

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

TO: Jason E. Brown; County Administrator

THROUGH: Stan Boling, AICP; Community Development Director

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

FROM: Ryan Sweeney; Senior Planner, Current Development

DATE: December 8, 2017

SUBJECT: County Acceptance of Dedication of Limited Access Easements from the Three Southern Oaks Affidavit of Exemption [AOE-17-05-03 / 2015100082-78776]

It is requested that the data herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of December 19, 2017.

DESCRIPTION, CONDITIONS, & ANALYSIS:

Carter Associates, Inc., on behalf of Three Southern Oaks, LLC, has submitted an application for an Affidavit of Exemption (AOE). The project consists of a total of 4 lots on 28.90 acres, and is located on the south side of 1st Street SW, just west of 66th Avenue (see attachment 2). The property is zoned A-1, Agricultural-1 (up to 1 unit/5 acres), and has an AG-1, Agriculture-1 (up to 1 unit/5 acres) land use designation.

During the development review process for the subject AOE, Public Works staff indicated that limited access easements would be required along the project's 1st Street SW frontage, except for the project's approved shared driveway common entrance location (see attachment 3). The limited access easements are required in order to control and/or limit the number of driveway connections and/or culvert crossings on 1st Street SW, and are proposed to be dedicated to the Board. In essence, the proposed limited access easements will allow the County to enforce common use of the common entrance connection to 1st Street SW to serve all 4 lots.

A typical AOE can be approved at the staff level. However, because the subject AOE proposes to dedicate limited access easements to the Board, the Board must consent to the acceptance of dedication of the limited access easements. Upon acceptance by the Board, staff can concurrently approve the subject AOE and have the appropriate documents recorded in the public record.

The applicant has submitted an AOE layout that shows the required limited access easements to be dedicated to the Board. The layout has been reviewed by staff, including Public Works, and is acceptable. The Board is now to consider acceptance of the dedication of limited access easements from the Three Southern Oaks Affidavit of Exemption.

RECOMMENDATION:

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

ATTACHMENTS:

1. Application
2. Location Map
3. Affidavit of Exemption Layout