

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

TO: Jason E. Brown; County Administrator

THROUGH: Phillip J. Matson, AICP; Community Development Director

THROUGH: Ryan Sweeney; Chief, Current Development

FROM: Scott Rodriguez; Senior Planner, Current Development

DATE: April 6, 2021

SUBJECT: Jody H. Oliver's Request for Affidavit of Exemption Approval with Dedications to the County [AOE-20-02-01 / 2019080148-85940] (Burlingham AOE)

It is requested that the data herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of April 13, 2021.

DESCRIPTION, CONDITIONS, & ANALYSIS:

Carter Associates, Inc., on behalf of Jody H. Oliver, as Trustee, the owner of the subject property, submitted an application for an Affidavit of Exemption (AOE). The project consists of six lots on 30.82 acres of land situated on the north side of 65th Street, approximately one-half mile west of 66th 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 limited access easements will be required along the project's 65th Street frontage, except for three shared driveways that will provide access to the six lots. In addition, 30' of right-of-way (ROW) needs to be dedicated for 65th Street to complete the 60' wide local road minimum. The purpose of the limited access easements is to control the number of driveway connections to the publicly owned and maintained right-of-way. Dedication of the limited access easements to the Board will allow the County to enforce use of the common entrance connections to 65th Street for all lots within the Burlingham AOE.

Normally an AOE may be approved at staff level; however, dedication of 5' limited access easements and 30' of 65th Street ROW to the Board requires Board acceptance of the easements and ROW. Once accepted by the Board, staff may concurrently approve the AOE and the appropriate documents may be recorded in the public records.

The recordable Burlingham AOE plan accurately depicts the required ROW dedication and limited access easements, and also includes the appropriate dedication language. 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 and ROW from the property owner as part of the AOE approval.

RECOMMENDATION:

Based on the provided analysis, staff recommends that the Board of County Commissioners accept the dedication of the limited access easements and ROW, and authorize the chairman to execute the subject Affidavit of Exemption.

ATTACHMENTS:

1. Location Map
2. Affidavit of Exemption Layout