

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

TO: Jason E. Brown; County Administrator

THROUGH: Phillip J Matson, AICP; Community Development Director

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

FROM: Mary Jane Vreeland; Planner, Current Development

DATE: March 27, 2020

SUBJECT: Walter Dodd Comes, Jr. & Gina Keith Comes' Request for Affidavit of Exemption Approval with Dedications to the County [AOE-19-04-01 / 2018010082-83743] (Reel Acres AOE)

It is requested that the data herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of April 14, 2020.

DESCRIPTION, CONDITIONS, & ANALYSIS:

Hayhurst Land Surveying Inc., on behalf of Walter and Gina Comes, the owners of the subject property, submitted an application for an Affidavit of Exemption (AOE) to be known as Reel Acres Affidavit of Exemption. The project consists of four lots on 31.87 acres of land situated on the north side of 17th Street SW, approximately one-half mile east of 74th Avenue (Attachment 1). The property is zoned A-1, Agricultural-1 (up to 1 dwelling unit/5 acres), and has an AG-1, Agricultural-1 (up to 1 unit/5 acres) future land use designation.

During the AOE development review process, Public Works staff indicated that a limited access easement would be required along the project's 17th Street SW frontage, except for one shared driveway that will provide access to all four lots. In addition, 30' of right-of-way needs to be dedicated for 17th Street SW to complete the 60' wide local road minimum. The purpose of the limited access easement is to control the number of driveway connections to the publicly owned and maintained right-of-way. Dedication of the limited access easement to the Board will allow the County to enforce use of the common entrance connection to 17th Street SW for all the lots in the Reel Acres AOE.

Normally an AOE may be approved at staff level; however, dedication of a 5' limited access easement and 30' of 17th Street SW right-of-way to the Board of County Commissioners requires Board acceptance of the easement and right-of-way. Once accepted by the Board, staff may concurrently approve the AOE and the appropriate documents may be recorded in the public records.

The recordable Reel Acres AOE accurately depicts the required limited access easement and right-of-way dedication, and also includes the appropriate dedication language. The proposed layout of the AOE has been reviewed by staff, including Public Works, and is acceptable. The Board may now consider acceptance of the dedication of the limited access easement and right-of way from the property owners as part of the AOE approval.

RECOMMENDATION:

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

ATTACHMENTS:

1. Location Map
2. Affidavit of Exemption Layout