

RESOLUTION 2024-17

A RESOLUTION OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, GRANTING A CONDITIONAL USE FOR A PRIVATE SCHOOL IN RS-2 (SINGLE-FAMILY RESIDENTIAL DISTRICT) ZONING; WHICH PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF PORT MALABAR BOULEVARD AND BIANCA DRIVE, AND LEGALLY DESCRIBED HEREIN; GRANTING THE USE AS A CONDITIONAL USE; PROVIDING FOR CONSTRUCTION IMPROVEMENTS TO BE IN COMPLIANCE WITH THE SITE PLAN; PROVIDING FOR A COMMENCEMENT PERIOD; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, application for a conditional use in RS-2 (Single-Family Residential District) zoning to permit a private school on property legally described herein, has been made by Life Changer's Outreach Regiment, Inc., and

WHEREAS, the request was duly considered by the Planning and Zoning Board of the City of Palm Bay on May 1, 2024, which voted to recommend to the City Council , and

WHEREAS, all provisions applicable to the conditional use under Chapter 185, Zoning, Conditional Uses, Sections 185.085 and 185.086, and District Regulations, Sections 185.034 and 185.088, of the Palm Bay Code of Ordinances, have been satisfied by the applicant, and

WHEREAS, the City Council of the City of Palm Bay has determined that such conditional use will neither be injurious to the neighborhood nor otherwise detrimental to the public welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The City Council of the City of Palm Bay hereby grants a conditional use for a private school on property zoned RS-2 (Single-Family Residential District), which property is legally described as follows:

Tract "E", Port Malabar Unit 4, according to the plat thereof as recorded in Plat Book 14, Page 21, of the Public Records of Brevard County, Florida; Section 25, Township 28S, Range 37E; containing 3.00 acres, more or less.

SECTION 2. The conditional use is granted subject to the applicant complying with the following:

- A. Constructing the improvements relevant to a private school in accordance with the site plan which is, by reference, incorporated herein as Exhibit "A".
- B. The Land Development Division Staff Report which is, by reference, incorporated herein as Exhibit "B".
- C. All provisions of the Code of Ordinances of the City of Palm Bay and all other state and federal rules, regulations, and statutes.

SECTION 3. The conditional use must be commenced within two (2) years from the effective date of this resolution. Commencement shall mean the issuance of the appropriate permit(s), which must remain active. Failure to commence within two (2) years of issuance of the first permit shall void the conditional use. The Applicant may seek an administrative extension of one (1) year by submitting a written request within sixty (60) days prior to the date of expiration.

SECTION 4. This resolution shall take effect immediately upon the enactment date.

This resolution was duly enacted at Meeting 2024-XX, of the City Council of the City of Palm Bay, Brevard County, Florida, held on _____, 2024.

ATTEST:

Rob Medina, MAYOR

Terese M. Jones, CITY CLERK

City of Palm Bay, Florida
Resolution 2024-17

Applicant: Life Changer's Outreach Regiment, Inc.
Case: CU24-00002

cc: Brevard County Recording
Applicant
Case File