

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

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**TO:** Jason E. Brown; County Administrator

**THROUGH:** Phillip J Matson, AICP; Community Development Director

**THROUGH:** Ryan Sweeney; Chief, Current Development

**FROM:** Mary Jane Vreeland; Planner, Current Development

**DATE:** April 28, 2020

**SUBJECT:** Jesse R. Almand, Summer P. Almand, Richard Lefebure, and Abigail Lefebure's Request for Affidavit of Exemption Approval with Dedications to the County [AOE-19-12-05 / 99080143-85359] (Almand AOE)

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It is requested that the data herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of May 12, 2020.

**DESCRIPTION, CONDITIONS, & ANALYSIS:**

Velcon Engineering & Surveying, LLC., on behalf of Jesse and Summer Almand, and Richard and Abigail Lefebure, the owners of the subject property, submitted an application for an Affidavit of Exemption (AOE). The project consists of three lots on 19.79 acres of land situated on the south side of 41<sup>st</sup> Street, approximately one-half mile west of 66<sup>th</sup> 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 41<sup>st</sup> Street frontage, except for one shared driveway that will provide access to the three lots. 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 connections to 41<sup>st</sup> Street for all lots within the Almand AOE.

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

The recordable Almand AOE plan accurately depicts the required limited access easement, and also includes the appropriate dedication language. The proposed layout of the AOE has been reviewed by staff, including Public Works, and is acceptable. Also, the dedication language has

been reviewed and approved by the County Attorney's office. The Board may now consider acceptance of the dedication of the limited access easement from the property owners as part of the AOE approval.

**RECOMMENDATION:**

Based on the provided 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. Location Map
2. Affidavit of Exemption Layout