

ORDINANCE NO. 2018-\_\_\_\_\_

AN ORDINANCE OF INDIAN RIVER COUNTY, FLORIDA, AMENDING THE ZONING ORDINANCE AND THE ACCOMPANYING ZONING MAP FOR APPROXIMATELY ±11.96 ACRES LOCATED WEST OF US HIGHWAY 1, SOUTH OF 73<sup>RD</sup> STREET, EAST OF OLD DIXIE HIGHWAY AND NORTH OF 71<sup>ST</sup> STREET FROM CL, LIMITED COMMERCIAL DISTRICT TO CG, GENERAL COMMERCIAL DISTRICT; AND PROVIDING CODIFICATION, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission, sitting as the local planning agency on such matters, held a public hearing and subsequently made a recommendation regarding 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 held a public hearing pursuant to this rezoning request, at which parties in interest and citizens were heard; and

WHEREAS, the Board of County Commissioners determined that this rezoning is in conformance with the Comprehensive Plan of Indian River County.

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:

THAT PART OF THE SOUTH ½ OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 3, TOWNSHIP 32 SOUTH, RANGE 39 EAST, LYING EASTERLY OF OLD DIXIE HIGHWAY RIGHT OF WAY AND WESTERLY OF PRESENT U.S. HIGHWAY NO. 1 RIGHT OF WAY;

LESS AND EXCEPT THAT LAND DESCRIBED IN OFFICIAL RECORDS BOOK 92, PAGE 93 AND LESS AND EXCEPT THAT LAND DESCRIBED IN OFFICIAL RECORD BOOK 124, PAGE 540, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA.

SAID LAND LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA.

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AND

THAT PART OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 32 SOUTH, RANGE 39 EAST, LYING WEST OF THE RIGHT OF WAY LINE OF U.S. HIGHWAY #1 (SR #5) AND EAST OF THE EAST RIGHT OF WAY OF THE FLORIDA EAST COAST RAILROAD. SAID LAND LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA. ALL TOGETHER CONTAINING ±11.96 ACRES.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD

is changed from CL, Limited Commercial District to CG, General Commercial District

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.

Approved and adopted by the Board of County Commissioners of Indian River County, Florida, on this 1<sup>st</sup> day of May, 2018.

This ordinance was advertised in the Press-Journal on the 15<sup>th</sup> day of April 2018, for a public hearing to be held on the 1<sup>st</sup> day of May, 2018 at which time it was moved for adoption by Commissioner \_\_\_\_\_, seconded by \_\_\_\_\_, and adopted by the following vote:

Peter D. O'Bryan, Chairman	_____
Bob Solari, Vice Chairman	_____
Joseph E. Flescher, Commissioner	_____
Tim Zorc, Commissioner	_____
Susan Adams, Commissioner	_____

BOARD OF COUNTY COMMISSIONERS  
OF INDIAN RIVER COUNTY

BY: \_\_\_\_\_  
Peter D. O'Bryan, Chairman

ATTEST BY: \_\_\_\_\_  
Jeffrey Smith, Clerk Of Circuit Court and Comptroller

This ordinance was filed with the Department of State on the following date: \_\_\_\_\_

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APPROVED AS TO FORM AND LEGAL SUFFICIENCY

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William K. DeBraul, Deputy County Attorney

APPROVED AS TO PLANNING MATTERS

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Stan Boling, AICP; Community Development Director

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