

**APPLICATION FORM  
REZONING REQUEST (RZON)  
INDIAN RIVER COUNTY**

**ATTACHMENT 3**

**Each application must be complete when submitted and must include all required attachments. An incomplete application will not be processed and will be returned to the applicant.**

Assigned Project Number: RZON -			
	Current Owner	Applicant (Contract Purchaser)	Agent
Name:	Riverfront Groves, Inc.	TCGFL 98th Avenue, LLC	Peter J. Sweeney (Block & Scarpa Attorneys at Law)
Complete Mailing Address:	P.O. Box 1148, Vero Beach, FL 32961	700 SOUTH ROSEMARY AVENUE #204-133 WEST PALM BEACH, FL 32960	601 21st St., Vero Beach, FL 32960
Phone #: (including area code)	727-473-2939	561-702-9685	772-794-1918
Fax #: (including area code)			772-567-4477
E-Mail:	danr@riverfrontpacking.com	apicow@concordiagroup.biz	PSweeney@blockscarpa.com
Contact Person:	Dan Richey	Adam Picow	Peter J. Sweeney
<b>Signature of Owner or Agent:</b>			
<b>Property Information</b>			
Site Address: Parcel 1 - 1375 98th Ave., Vero Beach, FL 32966 // Parcel 2 - 102nd Ave., Vero Beach, FL 32966			
Site Tax Parcel I.D. #s: Parcel 1 - 33380900001007000001.0 // Parcel 2 - 33380900001002000001.0			
Subdivision Name, Unit Number, Block and Lot Number (if applicable)			
Existing Zoning District: <small>Par. 1=A-1; Par. 2=A-1(excluding area outside of USBL)</small>		Existing Land Use Designation: <small>Par. 1=M-1; Par. 2=M-1(excluding area outside of USBL)</small>	
Requested Zoning District: RM-6(excluding area outside of USBL)			
Total (gross) Acreage of Parcel: Par. 1=79.62; Par. 2=39.01		Acreage (net) to be Rezoned: approx. 118.63	
Existing Use on Site: N/A - Vacant Land			
Proposed Use on Site: Townhome and Single-Family Lot development			
<b>THE APPLICANT MUST ATTEND A PRE-APPLICATION CONFERENCE WITH LONG-RANGE PLANNING SECTION STAFF PRIOR TO APPLYING IN ORDER TO RESOLVE OR AVOID PROBLEMS CONNECTED WITH THE REZONING REQUEST.</b>			

**REZONING APPLICATION CHECKLIST**

**Please attach the following items to this application. Do not ignore any of the items. Indicate "N/A" if an item is not applicable.**

ITEMS	Applicant's Checklist	Staff Checklist
1. Fee: \$3,000.00		
2. Completed Rezoning Application Form (front page)		
3. Letter of Authorization from Current Owner(s) <b>OR</b> Current Owner is Applicant		
4. Verified statement (separate letter) naming every individual or entity having legal or equitable ownership in the property.		
5. One (1) Copy of the <b>current</b> Owner's Deed		
6. A Current Owner's Title Policy <b>OR</b> A Certificate of Title from a Title Company <b>OR</b> An attorney's written opinion evidencing fee ownership of the property.		
7. A justification of change statement and detailed intended use		
8. One (1) <b>SEALED</b> boundary survey of the area to be rezoned. The boundary survey shall include, but not be limited to the following:  <input type="checkbox"/> a legal description of the land to be rezoned <input type="checkbox"/> the size of the land to be rezoned <input type="checkbox"/> the public road right-of-way width of adjacent roads; and <input type="checkbox"/> a north arrow		
9. Electronic version (MS Word is preferable) of the legal description		
10. Provide a digital map file of the boundary Survey provided in Item 8 above in either AutoCAD (.dwg) or Esri Shape file (.shp) format.		
11. Copy of Approved Concurrency Certificate <b>OR</b> Copy of filed application for Concurrency Certificate, including traffic study, if applicable		

**NOTE: ITEMS 2-6 MUST INDICATE THE SAME OWNERSHIP OF THE SUBJECT PROPERTY.**

**Revised: September 19, 2022**

**Indian River County  
Future Land Use Map Amendment/Rezoning  
Authorization Form**

TO: Planning Division  
Indian River County  
1801 27<sup>th</sup> Street  
Vero Beach, FL 32960

FROM: RIVERFRONT GROVES, INC.  
(Property Owner) c/o Dan Richey  
P.O. Box 1148, Vero Beach, FL 32911

Property Tax I.D. #: Par 1 - 333809000100700001.0 Par 2 - 333809000100200001.0

Property Address: 1375 98th Ave. Vero Beach, FL 32906 102nd Ave. Vero Beach, FL 32956

The undersigned is hereby authorized \_\_\_\_\_ to act as agent and or make application to Indian River County for the above referenced property for the following applications (please mark the appropriate box):

- Future Land Use Amendment
- Rezoning

\_\_\_\_\_  
Owners Name (Print)  
  
\_\_\_\_\_  
Owners Signature

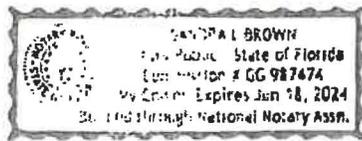
\_\_\_\_\_  
Date

**STATE OF FLORIDA  
COUNTY OF INDIAN RIVER**

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ by \_\_\_\_\_

Personally know  OR produced identification

(SEAL)



**NOTARY PUBLIC:**

Sign: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Commission Number: \_\_\_\_\_

Commission Expiration: \_\_\_\_\_

# Block & Scarpa

## Attorneys at Law

October 13, 2023

**Re: 1375 98<sup>th</sup> Avenue, Vero Beach, FL; 102<sup>nd</sup> Ave., Vero Beach, FL**

### Justification of Re-Zoning and Intended Use

The Applicant is requesting a rezoning for Parcel 3338090000100700001.0 (“Parcel 1”), and Parcel 33380900001002000001.0 (“Parcel 2”), collectively referred to herein as, “the Property”, located in Indian River County, Florida. Parcel 1 is comprised of approximately 79.62 acres and Parcel 2 is comprised of approximately 39.01 acres and each are owned by Riverfront Groves, Inc., a Florida corporation. The Property has split Future Land Use (“FLU”) designations and split zoning, which are bifurcated by the Urban Services Area Boundary Line (“USBL”), running North and South through the Property. However, the Applicant is not requesting that the USBL be moved or that the portion of the Property outside of the USBL be modified. The Applicant is only requesting a rezoning for the portion of the Property inside the USBL.

Currently, the FLU designation on the Property inside the USBL is Medium-Density Residential - 1 (“M-1”), which allows for a maximum density of 8 units per acre. Further, the current zoning for the Property inside the USBL is Agricultural-1 District (A-1), which allows for a maximum density of 1 unit every 5 acres. Although a FLU designation of M-1 allows for 8 units per acre, and an A-1 zoning designation, A-1 zoning will limit the Applicant to only 1 unit per 5 acres.

The Applicant intends to construct a residential development consisting of townhomes and single-family lots on the Property and would require a re-zoning from A-1 to Multiple-Family Residential District (“RM-6”) in order to achieve Applicant’s goal. This change would be necessary and

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◆ Headquarters ◆

#### **VERO BEACH**

601 21<sup>st</sup> Street,  
Suite 401  
Vero Beach, FL 32960  
(772) 794-1918  
(772) 567-4477-Fax

#### **STUART**

819 SW Federal Highway  
Suite 200  
Stuart, FL 34994  
(772) 258-4306

#### **WEST PALM BEACH**

500 S. Australian Avenue  
Suite 600  
West Palm Beach, FL 33401  
(561) 861-4921

#### **FORT LAUDERDALE**

401 E. Las Olas Blvd.,  
14<sup>th</sup> Floor  
Fort Lauderdale, FL 33301  
(954) 266-8527

#### **ORLANDO**

605 E. Robinson Street,  
Suite 130  
Orlando, FL 32801  
(407) 440-2100

appropriate as RM-6 zoning is permitted under the M-1 FLU designation. A re-zoning to RM-6 would allow for a maximum density of up to 6 unites per acre; however, after considering utility infrastructure, setbacks, drainage ponds, lift stations, private amenities, and anything else that may be necessary on the Property, the maximum density would be less.

A re-zoning to RM-6 is justifiable because the M-1 FLU designation allows for RM-6 zoning and would not require a FLU map amendment. Further, the Property is located within the USBL which would provide residents with access to public services, such as water, sewer, electricity and possibly transit. Additionally, the Property is located adjacent to the North side of a similarly situated development, Verona Trace, which was developed in the early 2000's.

For the foregoing reasons, Applicant's re-zoning request is necessary for Applicant's development purposes, and justified based on the Property's current FLU designation, it's location within the USBL, and it's proximity to a similarly situated development, and Applicant respectfully requests that the re-zoning request application be approved.

Very truly yours,

*David A. Lewis*

David A. Lewis

[Dlewis@BlockScarpa.com](mailto:Dlewis@BlockScarpa.com)

[www.BlockScarpa.com](http://www.BlockScarpa.com)

Enclosure(s):

Cc: Client