

**INDIAN RIVER COUNTY, FLORIDA
M E M O R A N D U M**

TO: Jason E. Brown; County Administrator

THROUGH: Stan Boling, AICP; Community Development Director

FROM: John W. McCoy, AICP; Chief, Current Development

DATE: March 21, 2019

SUBJECT: Schacht & Company's Request for Affidavit of Exemption Approval with Dedications to the County [AOE-18-12-06 / 2018070183-82745]

It is requested that the data herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of April 2, 2019.

DESCRIPTION, CONDITIONS, & ANALYSIS:

Carter Associates, Inc., on behalf of Schacht & Company, has submitted an application for an Affidavit of Exemption (AOE) to be known as the Schacht Affidavit of Exemption. The project consists of a total of 4 lots on 21.04 acres, and is located on the north side of 12th Street, midway between 58th Avenue and 66th Avenue (see attachment 2). The property is zoned A-1, Agricultural-1 (up to 1 unit/5 acres), and has an AG-1, Agriculture-1 (up to 1 unit/5 acres) land use designation.

During the development review process for the subject AOE, staff indicated that right-of-way for 12th Street, utility easements, and limited access easements would be required along the project's 12th Street frontage except at the location of the project's approved shared driveway common entrance (see attachment 3). The limited access easements are required in order to control and/or limit the number of driveway connections to 12th Street. The right-of-way for 12th Street, utility easements, and limited access easements are proposed to be dedicated to the Board.

A typical AOE can be approved at the staff level. However, because the subject AOE proposes to dedicate right-of-way, utility easements, and limited access easements to the Board, the Board must consent to the acceptance of dedication of these items. Upon acceptance by the Board, staff can concurrently approve the subject AOE and have the recordable map recorded in the public record.

The applicant has submitted a recordable AOE map that shows items to be dedicated to the Board. The layout has been reviewed by staff, including Public Works, and is acceptable. The Board is now to consider acceptance of the dedications as noted from Schacht & Company.

RECOMMENDATION:

Based on the analysis, staff recommends that the Board of County Commissioners accept the Schacht & Company dedications and authorize the chairman to execute the subject Affidavit of Exemption.

ATTACHMENTS:

1. Application
2. Location Map
3. Affidavit of Exemption Layout