

ORDINANCE NO. 2024-____

AN ORDINANCE OF INDIAN RIVER COUNTY, FLORIDA, AMENDING THE ZONING ORDINANCE AND THE ACCOMPANYING ZONING MAP FOR APPROXIMATELY ±9.91 ACRES LOCATED SOUTH OF AND ADJACENT TO 71ST STREET, NORTH OF 69TH STREET, EAST OF AND ADJACENT TO OLD DIXIE HIGHWAY, AND WEST OF AND ADJACENT TO U.S. HIGHWAY 1, FROM CG, GENERAL COMMERCIAL DISTRICT, TO CH, HEAVY 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:

PARCEL 1

THE NORTH 10 ACRES OF THE SE 1/4 OF THE SW 1/4, EAST OF STATE ROAD 4 AND WEST OF NEW U.S. HIGHWAY NO. 1, SECTION 3, TOWNSHIP 32 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA.

PARCEL 2

THAT PORTION OF THE SOUTH 1/2 OF THE NORTH 1/2 OF THE SE 1/4 OF THE SW 1/4 LYING EAST OF THE F.E.C. RAILROAD, LESS PORTION LYING EAST OF NEW U.S. HIGHWAY NO. 1, AS IN OFFICIAL RECORDS BOOK 102, PAGE 341, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, LYING IN SECTION 3, TOWNSHIP 32 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA.

ORDINANCE NO. 2024-_____

PARCEL 3

THE NORTH 450 FEET OF THE EAST 1/2 OF THE SOUTH 1/2 OF THE SE 1/4 OF THE SW 1/4, EAST OF THE RAILROAD RIGHT OF WAY AND WEST OF THE WEST RIGHT.OF WAY LINE FOR NEW U.S. HIGHWAY NO. 1, SECTION 3, TOWNSHIP 32 SOUTH, RANGE 39 EAST, SAID LAND LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA.

TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT PART OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 32 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA, LYING WEST OF THE U.S. HIGHWAY NO. 1/STATE ROAD NO. 5 RIGHT OF WAY (120 FEET), LYING EAST OF THE OLD DIXIE HIGHWAY RIGHT OF WAY (66 FEET), SOUTH OF THE NORTH 10 ACRES OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 AND NORTH OF THE SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 3, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 32 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA, RUN SOUTH 00°18'48" WEST ALONG THE EAST LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 3 A DISTANCE OF 330.35 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF THE NORTH 10 ACRES OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 3; THENCE RUN NORTH 89°30'44" WEST, ALONG SAID SOUTH LINE A DISTANCE OF 336.95 FEET TO THE INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1 (120 FOOT RIGHT OF WAY) ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; FROM THE POINT OF BEGINNING RUN SOUTH 16°49'33" EAST ALONG SAID WESTERLY RIGHT OF WAY LINE A DISTANCE OF 2.14 FEET TO THE INTERSECTION WITH THE NORTH LINE OF THE SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 3; THENCE RUN NORTH 89°28'54" WEST ALONG SAID NORTH LINE A DISTANCE OF 415.65 FEET TO THE INTERSECTION WITH THE EASTERLY- RIGHT OF WAY LINE OF OLD DIXIE HIGHWAY (66 FOOT RIGHT OF WAY); THENCE RUN NORTH 15°22'46" WEST ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 1.90 FEET TO THE INTERSECTION WITH THE AFOREMENTIONED SOUTH LINE OF THE NORTH 10 ACRES OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 3; THENCE RUN SOUTH 89°30'44" EAST ALONG SAID SOUTH LINE A DISTANCE OF 415.53 FEET TO THE POINT OF BEGINNING.

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

ORDINANCE NO. 2024-_____

Approved and adopted by the Board of County Commissioners of Indian River County, Florida, on this 20th day of August, 2024.

This ordinance was advertised in the Press-Journal on the 4th day of August, 2024, for a public hearing to be held on the 20th day of August, 2024 at which time it was moved for adoption by Commissioner _____, seconded by _____, and adopted by the following vote:

Susan Adams, Chairman	_____
Joseph H. Earman, Vice Chairman	_____
Joseph E. Flescher, Commissioner	_____
Deryl Loar, Commissioner	_____
Laura Moss, Commissioner	_____

BOARD OF COUNTY COMMISSIONERS
OF INDIAN RIVER COUNTY

BY: _____
Susan Adams, Chairman

ATTEST : Ryan L. Butler, Clerk of Circuit Court and Comptroller

BY Deputy Clerk: _____

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

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

William K. DeBraal, County Attorney

APPROVED AS TO PLANNING MATTERS

Andrew Sobczak; Planning & Development Services Director