

ORDINANCE NO. 2020-_____

AN ORDINANCE OF INDIAN RIVER COUNTY, FLORIDA, AMENDING THE ZONING ORDINANCE AND THE ACCOMPANYING ZONING MAP FROM MED, MEDICAL, TO PD, PLANNED DEVELOPMENT, FOR APPROXIMATELY 78.29 ACRES OF LAND GENERALLY LOCATED ON THE SOUTH SIDE OF 41ST STREET, WEST OF INDIAN RIVER BOULEVARD, AND EAST OF US HIGHWAY 1 AND DESCRIBED HEREIN AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission, sitting as the local planning agency on such matters, held a public hearing and subsequently considered 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 determined that this rezoning is in conformance with the Comprehensive Plan of Indian River County; 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;

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Indian River County, Florida, that the zoning of the following described properties situated in Indian River County, Florida, to-wit:

LEGAL DESCRIPTIONS:

PARCEL 1:

A PARCEL OF LAND LYING IN THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 26, TOWNSHIP 32 SOUTH, RANGE 39 EAST, LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH 991.7 FEET SOUTH OF THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 32 SOUTH, RANGE 39 EAST; THENCE RUNNING SOUTH 660 FEET; THENCE EAST 330 FEET; THENCE NORTH 660 FEET; THENCE WEST 330 FEET TO THE POINT OF BEGINNING; LESS AND EXCEPTING THE SOUTH 150.88 FEET THEREOF. ALL LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA.

CONTAINING 168,009.57 SQUARE FEET OR 3.8570 ACRES, MORE OR LESS.

PARCEL 2:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST ONE QUARTER OF SECTION 26, TOWNSHIP 32 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SAID SOUTHEAST ONE QUARTER OF SAID SECTION 26; THENCE SOUTH 00°08'35" WEST ALONG THE EAST LINE OF SAID SECTION 26 A DISTANCE OF 50.00 FEET TO AN

INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF 41ST STREET; THENCE NORTH 89°50'06" WEST ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 30.00 FEET TO AN INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF 11TH DRIVE AS DESCRIBED IN OFFICIAL RECORD BOOK 3256, PAGE 1825 OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA AND THE POINT OF BEGINNING OF THE HEREON DESCRIBED PARCEL; THENCE SOUTH 00°08'35" WEST ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 1,037.73 FEET; THENCE NORTH 89°49'05" WEST, A DISTANCE OF 578.72 FEET; THENCE SOUTH 00°10'55" WEST, A DISTANCE OF 413.05 FEET TO AN INTERSECTION WITH THE EASTERLY EXTENSION OF THE SOUTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1732, PAGE 2041 OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA; THENCE NORTH 89°49'05" WEST ALONG SAID SOUTH LINE AND EASTERLY EXTENSION THEREOF A DISTANCE OF 381.55 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1732, PAGE 2041; THENCE NORTH 00°01'41" WEST ALONG SAID EAST LINE A DISTANCE OF 509.12 FEET TO THE NORTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1732, PAGE 2041; THENCE NORTH 89°49'05" WEST ALONG SAID NORTH LINE A DISTANCE OF 330.00 FEET TO AN INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1131, PAGE 1792 OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA; THENCE SOUTH 00°01'41" EAST ALONG SAID EAST LINE AND THE SOUTHERLY EXTENSION THEREOF, A DISTANCE OF 509.12 FEET TO AN INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF 39TH STREET; THENCE SOUTH 89°3'01" WEST ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 330.60 FEET; THENCE NORTH 00°03'37" WEST A DISTANCE OF 674.05 FEET; THENCE NORTH 89°53'15" EAST A DISTANCE OF 330.97 FEET TO A POINT INTERSECTING WITH THE EAST LINE OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 1131, PAGE 1792 OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA; THENCE NORTH 00°01'41" WEST, ALONG SAID EAST LINE A DISTANCE OF 622.27 FEET INTERSECTING WITH THE SAID SOUTH RIGHT OF WAY OF 41ST STREET; THENCE SOUTH 89°49'05" EAST ALONG SAID SOUTH RIGHT OF WAY A DISTANCE OF 1294.88 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,691,013.85 SQUARE FEET OR 38.82 ACRES, MORE OR LESS.

PARCEL 3:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST ONE QUARTER OF SECTION 26, TOWNSHIP 32 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SAID SOUTHWEST ONE QUARTER OF THE SOUTHWEST ONE QUARTER OF SECTION 25, TOWNSHIP 32 SOUTH, RANGE 39 EAST; THENCE SOUTH 89°42'25" WEST ALONG THE SOUTH LINE OF THE NORTHEAST ONE QUARTER OF THE SOUTHEAST ONE QUARTER A DISTANCE OF 30.00 FEET TO AN INTERSECTION WITH THE WEST RIGHT OF

WAY LINE OF 11TH DRIVE AS DESCRIBED IN OFFICIAL RECORD BOOK 3256, PAGE 1825 OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA AND THE POINT OF BEGINNING OF THE HEREON DESCRIBED PARCEL;

THENCE SOUTH 00°08'35" WEST AND PARALLEL WITH THE EAST LINE OF THE SAID SOUTHEAST ONE QUARTER OF SECTION 26 A DISTANCE OF 618.42 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE SOUTH 715.00 FEET OF THE SAID SOUTHEAST ONE QUARTER OF SECTION 26, TOWNSHIP 32 SOUTH, RANGE 39 EAST; THENCE SOUTH 89°56'05" WEST ALONG THE SAID NORTH LINE OF THE SOUTH 715.00 FEET A DISTANCE 1289.19 FEET TO AN INTERSECTION WITH THE EAST RIGHT OF WAY LINE OF 17TH AVENUE AS SHOWN ON THE PLAT OF W.E. GEOFFREYS SUBDIVISION AS RECORDED IN PLAT BOOK 2, PAGE 32 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID PLAT NOW LYING IN INDIAN RIVER COUNTY, FLORIDA; THENCE NORTH 00°01'41" WEST ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 306.17 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THAT CERTAIN PROPERTY DESCRIBED IN OFFICIAL RECORD BOOK 1107, PAGE 1511 OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA; THENCE SOUTH 89°49'05" EAST ALONG SAID SOUTH LINE A DISTANCE OF 330.00 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID PROPERTY DESCRIBED IN OFFICIAL RECORD BOOK 1107, PAGE 1511; THENCE NORTH 00°01'41" WEST ALONG SAID EAST LINE AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 150.88 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1732, PAGE 2041 OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA; THENCE SOUTH 89°49'05" EAST ALONG THE EASTERLY EXTENSION OF SAID SOUTH LINE 381.55 FEET; THENCE NORTH 00°10'55" EAST A DISTANCE OF 413.05 FEET; THENCE SOUTH 89°49'05" EAST A DISTANCE OF 578.72 FEET TO AN INTERSECTION WITH THE SAID WEST RIGHT OF WAY OF 11TH DRIVE; SOUTH 00°08'35" WEST, ALONG SAID WEST RIGHT OF WAY, A DISTANCE OF 246.11 FEET TO THE POINT OF BEGINNING.

CONTAINING 775,253.85 SQUARE FEET OR 17.79 ACRES MORE OR LESS.

PARCEL 4:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST ONE QUARTER OF THE SOUTHWEST ONE QUARTER OF SECTION 25, TOWNSHIP 32 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SAID SOUTHWEST ONE QUARTER OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 25; THENCE NORTH 89°58'30" EAST ALONG THE NORTH LINE OF THE SOUTHWEST ONE QUARTER OF THE SOUTHWEST ONE QUARTER A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING OF THE HEREON DESCRIBED PARCEL; THENCE CONTINUE NORTH 89°58'30" EAST ALONG THE SAID NORTH LINE A DISTANCE OF 1292.00 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SAID

SOUTHWEST ONE QUARTER OF THE SOUTHWEST ONE QUARTER OF SECTION 25, TOWNSHIP 32 SOUTH, RANGE 39 EAST; THENCE SOUTH 00°03'34" WEST ALONG SAID EAST LINE A DISTANCE OF 613.91 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE SOUTH 715.00 FEET OF THE SAID SOUTHWEST ONE QUARTER OF THE SOUTHWEST ONE QUARTER OF SECTION 25, TOWNSHIP 32 SOUTH, RANGE 39 EAST; THENCE SOUTH 89°46'29" WEST ALONG THE SAID NORTH LINE OF THE SOUTH 715.00 FEET A DISTANCE 1292.92 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF 11TH DRIVE AS RECORDED IN OFFICIAL RECORD BOOK 3256, PAGE 1825 OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA; THENCE NORTH 00°08'35" EAST ALONG SAID EAST RIGHT OF WAY, A DISTANCE OF 618.35 FEET TO THE POINT OF BEGINNING.

CONTAINING 796,373.64 SQUARE FEET OR 18.28 ACRES MORE OR LESS.

is changed from MED, Medical, to PD, Planned Development, with the general project layout as depicted in the attached conceptual PD plan (Exhibit A) and alternate option (Exhibit B). If no project construction has commenced within 10 years from the approval date of this ordinance, then the PD, Planned Development zoning designation of the entire site shall terminate, and the zoning of the property shall revert to MED, Medical.

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.

This ordinance was advertised in the Indian River Press Journal on the 22nd day of November, 2020, for a public hearing to be held on the 8th day of December, 2020, at which time it was moved for adoption by Commissioner _____, seconded by Commissioner _____, and adopted by the following vote:

- Chairman Joseph E. Flescher _____
- Vice Chairman Peter D. O'Bryan _____
- Commissioner Susan Adams _____
- Commissioner Joseph H. Earman _____
- Commissioner Laura Moss _____

BOARD OF COUNTY COMMISSIONERS
OF INDIAN RIVER COUNTY

BY: _____
Joseph E. Flescher, Chairman

ORDINANCE NO. 2020-_____

ATTEST: Jeffrey R. Smith, Clerk of Court and Comptroller

BY: _____
Deputy Clerk

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

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Dylan Reingold, County Attorney

APPROVED AS TO PLANNING MATTERS

Phillip J. Matson, AICP; Community Development Director

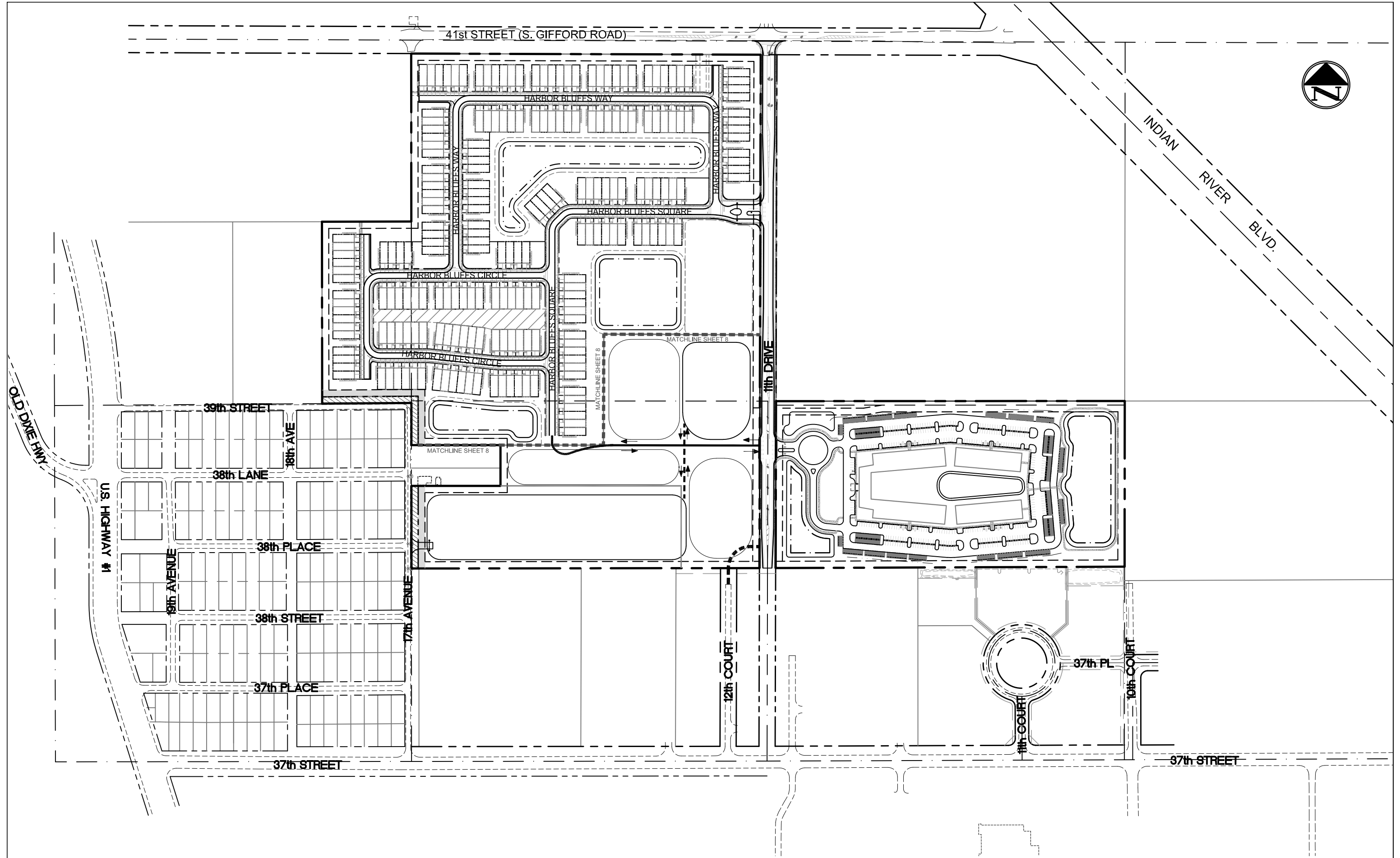
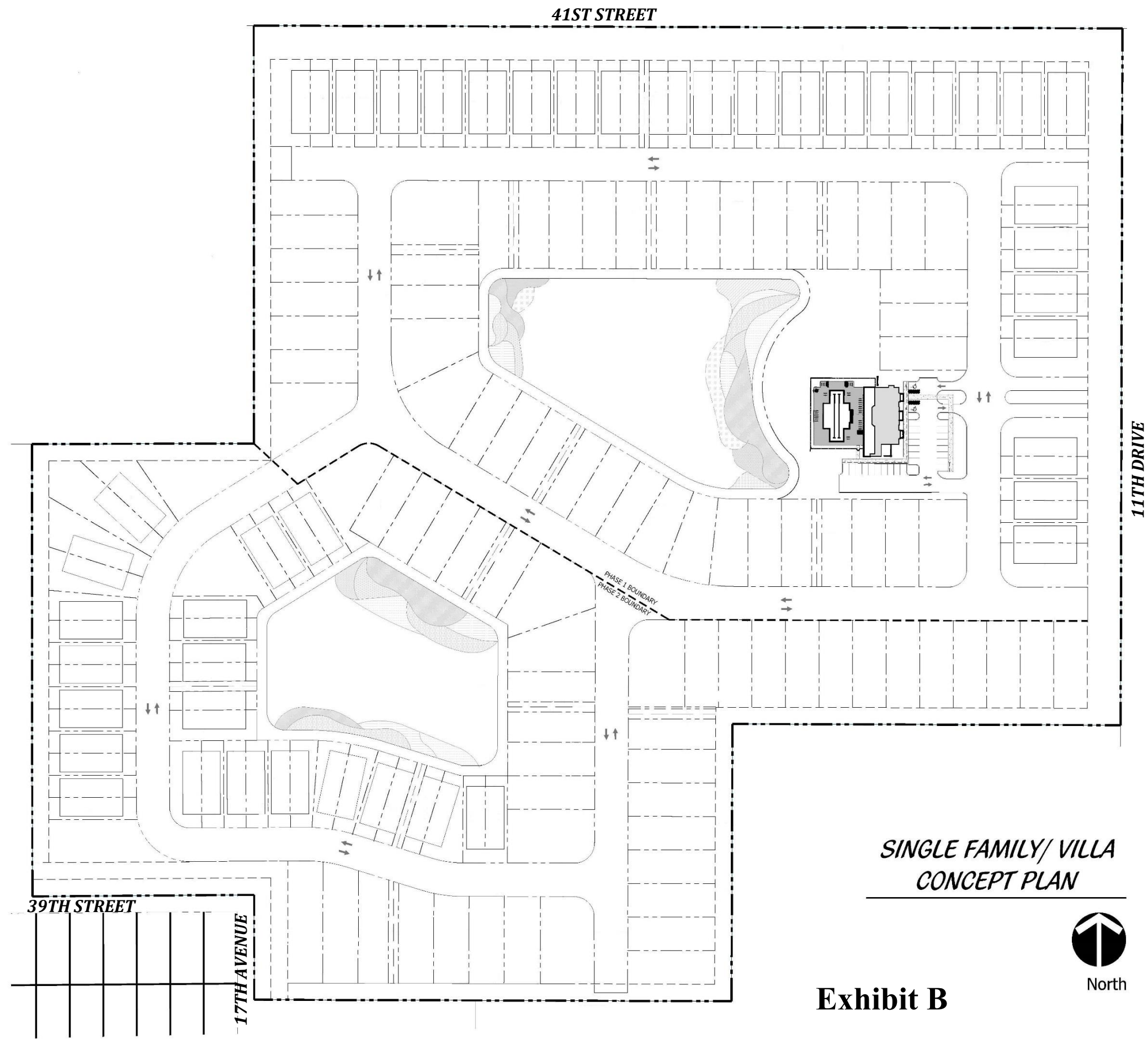


Exhibit A



*SINGLE FAMILY/ VILLA
CONCEPT PLAN*

Exhibit B



North