

**APPLICATION FORM  
REZONING REQUEST (RZON)  
INDIAN RIVER COUNTY**

**Each application must be complete when submitted and must include all required attachments. An incomplete application will not be processed and will be returned to the applicant.**

Assigned Project Number: RZON - <b>2007052003 - 98447</b>			
	Current Owner	Applicant (Contract Purchaser)	Agent
Name:	Schwerin 510 LLC	Warren Schwerin	Bruce Barkett
Complete Mailing Address:	5070 N. Highway A1AA, Suite 205, Vero Beach, FL 32963 756 Beachland Boulevard, Vero Beach, FL 32963		
Phone #: (including area code)	<b>(772) 231-4343</b>		
Fax #: (including area code)	<b>(772) 234-5213</b>		
E-Mail:	bb@verolaw.com		
Contact Person:	<i>Bruce Barkett</i>		
<b>Signature of Owner or Agent:</b> <i>Bruce Barkett</i>			
<b>Property Information</b>			
<u>4650</u> Site Address: <u>4650 CR 510, Sebastian, FL 32958</u> <u>8590 47th Avenue, Sebastian, FL 32958</u>			
Site Tax Parcel I.D. #: <u>31392800006009000002.0</u> <u>31392800006009000001.0</u>			
Subdivision Name, Unit Number, Block and Lot Number (if applicable) Weona Park Subdivision, PB2, Page 17, Block 9			
Existing Zoning District: <b>CL</b>	Existing Land Use Designation: <b>C/I</b>		
Requested Zoning District: <b>CG</b>			
Total (gross) Acreage of Parcel: <b>1.04</b>	Acreage (net) to be Rezoned: <b>1.04 1.34</b>		
Existing Use on Site: <b>Vacant</b>			
Proposed Use on Site: <b>CG</b>			
<b>THE APPLICANT MUST ATTEND A PRE-APPLICATION CONFERENCE WITH LONG-RANGE PLANNING SECTION STAFF PRIOR TO APPLYING IN ORDER TO RESOLVE OR AVOID PROBLEMS CONNECTED WITH THE REZONING REQUEST.</b>			

## REZONING APPLICATION CHECKLIST

Please attach the following items to this application. Do not ignore any of the items. Indicate "N/A" if an item is not applicable.

ITEMS	Applicant's Checklist	Staff Checklist
1. Fee: \$3,000.00	✓	
2. Completed Rezoning Application Form (front page)	✓	
3. Letter of Authorization from Current Owner(s) <b>OR</b> Current Owner is Applicant	✓	
4. Verified statement (separate letter) naming every individual or entity having legal or equitable ownership in the property.	✓	
5. One (1) Copy of the <b>current</b> Owner's Deed	✓	
6. A Current Owner's Title Policy <b>OR</b> A Certificate of Title from a Title Company <b>OR</b> An attorney's written opinion evidencing fee ownership of the property.	✓	
7. A justification of change statement and detailed intended use		
8. One (1) <b>SEALED</b> boundary survey of the area to be rezoned. The boundary survey shall include, but not be limited to the following: <ul style="list-style-type: none"> <li><input type="checkbox"/> a legal description of the land to be rezoned</li> <li><input type="checkbox"/> the size of the land to be rezoned</li> <li><input type="checkbox"/> the public road right-of-way width of adjacent roads; and</li> <li><input type="checkbox"/> a north arrow</li> </ul>	✓	
9. Electronic version (MS Word is preferable) of the legal description		
10. Provide a digital map file of the boundary Survey provided in Item 8 above in either AutoCAD (.dwg) or Esri Shape file (.shp) format.		
11. Copy of Approved Concurrency Certificate <b>OR</b> Copy of filed application for Concurrency Certificate, including traffic study, if applicable	✓	

**NOTE: ITEMS 2-6 MUST INDICATE THE SAME OWNERSHIP OF THE SUBJECT PROPERTY.**

Revised: September 19, 2022

**Indian River County  
Future Land Use Map Amendment/Rezoning  
Authorization Form**

TO: Planning Division  
Indian River County  
1801 27<sup>th</sup> Street  
Vero Beach, FL 32960

FROM: SCHWERIN 510, LLC  
(Property Owner) 5070 N. HIGHWAY A1A, SUITE 205  
VERO BEACH, FL 32963

Property Tax I.D. #: [3139 28 0000 6009 00000] 1.0 and 2.0

Property Address: 4560 CR 510, Sebastian, FL; 8590 47th Avenue, Sebastian, FL

The undersigned hereby authorizes Bruce Barkett/Collins Brown Barkett, Chartered to act as agent and/or make application to Indian River County for the above referenced property for the following applications (please mark the appropriate box):

Future Land Use Amendment  
 Rezoning

James W. Schwerin  
Owners Name (Print)

  
Owners Signature

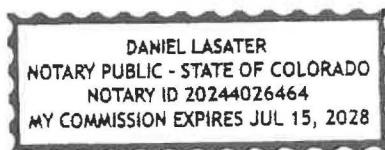
7-15-25  
Date

**STATE OF COLORADO  
COUNTY OF DENVER**

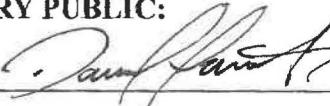
The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 15 day of July, 2025 by James W. Schwerin.

Personally know  OR produced identification  CO DL

(SEAL)



**NOTARY PUBLIC:**

Sign: 

Printed Name: Daniel Lasater

Commission Number: 20244026464

Commission Expiration: 7-15-28

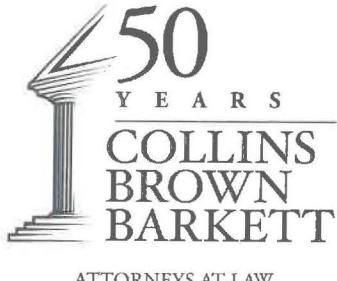
Bruce D. Barkett <sup>5</sup>  
Jonathan D. Barkett  
Lisa Thompson Barnes <sup>3,6</sup>  
Gregg M. Casalino <sup>1</sup>  
Aaron V. Johnson  
Taylor Kennedy Lubas <sup>2,7</sup>  
C. Douglas Vitunac

Jessica F. Hernstadt  
Megan N. Root

OF COUNSEL

George G. Collins, Jr. <sup>1</sup>  
Ralph L. Evans  
Michael J. Garavaglia <sup>4</sup>  
Steven L. Henderson <sup>1</sup>  
P. Todd Kennedy <sup>2</sup>

Calvin B. Brown (1968-2024)  
William W. Caldwell (1964-2023)



ATTORNEYS AT LAW

756 Beachland Boulevard Vero Beach, Florida 32963  
Post Office Box 643686 Vero Beach, Florida 32964-3686

1. Board Certified Real Estate
2. Master Of Laws Taxation
3. Master Of Laws Real Property Development
4. Master Of Laws Estate Planning & Elder Law
5. Certified Circuit Mediator
6. Also Admitted In The Commonwealth Of The Bahamas
7. Master Of Business Administration

August 29, 2025

**VIA US MAIL**

Ryan Sweeney  
Director - Planning Department  
1801 27<sup>th</sup> Street  
Vero Beach, FL 32960

Re: Opinion of Title  
4560 County Road 510, Sebastian, Florida  
8590 47th Ave., Sebastian, Florida

Dear Mr. Sweeney,

I am an attorney, licensed to practice law in the State of Florida. I have caused a search of the public records of Indian River County concerning the above referenced properties, and it is my opinion that fee simple title to both properties is held by Schwerin 510, LLC, a Florida limited liability company.

Further, I verify that the only entity having legal or equitable ownership in the property is the same Schwerin 510, LLC.

The opinions expressed in this letter are given solely for the benefit of Schwerin 510, LLC, for the purpose of applying to Indian River County for a zoning change and may be relied upon only by Schwerin 510, LLC and by Indian River County.

Respectfully submitted,

Bruce Barkett.  
For the Firm

PHONE: 772.231.4343 | FAX: 772.234.5213 | [WWW.VEROLAW.COM](http://WWW.VEROLAW.COM)

Rec 35.50  
Doc 8k 7000.00

(3)

This Document Prepared By and Return to:  
 Calvin B. Brown, Esq. /KH  
 Collins, Brown, Caldwell, Barkett,  
 Garavaglia & Lawn, Chartered  
 P.O. Box 64-3686  
 Vero Beach, FL 32964-3686

Parcel ID Number: 31-39-28-00006-0090-00002/0

## Warranty Deed

This Indenture, Made this 27 <sup>th</sup> day of September, 2013 A.D., Between  
 510, LLC, a Florida limited liability company

of the County of Indian River, State of Florida, , grantor, and  
 Schwerin 510, LLC, a Florida limited liability company

whose address is: 5070 N. Hwy A1A, Suite H, Vero Beach, Fl 32963

of the County of Indian River, State of Florida, , grantee.  
 Witnesseth that the GRANTOR, for and in consideration of the sum of

-----TEN DOLLARS (\$10)----- DOLLARS,  
 and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has  
 granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate,  
 lying and being in the County of Indian River State of Florida to wit:

and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

In Witness Whereof, the grantor has hereunto set its hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

510, LLC, a Florida limited  
liability company

Printed Name: Calvin B. Brown  
Witness

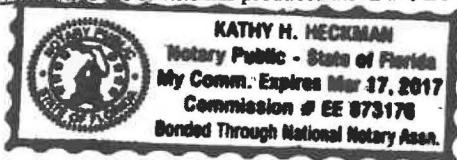
By: Kenneth P. Kennedy (Seal)  
Managing Member  
P.O. Address: 4310 77th Street, Vero Beach, FL 32967

Printed Name: Kathy H. Heckman  
Witness

### STATE OF Florida COUNTY OF Indian River

The foregoing instrument was acknowledged before me this 12th day of September, 2013 by  
 Kenneth P. Kennedy, Managing Member of 510, LLC, a Florida limited  
liability company

who is personally known to me or who has produced his Florida driver's license as identification.



Kathy H. Heckman  
Printed Name:  
Notary Public  
My Commission Expires:

# Warranty Deed - Page 2

Parcel ID Number: 31-39-28-00006-0090-00002/0

**SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.**

**Subject to restrictions, reservations and easements of record, if any, and taxes subsequent to 2012.**

## EXHIBIT A

A parcel of land lying in Section 28, Township 31 South, Range 39 East, Indian River County, Florida, said parcel also being a portion of Naranja Tract Shellmound Beach according to the Plat thereof as recorded in Plat Book 5, page 23, of the Public Records of St. Lucie (now Indian River) County, Florida and also a portion of Weona Park, according to the Plat thereof, as recorded in Plat Book 2, page 17, of the Public Records of Indian River County, Florida. Said parcel being more particularly described as follows:

Commence at the Northwest corner of Government Lot 6, said Section 28; thence South 0 degrees 20' 26" East, a distance of 25.82 feet to the Point of Beginning and a point on the South Right of Way line of Bridge Boulevard; thence North 75 degrees 21' 55" East, along said Right of way line a distance of 788.37 feet; thence South 34 degrees 58' 59" East, a distance of 29.61 feet; thence South 19 degrees 39' 10" West, a distance of 30.58 feet to the Point of curvature of a non tangent curve to the Southeast, having a radius of 7284.24 feet, a central angle of 0 degrees 14' 19", the radius point of which bears South 33 degrees 09' 31" East; Thence Southwest along the arc of said curve, a distance of 30.36 feet; Thence South 51 degrees 46' 45" West, a distance of 83.14 feet to a point on a line that is 40.00 feet Northerly of, as measured at right angles to the centerline of State Road 510; Thence South 56 degrees 30' 27" West, along said line, a distance of 84.77 feet to the Point of Curvature of a curve, concave to the Southeast, having a radius of 2904.79 feet, a central angle of 11 degrees 10' 35" and a chord of 565.72 feet bearing South 50 degrees 44' 57" West; Thence Southwest along the arc of said curve, a distance of 566.62 feet; thence South 45 degrees 09' 39" West, a distance of 235.62 feet to a point on the common line of between said plats of Naranja Tract Shellmound Beach and Weona Park; Thence North 0 degrees 20' 26" West, along said line, a distance of 14.02 feet to a point on a line that is 50.00 feet North of, as measured at right angles to, said centerline of State Road 510; Thence South 45 degrees 09' 39" West, along said line, a distance of 480.76 feet to a point on the South line of Block 9 of said Plat of Weona Park; Thence North 89 degrees 52' 36" West, along said South line, a distance of 66.93 feet to the Southwest corner of said Block 9; Thence North 0 degrees 21' 55" West, along the West line of Block 9 and 8 of said Plat, a distance of 539.83 feet to the Northwest corner of said Block 8; Thence South 89 degrees 54' 14" East, along the North line of said Block 8, a distance of 410.08 feet to a point on the aforementioned common line between said Plats of Naranja Tract Shellmound Beach and Weona Park; Thence North 0 degree 20' 25" West, along said line, a distance of 278.53 feet to the Point of Beginning.

Less that portion of the above described property being conveyed to Indian River County, described as follows:

State Road 510 Right of Way Parcel 473, as described in O. R. Book 2701, Page 1791, Public Records of Indian River County, and more particularly described as follows:

A portion of Lot 17, Block 8, Weona Park, according to the Plat thereof, as recorded in Plat Book 2, Page 17, of the Public Records of Indian River County, Florida, lying in Section 28, Township 31 South, Range 39 East, of Indian River County, Florida. Said Parcel being more particularly described as follows:

Commence at the South quarter corner of Section 28, Township 31 South, Range 39 East, of Indian River County, said point being on the survey baseline for County Road 510 as shown on the unrecorded Indian River County Right of Way Map for County Road 510 (Wabasso Road), Sheet 8 of 10; Thence South 89

degrees 55' 50" East along the South line of said Section 28 and the said survey baseline, a distance of 289.11 feet to a point of curvature of a tangent curve concave to the Northwest; Thence Northeasterly along the arc of said curve and along said survey baseline, having a radius of 663.19 feet, through a central angle of 44 degrees 53' 20", an arc distance of 519.58 feet to a point of tangency; Thence North 45 degrees 10' 50" East, along said survey baseline, a distance of 791.14 feet; Thence North 44 degrees 49' 10" West, a distance of 40.00 feet to a point of Intersection of the existing Northerly Right of Way line of said State Road 510 and the South line of the aforementioned Lot 17 of a parcel of land owned by 510, LLC, as recorded in O. R. Book 1983, Page 364, of the Public Records of Indian River County, Florida, said Point also being the Point of Beginning; thence North 89 degrees 55' 52" West, along said South line of Lot 17, a distance of 14.17 feet; thence North 45 degrees 10' 50" East, a distance of 20.76 feet to a point on the East line of the aforementioned Lot 17; thence South 00 degrees 16' 57" East, along said East line of Lot 17, a distance of 14.03 feet to a point on the said existing Northerly right of way line of said State Road 510; thence South 45 degrees 10' 50" West, along said Northerly Right of Way line a distance of 0.88 feet to the Point of Beginning.

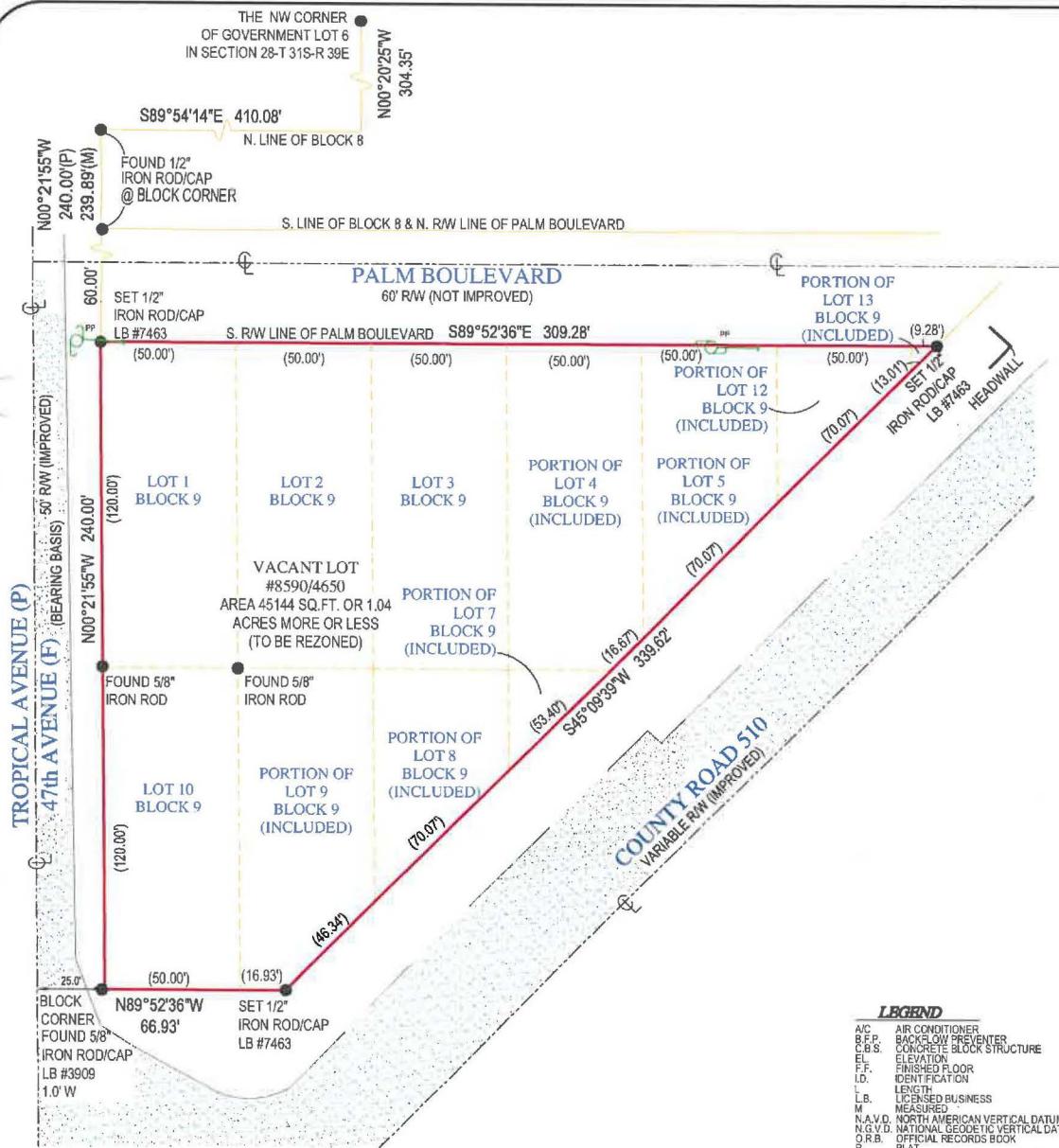
## **JUSTIFICATION STATEMENT FOR REZONING**

Parcel Identification Numbers: 31392800006009000001.0  
31392800006009000002.0

The subject property is located on County Road 510, across the street from the future development of a Publix shopping center. The subject property constitutes 1.04 acres of a larger parcel held by the same owner totaling approximately 7.92 acres. The requested CG zoning is consistent with the existing C/I land use designation. The balance of the property is zoned CG. The Land Development code states:

*CG: General commercial district.* The CG, general commercial district, is intended to provide areas for the development of general retail sales and selected service activities. The CG district is not intended to provide for heavy commercial activities, such as commercial service uses, heavy repair services nor industrial uses.

This rezoning is requested so that the entire 8.96 acre parcel may be developed with unified zoning for its highest and best use, which would be CG zoning.



#### NOTES:

1. LEGAL DESCRIPTION PROVIDED BY CLIENT
2. NO SEARCH OF THE PUBLIC RECORD FOR THE PURPOSE OF ABSTRACTING TITLE WAS PERFORMED BY THIS OFFICE
3. NO SUBSURFACE IMPROVEMENTS WERE LOCATED AS PART OF THIS SURVEY
4. ALL ANGLES OR BEARINGS AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED
5. SOME FEATURES MAY NOT BE AT SCALE IN ORDER TO SHOW DETAIL.
6. THE BEARINGS SHOWN HEREON ARE BASED UPON THE WEST PROPERTY LINE, HAVING A BEARING OF N00°21'55"W.

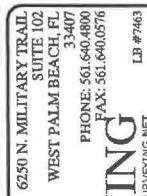
**LEGEND**

A/C AIR CONDITIONER  
 B.F.P. BACKFLOW PREVENTER  
 C.B.S. CONCRETE BLOCK STRUCTURE  
 E.L. ELEVATION  
 F.P. FIRST FLOOR  
 I.D. IDENTIFICATION  
 L LENGTH  
 L.B. LICENSED BUSINESS  
 M MEMBER  
 N.A.V.D. NORTH AMERICAN VERTICAL DATUM  
 N.G.V.D. NATIONAL GEODETIC VERTICAL DATUM  
 O.R.B. OFFICIAL RECORDS BOOK  
 P PROFESSIONAL SURVEYOR AND MAPPER  
 P.R.M. PERMANENT REFERENCE MONUMENT  
 P.R. PUBLIC RECORD  
 P.B. PLAT BOOK  
 P.C. PARKER KYLON NAIL  
 R RADIAL  
 R/W RIGHT OF WAY  
 D.E. DRAINAGE EASEMENT  
 U.E. UTILITY EASEMENT  
 C CENTERLINE  
 A ANGLE  
 N NUMBER  
 D DELTA  
 C CONCRETE  
 A ANGLE  
**WALLS**  
 C CHAIN LINK FENCE  
 W WOOD FENCE  
 M MISCELLANEOUS FENCE

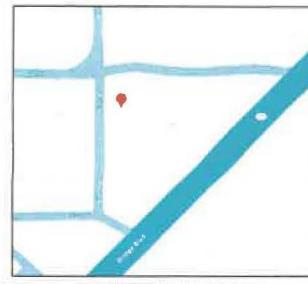
DATE OF FIELD WORK: 05/27/2025  
DATE OF MAP: 06/05/2025  
REVISIONS:  
1. ADD ACREAGE: 07-15-2025  
2. REVISE LEGAL DESCRIPTION: 10-07-2025

SURVEYORS CERTIFICATE  
I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY  
IS A TRUE AND CORRECT REPRESENTATION OF A  
SURVEY PREPARED UNDER MY DIRECTION.  
NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC  
SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL,  
OR A RAISED EMBOSSED SEAL AND SIGNATURE.

DAVID G CUTLER



Project C-691687	Sheet 1 OF 1
Date 05/27/2025	
Scale 1"=30'	



BOUNDARY SURVEY OF  
8590 47th AVENUE & 4650 COUNTY ROAD 510,  
SEBASTIAN, FL 32958  
PREPARED FOR:  
**BRUCE BARKETT**

LEGAL DESCRIPTION

ALL OF LOTS 1, 2, 3, AND 10, TOGETHER WITH THE PORTIONS OF LOTS 4, 5, 7, 8, 9, 12 AND 13 LYING NORTHERLY OF THE RIGHT OF WAY FOR COUNTY ROAD 510, ALL IN BLOCK 9, WEONA PARK SUBDIVISION REPLAT, AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA

FLOOD ZONE: X  
COMMUNITY NUMBER: 120119  
PANEL: 12061C0118  
SUFFIX: J  
BASE FLOOD ELEVATION: N/A  
FIRM DATE: 01/26/2023