

**DEVELOPER’S AGREEMENT BETWEEN  
INDIAN RIVER COUNTY AND MERITAGE HOMES OF FLORIDA, INC.  
FOR FAIR SHARE ROADWAY IMPROVEMENT CONTRIBUTION, RIGHT-OF-WAY  
DEDICATIONS AND ASSOCIATED ROADWAY AND DRAINAGE IMPROVEMENTS**

THIS DEVELOPMENT AGREEMENT (“Agreement”) is made and entered into this \_\_\_\_ day of March, 2025, by and between **INDIAN RIVER COUNTY, FLORIDA**, a political subdivision of the State of Florida, 1801 27<sup>th</sup> Street, Vero Beach, FL 32960 (“County”) and **MERITAGE HOMES OF FLORIDA, INC.**, a Florida profit corporation, 18655 North Claret Drive, Suite 400, Scottsdale, AZ 85255 (“Developer”).

**W I T N E S S E T H:**

WHEREAS, Developer proposes to develop a “Planned Development” (PD) Community located north of 25<sup>th</sup> Street SW on the west side of 43<sup>rd</sup> Avenue SW in Indian River County, Florida, to be known as Lakeside West formerly known as Tripson Estates, to include single family residences on the real property legally described as follows (the “Project”):

**SEE EXHIBIT “A” ATTACHED HERETO AND MADE A PART HEREOF.**

WHEREAS, at its regular meeting on June 23, 2022, the Planning & Zoning Commission granted preliminary planned development (PD) plan and plat approval for PD-21-11-10/2001090106-90748); and

WHEREAS, a developer’s agreement for fair share contribution toward funding the improvements to the 43<sup>rd</sup> Avenue SW and State Road 60 intersection is required as a condition of the PD approval; and

WHEREAS, a developer’s agreement for right-of-way dedication is required as a condition of PD approval; and

WHEREAS, the County and the Developer share mutual goals and have determined that they can assist each other with respect to right-of-way dedication, roadway and drainage improvements, and other improvements described herein and required by the PD approval; and

WHEREAS, County and Developer desire to enter into this Agreement to set forth the terms and conditions to which they have agreed with respect to the matters contained herein; and

WHEREAS, the development proposed is consistent with Indian River County’s comprehensive plan and land development regulations; and

NOW, THEREFORE, for and in consideration of these premises, ten dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the County and the Developer do hereby covenant, stipulate, and agree as follows:

1. The foregoing recitals are incorporated as if fully restated herein.
2. The development was previously approved as a PD with 201 single-family lots. The allowed density in the underlying zoning district (RS-3) is 3 Dwelling Units (“DU”) per acre, and Developer has proposed 1.58 DU/acre. The maximum building height is 35’ and maximum building coverage is 40% of the overall site.
3. Prior to the issuance of the Land Development Permit (LDP) for Lakeside West, Developer shall make a fair share contribution towards the intersection improvements at 43<sup>rd</sup> Avenue SW and State Road 60 in the amount of One Hundred Ninety-Two Thousand Three Hundred Forty-Six and No/100 (\$192,346.00) dollars using a proportional share contribution of trip generation and total cost of intersection improvements as the Developer’s Cost Share.
4. Developer and County acknowledge that the Developer pursuant to this developer’s agreement is hereby dedicating to the County the following right-of-way without compensation prior to issuance of the Land Development Permit:
  - A. Fifty feet of right-of-way along the Project’s 43<sup>rd</sup> Avenue SW.
  - B. Eighty feet of right-of-way along 21<sup>st</sup> Street SW, the right-of-way will be north of the existing Indian River Farms Water Control District canal right-of-way and will achieve the required right-of-way width for this section of 21<sup>st</sup> Street SW.
  - C. Eighty feet of right-of-way along 25<sup>th</sup> Street SW, the right-of-way will be north of the existing Indian River Farms Water Control District canal right-of-way and will achieve the required right-of-way width for this section of 25<sup>th</sup> Street SW.

\*Dedicated right-of-way frontage dedication is depicted in the attached sketch and legal descriptions attached hereto and incorporated herein as Exhibits “B” and “C”. \*  
 (see letter to Wesley Mills dated June 24, 2022, along with staff report for preliminary PD staff approval dated June 15, 2022, attached hereto as Exhibit “D”).
5. Prior to issuance of a Certificate of Completion for Phase 1 (as defined in the Conditions of Approval), Developer shall complete at its own cost and expense certain required external roadway expansion, and paving improvements on 43<sup>rd</sup> Avenue SW and 21<sup>st</sup> Street SW along with turn lanes and sidewalks in accordance with the Land Development Permit Plans defined as follows:
  - A. Pave 21<sup>st</sup> Street SW from 43<sup>rd</sup> Avenue SW to the west project boundary along with transition to the existing unpaved road as a two-lane road. These improvements are the Developer’s responsibility as required subdivision improvements.
  - B. Construct an eight-foot sidewalk along the west side of 43<sup>rd</sup> Avenue SW adjacent to the phase boundary, along the south side of 21<sup>st</sup> Street SW from 43<sup>rd</sup> Avenue to the

entrance, and along the north side of 21<sup>st</sup> Street SW from project entrance to the west site boundary.

- C. Install a southbound right turn lane on 43<sup>rd</sup> Avenue SW at the intersection of 21<sup>st</sup> Street SW.
  - D. Install a northbound left turn lane on 43<sup>rd</sup> Avenue SW at the intersection of 21<sup>st</sup> Street SW.
  - E. Install an eastbound left turn lane on 21<sup>st</sup> Street SW at the intersection of 43<sup>rd</sup> Avenue SW.
  - F. Install a westbound right turn lane on 21<sup>st</sup> Street SW to serve north project entrance.
  - G. Install a westbound left turn lane on 21<sup>st</sup> Street SW to serve the south Project entrance.
  - H. Provide dual egress lanes at both the project entrances on 21<sup>st</sup> Street SW.
6. Prior to issuance of a Certificate of Completion for Phase 1 (as defined in the Conditions of Approval), Developer shall complete at its own cost and expense certain required external roadway expansion, and paving improvements on 43<sup>rd</sup> Avenue SW, 25<sup>th</sup> Street SW along with turn lanes and sidewalks in accordance with the Land Development Permit Plans defined as follows:
- A. Pave 25<sup>th</sup> Street SW from 43<sup>rd</sup> Avenue SW to the west project boundary along with transition to the existing unpaved road as a two-lane road. These improvements are the Developer's responsibility as required subdivision improvements.
  - B. A five-foot sidewalk along the north side of 25<sup>th</sup> Street SW.
  - C. Install an eastbound left turn lane on 25<sup>th</sup> Street SW at intersection of 43<sup>rd</sup> Avenue SW.
  - D. Install a southbound left turn lane on 43<sup>rd</sup> Avenue SW at intersection of 25<sup>th</sup> Street SW.
7. Pave and upgrade 43<sup>rd</sup> Avenue SW along the west project boundary per the phasing plan to County standards as approved by staff via the Right-of-Way Permit. The existing two-lane road shall be milled and resurfaced with one inch of asphalt as required for installation of the project's turn lanes. Additionally, two- and one-half inch of asphalt and additional base construction shall be installed on the existing road. The additional asphalt and base construction is eligible for transportation impact fee credits at the rate in effect at the time of execution of this agreement.

8. Prior to issuance of a certificate of completion for each respective phase, the Developer shall:
  - A. Install all required perimeter buffers and project landscape improvements.
  - B. Install all required project streetlighting, have it inspected and accepted.
9. At the time of offsite improvements for the respective phase, Developer shall incorporate sufficient stormwater capacity in the Project to provide stormwater drainage for that portion of 43<sup>rd</sup> Avenue SW, 21<sup>st</sup> Street SW, and 25<sup>th</sup> Street SW which is adjacent to the Project and dedicate the right to discharge runoff from those streets to the County as a Public Benefit prior to or via the final plat in accordance with the Preliminary PD Plan/Plat. (see Exhibit "D").
10. Prior to issuance of a Land Development Permit, Developer shall pay to the County Developer's contribution in the amount of Twenty-Five Thousand and No/100 (\$25,000.00) dollars toward future traffic signal improvements at the intersection of 21<sup>st</sup> Street SW and 43<sup>rd</sup> Avenue SW. (see Exhibit "D").
11. Prior to issuance of a Land Development Permit, Developer shall pay to the County the Developer's contribution in the amount of Ninety Thousand and No/100 (90,000.00) dollars towards improvements to the South County Initiative Public Park. (see Exhibit "D").
12. Prior to issuance of a Land Development Permit, Developer shall obtain Environmental Planning staff approval for a tree relocation plan with relocation of the selected trees to be finalized prior to the issuance of a certificate of completion for each respective project phase. (see Exhibit "D")
13. Project streetlights are required and shall be maintained by the property owner's association. They must be installed, inspected, and accepted prior to the issuance of a Certificate of Completion for each respective project phase. (see Exhibit "D").
14. Five-foot-wide internal sidewalks will be provided throughout the project on both sides of all internal streets and will connect to the external sidewalks system along 25<sup>th</sup> Street SW, 21<sup>st</sup> Street SW, and 43<sup>rd</sup> Avenue SW. All sidewalks will be included in the project's Land Development Permit and will need to be constructed along the frontage of common areas and individual lots in accordance with the requirements of Indian River County Code Section 913.09(5)(b)2. (see Exhibit "D").
15. Indian River County Water and Sanitary Sewer facilities will be extended to the site as part of Phase 1 improvements, prior to obtaining a certificate of completion for Phase 1. Indian River County Roadway/Drainage improvements will be completed prior to obtaining a certificate of completion for phase 1. Additionally, FPL will serve the site and power will be brought to the site in order to complete Phase 1 (schedule to be determined by Meritage).



16. A description of all local development permits approved, or needed to be approved for the Development of the land is attached hereto as Exhibit "E". Until such time the Land Development Permit and Right of Way permits are released for the project, the Board of County Commissioners has the authority to provide code changes from time to time that may modify permit requirements. The site is also located within a Special Flood Hazard Area as designated by the Flood Insurance Rate Maps. Because Indian River County participates in the Community Rating System through the Federal Emergency Management Agency, it is the Developer's responsibility to stay abreast of any required Finished Floor Elevation freeboard changes to the Indian River County code and the Florida State Building Code.

17. **Impact Fees & Credits:**

- A. Only those contributions by the Developer that are NOT public benefits that were given in exchange for approval of the Planned Development Application by the Planning and Zoning Commission and the Board of County Commissioners shall be given impact fee credits at the rates currently in effect at the time of execution of this document, and consistent with the requirement for credit to be applied on a dollar-for-dollar basis at fair market value pursuant to Florida Statute Section 163.31801(5)(a).

18. **Miscellaneous Provisions:**

- A. In the event of any litigation arising out of this Agreement should occur, the prevailing party shall recover attorney's fees and costs from the non-prevailing party.
- B. No amendment, modification, change, or alteration of this Agreement shall be valid or binding unless accomplished in writing and executed by all the parties hereto or their successors in interest as denoted pursuant to Florida Statute.
- C. The County shall perform a periodic review of the Agreement every 12 months consistent with Florida Statute § 163.3235, and may revoke or modify the Agreement should it be found based on substantial competent evidence, that there has been a failure to comply with the terms of the Agreement.
- D. The term of this Agreement shall be seven (7) years. Unless otherwise agreed upon by the parties in writing, this Agreement shall not be renewed automatically for successive terms.
- E. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their successors, and assigns.
- F. This Agreement contains the entire agreement and understanding between the parties. No representation, statement, recital, undertaking, or promise not

specifically set forth herein shall be binding on any parties hereto. This Agreement shall not be effective unless signed by the Developer and the County and recorded within 14 days of execution in the Public Records of Indian River County as is required by Florida Statute § 163.3239.

- G. This Agreement and all matters arising hereunder shall be governed by and construed in accordance with the laws of the State of Florida. Venue hereunder shall lie in Indian River County, Florida.
- H. This Agreement shall be deemed prepared jointly by each of the parties hereto and shall be construed on parity as between the parties. There shall be no canon of construction for or against any party by reason of the physical preparation of this Agreement.
- I. Whenever the singular number is used in this Agreement and when required by the context, the same shall include the plural; and the masculine, feminine, and neuter genders shall each include the others.
- J. The County and Developer shall grant such further assurances and provide such additional documents as may be reasonably required by one another from time to time and cooperate fully with one another in order to carry out the terms and conditions hereof and comply with the express intention of this Agreement.
- K. Failure to insist upon strict compliance with any of the terms, covenants, or conditions herein shall not be deemed a waiver of such terms, covenants, or conditions, nor shall any waiver or relinquishment of any right or power hereunder at any one time or times be deemed a waiver or relinquishment of such right or power at any other time or times. Further, the fact that this Agreement does not detail all laws, rules, regulations, permits, conditions, terms and restrictions that must be satisfied to complete the development contemplated by this Agreement shall not relieve any party, or its successors in interest, of the obligation to comply with the law governing such permit requirements, conditions, terms, and restrictions.
- L. All words, terms, and conditions contained herein are to be read in concert each and with the other, and a provision contained under one paragraph may be considered to be equally applicable under another in the interpretation of this Agreement.
- M. The words herein and hereof and words of similar import, without referenced to any particular section or subdivision of this Agreement, refer to this Agreement as a whole rather than to any particular section or subdivision hereof.
- N. In the event any term, condition, or clause of this Agreement is declared to be illegal or unenforceable by a court of competent jurisdiction, such declaration of illegality or unenforceability shall not affect or alter the legality or enforceability of any

remaining term, condition, or clause hereof, provided same does not frustrate the intention of the parties, as set forth in this Agreement.

- O. The failure of this Agreement to address a particular permit, condition, term, or restriction shall not relieve Developer of the necessity of complying with the law governing said permitting requirements, conditions, term, or restriction.

This Agreement may be executed in any number of duplicate originals and any such duplicate original shall be deemed to constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

Signed, sealed and delivered in the presence of:

BOARD OF COUNTY COMMISSIONERS  
INDIAN RIVER COUNTY, FLORIDA.

\_\_\_\_\_  
*Print Name:* \_\_\_\_\_

By: \_\_\_\_\_  
Joseph E. Flescher, Chairman

\_\_\_\_\_  
*Print Name:* \_\_\_\_\_

Approved by:

Attest: \_\_\_\_\_  
Ryan L. Butler, Clerk of the Circuit Court  
and Comptroller

\_\_\_\_\_  
John A. Titkanich, Jr. County Administrator

Approved as to Form and Legal Sufficiency

By: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Susan J. Prado Deputy County Attorney

BCC Approved: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF INDIAN RIVER

The forgoing instrument was acknowledged before me \_\_\_by means of personal presence or \_\_\_ online notarization, this \_\_\_\_\_ day of March, 2025, by Joseph E. Flescher, as Chairman of the Indian River County Board of County Commissioners, who is \_\_\_personally known to me or \_\_\_\_\_who have produced \_\_\_\_\_ as identification.

(Notary Seal)

\_\_\_\_\_  
Printed Name: \_\_\_\_\_  
My Commission Expires

MERITAGE HOMES OF FLORIDA, INC.

Signed, sealed and delivered in the presence of:

By: \_\_\_\_\_  
Jon Isherwood, Division President

\_\_\_\_\_  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
Print Name: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The forgoing instrument was acknowledged before me by means of \_\_\_ physical presence or \_\_\_ online notarization, this \_\_\_\_\_ day of March 2025, by Jon Isherwood, the Division President of Meritage Homes of Florida, INC., a Florida profit corporation, who is \_\_\_ personally known to me or \_\_\_ who have produced \_\_\_\_\_ as identification.

(Notary Seal)

\_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Notary Public  
My Commission Expires:

**EXHIBIT "A"**

LEGAL DESCRIPTION:

TRACTS 9 AND 16, IN SECTION 33, TOWNSHIP 33 SOUTH, RANGE 39 EAST, ACCORDING TO THE LAST GENERAL PLAT OF LANDS OF THE INDIAN RIVER FARMS COMPANY, AS RECORDED IN PLAT BOOK 2, PAGE 25, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, NOW INDIAN RIVER COUNTY, FLORIDA, LESS AND EXCEPT THAT PORTION LYING IN STATE ROAD 611 (43<sup>RD</sup> AVENUE) AND WEST 25<sup>TH</sup> STREET SW (HAMILTON ROAD).

AND

TRACT 1, LESS AND EXCEPT THE NORTH 19.5 ACRES THEREOF AND TRACT 8, SECTION 33, TOWNSHIP 33 SOUTH, RANGE 39 EAST, ACCORDING TO THE LAST GENERAL PLAT OF LANDS OF THE INDIAN RIVER FARMS COMPANY, AS RECORDED IN PLAT BOOK 2, PAGE 25, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, NOW INDIAN RIVER COUNTY, FLORIDA.

**EXHIBITS “B” and “C”**

**SEE ATTACHED “Parcel A Sketch and Legal” & “Parcel B Sketch and Legal”**

**RIGHT-OF-WAY DEDICATION  
 SKETCH TO ACCOMPANY DESCRIPTION  
 SECTION 33, TOWNSHIP 33 SOUTH, RANGE 39 EAST  
 (NOT VALID WITHOUT SHEETS 1 & 2)**

LEGAL DESCRIPTION: PARCEL B (RIGHT-OF-WAY DEDICATION)

PORTIONS OF TRACT 1 AND TRACT 8, IN SECTION 33, TOWNSHIP 33 SOUTH, RANGE 39 EAST, ACCORDING TO THE LAST GENERAL PLAT OF LANDS OF THE INDIAN RIVER FARMS COMPANY, AS RECORDED IN PLAT BOOK 2, PAGE 25, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, NOW INDIAN RIVER COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

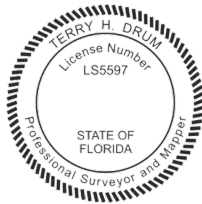
COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 33; THENCE NORTH 00°19'36" EAST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 33 SOUTH, RANGE 39 EAST, A DISTANCE OF 2693.08 FEET; THENCE NORTH 89°37'00" WEST, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING; AND THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF 43RD AVENUE AND THE NORTH RIGHT OF WAY LINE OF 21ST STREET SW, A 30 FOOT PUBLIC RIGHT OF WAY; THENCE CONTINUE NORTH 89°37'00" WEST, ALONG SAID NORTH RIGHT OF WAY LINE OF 21ST STREET SW, A DISTANCE OF 1305.63 FEET TO THE WEST LINE OF SAID TRACT 8; THENCE NORTH 00°18'54" EAST ALONG SAID WEST LINE OF TRACT 8, A DISTANCE OF 80.00 FEET; THENCE SOUTH 89°37'00" EAST, A DISTANCE OF 1205.65 FEET; THENCE NORTH 45°21'18" EAST, A DISTANCE OF 70.68 FEET; THENCE NORTH 00°19'36" EAST, A DISTANCE OF 1864.90 FEET; TO A POINT ON THE SOUTH LINE OF THE NORTH 19.50 ACRES OF SAID TRACT 1, THENCE SOUTH 89°37'34" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 50.00 FEET TO THE AFOREMENTIONED WEST RIGHT OF WAY LINE OF 43RD AVENUE, A 50' PUBLIC RIGHT OF WAY; THENCE SOUTH 00°19'36" WEST ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 1994.95 FEET TO THE POINT OF BEGINNING.

CONTAINING 201,443 SQUARE FEET 4.62 ACRES +/-

**SURVEYORS NOTES:**

1. THIS DESCRIPTION IS BASED UPON A SURVEY BY GSS SURVEYING & MAPPING, LLC, DATED 05-12-2021.
2. THIS SKETCH EXISTS SOLELY FOR THE PURPOSE OF ILLUSTRATING THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED.
3. ALL DIMENSIONS ARE CALCULATED UNLESS OTHERWISE NOTED.
4. THIS SKETCH MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

GSS SURVEYING & MAPPING, LLC.  
 CERTIFICATE OF AUTHORIZATION NUMBER LB 8006



PROFESSIONAL SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE

TERRY H. DRUM PROFESSIONAL SURVEYOR AND MAPPER NO. 5597

NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OR DIGITAL SIGNATURE AND DIGITAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

**THIS IS NOT A BOUNDARY SURVEY**

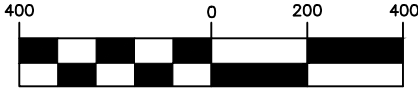
UPDATES and/or REVISIONS	09-12-23 UPDATE DESCRIPTION	12-21-23 PER COMMENTS	
DATE: 04-11-22 DESCRIPTION	07-18-23 UPDATE DESCRIPTION		

JOB #: 21-0568 SKETCH-DESC B
DRAWN BY: KC/EAD
CHECKED BY: THD
FIELD BOOK: N/A
PAGE: 1 OF 2
FIELD DATE: N/A

<p><b>GSS Surveying and Mapping, LLC</b>                  700 22<sup>nd</sup> Place                  Suite 2A                  Vero Beach, FL 32960                  772-696-5300</p>		<p><b>GSS Surveying and Mapping, LLC</b>                  4620 Lipscomb St NE                  Suite 2                  Palm Bay, FL 32905                  321-914-3978</p>
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**RIGHT-OF-WAY DEDICATION  
 SKETCH TO ACCOMPANY DESCRIPTION  
 SECTION 33, TOWNSHIP 33 SOUTH, RANGE 39 EAST  
 (NOT VALID WITHOUT SHEETS 1 & 2)**

**GRAPHIC SCALE**



( IN FEET )  
 1 inch = 400 ft.

TRACT 2  
 SECTION 33

TRACT 7  
 SECTION 33

TRACT 10  
 SECTION 33

REMAINDER OF TRACT 1  
 SECTION 33  
 (NOT INCLUDED)

SOUTH LINE OF THE NORTH 19.50  
 ACRES OF SECTION 33

PORTION OF TRACT 1  
 SECTION 33, TOWNSHIP 33  
 SOUTH, RANGE 39 EAST  
 INDIAN RIVER FARMS COMPANY  
 PLAT BOOK 2, PAGE 25  
 ST. LUCIE COUNTY, FLORIDA  
 (BEING IN INDIAN RIVER COUNTY)

TRACT 8  
 SECTION 33, TOWNSHIP 33  
 SOUTH, RANGE 39 EAST  
 INDIAN RIVER FARMS COMPANY  
 PLAT BOOK 2, PAGE 25  
 ST. LUCIE COUNTY, FLORIDA  
 (BEING IN INDIAN RIVER COUNTY)

**21ST STREET SW**  
 (30' PUBLIC R/W)  
 21'± DIRT ROAD

TRACT 9  
 SECTION 33

S 89°37'34" E  
 50.00'

N 00°19'36" E 1864.90'

**43RD AVENUE**  
 (50' PUBLIC R/W)  
 29'± ASPHALT ROAD

S 00°19'36" W  
 1994.95'

WEST RIGHT OF WAY LINE  
 43RD AVENUE

POINT OF  
 BEGINNING  
 PARCL B

N 89°37'00" W  
 25.00'

EAST LINE OF SOUTHEAST  
 QUARTER OF SECTION 33,  
 TOWNSHIP 33 SOUTH,  
 RANGE 39 EAST

NORTH R/W LINE  
 21ST STREET SW  
 N 89°37'00" W  
 1305.63'

N 00°19'36" E 2693.08'

PARCEL B  
 POINT OF COMMENCEMENT  
 THE SOUTHEAST CORNER  
 OF SECTION 33, TOWNSHIP  
 33 S, RANGE 39 EAST

LINE	BEARING	DISTANCE
L1	N 45°21'18" E	70.68'

SCALE 1:400 (1" = 400')

**THIS IS NOT A BOUNDARY SURVEY**

UPDATES and/or REVISIONS	09-12-23 UPDATE SKETCH	12-21-23 PER COMMENTS	
DATE: 04-11-22 DESCRIPTION	07-18-23 UPDATE SKETCH	12-21-23 SCALE BAR	

JOB #: 21-0568 SKETCH-DESC B
DRAWN BY: KC/EAD
CHECKED BY: THD
FIELD BOOK: N/A
PAGE: 2 OF 2
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GSS Surveying and Mapping, LLC  
 700 22<sup>nd</sup> Place  
 Suite 2A  
 Vero Beach, FL 32960  
 772-696-5300



GSS Surveying and Mapping, LLC  
 4620 Lipscomb St NE  
 Suite 2  
 Palm Bay, FL 32905  
 321-914-3978



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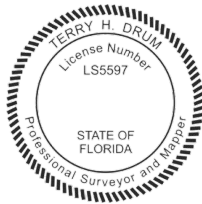
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GSS SURVEYING & MAPPING, LLC.  
 CERTIFICATE OF AUTHORIZATION NUMBER LB 8006



PROFESSIONAL SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE

TERRY H. DRUM PROFESSIONAL SURVEYOR AND MAPPER NO. 5597

NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OR DIGITAL SIGNATURE AND DIGITAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

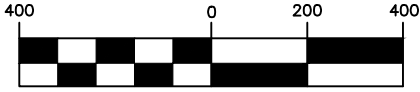
**THIS IS NOT A BOUNDARY SURVEY**

UPDATES and/or REVISIONS	09-12-23 UPDATE DESCRIPTION	12-21-23 PER COMMENTS		
DATE: 04-11-22 DESCRIPTION	07-18-23 UPDATE DESCRIPTION			

JOB #: 21-0568 SKETCH-DESC B DRAWN BY: KC/EAD CHECKED BY: THD FIELD BOOK: N/A PAGE: 1 OF 2 FIELD DATE: N/A	<b>GSS Surveying and Mapping, LLC</b> 700 22 <sup>nd</sup> Place Suite 2A Vero Beach, FL 32960 772-696-5300	<b>GSS Surveying and Mapping, LLC</b> 4620 Lipscomb St NE Suite 2 Palm Bay, FL 32905 321-914-3978
---	---	---

**RIGHT-OF-WAY DEDICATION  
 SKETCH TO ACCOMPANY DESCRIPTION  
 SECTION 33, TOWNSHIP 33 SOUTH, RANGE 39 EAST  
 (NOT VALID WITHOUT SHEETS 1 & 2)**

**GRAPHIC SCALE**



( IN FEET )  
 1 inch = 400 ft.

TRACT 2  
 SECTION 33

TRACT 7  
 SECTION 33

TRACT 10  
 SECTION 33

REMAINDER OF TRACT 1  
 SECTION 33  
 (NOT INCLUDED)

SOUTH LINE OF THE NORTH 19.50  
 ACRES OF SECTION 33

PORTION OF TRACT 1  
 SECTION 33, TOWNSHIP 33  
 SOUTH, RANGE 39 EAST  
 INDIAN RIVER FARMS COMPANY  
 PLAT BOOK 2, PAGE 25  
 ST. LUCIE COUNTY, FLORIDA  
 (BEING IN INDIAN RIVER COUNTY)

TRACT 8  
 SECTION 33, TOWNSHIP 33  
 SOUTH, RANGE 39 EAST  
 INDIAN RIVER FARMS COMPANY  
 PLAT BOOK 2, PAGE 25  
 ST. LUCIE COUNTY, FLORIDA  
 (BEING IN INDIAN RIVER COUNTY)

**21ST STREET SW**  
 (30' PUBLIC R/W)  
 21'± DIRT ROAD

TRACT 9  
 SECTION 33

S 89°37'34" E  
 50.00'

N 00°19'36" E 1864.90'

**43RD AVENUE**  
 (50' PUBLIC R/W)  
 29'± ASPHALT ROAD

S 00°19'36" W  
 1994.95'

WEST RIGHT OF WAY LINE  
 43RD AVENUE

POINT OF  
 BEGINNING  
 PARCL B

N 89°37'00" W  
 25.00'

EAST LINE OF SOUTHEAST  
 QUARTER OF SECTION 33,  
 TOWNSHIP 33 SOUTH,  
 RANGE 39 EAST

NORTH R/W LINE  
 21ST STREET SW  
 N 89°37'00" W  
 1305.63'

N 00°19'36" E 2693.08'

PARCEL B  
 POINT OF COMMENCEMENT  
 THE SOUTHEAST CORNER  
 OF SECTION 33, TOWNSHIP  
 33 S, RANGE 39 EAST

LINE	BEARING	DISTANCE
L1	N 45°21'18" E	70.68'

SCALE 1:400 (1" = 400')

**THIS IS NOT A BOUNDARY SURVEY**

UPDATES and/or REVISIONS	09-12-23 UPDATE SKETCH	12-21-23 PER COMMENTS	
DATE: 04-11-22 DESCRIPTION	07-18-23 UPDATE SKETCH	12-21-23 SCALE BAR	

JOB #: 21-0568 SKETCH-DESC B
DRAWN BY: KC/EAD
CHECKED BY: THD
FIELD BOOK: N/A
PAGE: 2 OF 2
FIELD DATE: N/A

GSS Surveying and Mapping, LLC  
 700 22<sup>nd</sup> Place  
 Suite 2A  
 Vero Beach, FL 32960  
 772-696-5300



GSS Surveying and Mapping, LLC  
 4620 Lipscomb St NE  
 Suite 2  
 Palm Bay, FL 32905  
 321-914-3978


**Exhibit “D”**


**See Attached Staff Report and Letter to Applicant**

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

---

**TO:** Members of the Planning and Zoning Commission

**THROUGH:** Andy Sobczak; Assistant Community Development Director 

**FROM:** Ryan Sweeney; Chief, Current Development 

**DATE:** June 15, 2022

**SUBJECT:** Meritage Homes of Florida, Inc's Request for Preliminary PD Plan/Plat Approval for Lakeside West [PD-21-11-10 / 2001090106-90748]

---

It is requested that the data herein presented be given formal consideration by the Planning and Zoning Commission at its regular meeting of June 23, 2022.

**DESCRIPTION & CONDITIONS**

Mills, Short & Associates, LLC, on behalf of Meritage Homes of Florida, Inc, is requesting preliminary planned development (PD) plan/plat approval for a 201 unit single-family residential development to be known as Lakeside West PD (formerly known as Tripson Trail PD). The project site is located on the west side of 43<sup>rd</sup> Avenue SW, south of 17<sup>th</sup> Street SW and north 25<sup>th</sup> Street SW (south County line). The project site is zoned RS-3, Residential Single-Family (up to 3 units/acre), is vacant, and has not been previously developed (see attachments 1 & 2).

On October 19, 2004, the Board of County Commissioners (BCC) granted conceptual PD plan and special exception approval for a 288 unit residential single-family project site under the project name Tripson Trail PD. On April 28, 2005, the Planning and Zoning Commission (PZC) granted preliminary PD plan/plat approval for the Tripson Trail PD project. Subsequent to the preliminary PD plan/plat approval, the applicant starting working on obtaining all remaining County development permits (e.g. land development permit, stormwater permit, land clearing permit, tree removal permit, etc.). However, the project did not commence construction prior to the Great Recession, and all previous approvals expired except for the conceptual PD plan and special exception approval. The conceptual PD plan and special exception approval remains valid and “runs with the land.”

Recently, Meritage Homes purchased the subject project site, and the development entitlements associated with the Tripson Trail conceptual PD plan and special exception approval. The applicant has submitted a preliminary PD plan/plat that is consistent with the previous conceptual PD plan and special exception approval, and is now requesting a new preliminary PD plan/plat approval. It should be noted that the new preliminary PD plan/plat only proposes 201 single-family units due to stormwater and floodplain design requirements (i.e. “cut and fill” requirements).

The PZC is now to consider granting preliminary PD plan/plat approval for Lakeside West PD.

## ANALYSIS

1. **Project Area:** 135.70 acres (gross)  
- 8.97 acres (ROW dedication)  
126.70 acres (net)
2. **Zoning Classification:** RS-3, Residential Single-Family (up to 3 units/acre)
3. **Land Use Designation:** L-1, Low-Density Residential-1 (up to 3 units per acre)
4. **Density:** 1.58 units/acre

*Note:* The proposed density calculation is based on the net project site size, and does not include any density credit for the project's ROW dedications.

5. **Open Space:** Required: 40.0%  
Proposed: 52.6%
6. **Recreation Area:** Required: 10.17 acres  
Proposed: 11.26 acres
7. **Phasing:** The project is proposed to be constructed in 2 phases. Phase 1 contains 153 units (i.e. the south half of the project site between 25<sup>th</sup> Street SW and 21<sup>st</sup> Street SW), and Phase 2 contains of 48 units (i.e. the north half of the project site between 21<sup>st</sup> Street SW and 17<sup>th</sup> Street SW).
8. **Utilities:** The project will be served by public water and sewer service provided by County Utility Services. The County Department of Utility Services and the Department of Health have approved these project utility provisions.
9. **Stormwater Management:** Public Works has approved the preliminary stormwater management plan and will review the final stormwater management plan with the project's land development permit (LDP). The stormwater management system includes two large stormwater ponds and a modified Miami curb street design.

In addition to providing for stormwater runoff that will be generated by the project, the project's stormwater management system is designed to accommodate runoff from 25<sup>th</sup> Street SW, 21<sup>st</sup> Street SW, and 43<sup>rd</sup> Avenue SW.

10. **Traffic Circulation:** Access to the proposed development will be provided by two full-movement, two-way gated driveway connections to 21<sup>st</sup> Street SW (north and south), and a full-movement, two-way gated driveway connection to 25<sup>th</sup> Street SW. Both 21<sup>st</sup> Street SW and 25<sup>th</sup> Street SW will be paved by the applicant from 43<sup>rd</sup> Avenue SW to the west boundary of the project site. The internal circulation plan and driveway connections have been reviewed and approved by Traffic Engineering and Fire Prevention staff.

The project's previous traffic impact study (TIS) and associated required traffic improvements are still vested under the previous conceptual PD plan and special exception approval. Based on the project's previously approved TIS, the following off-site improvements are required:

- a. Southbound right-turn on 43rd Avenue SW at 21st Street SW
- b. Northbound left-turn lane on 43rd Avenue SW at 21st Street SW
- c. Eastbound left-turn lane on 21st Street SW at 43rd Avenue SW
- d. Westbound left-turn lane on 21st Street SW to serve south project entrance
- e. Westbound right-turn lane on 21st Street SW to serve north project entrance
- f. Dual egress lanes at both of the project entrances on 21st Street SW
- g. \$25,000.00 applicant's contribution for future traffic signal at 21st Street SW and 43rd Avenue SW

The final design of the required road paving, turn lane, and egress lane improvements cited above will be reviewed via the project's LDP. Prior to issuance of an LDP, the applicant will need to submit \$25,000.00 to the County for future signalization.

Also, project traffic will impact the 43<sup>rd</sup> Avenue / SR 60 intersection, and the applicant will need to contribute their fair share of the cost of funding improvements for that intersection. It is noted that the 43<sup>rd</sup> Avenue / SR 60 intersection improvements are currently being constructed. However, the applicant is responsible to contribute, based on the previous conceptual PD plan and special exception approval. Prior to issuance of an LDP, the applicant must enter into a developer's agreement for contributing toward the 43<sup>rd</sup> Avenue / SR 60 intersection improvements.

**11. Right-of-Way (ROW) Dedications:** The project has frontage on three thoroughfare plan roads. These are 25<sup>th</sup> Street SW, 21<sup>st</sup> Street SW, and 43<sup>rd</sup> Avenue SW.

- a. *25<sup>th</sup> Street SW:* In accordance with Public Works requirements, the applicant will dedicate, without compensation, 80' of ROW for 25<sup>th</sup> Street SW. This 80' ROW dedication will be north of the existing IRFWCD canal ROW, and will achieve the required ROW width for this section of 25<sup>th</sup> Street SW. Prior to issuance of an LDP, the applicant must complete the required 25<sup>th</sup> Street ROW dedication.
- b. *21<sup>st</sup> Street SW:* The applicant will dedicate, without compensation, 80' of ROW for 21<sup>st</sup> Street SW. This 80' ROW dedication will be north of the existing IRFWCD canal ROW, and will achieve the required ROW width for this section of 21<sup>st</sup> Street SW. Prior to issuance of an LDP, the applicant must complete the required 21<sup>st</sup> Street ROW dedication.
- c. *43<sup>rd</sup> Avenue SW:* The Thoroughfare Plan classifies 43<sup>rd</sup> Avenue SW as a collector roadway requiring 100' of ultimate ROW. Presently, 50' of right-of-way exists for this segment of 43<sup>rd</sup> Avenue SW. An IRFWCD lateral canal lies on the east side of 43<sup>rd</sup> Avenue SW. Therefore, all additional 43<sup>rd</sup> Avenue SW ROW must come from the subject site which is located on the west side of 43<sup>rd</sup> Avenue Sw. Prior to issuance of an LDP, the applicant must complete the required 43<sup>rd</sup> Avenue SW ROW dedication.

**12. Required Improvements:**

- a. *25<sup>th</sup> Street SW:* The applicant will pave 25<sup>th</sup> Street SW from 43<sup>rd</sup> Avenue SW to the west project boundary as a two-lane facility. Improvements to 25<sup>th</sup> Street SW are considered required subdivision improvements and will be the applicant's responsibility. These improvements must be completed prior to issuance of a certificate of completion (C. of C.) for Phase 1 of the project.

- b. *21<sup>st</sup> Street SW:* The applicant will pave 21<sup>st</sup> Street SW from 43<sup>rd</sup> Avenue SW to the west project boundary as a two lane road with turn lanes at the project's 21<sup>st</sup> Street SW entrances. These improvements will also be the applicant's responsibility as required subdivision improvements and must be completed prior to issuance of a C. of C. for Phase 1 of the project.
- c. *Perimeter Buffers:* The preliminary PD plan provides for landscaped berms, landscaped corner/intersection common green areas, and screening of the lift station proposed near the project's south entrance on 21<sup>st</sup> Street SW. Per the previous conceptual PD plan and special exception approval, a 25' Type "B" buffer with 7' opaque feature is required along all project perimeters, and along the north and south side of 21<sup>st</sup> Street SW. Planning staff approval of the final landscape plans will be required prior to issuance of an LDP. All required landscape improvements must be installed, inspected, and accepted prior to the issuance of a C. of C. for each respective project phase.
- d. *External Sidewalks:* A 5' wide sidewalk will be provided along the north side of 25<sup>th</sup> Street SW. An 8' sidewalk will be provided along the west side of 43<sup>rd</sup> Avenue SW and along the south side of 21<sup>st</sup> Street SW from 43<sup>rd</sup> Avenue to the west site boundary. These sidewalks will be provided as part of the required roadway improvements, and must be completed prior to issuance of a C. of C. for Phase 1 of the project.
- e. *Internal Sidewalks:* 5' wide internal sidewalks will be provided throughout the project on both sides of all internal streets. This internal sidewalk system will also connect to the external sidewalks system along 25<sup>th</sup> Street SW, 21<sup>st</sup> Street SW, and 43<sup>rd</sup> Avenue SW. All sidewalks will be included in the project's LDP, and will need to be constructed along the frontage of common areas and individual lots in accordance with the requirements of subdivision ordinance section 913.09(5)(b)2.
- f. *Streetlighting:* Streetlights are required and proposed, and will be maintained by the property owners' association. The proposed streetlight locations are depicted on the preliminary PD plan/plat. The final design of the streetlights will be reviewed via the LDP each respective project phase. The project's streetlights must be installed, inspected, and accepted prior to the issuance of a C. of C. for each respective project phase.

**13. Environmental and Tree Protection Issues:** The site is former grove and pastureland with no jurisdictional wetlands or native uplands. There are Australian Pine and Brazilian Pepper trees on site, and those will be removed during site construction. Throughout the project site located south of 21<sup>st</sup> Street SW, there are 26 large oak trees that will be relocated to various common green spaces on the overall project site. The preliminary PD plan designates oak tree "receiver sites" near perimeter public street intersections, at project entrances, and on internal park tracts. Prior to issuance of an LDP, the applicant shall obtain Environment Planning staff approval of a tree relocation plan. The applicant must relocate the selected trees prior to the issuance of a C. of C. for each respective project phase.

**14. PD Approval Conditions:** This PD project is approved with various conditions pertaining to improvements, dedications, and contributions. These conditions are reflected in staff's recommendation.

**15. South County Initiative (SCI):** At the May 4, 2004 BCC meeting, Planning staff presented the SCI, which consisted of a total of seven development projects located in the south County area, including the subject project site (Tripson Trail). The BCC expressed support for the SCI, and the associated planning principals, as follows:

- Mixing building types and uses;
- Clustering development in compact areas;
- Providing pedestrian connections between uses and projects;
- Establishing a grid or modified grid street network;
- Siting school and community park areas;
- Siting a neighborhood commercial site within the SCI area.

Based on the project's previous conceptual PD plan and special exception approval, the project is required to participate in the SCI, and those participation requirements are included in staff's recommendation.

**16. Concurrency:** As required under the County's concurrency regulations, the applicant has applied for and obtained a conditional concurrency certificate for the project, which is sufficient for preliminary PD plan/plat approval. The concurrency certificate was issued based upon a concurrency analysis and a determination that adequate capacity was available to serve the subject project at the time of the determination. The applicant will, in accordance with County concurrency regulations, be required to obtain a final concurrency approval prior to issuance of a building permit for each residential unit.

It should be noted that the previous applicant pre-paid the project's required traffic impact fees, and obtained a 5-year concurrency certificate. That 5-year concurrency certificate ultimately expired. However, the pre-paid traffic impact fee credits run with the land, and do not expire. Therefore, the traffic impact fee credits will be applied to the traffic impact fee obligation for each new unit, on a unit by unit basis.

**17. Surrounding Land Use and Zoning:**

- North: Former grove, tree farm, grove service / A-1
- East: 43<sup>rd</sup> Avenue SW, drainage canal, single-family homes, vacant / RS-3
- South: 25<sup>th</sup> Street SW, drainage canal / St. Lucie County
- West: Former grove, single-family homes / A-1

All conditions recommended by staff have been accepted by the applicant.

**RECOMMENDATION:**

Staff recommends that the Planning and Zoning Commission grant preliminary PD plan approval for Lakeside West with the following conditions:

1. Prior to issuance of a land development permit, the applicant shall:

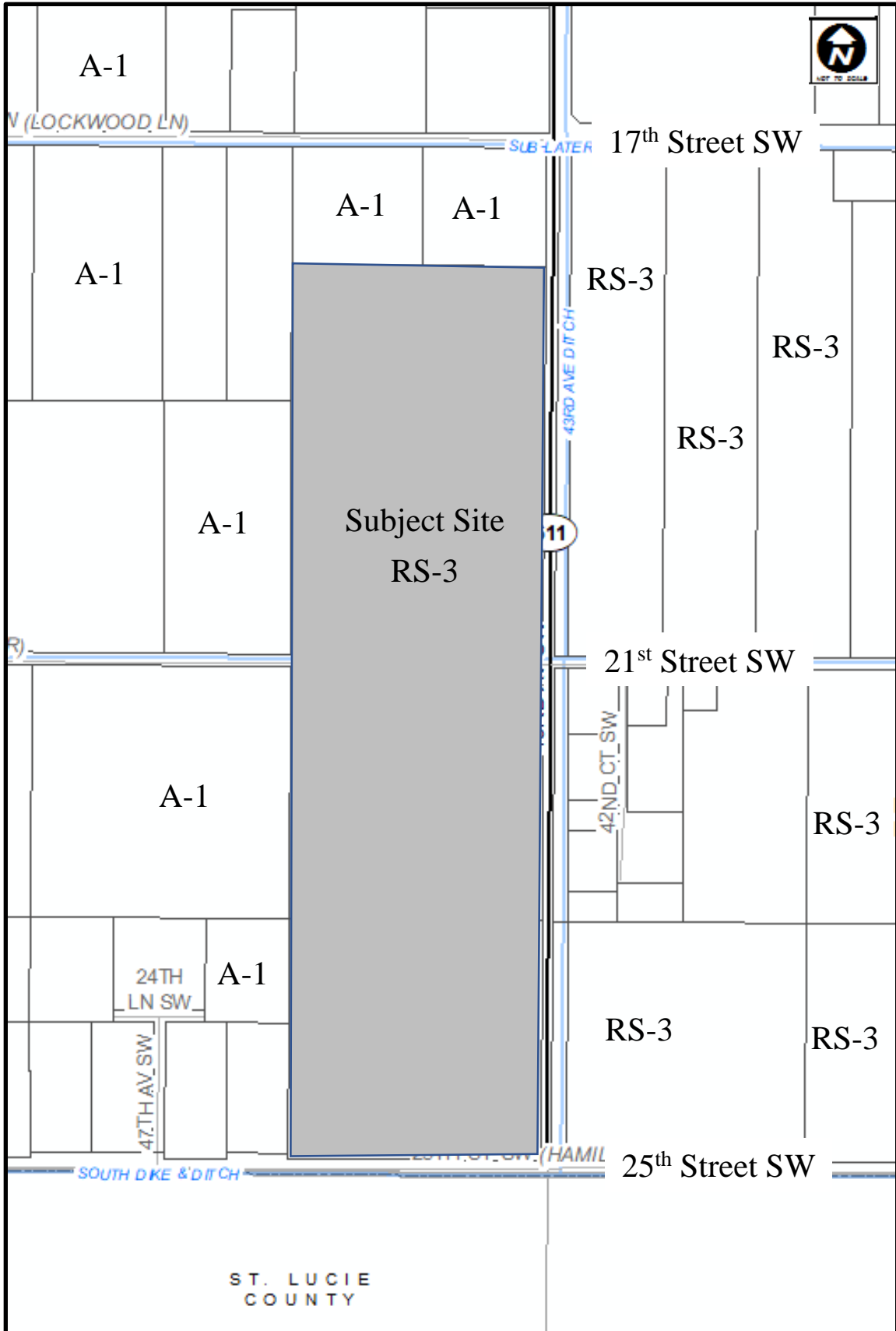


- a. Incorporate into the land development permit design all required traffic and paving improvements described in items #10 and #12 of this report, and the required acceptance of stormwater run-off from adjacent public roads.
  - b. Obtain Planning staff approval of final landscape plans for all perimeter buffers and opaque features, common areas, and the proposed lift station.
  - c. Obtain Environmental Planning staff approval of a tree relocation plan.
  - d. Enter into a developer's agreement with the County for a fair share contribution toward funding the improvements to the 43<sup>rd</sup> Avenue / SR60 intersection.
  - e. Contribute \$90,000.00 to the County for improvements to the SCI public park.
  - f. Complete all required ROW dedications for 43<sup>rd</sup> Avenue SW, 21<sup>st</sup> Street SW, and 25<sup>th</sup> Street SW as described in this report.
  - g. Submit \$25,000.00 to the County for the future signalization of the 43<sup>rd</sup> Avenue/21<sup>st</sup> Street SW intersection.
2. Prior to issuance of a certificate of completion for Phase 1, the applicant shall complete all required off-site traffic improvements listed in items #10 and #12 of this report.
  3. Prior to issuance of a certificate of completion for each respective phase, the applicant shall:
    - a. Install all required perimeter buffers and project landscape improvements.
    - b. Install all required project streetlighting.
    - c. Install all required external sidewalks.
  4. Prior to or via the final plat, the developer shall dedicate rights to the County to discharge run-off from 43<sup>rd</sup> Avenue SW, 21<sup>st</sup> Street SW, and 25<sup>th</sup> Street SW into the project's stormwater management system.
  5. Internal sidewalks shall be constructed along the frontage of common areas and individual lots in accordance with Section 913.09(5)(b)2. of the County LDRs.

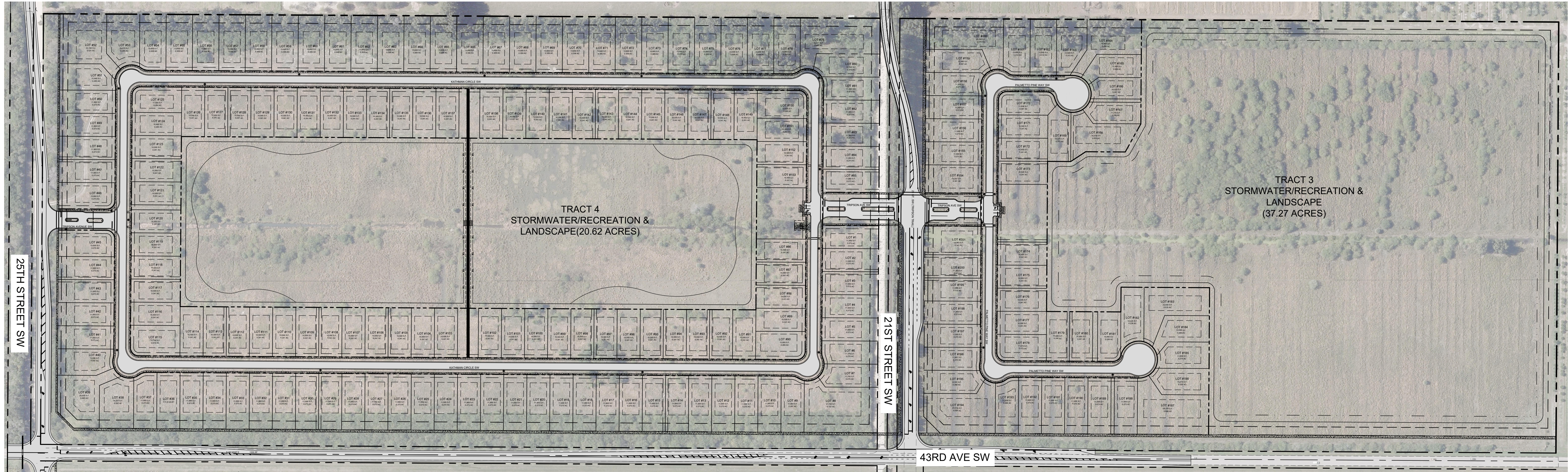
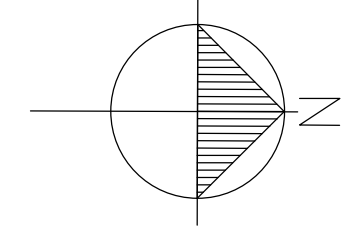
**Attachments:**

1. Location Map
2. Aerial
3. Preliminary PD Plan/Plat
4. Preliminary Landscape Plan

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**  
  
 BY **WILLIAM K. DEBRAAL**  
 DEPUTY COUNTY ATTORNEY







**Mills, Short & Associates**  
 WEBSITE: www.MillsShortAssociates.com  
 PHONE: 772.226.7282  
 C.A. #: 30699  
 700 22nd Place, Suite 2C/2D  
 Vero Beach, Florida 32960

SEAL

COMMENTS

DATE

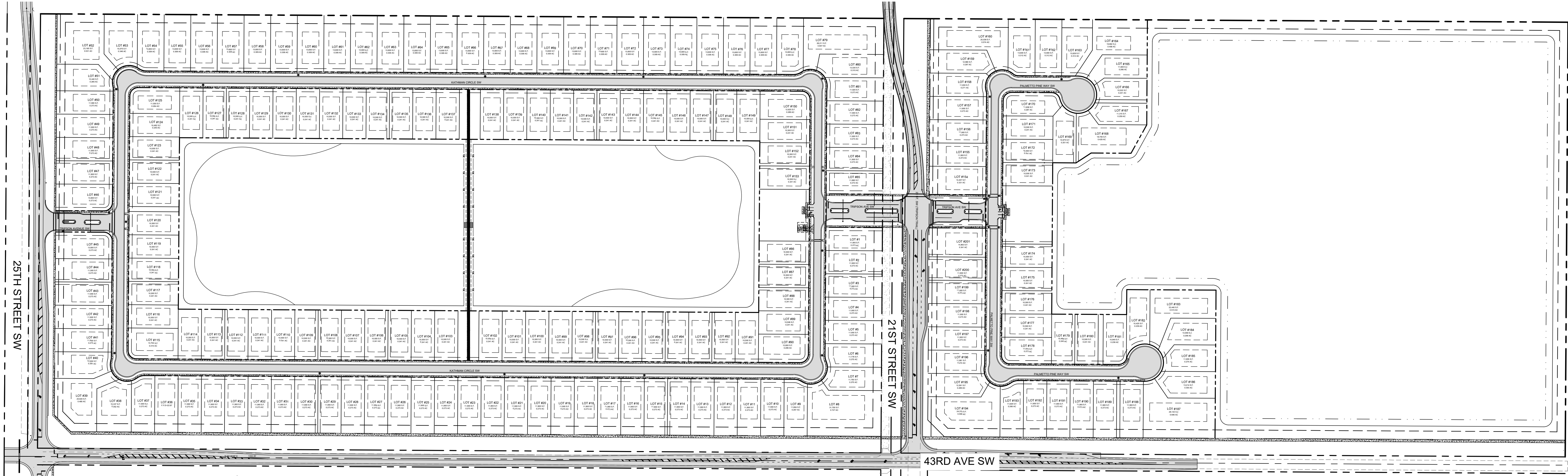
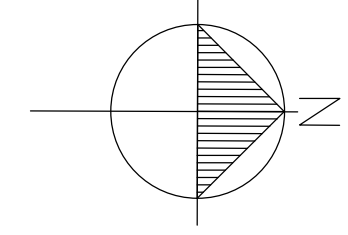
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**LAKESIDE WEST  
 PLANNED DEVELOPMENT (PD)**  
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 CHECKED BY: JWM  
 APPROVED BY: JWM  
 SCALE: SEE SHEET

PROJ. NO. 21-1490.2  
 DATE 08-13-2021  
 SHEET NO.

**AR-1**





**Mills, Short & Associates**  
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 C.A. #: 30699  
 700 22nd Place, Suite 2C/2D  
 Vero Beach, Florida 32960

SEAL

ISSUE	DATE	COMMENTS

**LAKESIDE WEST  
 PLANNED DEVELOPMENT (PD)**  
 4455 21ST STREET SW, VERO BEACH, FL 32968  
 PRELIMINARY PLAT (PHASE 1 & 2)

PROJ. NO. 21-1490.2  
 DATE 08-13-2021  
 SHEET NO.

**EX-1**

DRAWN BY: WBD  
 CHECKED BY: JWM  
 APPROVED BY: JWM  
 SCALE: SEE SHEET

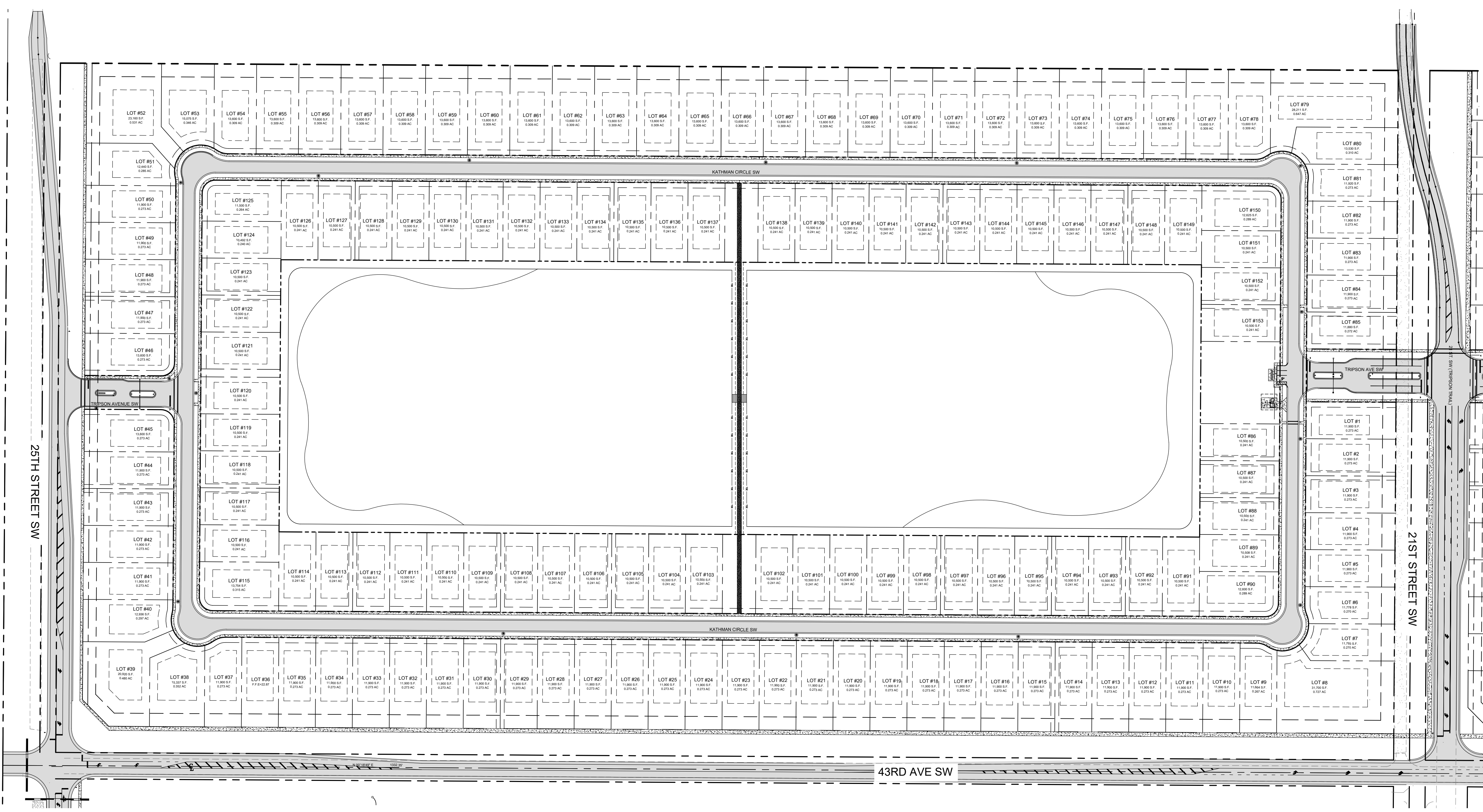


TIME: 2:50:13 PM

DATE: 6/15/2022

MATCHLINE A-A

25TH STREET SW



**Mills, Short & Associates**  
 WEBSITE: www.MillsShortAssociates.com  
 PHONE: 772.226.7282  
 C.A. #: 30699  
 700 22nd Place, Suite 2C2D  
 Vero Beach, Florida 32960

SEAL

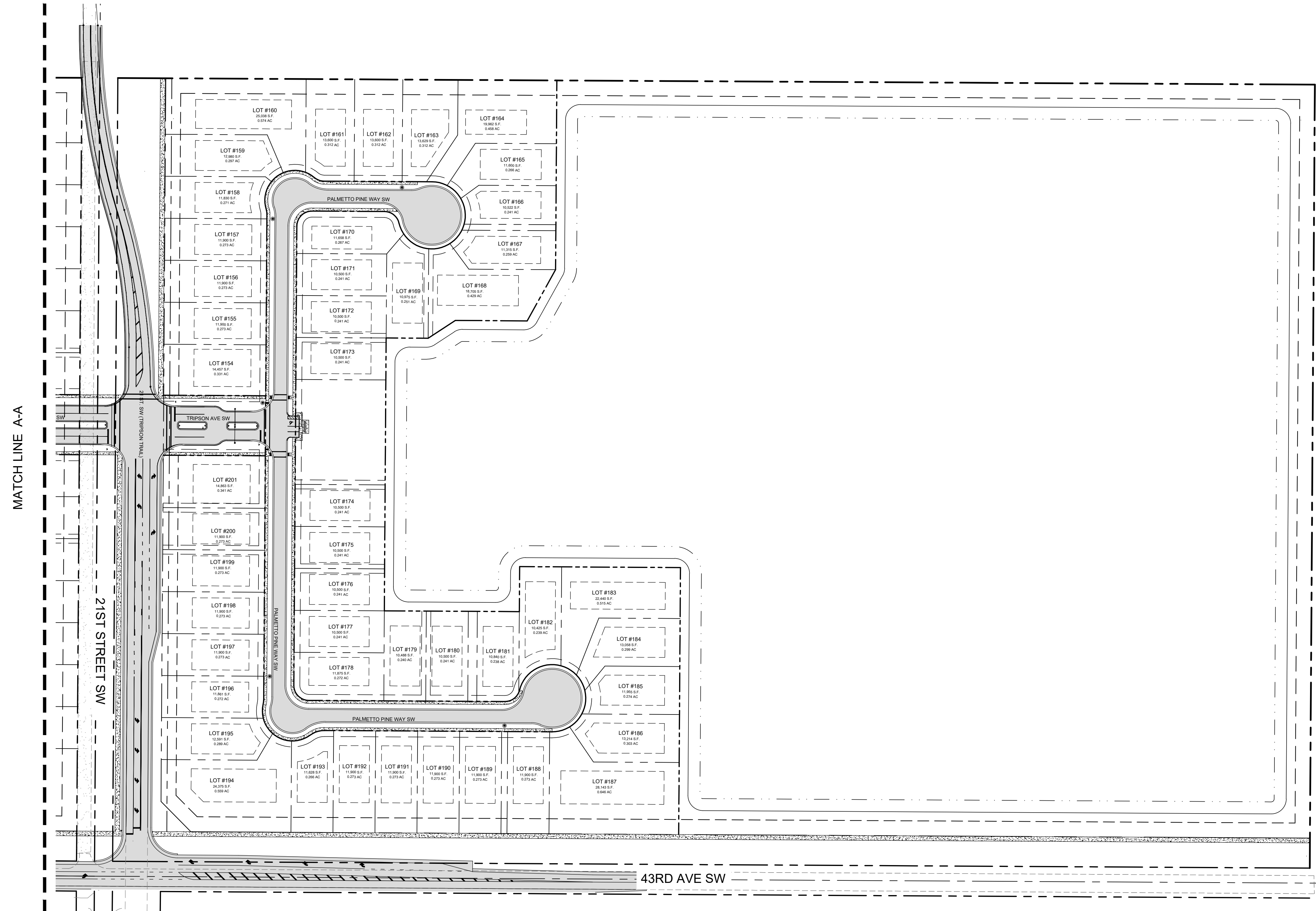
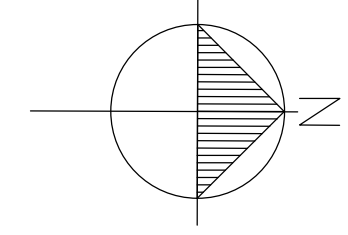
ISSUE	DATE	COMMENTS

**LAKESIDE WEST  
 PLANNED DEVELOPMENT (PD)**  
 4455 21ST STREET SW, VERO BEACH, FL 32968  
 PRELIMINARY PLAT  
 THIS SHEET DRAWN BY WBD  
 CHECKED BY JWM  
 APPROVED BY JWM  
 SCALE: SEE SHEET

PROJ. NO. 21-1490.2  
 DATE 08-13-2021  
 SHEET NO.

EX-2





**Mills, Short & Associates**  
 WEBSITE: www.MillsShortAssociates.com  
 PHONE: 772.226.7282  
 C.A. #: 30689  
 700 22nd Place, Suite 2C/2D  
 Vero Beach, Florida 32960

SEAL

ISSUE	DATE	COMMENTS

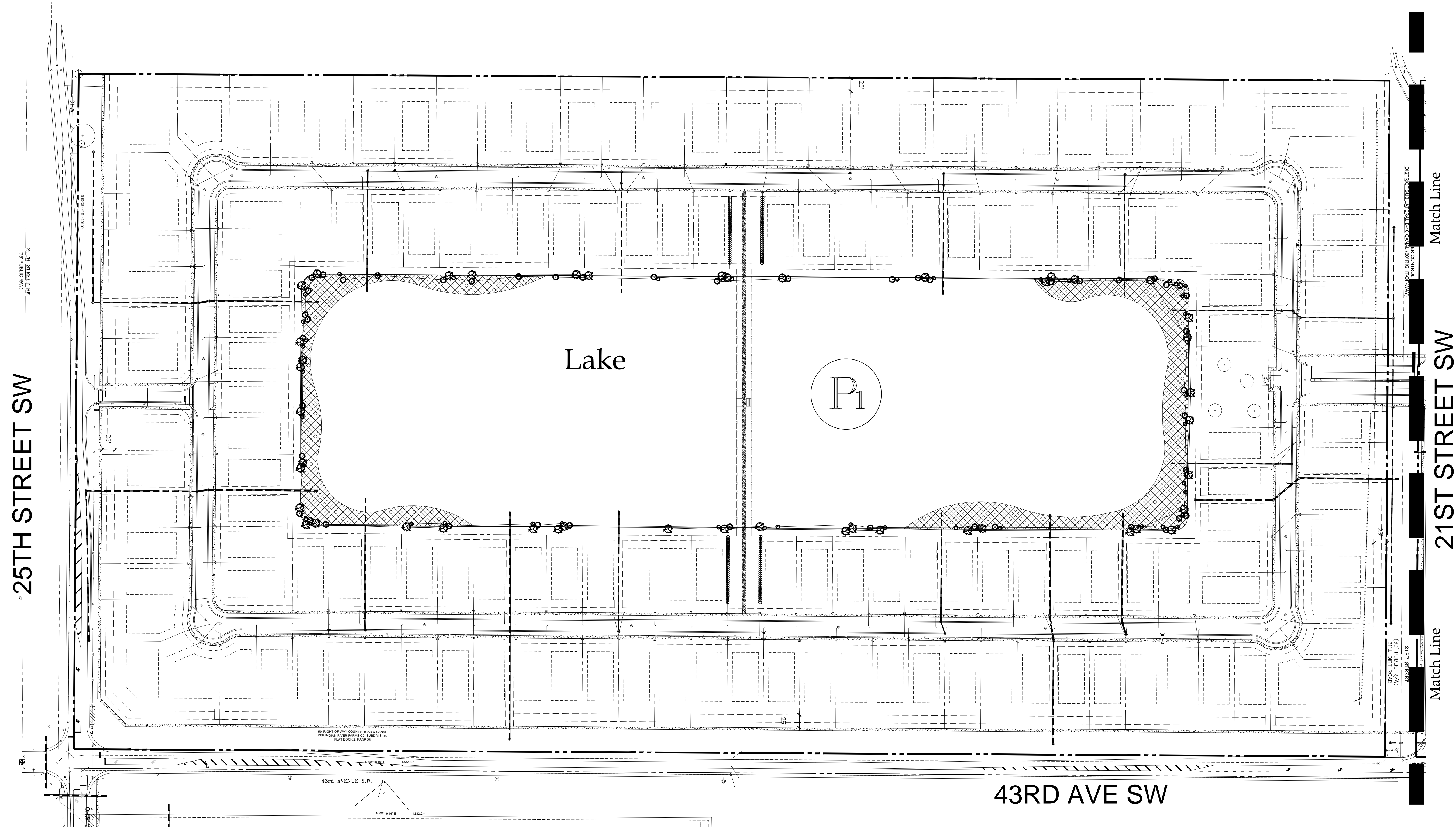
**LAKESIDE WEST  
 PLANNED DEVELOPMENT (PD)**  
 4455 21ST STREET SW, VERO BEACH, FL 32968  
 PRELIMINARY PLAT

PROJ. NO. 21-1490.2  
 DATE 08-13-2021  
 SHEET NO.

**EX-3**

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 CHECKED BY: JWM  
 APPROVED BY: JWM  
 SCALE: SEE SHEET

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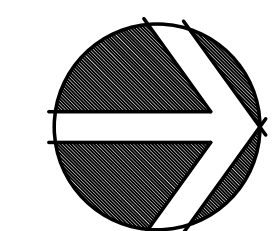
25TH STREET SW

Match Line

21ST STREET SW

Match Line

43RD AVE SW



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**2GHO INC.**  
 Landscape Architects  
 Planners  
 Environmental  
 Consultants  
 1907 Commerce Lane  
 Suite 101  
 Jupiter, Florida 33458  
 561-575-9557  
 561-575-5260 FAX  
 www.2GHO.com

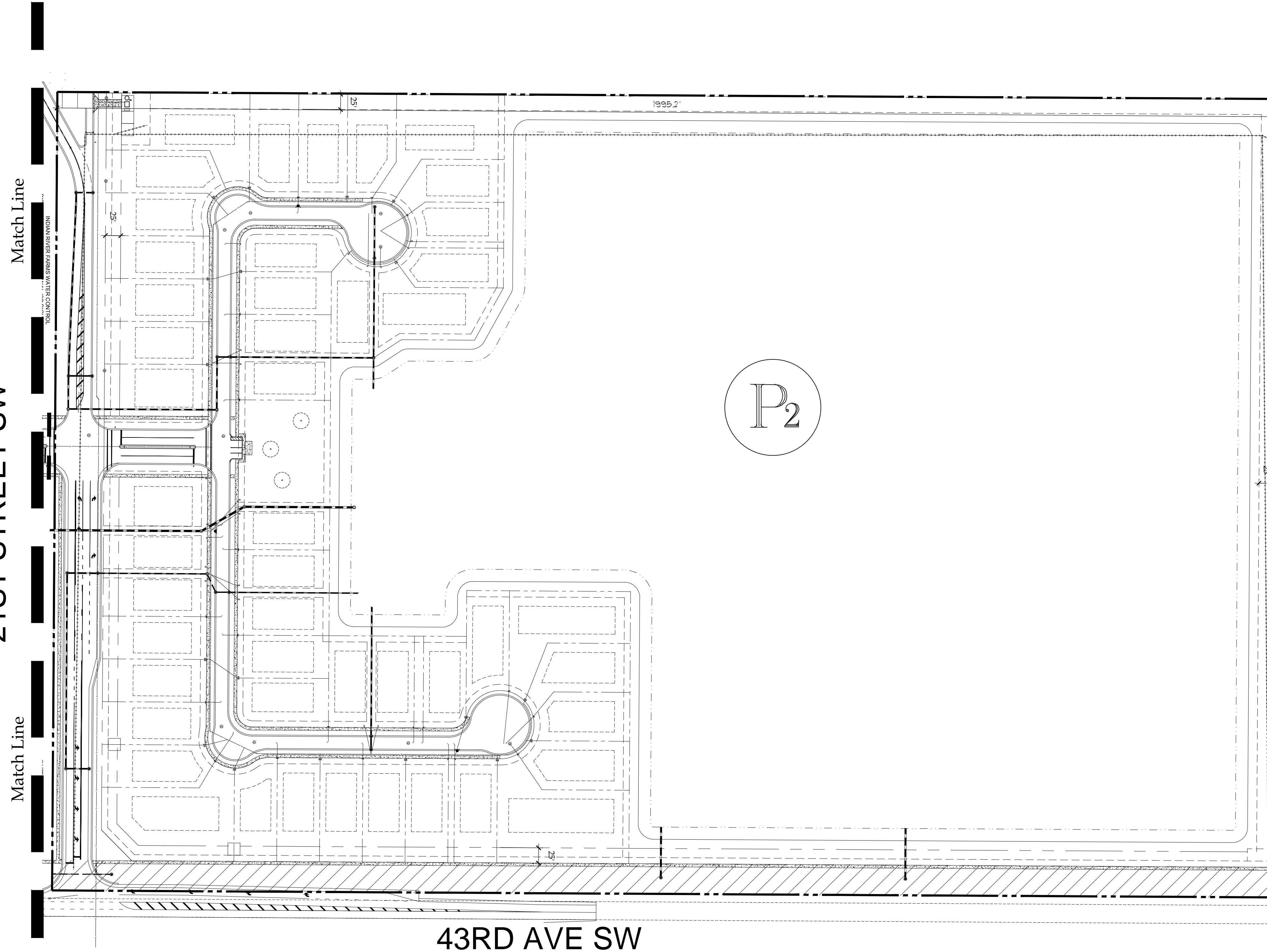
Landscape Plan Graphic  
**Lakeside West**  
 Indian River County, Florida

Designed: DDS/KMS  
 Drawn: KMS  
 Approved: GGG/EOM/MIH  
 Date:  
 Job no: 21-0615  
 Revisions: 5.14.22  
 5.19.22

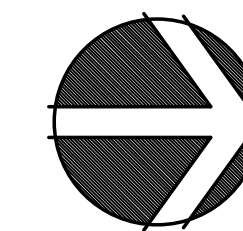
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**LP-1**  
 21-0615

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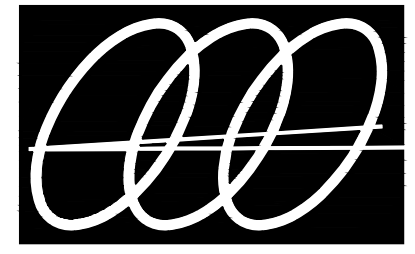
21ST STREET SW



43RD AVE SW



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**2GHO** INC.

Landscape Architects  
Planners  
Environmental  
Consultants

1927 Commerce Lane  
Suite 101  
Jupiter, Florida 33458  
561-575-9557  
561-575-5260 FAX  
www.2GHO.com

Landscape Plan Graphic  
**Lakeside West**  
Indian River County, Florida

Designed: \_\_\_\_\_ DDS/KMS  
Drawn: \_\_\_\_\_ KMS  
Approved: \_\_\_\_\_ GGG/EOM/MTH  
Date: \_\_\_\_\_  
Job no: 21-0615  
Revisions: 5.14.22  
5.19.22

Seal

LA 0000530

Sheet Title:  
Landscape  
Plan Graphic

Scale: 1" = 100'

Sheet No.

**LP-2**

21-0615





INDIAN RIVER COUNTY  
COMMUNITY DEVELOPMENT DEPARTMENT  
1801 27th Street, Vero Beach FL 32960  
772-226-1237 / 772-978-1806 fax  
[www.ircgov.com](http://www.ircgov.com)

June 24, 2022

J. Wesley Mills  
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700 22<sup>nd</sup> Place  
Suite 2C  
Vero Beach FL 32960

**RE: Lakeside West PD Preliminary PD Plan/Plat Approval  
[PD-21-11-10 / 2001090106-90748]**

Dear Mr. Mills:

At its regular meeting of June 23, 2022, the Planning & Zoning Commission granted preliminary planned development (PD) plan/plat approval for the above-referenced project by a vote of 6-0. That action approves the development of 201 single-family residential units, with the following conditions:

1. Prior to issuance of a land development permit, the applicant shall:
  - a. Incorporate into the land development permit design all required traffic and paving improvements described in items #10 and #12 of this report, and the required acceptance of stormwater run-off from adjacent public roads.
  - b. Obtain Planning staff approval of final landscape plans for all perimeter buffers and opaque features, common areas, and the proposed lift station.
  - c. Obtain Environmental Planning staff approval of a tree relocation plan.
  - d. Enter into a developer's agreement with the County for a fair share contribution toward funding the improvements to the 43<sup>rd</sup> Avenue / SR60 intersection.
  - e. Contribute \$90,000.00 to the County for improvements to the SCI public park.
  - f. Complete all required ROW dedications for 43<sup>rd</sup> Avenue SW, 21<sup>st</sup> Street SW, and 25<sup>th</sup> Street SW as described in this report.
  - g. Submit \$25,000.00 to the County for the future signalization of the 43<sup>rd</sup> Avenue/21<sup>st</sup> Street SW intersection.
2. Prior to issuance of a certificate of completion for Phase 1, the applicant shall complete all required off-site traffic improvements listed in items #10 and #12 of this report.

3. Prior to issuance of a certificate of completion for each respective phase, the applicant shall:
  - a. Install all required perimeter buffers and project landscape improvements.
  - b. Install all required project streetlighting.
  - c. Install all required external sidewalks.
4. Prior to or via the final plat, the developer shall dedicate rights to the County to discharge run-off from 43<sup>rd</sup> Avenue SW, 21<sup>st</sup> Street SW, and 25<sup>th</sup> Street SW into the project's stormwater management system.
5. Internal sidewalks shall be constructed along the frontage of common areas and individual lots in accordance with Section 913.09(5)(b)2. of the County LDRs.
6. Project construction must follow County construction hours regulations under 974.04(2):
 

(2) *Construction equipment and activity.* It shall be unlawful to operate any equipment or perform any outside construction or repair work on buildings, structures, roads, or projects within the county between the hours of 8:00 p.m. and 6:00 a.m. unless an administrative approval as set forth in section 974.07 for such construction or repair work between such hours has been obtained from Indian River County on the basis of good cause shown.

The next step in the process is for the applicant to apply for and obtain a land development permit (LDP) from the Public Works department.

Please be advised that the preliminary PD plan/plat approval shall terminate and become null and void, without notice, if construction has not commenced within 5 years from the date of approval (June 23, 2027).

Please find enclosed three copies of the approved preliminary PD plan/plat for your records. If you require any additional information please contact this office at 226-1239 or [rsweeney@ircgov.com](mailto:rsweeney@ircgov.com).

Sincerely,



Ryan Sweeney  
Chief, Current Development

Attachment: Certificate of Completion Checklist

- |  |                                       |
|--|---------------------------------------|
| cc: Phillip J. Matson, AICP (via e-mail) | Thomas "Tad" Stone (via e-mail)       |
| David Johnson (via e-mail)               | Richard B. Szpyrka, P.E. (via e-mail) |
| James Ennis, P.E. (via e-mail)           | Daniel Hiden (via e-mail)             |
| Erik Ferguson (via e-mail)               | Sean Lieske (via e-mail)              |
| David W. Schryver, PSM (via e-mail)      | Adam Heltemes, P.E. (via e-mail)      |
| Todd Tardif (via e-mail)                 | Steven Hitt (via e-mail)              |
| Health Department (via e-mail)           | Jesse Roland (via e-mail)             |
| Kevin Guenther (via e-mail)              | Mark Vietze (via e-mail)              |





**Board of County Commissioners  
1801 27<sup>th</sup> Street  
Vero Beach, Florida 32960**

**CERTIFICATE OF COMPLETION**

**FINAL INSPECTION CHECKLIST**

- I. Upon request for Certificate of Completion, applicant shall provide the **Public Works Director at the IRC Engineering Division**, 772-226-1283, the following:
  - a. Letter stipulating that construction of the improvements is complete and requesting final inspection for approval
  - b. Test reports and material certifications.
  - c. Two (2) sets of As-Built construction plans, signed and sealed.
  - d. Certification from a Professional Engineer, with seal affixed, certifying the improvements have been constructed in conformance with the Land Development Permit.
  - e. Document from the Indian River County Department of Utility Services stating acceptance of the utility facilities.
  - f. Release of liens and affidavit.
  - g. Copy of SJRWMD EN-45 As-Built Certification.
  - h. Land Development Permit Approval Conditions
  
- II. Applicant must submit to **IRC Planning Department**, the following:
  - a. Certification Letter sealed by Engineer of Record stating site improvements have been completed in conformance with approved Land Development Permit.
  - b. Landscape Certification Letter from landscape provider or landscape architect certifying when landscape was last inspected and that landscape material is Florida #1 or better quality.
  
- III. Other departments involved that you may need to contact **after** inspections are started include:
  - (a) **Environmental Health Department**: 772-794-7440.
  - (b) **Utilities**: 772-226-1636. Note: F.D.E.P. water/sewer line certifications may be needed before Utilities will clear the project for Certificate of Occupancy.
  - (c) **Traffic Engineering**: 772-226-1637.
  - (d) **Fire Prevention Bureau**: 772-226-1880
  - (e) **[If Needed] - St. Johns River Water Management District**, Palm Bay Office 800-295-3264
    - a. **IRC Environmental Planning** (772) 226-1240

**EXHIBIT “E”**  
**Development Permits Approved or Needed to Be**  
**Approved for the Development**

- IRC Preliminary Plat (approved and attached for reference)
- IRC Land Development Permit (approved but not yet released)
- IRC Land Clearing permit (gets released with LDP)
- IRC Tree Removal Permit (gets released with LDP after tree mitigation fees have been paid)
- IRC Right of Way Permit (gets released with LDP)
- IRC Type B Stormwater Permit (gets released with LDP)
- Performance security for construction of offsite roadways is required prior to release of Right of Way Permit and LDP. Developer may request to follow the phasing designation of the Conditions of Approval
- IRC Utility Connection Permit (should be released soon)
- FDEP Domestic Water and Wastewater Connection Permits (approved with UCP)
- IRC Concurrency Approval (approved)
- SJRWMD ERP (Approved)
- IRFWCD Connection Permit (in process)
- FDEP NOI (by contractor)