

Note: This is a copy from the original file used to prepare the proposed ordinance. An Executed copy of this Ordinance is on file in the County Community Development Department

ORDINANCE NO. 2003-

AN ORDINANCE OF INDIAN RIVER COUNTY, FLORIDA, AMENDING THE ZONING ORDINANCE AND THE ACCOMPANYING ZONING MAP FOR 40.3 ACRES LOCATED BETWEEN 26TH STREET AND INDIAN RIVER MALL, FROM A-1, AGRICULTURAL DISTRICT (UP TO 1 UNIT/5 ACRES), RM-6, MULTIPLE-FAMILY RESIDENTIAL DISTRICT (UP TO 6 UNITS/ACRE) AND RS-6, SINGLE-FAMILY RESIDENTIAL DISTRICT (UP TO 6 UNITS/ACRE), TO RM-8, MULTIPLE-FAMILY RESIDENTIAL DISTRICT (UP TO 8 UNITS/ACRE); AND PROVIDING CODIFICATION, SEVERABILITY, AND EFFECTIVE DATE.

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

WHEREAS, the Board of County Commissioners has 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:

THAT CERTAIN PARCEL OF LAND LYING AND BEING IN PART OF TRACT 4 OF SECTION 5, TOWNSHIP 33 SOUTH, RANGE 39 EAST, ACCORDING TO THE LAST GENERAL PLAT OF LANDS OF THE INDIAN RIVER FARMS COMPANY SUBDIVISION AS RECORDED IN PLAT BOOK 2, PAGE 25, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA,

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SAID PARCEL OF LAND LYING SOUTH AND CONTIGUOUS TO THE SOUTH RIGHT- OF-WAY-LINE OF “SUB-LATERAL A-3 CANAL” INDIAN RIVER FARMS WATER CONTROL DISTRICT, 30.00 FEET WIDE RIGHT-OF-WAY; EAST OF AND CONTIGUOUS TO THE EAST LINE OF THE 72.00 FEET WIDE NORTH “MALL ENTRANCE ROAD” BEING PART OF LOT 10 OF THE “INDIAN RIVER MALL – THE MALL SUBDIVISION”, PLAT BOOK 14, PAGE 59-59A, INDIAN RIVER COUNTY, FLORIDA; NORTH OF AND CONTIGUOUS TO THE NORTHERLY BOUNDARY LINE OF SAID LOT 9 AND 10 OF “INDIAN RIVER MALL - THE MALL SUBDIVISION”; AND WEST OF AND CONTIGUOUS TO THE EAST LINE OF AFOREMENTIONED TRACT 4, SECTION 5, TOWNSHIP 33 SOUTH, RANGE 39 EAST(PARCEL I.D. # 05-33-39-00000-3000-00001.0).

CONTAINING 4.5 ACRES MORE OR LESS

is changed from A-1, Agricultural District (up to 1 unit/5 acres) to RM-8 , Multiple-Family Residential (up to 8 units/acre)

THAT CERTAIN PARCEL OF LAND LYING AND BEING IN PART OF TRACT 1 AND TRACT 2 OF SECTION 5, TOWNSHIP 33 SOUTH, RANGE 39 EAST, ACCORDING TO THE LAST GENERAL PLAT OF LANDS OF THE INDIAN RIVER FARMS COMPANY SUBDIVISION AS RECORDED IN PLAT BOOK 2, PAGE 25, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA, SAID PARCEL OF LAND LYING SOUTH OF AND CONTIGUOUS TO THE SOUTHERLY BOUNDARY LINES OF THOSE CERTAIN PARCELS DESIGNATED ON THE INDIAN RIVER COUNTY, FLORIDA TAX MAPS AS PARCEL IIA AND PARCEL 1, PARCEL I.D. NO. 05-33-39-00000-1000-00003.2 AND PARCEL I.D. NO. 05-33-39-00000-1000-00003.1; NORTH OF LOT 9 OF “THE INDIAN RIVER MALL – THE MALL SUBDIVISION” AS RECORDED IN PLAT BOOK 14, PAGES 59-59A, INDIAN RIVER COUNTY, FLORIDA; WESTERLY OF THOSE CERTAIN PARCELS DESIGNATED ON THE INDIAN RIVER COUNTY,FLORIDA TAX MAPS AS PARCEL I.D. NO. 05-33-39-00000-1000-00002.2 AND PARCEL I.D. NO. 05-33-39-00000-1000-00004.0.

CONTAINING 19.2 ACRES MORE OR LESS

is changed from RS-6, Single-Family Residential (up to 6 units/acre) to RM-8, Multiple-Family Residential (up to 8 units/acre)

AND

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THOSE CERTAIN PARCELS OF LAND LYING AND BEING IN PART OF TRACT 2 AND TRACT 3 OF SECTION 5, TOWNSHIP 33 SOUTH, RANGE 39 EAST ACCORDING TO THE LAST GENERAL PLAT OF LANDS OF THE INDIAN RIVER COMPANY SUBDIVISION AS RECORDED IN PLAT BOOK 2, PAGE 25, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA, PARCEL I.D. NO. 05-33-39-00000-1000-00003.3 LYING SOUTH AND CONTIGUOUS TO THE SOUTH RIGHT-OF-WAY LINE OF "SUB-LATERAL A-3 CANAL" INDIAN RIVER FARMS WATER CONTROL DISTRICT 30.00 FEET WIDE RIGHT-OF-WAY; EAST OF AND CONTIGUOUS TO THE WEST LINE OF AFOREMENTIONED TRACT 3 OF SECTION 5, TOWNSHIP 33 SOUTH, RANGE 39 EAST; NORTH OF AND CONTIGUOUS TO THE NORTHERLY LINE OF LOT 9 OF "INDIAN RIVER MALL – THE MALL SUBDIVISION" AS RECORDED IN PLAT BOOK 14, PAG 59-59A, INDIAN RIVER COUNTY, FLORIDA; WESTERLY OF AND CONTIGUOUS TO THAT CERTAIN PARCEL OF LAND AS DESIGNATED ON THE INDIAN RIVER COUNTY, FLORIDA TAX MAPS AS PARCEL I.D. NO. 05-33-39-00000-1000-00003.2; AND PARCEL I.D. NO. 05-33-39-00000-1000-00004.0 LYING SOUTH AND EAST OF THAT CERTAIN PARCEL DESIGNATED ON THE INDIAN RIVER COUNTY, FLORIDA TAX MAPS AS PARCEL I.D. NO. 05-33-39-00000-1000-00003.0; NORTH OF AND CONTIGUOUS TO THE NORTHERLY LINE OF AFOREMENTIONED LOT 9, WEST OF THE WEST BOUNDARY LINE OF "PLAT OF RIVERA ESTATES" PLAT BOOK 1, PAGE 12, INDIAN RIVER COUNTY, FLORIDA.

CONTAINING 16.6 ACRES MORE OR LESS.

is changed from to RM-6, Multiple-family Residential District (up to 6 units/acre) to RM-8, Multiple-Family Residential (up to 8 units/acre)

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.

Approved and adopted by the Board of County Commissioners of Indian River County, Florida, on this 4th day of March, 2003.

This ordinance was advertised in the Press-Journal on the 19th day of February, 2003, for a public hearing to be held on the 4th day of March, 2003, at which time it was moved for adoption by

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Commissioner _____, seconded by Commissioner _____, and adopted by the following vote:

Chairman Kenneth R. Macht _____
Vice-Chairman Caroline D. Ginn _____
Commissioner Fran B. Adams _____
Commissioner Arthur R. Neuberger _____
Commissioner Thomas S. Lowther _____

BOARD OF COUNTY COMMISSIONERS
OF INDIAN RIVER COUNTY

BY: _____
Kenneth R. Macht, Chairman

ATTEST BY: _____
Jeffrey K. Barton, Clerk

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

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

William G. Collins II, Deputy County Attorney

APPROVED AS TO PLANNING MATTERS

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Robert M. Keating, AICP; Community Development Director

Indian River Co.	Approved	Date
Admin.		
Legal		
Budget		
Dept.		
Risk Mgr.		

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