

**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 14, 2019

**SUBJECT:** Ray Sheltra's Request for Affidavit of Exemption Approval with County Acceptance of Limited Access Easement [AOE-18-09-03 / 2002100140-82208]

---

It is requested that the data herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of March 26, 2019.

**DESCRIPTION, CONDITIONS, & ANALYSIS:**

Carter Associates, Inc., on behalf of Raymond W. Sheltra, has submitted an application for an Affidavit of Exemption (AOE) to be known as the Sheltra Affidavit of Exemption. The project consists of a total of 3 lots on 17.53 acres, and is located on the south side of 49<sup>th</sup> Street, just west of 66<sup>th</sup> Avenue [see attachment 2]. The property is zoned A-1, Agricultural-1 (up to 1 unit/5 acres), and has an AG-1, Agricultural-1 (up to 1 unit/5 acres) future land use designation.

During the development review process for the subject AOE, Public Works staff indicated that a limited access easement would be required along the project's 49<sup>th</sup> Street frontage, except for the project's approved shared driveway common entrance location on the east side of the property, and the existing driveway located on the west side of the property [see attachment 3]. The limited access easement is required in order to control and/or limit the number of driveway connections and/or culvert crossings on 49<sup>th</sup> Street, and is proposed to be dedicated to the Board. In essence, the proposed limited access easement will allow the County to enforce common use of the limited common entrance connections to 49<sup>th</sup> Street to serve all 3 lots.

A typical AOE can be approved at the staff level. However, because the subject AOE proposes to dedicate a 5' wide limited access easement to the Board, the Board must consent to the acceptance of dedication of the limited access easement. Upon acceptance by the Board, staff can concurrently approve the subject AOE and have the appropriate documents recorded in the public record.

The applicant has submitted an AOE layout that shows the required limited access easement 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 dedication of the limited access easement from the Sheltra Affidavit of Exemption, as part of the AOE approval.

**RECOMMENDATION:**

Based on the analysis, staff recommends that the Board of County Commissioners accept the dedication of the limited access easement and authorize the chairman to execute the subject Affidavit of Exemption.

**ATTACHMENTS:**

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