

ORDINANCE NO. 2023-\_\_\_\_

AN ORDINANCE OF INDIAN RIVER COUNTY, FLORIDA, AMENDING THE ZONING ORDINANCE AND THE ACCOMPANYING ZONING MAP FOR APPROXIMATELY ±4.46 ACRES LOCATED SOUTH OF AND ADJACENT TO 9TH STREET SOUTHWEST, FROM CH, HEAVY COMMERCIAL DISTRICT AND CG GENERAL COMMERCIAL DISTRICT, TO MED, MEDICAL DISTRICT; AND PROVIDING CODIFICATION, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission, sitting as the local planning agency on such matters, 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 held a public hearing pursuant to this rezoning request, at which parties in interest and citizens were heard; and

WHEREAS, the Board of County Commissioners determined that this rezoning is in conformance with the Comprehensive Plan of Indian River County.

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

PARCEL 1:

THE NORTH 600 FEET OF THE EAST 5 ACRES OF THE WEST 10 ACRES OF TRACT 1, SECTION 26, TOWNSHIP 33 SOUTH, RANGE 39 EAST, INDIAN RIVER FARMS COMPANY AS FILED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF ST. LUCIE COUNTY, FLORIDA, IN PLAT BOOK 2, PAGE 25, SAID LAND NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA.

PARCEL 2:

TOGETHER WITH THE SOUTH 440 FEET OF THE NORTH 470 FEET OF THE WEST 145 FEET OF THE EAST 5 ACRES OF THE EAST 10 ACRES OF THE WEST 15 ACRES OF TRACT 1, SECTION 26, TOWNSHIP 3 SOUTH, RANGE 39 EAST, ACCORDING TO THE LAST GENERAL PLAT OF LANDS OF THE INDIAN RIVER FARMS COMPANY AS FILED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF ST. LUCIE

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COUNTY, FLORIDA, IN PLAT BOOK 2, PAGE 25, SAID LAND NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA.

LESS AND EXCEPT THAT PORTION FOR ADDITIONAL RIGHT-OF-WAY AS DESCRIBED IN OFFICIAL RECORDS BOOK 1425, PAGE 2685, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA.

PARCEL 3:

TOGETHER WITH THE NORTH 607 FEET OF THE EAST 5 ACRES OF THE EAST 10 ACRES OF THE WEST 15 ACRES OF TRACT 1, SECTION 26, TOWNSHIP 3 SOUTH, RANGE 39 EAST, LESS AND EXCEPT THE WEST 145 FEET OF THE NORTH 407 FEET THEREOF, AND LESS ROAD RIGHT-OF-WAY, ALL ACCORDING TO THE LAST GENERAL PLAT OF LANDS OF THE INDIAN RIVER FARMS COMPANY AS FILED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF ST. LUCIE COUNTY, FLORIDA, IN PLAT BOOK 2, PAGE 25, SAID LAND NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA.

ALSO, LESS AND EXCEPTING THEREFROM PARCEL CONVEYED IN INDIAN RIVER COUNTY, BY VIRTUE OF STATUTORY WARRANTY DEED, RECORDED IN OFFICIAL RECORDS BOOK 1421, PAGE 2789, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, AND AS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 10 FEET OF THE NORTH 40 FEET OF THE EAST 5 ACRES OF THE WEST 15 ACRES OF TRACT 1, SECTION 26, TOWNSHIP 3 SOUTH, RANGE 39 EAST, ACCORDING TO THE LAST GENERAL PLAT OF LANDS OF THE INDIAN RIVER FARMS COMPANY AS FILED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF ST. LUCIE COUNTY, FLORIDA, IN PLAT BOOK 2, PAGE 25, SAID LAND NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA.

LESS THE WEST 145 FEET THEREOF.

CONTAINING 4.46 ACRES

is changed from CH, Heavy Commercial District and CG, General Commercial District to MED, Medical District.

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 18<sup>th</sup> day of April, 2023.

This ordinance was advertised in the Press-Journal on the 2nd day of April 2023, for a public hearing to be held on the 18<sup>th</sup> day of April, 2023 at which time it was moved for adoption

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by Commissioner \_\_\_\_\_, seconded by \_\_\_\_\_, and adopted by the following vote:

Joseph H. Earman, Chairman	_____
Susan Adams, Vice Chairman	_____
Joseph E. Flescher, Commissioner	_____
Deryl Loar, Commissioner	_____
Laura Moss, Commissioner	_____

BOARD OF COUNTY COMMISSIONERS  
OF INDIAN RIVER COUNTY

BY: \_\_\_\_\_  
Joseph H. Earman, Chairman

ATTEST BY: \_\_\_\_\_  
Jeffrey Smith, Clerk Of Circuit Court and Comptroller

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

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

\_\_\_\_\_  
William K. DeBraul, Deputy County Attorney

APPROVED AS TO PLANNING MATTERS

\_\_\_\_\_  
Phillip J. Matson, AICP; Community Development Director