

ORDINANCE NO. 2021- \_\_\_\_\_

AN ORDINANCE OF INDIAN RIVER COUNTY, FLORIDA, AMENDING THE ZONING ORDINANCE AND THE ACCOMPANYING ZONING MAP FOR APPROXIMATELY ±2.34 ACRES LOCATED WEST OF AND ADJACENT TO SOUTH US HIGHWAY 1 APPROXIMATELY ±250 FEET SOUTH OF HIGHLAND DRIVE AND APPROXIMATELY ±700 FEET NORTH OF 23<sup>RD</sup> STREET SOUTHEAST AND EAST OF THE FEC RAILROAD, FROM CH, HEAVY COMMERCIAL DISTRICT, TO CG, GENERAL COMMERCIAL DISTRICT; AND PROVIDING CODIFICATION, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission, sitting as the local planning agency on such matters, held a public hearing and subsequently made a recommendation regarding this rezoning request; and

WHEREAS, the Board of County Commissioners of Indian River County, Florida, did publish and send its Notice of Intent to rezone the hereinafter described property; and

WHEREAS, the Board of County Commissioners held a public hearing pursuant to this rezoning request, at which parties in interest and citizens were heard; and

WHEREAS, the Board of County Commissioners determined that this rezoning is in conformance with the Comprehensive Plan of Indian River County.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Indian River County, Florida, that the zoning of the following described property situated in Indian River County, Florida, to-wit:

A PARCEL OF LAND IN SECTION 31, TOWNSHIP 33 SOUTH, RANGE 40 EAST, INDIAN RIVER COUNTY, FLORIDA, BEING IN PART A PORTION OF THE 35 FOOT WIDE RIGHT-OF-WAY FOR 21ST STREET SOUTHWEST AS SHOWN ON THE PLAT OF VERO BEACH HIGHLANDS UNIT ONE, PLAT BOOK 5, PAGE 29, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, SAID RIGHT-OF-WAY WAS ABANDONED IN RESOLUTION 75-1, OFFICIAL RECORDS BOOK 483, PAGE 857, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, SAID PARCEL IS DESCRIBED AS FOLLOWS:

BEGIN AT THE POINT OF INTERSECTION OF THE NORTH LINE OF THE SOUTH 17.50 FEET OF SAID RIGHT-OF-WAY FOR 21ST STREET SOUTHWEST WITH THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO 1 - STATE ROAD NO 5 AS

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SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 88010-2503, DATED 04-26-02; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE FOR THE FOLLOWING 2 COURSES; (1) THENCE S19°45'47"E, A DISTANCE OF 421.60 FEET; (2) THENCE S38°26'58"E, A DISTANCE OF 179.67 FEET; THENCE, DEPARTING SAID WEST RIGHT-OF-WAY LINE, S59°26'20"W, A DISTANCE OF 29.12 FEET; THENCE S19°48'06"E, A DISTANCE OF 98.01 FEET; THENCE S70°11'54"W, A DISTANCE OF 159.63 FEET, TO THE EAST RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILROAD; THENCE N19°48'06"W, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 743.45 FEET, TO THE NORTH LINE OF THE SOUTH 17.50 FEET OF THE SAID RIGHT-OF-WAY FOR 21ST STREET SOUTHWEST; THENCE S89°37'47"E, ALONG SAID NORTH LINE, A DISTANCE OF 139.64 FEET, TO THE POINT OF BEGINNING.

CONTAINING 3.24 ACRES

is changed from CH, Commercial Heavy District to CG, General Commercial District.

All with the meaning and intent and as set forth and described in said Land Development Regulations.

This ordinance shall become effective upon filing with the Department of State.

Approved and adopted by the Board of County Commissioners of Indian River County, Florida, on this 14<sup>th</sup> day of September, 2021.

This ordinance was advertised in the Press-Journal on the 3<sup>rd</sup> day of September 2021, for a public hearing to be held on the 14<sup>th</sup> day of September, 2021 at which time it was moved for adoption by Commissioner \_\_\_\_\_, seconded by \_\_\_\_\_, and adopted by the following vote:

Joseph E. Flescher , Chairman	_____
Peter D. O'Bryan, Vice Chairman	_____
Susan Adams, Commissioner	_____
Joseph Earman, Commissioner	_____
Laura Moss, Commissioner	_____

BOARD OF COUNTY COMMISSIONERS  
OF INDIAN RIVER COUNTY

BY: \_\_\_\_\_  
Joseph E. Flescher, Chairman

ATTEST BY: \_\_\_\_\_  
Jeffrey Smith, Clerk Of Circuit Court and Comptroller

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This ordinance was filed with the Department of State on the following date: \_\_\_\_\_

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

\_\_\_\_\_  
William K. DeBaal, Deputy County Attorney

APPROVED AS TO PLANNING MATTERS

\_\_\_\_\_  
Phillip J. Matson, AICP; Community Development Director