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LAND DEVELOPMENT REGULATION (LDR) AMENDMENT APPLICATION

ASSIGNED FILE NUMBER: LDRA- 18-09-01 Proj 2018060191 - 92197

APPLICANT: (PLEASE PRINT)

AGENT: (PLEASE PRINT)

Patrick Gonzalez

Bruce Barkett

NAME

NAME

DiVosta Homes, L.P.

Collins, Brown, Barkett, Garavaglia & Lawn, Chartered

COMPANY NAME

COMPANY NAME

4500 PGA Blvd., Suite #400

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ADDRESS

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CONTACT PERSON

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SIGNATURE OF APPLICANT OR AGENT

I. (PROJECT/REQUEST DESCRIPTION)

CHAPTER(s)/SECTION(s) OF LAND DEVELOPMENT REGULATIONS PROPOSED FOR AMENDMENT: 934.04(7)(c); 934.04(3)(j)

II. PURPOSE OF REQUEST: (attached additional sheets if necessary)

- 1. To amend 934.04(7)(c) to permit transfer of excess material generated incidentally to approved projects larger than three hundred fifty (350) acres for more than eighteen (18) months. To permit such transfers to continue in conjunction with each project Land Development Permit. To permit such transfers at any time for public road projects, provided the fill is supplied at cost. See attached Exhibit A. (Revised see Attachment #2)
2. To add a new category to 934.04(3)(j): over 1,000,000 yards; 20 years.

1801 27th Street, Vero Beach FL 32960



III. JUSTIFICATION FOR REQUEST: (attach additional sheets if necessary)

1. 934.04(7)(c): Planned Communities over three hundred fifty (350) acres do not get developed within an eighteen (18) month period. Well-planned communities with a variety of housing options must remain flexible enough to respond to market conditions, regulatory reforms, consumer demand, and many other factors which affect the design, timing, and construction (including excavation). It is not feasible to require all excavation and removal of fill to be completed in eighteen (18) months for a project expected to be developed over a period of ten (10) years or more. Fill provided at cost for public road projects should be exempt.
2. 934.04(3)(j): When the quantity of material to be removed is in excess of 1,000,000 yards, a twenty (20) year permit is reasonable, to allow for fluctuations in demand, development, and building activity.

The applicant is encouraged to seek a pre-application conference with the Community Development Department staff in order to resolve or avoid problems related with the LDR text amendment proposal.

- IV. A check or money order made payable to Indian River County or cash in the amount of \$1,500.00, must accompany this application.

Collins, Brown, Barkett,
Garavaglia & Lawn

CHARTERED
ATTORNEYS AT LAW

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⁶ CERTIFIED CIRCUIT MEDIATOR
⁷ ALSO ADMITTED IN CO AND SC
⁸ ALSO ADMITTED IN GA

⁹ ALSO ADMITTED IN THE COMMONWEALTH OF
THE BAHAMAS

WILLIAM W. CALDWELL, OF COUNSEL
RALPH L. EVANS, OF COUNSEL
STEVEN L. HENDERSON, OF COUNSEL ⁹

June 20, 2018

HAND DELIVERY

Stan Boling, AICP
Community Development Director
Administration Building A
1801 27th Street
Vero Beach, FL 32960



***RE: Land Development Regulation Amendment Application
Application to Amend Sand Mining Ordinance***

Dear Stan:

I have enclosed an application to amend the sand mining ordinance. The amendment addresses development projects which are larger than three hundred fifty (350) acres and a separate amendment would add a new category for sand mining operations which involves more than 1,000,000 yards of fill.

Also, enclosed is a check in the amount of \$1,500.00 representing the application fee. Please let me know if you require any additional information to process his application

Sincerely,

Bruce Barkett
For the Firm

BDB: ml
Encl.