

BOARD OF COUNTY COMMISSIONERS

COPY

November 23, 2021

Law Offices of Glenn & Glenn
George A. Glenn, Jr., Esquire
P. O. Box 8
Vero Beach, FL 32961



RE: 755 Reef Road, Vero Beach, FL 32963
Permit No. 2019100490

Mr. Glenn,

In accordance with Section 100.06 of the Indian River County Code of Ordinances, please find my response to your letter, dated November 9, 2021, appealing the decision of the Public Works Director regarding the driveway constructed at 755 Reef Road, Vero Beach, FL 32963. My findings and determination are as follows:

Based upon the documents that I have reviewed; a single-family home was previously located on this lot. This home was demolished and a new home was constructed recently. Based upon a review of the Property Appraiser's records, the prior home had a loose pebble driveway. This type of driveway construction is common within the subdivision (Floralton Beach). Numerous other homes in this neighborhood have loose pebble driveway systems, many of which were constructed prior to the adoption of Section 312.08 in 1991. This driveway construction method is part of the unique character of the surrounding neighborhood and is a component of the architectural appeal of this community.

I find that the newly constructed driveway does not comport with the plain language of Section 312.08(2)(A) and Section 312.19, Figures 2 and 3 as acknowledged in your letter. Therefore, Public Works staff was correct in their determination and I must deny the appeal. However, staff would support a revision to the Code that would allow for exemptions to the requirement for a concrete or asphalt driveway under certain circumstances and appropriate situations.


Staff plans to present an item regarding changes to the relevant sections of the Indian River County Code to the Indian River County Board of County Commissioners for their consideration at the next Board meeting scheduled for December 7th. The proposed amendment would allow for exemptions to the requirement in certain conditions similar to this location, as follows:

- A single-family lot that had a previous residence with a loose pebble driveway where the new driveway is constructed in a manner similar in character to the original driveway.
- Numerous other homes in the same subdivision have loose pebble driveways, which contributes to the unique architectural characteristics of the neighborhood.
- The driveway is constructed in a County Right-of-way that is located on a low traffic, low speed (30 MPH or less), local roadway as opposed to a higher speed arterial or collector roadway.

- The driveway includes a 12-inch concrete ribbon curb to provide limited edge protection for the asphalt roadway.

In accordance with Section 100.06 of the Indian River Code of Ordinances, decisions of a County Officer may be appealed to the Board within ten (10) working days of the date of this decision. However, given that the Board does not meet until December 7th, I will extend the deadline until Tuesday, December 14th. If you have any questions or would like to discuss this further, please let me know.

Sincerely,



Jason E. Brown
County Administrator

JEB:ssv

cc: County Attorney Dylan Reingold,
Public Works Director Richard B. Szyrka