IF ADOPTED:
DEBEAUBIEN, KNIGHT, SIMMONS, MANTZARIS & NEAL

By: 
Daniel F. Mantzaris, City Attorney

Pursuant to Section 695.26 (3) (f), this instrument exempt from Chapter 695, F.S.: Prepared by and return to a Public Official: City Manager, City of St. Cloud; 1300 9th Street; St. Cloud, Florida 34769

EXHIBIT "A"



PARCEL ID NO.
19-26-31-4950-0001-0324