

ORDINANCE NO. 2021-____

AN ORDINANCE OF INDIAN RIVER COUNTY, FLORIDA, AMENDING THE ZONING ORDINANCE AND THE ACCOMPANYING ZONING MAP FOR APPROXIMATELY ±40.25 ACRES LOCATED SOUTH OF AND ADJACENT TO 26th STREET APPROXIMATELY ±775 FEET EAST OF 66th AVENUE AND APPROXIMATELY ±700 FEET WEST OF 58th AVENUE AND NORTH OF THE INDIAN RIVER MALL, FROM PDTND, PLANNED DEVELOPMENT TRADITIONAL NEIGHBORHOOD DESIGN, TO RM-8, MULTIPLE FAMILY RESIDENTIAL DISTRICT (UP TO 8 UNITS PER ACRE); 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:

SITUATED IN THE NORTH 1/2 OF SECTION 5, TOWNSHIP 33 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA:

COMMENCING AT A POINT BEING 50.0 FEET EAST AND 30.0 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHWEST ONE QUARTER OF SECTION 5, TOWNSHIP 33 SOUTH, RANGE 39 EAST; RUN PARALLEL TO THE NORTH LINE OF SAID SECTION 5, SOUTH 89°46'03" EAST, A DISTANCE OF 687.22 FEET TO THE PRINCIPAL POINT AND PLACE OF BEGINNING OF THE FOLLOWING DESCRIPTION:

ORDINANCE NO. 2021-_____

RUNNING PARALLEL TO THE NORTH LINE OF SAID SECTION 5, SOUTH 89°46'03" EAST, A DISTANCE OF 1921.89 FEET TO A POINT; THENCE CONTINUING RUNNING PARALLEL TO THE SAID NORTH LINE OF SECTION 5, SOUTH 89°45'58" EAST, A DISTANCE OF 333.91 FEET TO THE NORTHWEST CORNER OF THE PLAT OF BELLA ROSA, AS RECORDED IN PLAT BOOK 23, PAGE 25, INDIAN RIVER COUNTY RECORDS; THENCE SOUTH 00°14'14" WEST, ALONG THE WEST LINE OF SAID PLAT, A DISTANCE OF 504.22 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 55°34'30" EAST, ALONG THE SOUTHERLY LINE OF SAID PLAT OF BELLA ROSA, A DISTANCE OF 116.02 FEET TO A POINT; THENCE DEPARTING THE SOUTHERLY LINE OF SAID PLAT, PROCEED NORTH 87°09'12" EAST, A DISTANCE OF 7.99 FEET TO A POINT; THENCE NORTH 55°44'03" EAST, A DISTANCE OF 222.15 FEET TO A POINT; THENCE NORTH 21°33'17" EAST, A DISTANCE OF 8.58 FEET TO A POINT ON THE AFOREMENTIONED SOUTHERLY LINE OF SAID PLAT OF BELLA ROSA, AND FOR THE FOLLOWING SIX (6) COURSES:

NORTH 55°34'30" EAST, A DISTANCE OF 100.40 FEET TO A POINT; THENCE

NORTH 89°40'41" EAST, A DISTANCE OF 258.58 FEET TO A POINT; THENCE

SOUTH 00°15'52" WEST, A DISTANCE OF 100.15 FEET TO A POINT; THENCE

NORTH 89°41'01" EAST, A DISTANCE OF 143.04 FEET TO A POINT; THENCE

NORTH 00°15'06" EAST, A DISTANCE OF 100.17 FEET TO A POINT; THENCE

NORTH 89°40'41" EAST, A DISTANCE OF 173.33 FEET TO A POINT, THENCE

DEPARTING SAID SOUTHERLY LINE, PROCEED SOUTH 84°09'32" EAST, A DISTANCE OF 73.53 FEET TO A POINT; THENCE NORTH 48°00'05" EAST, A DISTANCE OF 11.87 FEET TO A POINT ON THE AFOREMENTIONED SOUTHERLY LINE OF SAID PLAT OF BELLA ROSA; THENCE ALONG SAID SOUTHERLY LINE, PROCEED NORTH 89°40'41" EAST, A DISTANCE OF 27.78 FEET TO A POINT, THENCE DEPARTING SAID SOUTHERLY LINE, PROCEED SOUTH 55°15'05" EAST, A DISTANCE OF 10.10 FEET TO A POINT; THENCE NORTH 84°19'18" EAST, A DISTANCE OF 62.17 FEET TO A POINT ON THE AFOREMENTIONED SOUTHERLY LINE OF SAID PLAT OF BELLA ROSA; THENCE ALONG SAID SOUTHERLY LINE, PROCEED NORTH 89°40'41" EAST, A DISTANCE OF 324.13 FEET TO A POINT; THENCE DEPARTING SAID SOUTHERLY LINE, PROCEED SOUTH 83°16'45" EAST, A DISTANCE OF 66.01 FEET TO A POINT; THENCE NORTH 47°52'06" EAST, A DISTANCE OF 12.14 FEET TO A POINT ON THE AFOREMENTIONED SOUTHERLY LINE OF SAID PLAT OF BELLA ROSA; THENCE NORTH 89°40'41" EAST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 72.83 FEET TO THE SOUTHEAST CORNER OF SAID PLAT OF BELLA ROSA, THENCE DEPARTING SAID PLAT, PROCEED ALONG THE WESTERLY LINE OF THAT CERTAIN PARCEL CONVEYED TO INDIAN RIVER COUNTY, AS DESCRIBED IN OFFICIAL RECORDS BOOK 1147, PAGE 499, PUBLIC

ORDINANCE NO. 2021-____

RECORDS OF INDIAN RIVER COUNTY; THENCE FOR THE FOLLOWING TWO (2) COURSES:

SOUTH 00°17'48" WEST, A DISTANCE OF 277.03 FEET TO A POINT; THENCE SOUTH 33°36'26" EAST, A DISTANCE OF 143.82 FEET TO A POINT ON THE NORTHERLY LINE OF THE PLAT OF RIVIERA ESTATES, AS RECORDED IN PLAT BOOK 1, PAGE 12, AND PLAT BOOK 10, PAGE 33, ALL IN THE PUBLIC RECORDS OF INDIAN RIVER COUNTY; THENCE NORTH 89°52'20" WEST, ALONG THE NORTH LINE OF SAID PLAT OF RIVIERA ESTATES, A DISTANCE OF 683.12 FEET TO THE NORTHWEST CORNER OF SAID PLAT; THENCE SOUTH 00°16'43" WEST, ALONG THE WEST LINE OF SAID RIVIERA ESTATES, A DISTANCE OF 320.46 FEET TO THE NORTHEAST CORNER OF LOT 9 OF THE PLAT OF INDIAN RIVER MALL – THE MALL SUBDIVISION, AS RECORDED IN PLAT BOOK 14, PAGE 59, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA; THENCE ALONG THE NORTH LINE OF SAID LOT 9, FOR THE FOLLOWING TWELVE (12) COURSES:

NORTH 89°45'00" WEST, A DISTANCE OF 917.66 FEET TO A POINT; THENCE

NORTH 47°06'42" WEST, A DISTANCE OF 69.27 FEET TO A POINT; THENCE

NORTH 57°51'42" WEST, A DISTANCE OF 330.00 FEET TO A POINT; THENCE

NORTH 32°08'18" EAST, A DISTANCE OF 122.35 FEET TO A POINT; THENCE

NORTH 57°51'42" WEST, A DISTANCE OF 556.50 FEET TO A POINT; THENCE

SOUTH 87°08'18" WEST, A DISTANCE OF 550.00 FEET TO A POINT; THENCE

NORTH 00°14'29" EAST, A DISTANCE OF 143.38 FEET TO A POINT; THENCE

NORTH 89°45'31" WEST, A DISTANCE OF 770.02 FEET TO A POINT; THENCE

SOUTH 00°14'29" WEST, A DISTANCE OF 230.00 FEET TO A POINT; THENCE

NORTH 89°45'31" WEST, A DISTANCE OF 250.00 FEET TO A POINT; THENCE

NORTH 44°45'31" WEST, A DISTANCE OF 35.36 FEET TO A POINT; THENCE

NORTH 00°14'29" EAST, A DISTANCE OF 424.77 FEET TO THE POINT OF BEGINNING.

CONTAINING 40.25 ACRES

is changed from PDTND, Planned Development Traditional Neighborhood Design District to RM-8, Multiple-Family Residential District (up to 8 units per acre).

ORDINANCE NO. 2021-_____

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 20th day of April, 2021.

This ordinance was advertised in the Press-Journal on the 4th day of April 2021, for a public hearing to be held on the 20th day of April, 2021 at which time it was moved for adoption by Commissioner _____, seconded by _____, and adopted by the following vote:

Joseph E. Flescher , Chairman	_____
Peter D. O'Bryan, Vice Chairman	_____
Susan Adams, Commissioner	_____
Joseph Earman, Commissioner	_____
Laura Moss, Commissioner	_____

BOARD OF COUNTY COMMISSIONERS
OF INDIAN RIVER COUNTY

BY: _____
Joseph E. Flescher, Chairman

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

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

ORDINANCE NO. 2021-_____

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

William K. DeBaal, Deputy County Attorney

APPROVED AS TO PLANNING MATTERS

Phillip J. Matson, AICP; Community Development Director