

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

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**TO:** Jason E. Brown; County Administrator

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

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

**DATE:** December 12, 2022

**SUBJECT:** El Rancho Investments, L.L.C.'s Request for Affidavit of Exemption Approval with Dedications to the County [AOE-18-10-05 / 99110173-82447] (El Rancho AOE)

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It is requested that the data herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of December 20, 2022.

**DESCRIPTION, CONDITIONS, & ANALYSIS:**

El Rancho Investments, L.L.C. has submitted an application for an Affidavit of Exemption (AOE) to be known as El Rancho AOE. The project consists of 12 lots on 58.92 acres of land situated on the north side of 21<sup>st</sup> Street SW, between 58<sup>th</sup> Avenue SW and 66<sup>th</sup> Avenue SW (see attachment 1). The property is zoned A-1, Agricultural-1 (up to 1 unit/5 acres), and has an AG-1, Agriculture-1 (up to 1 unit/5 acres) future land use designation.

During the AOE development review process, Public Works staff indicated that a limited access easement would be required along the project's entire 21<sup>st</sup> Street SW frontage, except four common/shared driveway connections that will provide access to the 12 lots within the overall AOE (see attachment 2). In addition, 30' of right-of-way is required to be dedicated for 21<sup>st</sup> Street SW 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 of County Commissioners (BCC) will allow the County to enforce use of the common/shared driveway connections to 21<sup>st</sup> Street SW for all the lots within the El Rancho AOE.

Normally an AOE may be approved at staff level; however, dedication of the 5' limited access easements and the 30' of 21<sup>st</sup> Street SW right-of-way to the BCC requires acceptance of the easements and right-of-way by the BCC. Once accepted by the BCC, staff may concurrently approve the AOE and the appropriate documents may be recorded in the public records.

The recordable El Rancho AOE accurately depicts the required limited access easements and right-of-way dedication, and also includes the appropriate dedication language. The proposed layout of the AOE has been reviewed by staff, including Public Works, and is acceptable. The BCC may

now consider acceptance of the dedication of the limited access easements and right-of way from the property owner as part of the AOE approval.

**RECOMMENDATION:**

Staff recommends that the Board of County Commissioners accept the dedication of the limited access easements and right-of-way, and authorize the chairman to execute the subject El Rancho Affidavit of Exemption.

**ATTACHMENTS:**

1. Location Map
2. Affidavit of Exemption Layout