

ORDINANCE NO. 2024-_____

AN ORDINANCE OF INDIAN RIVER COUNTY, FLORIDA, AMENDING THE ZONING ORDINANCE AND THE ACCOMPANYING ZONING MAP FOR APPROXIMATELY ±22.28 ACRES LOCATED WEST OF HIGHWAY US 1 EXTENDING WEST TO THE FEC RAILROAD RIGHT OF WAY, NORTH OF 85TH STREET FROM CG, GENERAL COMMERCIAL DISTRICT TO OCR, OFFICE, COMMERCIAL, RESIDENTIAL DISTRICT; 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:

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 31 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCE AT THE CENTER OF SAID SECTION 28; THENCE NORTH 89 DEGREES 46 MINUTES 27 SECONDS WEST, ALONG THE EAST-WEST QUARTER SECTION LINE OF SAID SECTION 28, A DISTANCE OF 311.41 FEET TO A CONCRETE MONUMENT AND THE POINT OF BEGINNING; THENCE NORTH 02 DEGREES 35 MINUTES 46 SECONDS WEST, A DISTANCE OF 189.55 FEET TO A CONCRETE MONUMENT; THENCE NORTH 87 DEGREES 35 MINUTES 15 SECONDS WEST, A DISTANCE OF 230.69 FEET TO A CONCRETE MONUMENT; THENCE NORTH 01 DEGREES 54 MINUTES 55 SECONDS

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EAST, A DISTANCE OF 117.94 FEET TO A CONCRETE MONUMENT; THENCE NORTH 74 DEGREES 47 MINUTES 24 SECONDS EAST, A DISTANCE OF 238.11 FEET TO A FIVE EIGHTHS INCH IRON REBAR ON THE WEST RIGHT OF WAY LINE OF STATE ROAD 5 (U.S. HIGHWAY ONE), A 100 FOOT PUBLIC RIGHT OF WAY; THENCE NORTH 28 DEGREES 36 MINUTES 12 SECONDS WEST, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 580.81 FEET TO A THREE QUARTER INCH IRON PIPE; THENCE SOUTH 67 DEGREES 26 MINUTES 41 SECONDS WEST, A DISTANCE OF 416.64 FEET TO A ONE INCH IRON PIPE; THENCE NORTH 87 DEGREES 12 MINUTES 52 SECONDS WEST, A DISTANCE OF 342.82 FEET TO A ONE INCH IRON PIPE AND A POINT ON THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28; THENCE NORTH 00 DEGREES 05 MINUTES 11 SECONDS EAST, ALONG SAID WEST LINE, A DISTANCE OF 84.15 FEET TO A ONE INCH IRON PIPE AND A POINT ON A LINE THAT IS 495.00 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES TO, THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28; THENCE NORTH 89 DEGREES 49 MINUTES 52 SECONDS WEST, ALONG SAID LINE, A DISTANCE OF 355.54 FEET TO A FIVE EIGHTHS INCH IRON REBAR AND A POINT ON THE EAST RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILROAD, A 100 FOOT RIGHT OF WAY; THENCE SOUTH 25 DEGREES 52 MINUTES 35 SECONDS EAST, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 1341.32 FEET; THENCE SOUTH 89 DEGREES 46 MINUTES 23 SECONDS EAST, A DISTANCE OF 371.07 FEET; THENCE NORTH 01 DEGREES 07 MINUTES 00 SECONDS WEST, A DISTANCE OF 100 FEET TO THE SOUTHWEST CORNER OF THE WABASSO SCHOOL PROPERTY; THENCE NORTH 24 DEGREES 24 MINUTES 50 SECONDS WEST, ALONG THE WEST LINE OF SAID WABASSO SCHOOL, A DISTANCE OF 302.84 FEET TO A CONCRETE MONUMENT AT THE NORTHWEST CORNER OF SAID WABASSO SCHOOL AND A POINT ON THE NORTH LINE OF THE AFOREMENTIONED NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28; THENCE SOUTH 89 DEGREES 46 MINUTES 27 SECONDS EAST, ALONG SAID NORTH LINE AND THE NORTH LINE OF WABASSO SCHOOL, A DISTANCE OF 536.55 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 22.28 ACRES, MORE OR LESS.

is changed from CG, General Commercial District to OCR, Office, Commercial, Residential District.

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 ____ day of _____, 2024.

This ordinance was advertised in the Press-Journal on the 1st day of December 2024, for a public hearing to be held on the 17th day of December 2024 at which time it was moved for

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adoption by Commissioner _____, seconded by Commissioner _____, and adopted by the following vote:

- Joseph E. Flescher, Chairman _____
- Deryl Loar, Vice Chairman _____
- Susan Adams, Commissioner _____
- Joseph H. Earman, Commissioner _____
- Laura Moss, Commissioner _____

BOARD OF COUNTY COMMISSIONERS
OF INDIAN RIVER COUNTY

BY: _____
Joseph E. Flescher, Chairman

ATTEST: Ryan L. Butler, Clerk of Circuit 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

Jennifer W. Shuler, County Attorney

APPROVED AS TO PLANNING MATTERS

Chris Balter, Planning & Development Services Director