

**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:** Roland M. DeBlois, AICP; Interim Community Development Director

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

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

**DATE:** September 10, 2019

**SUBJECT:** EJ & ME, LLC's Request for Affidavit of Exemption Approval with Dedications to the County [AOE-19-05-02 / 2018080046-83961]

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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 October 1, 2019.

**DESCRIPTION, CONDITIONS, & ANALYSIS:**

Carter Associates, Inc., on behalf of EJ & ME, LLC., the owner of the subject property, submitted an application for an Affidavit of Exemption (AOE) to be known as Southwest Ranches Affidavit of Exemption. The project consists of six lots on 27.76 acres of land situated on the north side of 1<sup>st</sup> Street SW, approximately 300' east of 74<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 1<sup>st</sup> Street SW frontage, except for two shared driveways that will provide access to all six 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 1<sup>st</sup> Street SW for all the lots in the Southwest Ranches 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 Southwest Ranches AOE 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. The Board may now consider

acceptance of the dedication of the limited access easement from the property owner as part of the AOE approval.

**RECOMMENDATION:**

Based on 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