

## **RESOLUTION 2024-20**

**A RESOLUTION OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING RESOLUTION 2023-19, SECTION 3, BY EXTENDING THE COMMENCEMENT PERIOD OF THE CONDITIONAL USE GRANTED FOR RETAIL AUTOMOTIVE GAS/FUEL SALES IN CC (COMMUNITY COMMERCIAL DISTRICT) ZONING, WHICH PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF ST. JOHNS HERITAGE PARKWAY AND EMERSON DRIVE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on July 6, 2023, the City of Palm Bay granted a conditional use through Resolution 2023-19 to Ascot Palm Bay Holdings, LLC for retail automotive gas/fuel sales in CC (Community Commercial District) zoning, and

**WHEREAS**, Ascot Palm Bay Holdings, LLC has provided a Letter of Authorization for Jarod C. Stubbs, P.E., of Kimley-Horn & Associates, Inc., and

**WHEREAS**, an additional one (1) year extension to the commencement period for the conditional use is being requested by Jarod C. Stubbs, P.E.

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

**SECTION 1.** The City Council of the City of Palm Bay hereby amends Resolution 2023-19, Section 3, to read as follows:

"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 site plan approval. Failure to obtain site plan approval within two (2) years shall void the conditional use."

**SECTION 2.** The effective date of the commencement period, as amended, for the conditional use shall be determined from the effective date of Resolution 2023-19, enacted on July 6, 2023.

**SECTION 3.** This Resolution shall be recorded in the Public Records of Brevard County at the applicant's expense.

**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.

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Rob Medina, MAYOR

ATTEST:

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Terese M. Jones, CITY CLERK

Applicant: Ascot Palm Bay Holdings, LLC  
Case: CU23-00005

cc: Brevard County Recording  
Applicant  
Case File