

**PORTION OF Indian River County Planning & Zoning Commission  
DRAFT Meeting Minutes – 10-10-19**

**Public Hearing**

(7:02 PM) In regard to the request to rezone two sites along 27<sup>th</sup> Avenue SW, just north of the St. Lucie County (SLC) border, from Neighborhood Commercial (CN) to Limited Commercial (CL), Chairman Brognano asked the Commissioners to reveal any ex-parte communication with the applicant or any conflict that would not allow them to make an unbiased decision; Mr. Polackwich disclosed that he had taken a personal and private tour of the areas proposed for rezoning, but did not feel this would impact his ability to make an impartial decision. The secretary administered the testimonial oath to those present who wished to speak.

(7:02 PM) Mr. Bill Schutt, IRC Chief of Long Range Planning, described the two sites currently zoned CN and the surrounding properties, provided relevant background history. He explained how the larger acreage was situated directly north of the border between IRC and SLC. Mr. Schutt detailed the differences between CN and CL zoning, and reported that the requested change to CL zoning was compatible, consistent, and suitable within the current IRC land use and development plan. He advised the PZC to recommend that the Board of County Commissioners (BCC) approve the rezoning request, as proposed.

(7:19 PM) Mr. Polackwich asked about the size of the structure that could be built on the larger property (subject property #1). He expressed his concern that the long-term plan for the site – a Dollar General store – would not fit well within the surrounding neighborhood. Chairman Brognano then opened the floor for public discussion. Mr. Jeremy Anderson, representing Hanlex Development and Sogra Properties, stated that the property had already been selected for a similar type of use as to what was being proposed, and that the current zoning (CN) did not meet current IRC rules; by rezoning, however, the CL land use designation would bring the parcels into current compliance. Mr. DeBlois added that there was significant overlap between what was permitted in the CN and CL designations. Mr. Polackwich again pushed for clarification on how big a building could be placed on subject property #1.

(7:29 PM) Mr. Anderson specified that, given a 25' set-back all around the property, plus applicable storm water requirements, about the largest structure the 4.4 acres could hold would be one with about 20,000 square feet of floor space; however, the developer planned to start with a 9,100 square foot facility on the southern half only. Mr. Landers asked the staff whether the land in IRC adjacent to subject property #1, currently zoned agricultural, might also be changed to CL zoning one day. Mr. Schutt informed the PZC that such an action would require a comprehensive zoning plan change.

**Attachment 8**

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(7:37 PM) Mr. Vance Howdyshell, the owner of subject property #1, disclosed that he had been trying to change the zoning of the property since 2005, and that he could not understand why a change from CN to CL would substantially affect how the developed parcel would fit into the surrounding neighborhood. Mr. Michael Weaver of 2746 25<sup>th</sup> St SW, a neighboring homeowner, expressed his opposition to the rezoning, relating that the traffic patterns in the area were already dangerous due to three merging roads. Mr. Weaver went on to say that it would be a poor plan to place a large commercial establishment in an area that is essentially all residential, although he felt that a smaller commercial operation might be workable. Mr. Peter Robinson, a local developer, interjected that it would be a very expensive proposition to convert subject property #1 into residential zoning. Chairman Brognano then closed the public hearing.

(7:46 PM) Mr. Polackwich summarized his main points again, citing the fact that all one sees when driving south along 27<sup>th</sup> Avenue SW is residences (except for one gas station next to subject property #2), and proposing that the potential existed to change the entire face of the neighborhood with no discernable need for a large retail establishment. Mr. Howdyshell was granted permission to state that subject property #1 was in fact surrounded by a commercial fish hatchery on the agricultural land; Attorney DeBraal asked whether lights shined on the agricultural property at night, and Mr. Howdyshell replied in the negative. Mr. Landers recounted that the proposed Dollar General store would take up half of subject property #1 and wondered whether road improvements were planned to account for any increased traffic. Attorney DeBraal then advised the PZC to focus on the pros and cons of the rezoning itself, as opposed to the potential uses of the properties, and Chairman Brognano asked for a motion.

**ON MOTION BY Mr. Jordan Stewart, SECONDED BY  
Mr. Patrick Grall, the members voted (4-2) to  
recommend BCC approval of the rezoning request.**

**Commissioner's Matters**

(7:53 PM) There were none.

**Planning Matters**

(7:53 PM) There were none.

**Attorney's Matters**

(7:53 PM) There were none.

**Attachment 8**