

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

TO: Board of County Commissioners

THROUGH: John A. Titkanich Jr., County Administrator

PREPARED BY: Patrick J. Murphy; Senior Planner, Current Development

DATE: June 5, 2024

SUBJECT: Pellegrino and Michelle Barone's Request for Affidavit of Exemption (AOE) Approval with Dedications to the County for the Barone 12th Street AOE [AOE-21-10-03 / 2020110039-90401]

It is requested that the data presented herein be given formal consideration by the Board of County Commissioners at its regular meeting of June 18, 2024.

DESCRIPTION, CONDITIONS, & ANALYSIS:

MBV Engineering, Inc., on behalf of Pellegrino and Michelle Barone, applied for an Affidavit of Exemption (AOE). The project consists of fourteen (14) lots on 64.75 acres of land located south of and adjacent to 12th Street, approximately halfway between 58th Avenue and 66th Avenue (see Attachment 1). 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) future land use designation.

During the AOE development review process, Public Works staff indicated that limited access easements will be required along the project's 12th Street frontage, except where the project's four (4) driveways provide access to the fourteen (14) lots. The new driveways are located within proposed ingress/egress easements. The western-most driveway provides vehicular access to Lots 1-4; the next driveway heading east, provides vehicular access to Lots 5-8; continuing east, the next driveway provides vehicular access to Lots 9-12; and the final driveway (at the far east end of the project), provides vehicular access to Lots 13 and 14.

The purpose of the limited access easements is to control the number of driveway connections to the publicly owned and maintained right-of-way (12th Street). Dedication of the limited access easements to the Board will allow the County to enforce the use of the common driveway connections to 12th Street for all lots within the Barone 12th Street AOE.

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

The recordable Barone 12th Street AOE plan accurately depicts the required limited access easements. 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 easements from the property owner as part of the AOE approval.

RECOMMENDATION:

Staff recommends that the Board of County Commissioners accept the dedication of the limited access easements and authorize the chairman to execute the Barone 12th Street Affidavit of Exemption.

ATTACHMENTS:

1. Location Map
2. Affidavit of Exemption Layout