

AN ORDINANCE OF INDIAN RIVER COUNTY, FLORIDA, AMENDING THE ZONING ORDINANCE AND THE ACCOMPANYING ZONING MAP FROM A-1, AGRICULTURE-1 AND RS-3, RESIDENTIAL SINGLE-FAMILY, TO PD, PLANNED DEVELOPMENT, FOR APPROXIMATELY 52.96 ACRES OF LAND GENERALLY LOCATED EAST OF STATE ROAD A1A, WEST OF JUNGLE TRAIL, AND NORTH OF THE WINDSOR PD SUBDIVISION; 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:

GOVERNMENT LOTS 9 AND 10, SECTION 10, TOWNSHIP 31 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA.

PARCEL 2:

THE NORTH 100 FEET OF THE NORTH HALF OF GOVERNMENT LOT 11, SECTION 10, TOWNSHIP 31 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA, LYING WEST OF STATE ROAD A1A.

PARCEL 3:

ALL OF OCEAN WAY SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 13, PAGES 92 AND 92A OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA.

THE OVERALL PROJECT BOUNDARY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR THE POINT OF BEGINNING BEGIN AT THE NORTHWEST CORNER OF GOVERNMENT LOT 10 THENCE; S89°19'11"E ALONG THE NORTH LINE OF SAID GOVERNMENT LOT 10 A DISTANCE OF 1312.81 FEET TO THE NORTHWEST CORNER OF GOVERNMENT LOT 11 THENCE; N89°23'59"E ALONG THE NORTH

LINE OF SAID GOVERNMENT LOT 11 A DISTANCE OF 805.54 FEET TO THE WEST RIGHT OF WAY LINE OF STATE ROAD A-1-A THENCE; S27°05'25"E ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 111.73 FEET TO THE SOUTH LINE OF THE NORTH 100 FEET OF AFOREMENTIONED GOVERNMENT LOT 11 THENCE; S89°23'59"W ALONG SAID SOUTH LINE A DISTANCE OF 855.57 FEET TO THE WEST LINE OF SAID GOVERNMENT LOT 11 THENCE; S00°29'22"E ALONG SAID WEST LINE A DISTANCE OF 1066.72 FEET TO THE NORTHWEST CORNER OF OCEAN WAY SUBDIVISION AS RECORDED IN PLAT BOOK 13, PAGES 92 AND 92A OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA THENCE; N89°27'03"E ALONG THE NORTH LINE OF SAID OCEAN WAY SUBDIVISION A DISTANCE OF 1378.83 FEET TO THE WEST RIGHT OF WAY LINE OF STATE ROAD A-1-A (10 FOOT ADDITIONAL RIGHT OF WAY) ACCORDING TO THE AFOREMENTIONED PLAT OF OCEAN WAY SUBDIVISION THENCE; S27°04'51"E ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 219.80 FEET TO THE SOUTH LINE OF SAID OCEAN WAY SUBDIVISION THENCE; S89°26'32"W ALONG SAID SOUTH LINE A DISTANCE OF 1477.24 FEET TO THE WEST LINE OF GOVERNMENT 3, SECTION 10, TOWNSHIP 31 SOUTH, RANGE 39 EAST THENCE; N66°18'09"W CONTINUING ALONG THE SOUTH LINE OF OCEAN WAY SUBDIVISION A DISTANCE OF 76.72 FEET TO THE WESTERN MOST CORNER OF SAID OCEAN WAY SUBDIVISION AND THE SOUTH LINE OF AFOREMENTIONED GOVERNMENT LOT 10 THENCE; N89°19'03"W ALONG SAID SOUTH LINE OF GOVERNMENT LOT 10 A DISTANCE OF 1175.33 FEET TO THE WATERS OF THE INDIAN RIVER LAGOON THENCE, THE FOLLOWING FOUR(4) COURSES MEANDERING SAID WATERS; (1) N14°32'43"W A DISTANCE OF 222.88 FEET THENCE; (2) N23°00'25"W A DISTANCE OF 239.71 FEET THENCE; (3) N26°53'43"W A DISTANCE OF 471.48 FEET THENCE; (4) N30°28'31"W A DISTANCE OF 555.25 FEET TO THE NORTH LINE OF GOVERNMENT LOT 9 THENCE; S89°53'17"E ALONG SAID NORTH LINE A DISTANCE OF 565.71 FEET TO THE AFOREMENTIONED NORTHWEST CORNER OF GOVERNMENT LOT 10 AND THE POINT OF BEGINNING. CONTAINS 54.98 ACRES MORE OR LESS.

EXCLUDING MAINTAINED RIGHT OF WAY FOR JUNGLE TRAIL AS RECORDED IN PLAT BOOK 14, PAGE 4 OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA.

is changed from A-1, Agriculture-1 and RS-3, Residential Single-Family to PD, Planned Development, with the general project layout as depicted in the attached conceptual PD plan (Exhibit A).

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 19<sup>th</sup> Day of November, 2023, for a public hearing to be held on the 5<sup>th</sup> day of December, 2023, at which time it was moved for adoption by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and adopted by the following vote:

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

Chairman Susan Adams \_\_\_\_\_

Vice Chairman Joseph E. Flescher \_\_\_\_\_

Commissioner Deryl Loar \_\_\_\_\_

Commissioner Joseph H. Earman \_\_\_\_\_

Commissioner Laura Moss \_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS  
OF INDIAN RIVER COUNTY

BY: \_\_\_\_\_  
Susan Adams, Chairman

ATTEST: Ryan L. Butler, 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

\_\_\_\_\_  
William K. DeBraal, County Attorney

APPROVED AS TO PLANNING MATTERS

\_\_\_\_\_  
Andrew Sobczak, Planning & Development Services Director

Exhibit "A"

This site plan, labeled "Exhibit 'A'", depicts a residential development. The layout includes 40 numbered lots, a winding road, a creek, and a parking lot. The plan is bounded by a purple dashed line, with a green dashed line indicating the proposed right-of-way. The lots are numbered 1 through 40, with 1-17 on the left, 18-34 in the center, and 35-40 on the right. The creek flows from the top left towards the bottom center. The parking lot is located on the right side, adjacent to lots 35-40. The plan also shows various utility lines and a building footprint in the bottom left corner.

Legend:

- BOUNDARY LINE
- PROPOSED ROW LINE

Attachment 5

Attachment 5

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	JOB NO. 22-0104			DESIGNED RJW			DRAWN RJW			DATE 10/18/2023			CHECKED BP / AB			DATE ISSUED 10/18/2023			8			PD COMMENTS			06-30-2023		
	7			6			5			4			3			2			1			TRC COMMENTS			03-21-2023		
																						TRC REVISION / ADDENDUM			01-30-2023		
																						TRC COMMENTS			01-13-2023		
																						CLIENT MODIFICATIONS			11-02-2022		
																						COMMENTS					
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