

ORDINANCE NO. 2017-_____

AN ORDINANCE OF INDIAN RIVER COUNTY FLORIDA, AMENDING THE ZONING ORDINANCE AND THE ACCOMPANYING ZONING MAP FROM CL, LIMITED COMMERCIAL, TO PD, PLANNED DEVELOPMENT, FOR APPROXIMATELY 9.66 ACRES OF LAND GENERALLY LOCATED ON THE SOUTH SIDE OF SR 60 APPROXIMATELY 2,000 FEET EAST OF 58TH AVENUE AND DESCRIBED HEREIN AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission, sitting as the local planning agency on such matters, held a public hearing and subsequently considered 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 determined that this rezoning is in conformance with the Comprehensive Plan of Indian River County; 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;

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:

LEGAL DESCRIPTION:

ALL THAT PART OF TRACT 11, LYING NORTH OF THE NORTH RIGHT-OF-WAY LINE OF THE MAIN CANAL 300 FEET WIDE RIGHT-OF-WAY, SECTION 4, TOWNSHIP 33 SOUTH, RANGE 39 EAST, ACCORDING TO THE LAST GENERAL PLAT OF LANDS OF THE INDIAN RIVER FARMS COMPANY AS RECORDED IN PLAT BOOK 2, PAGE 25 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 4, RUN SOUTH 89°06'10" EAST ALONG THE EAST-WEST QUARTER SECTION LINE, A DISTANCE OF 1331.39 FEET TO THE NORTHWEST CORNER OF SAID TRACT 11; THENCE SOUTH 00°17'50" WEST A DISTANCE OF 30.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 60 (OSCEOLA BLVD.) AND POINT OF BEGINNING. FROM SAID POINT OF BEGINNING RUN SOUTH 89°06'10" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 668.39 FEET; THENCE RUN SOUTH 00°17'50" WEST A DISTANCE OF 760.78 FEET TO THE AFOREMENTIONED NORTH RIGHT-OF-WAY LINE OF THE MAIN CANAL; THENCE RUN SOUTH 69°37'23" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 714.36 FEET TO THE WEST LINE OF AFOREMENTIONED TRACT 11; THENCE RUN NORTH 00°17'50" EAST ALONG SAID WEST LINE A DISTANCE OF 1019.98 FEET TO THE AFOREMENTIONED SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 60 AND POINT OF BEGINNING.

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BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE AFOREMENTIONED SECTION 4, RUN SOUTH 89°06'10" EAST ALONG THE EAST-WEST QUARTER SECTION LINE A DISTANCE OF 2000.09 FEET; THENCE RUN SOUTH 00°53'50" WEST, A DISTANCE OF 30.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 60 (OSCEOLA BLVD.) AND POINT OF BEGINNING OF SUBJECT PARCEL; FROM POINT OF BEGINNING RUN SOUTH 89°06'10" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 666.04 FEET TO A POINT ON THE EAST LINE OF SAID TRACT 11, SAID POINT LYING 30 FEET SOUTH OF THE NORTHEAST CORNER OF SAID TRACT 11; THENCE RUN SOUTH 00°17'58" WEST ALONG THE EAST LINE OF SAID TRACT 11 A DISTANCE OF 502.50 FEET TO THE NORTH LINE OF THE MAIN CANAL 300 FEET WIDE RIGHT-OF-WAY; THENCE RUN SOUTH 69°37'23" WEST ALONG SAID NORTH RIGHT-OF-WAY A DISTANCE OF 711.81 FEET; THENCE RUN NORTH 00°17'50" EAST A DISTANCE OF 760.78 FEET TO THE POINT OF BEGINNING ON THE SOUTH RIGHT-OF-WAY OF STATE ROAD 60. SAID DESCRIBED PARCEL NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA

is changed from CL, Limited Commercial, to PD, Planned Development, with the general project layout as depicted in the attached conceptual PD plan (Exhibit A). The uses allowed shall be limited to the uses allowed in the CL District as listed in the use table in section 911.10 by the approval process specified in the same table, except that "automotive fluid sales and services" and "drive through restaurants" shall be permitted uses.

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.

This ordinance was advertised in the Press-Journal on the 28th day of August, 2017, for a public hearing to be held on the 12th day of September, 2017, at which time it was moved for adoption by Commissioner _____, seconded by Commissioner _____, and

Chairman Joseph E. Flescher _____

Vice Chairman Peter D. O'Bryan _____

Commissioner Susan Adams _____

Commissioner Tim Zorc _____

Commissioner Bob Solari _____

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BOARD OF COUNTY COMMISSIONERS
OF INDIAN RIVER COUNTY

BY: _____
Joseph E. Flescher, Chairman

ATTEST: Jeffrey R. Smith, Clerk of 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

Dylan Reingold, County Attorney

APPROVED AS TO PLANNING MATTERS

Stan Boling, AICP; Community Development Director

Exhibit "A"

