



John Campbell - District 1
Calvin D. Reams - District 3
Jordan Stewart - Member at Large
Chip Landers - Alternate

Robert Votaw - District 2
Mark Mucher - District 5
Thomas S. Lowther – Vice Chairman, Member at Large
Teri Barenborg - Non-Voting School Board Liaison
Jonathan F. Day-District 4, Chairman

The Planning and Zoning Commission will meet at **6:00 PM** on **Thursday, June 25, 2026, in the County Commission Chambers** of the County Administration Building, 1801 27th Street, Vero Beach.

THE PLANNING AND ZONING COMMISSION SHALL ADJOURN NO LATER THAN 11:00 P.M. UNLESS THE MEETING IS EXTENDED OR CONTINUED TO A TIME CERTAIN BY A COMMISSION VOTE.

AGENDA

ITEM #1 **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

ITEM #2 **ADDITIONS AND DELETIONS TO THE AGENDA**

ITEM #3 **APPROVAL OF MINUTES**

A. June 11, 2026

ITEM #4 **PUBLIC HEARINGS**

A. **Balfe Rezoning:** Valerie Balfe and William Wagner's Request to Rezone Approximately ±10.4 Acres from RS-3, Single-Family Residential District (up to 3 units/acre) to RM-3, Multiple-Family Residential District (up to 3 units/acre) (2023030038-99067) [**Quasi-Judicial**]

ITEM #5 **COMMISSIONERS MATTERS**

ITEM #6 **PLANNING MATTERS**

ITEM #7 **ATTORNEY'S MATTERS**

ITEM #8 **ADJOURNMENT**

Except for those matters specifically exempted under the State Statute and Local Ordinance, The Commission shall provide an opportunity for public comment prior to the undertaking by the Commission of any action on the agenda, including those matters on Consent Agenda or matters added to the agenda at the meeting.

All regular Planning and Zoning Commission meetings are broadcasted on the Indian River County Government Channel IRCTV (<https://irctv.cablecast.tv/watch-now?site=1>), on YouTube (<https://www.youtube.com/c/IndianRiverCountyFL>), and on our agenda management software CivicPlus (<https://indianrivercofl.portal.civicclerk.com>).

ANYONE WHO MAY WISH TO APPEAL ANY DECISION, WHICH MAY BE MADE AT THIS MEETING, WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH INCLUDES THE TESTIMONY AND EVIDENCE ON WHICH THE APPEAL IS BASED.

ANYONE WHO NEEDS A SPECIAL ACCOMMODATION FOR THIS MEETING MUST CONTACT THE COUNTY'S AMERICANS WITH DISABILITIES ACT (ADA) COORDINATOR AT 772-226-1223, AT LEAST 48 HOURS IN ADVANCE OF THE MEETING.

PLANNING AND ZONING COMMISSION

There was a meeting of the Indian River County (IRC) Planning and Zoning Commission (PZC) on Thursday, June 11, 2026, at 6:00 PM in the Commission Chambers of the County Administration Building, 1801 27th Street, Vero Beach, Florida. You may view a video of the meeting and/or review the meeting agenda, backup material and minutes on the [Indian River County website](#).

Present were the following members: Chairman **Dr. Jonathan Day**, District 4 Appointee; Vice Chairman **Mr. Tom Lowther**, Member-at-Large; **Mr. John Campbell**, District 1 Appointee; **Mr. Robert Votaw**, District 2 Appointee; **Mr. Calvin Reams**, District 3 Appointee; **Mr. Mark Mucher**, District 5 Appointee; and **Mr. Jordan Stewart**, Member-at-Large; and **Ms. Teri Barenborg**, non-voting School Board liaison.

Mr. Chip Landers, Alternate Member, was present but not on the dais.

Also present were IRC staff members: Ms. Susan J. Prado, Deputy County Attorney; Mr. Ryan Sweeney, Assistant Director of Planning and Development Services; Kelly McKinley, Planner and Recording Secretary, Ms. Kathleen Ardon.

1. Call to Order and Pledge of Allegiance

Chairman Dr. Jonathan Day called the meeting to order at 6:00 pm. All stood for the Pledge of Allegiance.

2. Additions and Deletions to the Agenda

No additions or deletions were requested.

3. Approval of Minutes

Approval of the May 14, 2026, meeting minutes with noted corrections.

ON MOTION BY MR. ROBERT VOTAW, SECONDED BY MR. TOM LOWTHER, the members voted unanimously (7-0) to approve the June 11, 2026, meeting minutes as presented.

4. PUBLIC HEARING

Chairman Day read the following:

A. Westside Racquet Club: Request for Site Plan and Special Exception Use Approval to Construct and Operate a Racquet Club Facility. Westside Racquet Club, LLC, Applicant; MBV Engineering, Inc., Agent.

The secretary administered the testimonial oath to those present who wished to speak.

Ryan Sweeny informed the board that the applicant's LLC had been fully reinstated following concerns raised at the previous meeting. Staff confirmed the reinstatement and noted that the prior public hearing had been deemed null and void, requiring the application to be reheard.

Kelly McKinley provided an overview of the proposed Westside Racquet Club project. Key details included:

- Applicant: Westside Racquet Club, LLC
Agent: MBV Engineering, Inc.
Location: 4291 5th PL SW, Vero Beach, FL 32968
Zoning: RS-3, Residential Single-Family (up to 3 units/acre)
Land Use Designation: L-2, Low-Density Residential-2 (up to 6 units/acre)
Four phases

Staff Presentation Highlights:

- Phase 1: Restore 8 existing tennis courts; add 4 padel courts; parking, stormwater, and landscaping
- Phase 2: Restore clubhouse and add 2 paddle courts
- Phase 3: Add pool and 4 pickleball courts
- Phase 4: Add 2 additional tennis courts
- Site includes a 1-acre stormwater pond, 30-ft Type B landscape buffer around most perimeter, and 20-ft roadway buffer along the west property line
- All design elements meet County Code Section 971.40(9) (special exception tennis club criteria)
- Staff completed required public noticing (300-ft mailings, signage, legal ad)
- Staff recommended PZC recommend BCC approval of the special exception and approve Phase 1 site plan, subject to BCC approval

Commission Discussion:

- Compatibility with surrounding properties
- Noise mitigation (pickleball noise in particular)
- Lighting Impacts (possible cut-off times)
- Buffer enhancement (including privacy fencing and landscape screening such as Clusia hedges)
- Drainage considerations

Staff and Deputy County Attorney clarified:

- Interior site lighting

- Additional mitigation measures can be implemented per phase
- Provided clarification for each phase of development
- Explained the County-wide ordinance for noise mitigation
- Special conditions may be imposed
- Retention pond
- Nighttime residential sound limits are set at different percentile levels specifically 10%, 50%, and another higher percentile over a 15-minute measurement period, with allowable decibel levels ranging roughly from 55 to 65 db.

Agent Ryan McLean (MBV Engineering) was present to address questions and concerns raised by the Commission.

- Lighting is limited to active courts; unused areas will be turned off.
- Lighting expected to run until about 9:00–10:00 PM, subject to ordinance limits
- Preference to prioritize sound mitigation over relocation due to site plan impacts and Phase 1 constraints.
- Facility will be fully fenced; access gates are still under consideration.
- Dry pond design addresses stormwater needs for a site that previously had none.

Public Discussion:

- Concerns raised about padel court noise (estimated 70–100 dB) and comparison to pickleball.
- Concerns about vehicle headlights impacting nearby homes.
- Request for a full privacy (PVC) fence along the southern boundary instead of chain-link.
- Concern regarding culvert condition and erosion near entrance.
- Suggestion to use quieter pickleball paddles to reduce noise impacts.

Motion:

The Planning and Zoning Commission finds that both the general and specific criteria for the review of the Special Exception have been satisfied, and that adequate conditions have been imposed to ensure compatibility between the proposed use and surrounding land uses, in accordance with Land Development Regulation Section 971.057(A)(3)(g). The Planning and Zoning Commission recommends that Board of County Commissioners grant special exception approval consistent with the staff recommendation, with the understanding that final site details may be refined as needed, including additional mitigation measures for noise and site lighting per each future phase.

ON MOTION BY MR. TOM LOWTHER, SECONDED BY MR. JORDAN STEWART, the members voted unanimously (7-0) to approve the June 11, 2026, meeting minutes as presented.

6. COMMISSIONER MATTERS

No formal matters.

There being no further comments pertaining to tonight's agenda item Chairman Day closed the Public Hearing.

7. Planning Matters

Mr. Sweeney confirmed that there will be a PZC meeting held on June 25th, 2026.

8. Attorney's Matters

None.

9. Adjournment

There being no further business, the meeting was adjourned at 6:46 pm.

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

TO: Members of the Planning and Zoning Commission

THROUGH: John Stoll; Planning & Development Services Director

THROUGH: Patrick Murphy; Chief, Long Range Planning *PSM*

FROM: Laurence Andrews; Long Range Planning *LA*

DATE: June 18, 2026

RE: Valerie Balfe and William Wagner's Request to Rezone Approximately ± 10.4 Acres from RS-3, Single-Family Residential District, to RM-3, Multiple-Family Residential District (2023030038-99067) **[Quasi-Judicial]**

It is requested that the following information be given formal consideration by the Indian River County Planning and Zoning Commission at its regular meeting on June 25, 2026.

DESCRIPTION AND CONDITIONS

The subject properties, comprising approximately ± 10.4 acres, are located on the East side of U.S. Highway 1, South of and adjacent to 61st Street. The properties are split-zoned with RM-3, Multiple-Family Residential District, fronting U.S. 1 on the west side of the parcels and RS-3, Single-Family Residential District, on the East side of the parcels (Attachment 1). They are located within the Urban Service Area (USA) and have a Future Land Use designation of L-1, Low-Density Residential-1 (up to 3 units/acre) (Attachment 2).

The applicant's justification letter states, "The project is to develop an assisted living and memory care facility on 14.94 acres. Currently, the property has split zoning between RS-3 and RM-3. The request is to rezone the property completely to RM-3 zoning to make the full economic use and benefit of the property, as well as continue harmonious development patterns and avoid unintended consequences of a single parcel of land being developed using two different zonings. The application further requests to rezone additional parcels south of the subject property to remedy the split zoning problem that encumbers properties between 61st and 57th streets. The result of the rezonings will achieve conformance with the Indian River County's Comprehensive Plan and support logical development patterns along U.S. Highway 1."

The area is currently undeveloped; therefore, the proposed rezoning would establish a unified zoning district before development occurs, allowing the parcels to be reviewed and developed more cohesively under one set of zoning standards. The request does not increase the maximum residential density but instead aligns the zoning with the Future Land Use designation and does indeed support a more logical development pattern along the U.S. Highway 1 corridor.

Existing Land Use Pattern

The surrounding area is largely undeveloped; therefore, the existing land use pattern is best understood through the area's zoning history and current zoning configuration described below.

The subject properties have been affected by split zoning since the original 1975–1985 Indian River County Zoning Atlas, which placed commercial zoning along the U.S. Highway 1 frontage and RS-3 zoning on the eastern portion of the parcels (Attachment 3). In 1985, the County converted the former C-1A zoning within the residential future land use area to RM-3 through Ordinance 86-15 (Attachment 4), while the eastern portions of the parcels remained zoned RS-3.

To the north, across 61st Street, which is an unpaved roadway with an existing canal, properties remain similarly undeveloped and split-zoned RM-3 and RS-3. To the east of the subject properties is the Spoonbill Preserve Planned Development, approved by Ordinance 2019-005, which rezoned approximately 413.67 acres from RS-3 and CON-2, Estuarine Wetlands Conservation District to PD, Planned Development. That rezoning established a large, planned development area extending east toward the Indian River Lagoon, leaving the RS-3 zoning on the eastern portions of the subject parcels as a remnant of the prior zoning pattern. To the south, the adjacent properties along U.S. Highway 1 contain the same RM-3/RS-3 split-zoning pattern and are developed with existing single-family residences; however, those properties were not included in this rezoning request because the property owners did not authorize their inclusion, and the RS-3 district ultimately corners off along the PD district. Across U.S. Highway 1 to the west is an established Commercial/Industrial node containing properties zoned IL, Light Industrial.

Since the subject area has not yet developed, the requested rezoning would resolve the existing split-zoning condition before development occurs. Rezoning the subject properties entirely to RM-3 would place each parcel under one zoning district, allow for more cohesive site planning, and better align the zoning pattern with the applicable Future Land Use designation. The request does not represent a change to an established development pattern, but rather a cleanup of historical zoning boundaries to support logical future development along the U.S. Highway 1 corridor.

Zoning District Differences

In terms of allowed uses, there are both similarities and differences between the RS-3 and RM-3 zoning districts. (Attachment 5). The distinctions between these two zoning districts are best illustrated through their respective purpose statements. These purpose statements provide a clear framework for understanding the intent and scope of each district's allowable uses and development potential. The purpose statements are as follows:

RS-3: Single-Family Residential District (up to 3 units/acre): The RS-3 districts are established to implement the policies of the Indian River County Comprehensive Plan for managing land designated for residential uses, providing single-family housing opportunities, and ensuring adequate public facilities. These districts are also intended to implement the county's housing policies by providing opportunities for a varied and diverse housing supply.

RM-3: Multiple-Family Residential District (up to 3 units/acre): The RM-3 districts are established to implement the policies of the Indian River County Comprehensive Plan for managing land designated for residential uses, providing opportunities for multifamily residential units and ensuring adequate public facilities to meet the needs of residents. These districts are also intended to implement the county's housing policies by providing opportunities for a varied and diverse housing supply.

Analysis

The following analysis is based on Chapter 902: Administrative Mechanisms, Section 902.12(3), which states that all proposed amendments shall be submitted to the Planning and Zoning Commission, which shall consider such proposals in accordance with items (a) through (k) of Section 902.12(3).

Item A - Whether the proposed amendment conflicts with any applicable portion of the land development regulations (LDRs).

Staff cannot identify any conflicts between the requested RM-3 zoning and the County's LDRs. Both the current RS-3 and the proposed RM-3 zoning are established districts under the LDRs.

Item B - Whether the proposed amendment is consistent with all elements of the Indian River County Comprehensive Plan.

The goals, objectives, and policies outlined in the comprehensive plan are critical to guiding the County's development. Policies serve as actionable commitments that direct how the County will shape and manage growth. These policies form the foundation for all land development decisions, ensuring that the County's planning efforts align with its long-term vision.

The request to rezone to the RM-3 District is consistent with the goals, objectives, and policies of the Comprehensive Plan, particularly the provisions of Chapter 2 Future Land Use Element regarding development and land use compatibility. Several key Comprehensive Plan policies and objectives apply to this proposal:

Urban Service Area & Efficient Growth: The Comprehensive Plan directs development into the Urban Service Area, where infrastructure and services are available. (Objective 1: Compact, Energy Efficient, Low-Density Development). The subject properties are located within the Urban Service Area and front upon U.S. Highway 1, an arterial roadway with county water and sewer service available. By focusing development on this infill site consistent with its L-1 designation, the rezoning advances the Plan's intent to concentrate growth where it can be most efficiently served (Objective 1), thereby discouraging sprawl and ensuring effective use of infrastructure investments. The request is also consistent with Policy 4.1, which states that land use districts should be in a manner that "concentrates urban uses, thereby discouraging urban sprawl."

The Comprehensive Plan further provides that all residential development greater than 0.2 units/acre and all non-agricultural uses shall be located within the Urban Service Area (Objective 2). Policy 2.2 specifies that the County shall encourage and direct growth into the Urban Service Area through

zoning and the application of LDRs. Since the proposed rezoning would allow multiple-family residential development on the subject property, and the property lies within the Urban Service Area, the request directly implements Policy 2.2 by aligning the zoning with the site's designated land use and reinforcing the County's growth strategy.

The Comprehensive Plan encourages a diverse mix of housing types and a balanced distribution of residential densities. Future Land Use Element Objective 5 sets a goal that by 2030, at least 25% of the County's housing units be in multi-family, mixed-use, or traditional neighborhood projects. Allowing the subject site to develop with multi-family housing directly supports this objective by increasing opportunities for multiple-family units in an area designated for urban residential use.

Future Land Use Designation: Policy 1.11 of the Comprehensive Plan designates Low-Density Residential areas for urban scale development and appropriate intensities within the Urban Service Area. The Future Land Use designation of L-1, Low-Density Residential-1 permits residential uses up to 3 dwelling units per acre (Policy 1.12). The requested RM-3 zoning appropriately implements this designation by allowing multi-family residential development within the permitted density range. As the Comprehensive Plan specifies that Future Land Use Map densities represent maximums, the proposed zoning remains fully consistent with Policies 1.12 and 1.13 by supporting appropriately scaled and efficient infill development within the Urban Service Boundary.

Zoning Compatibility: The proposed rezoning from RS-3 to RM-3 is compatible with the surrounding zoning pattern and is consistent with the multi-family locational criteria outlined in Future Land Use Policy 1.43 of the Comprehensive Plan. The subject properties already contain RM-3 zoning along the U.S. Highway 1 frontage, and the requested rezoning would extend that zoning across the remainder of the parcels to eliminate the existing split-zoning condition. The properties front a major arterial corridor and are located east of a Commercial/Industrial node across U.S. Highway 1. Additionally, the request would reduce the remaining RS-3 zoning in the immediate area and would not result in the RM-3 district being surrounded by single-family zoning on all sides. By meeting guidelines of Policy 1.43, the proposed rezoning is consistent with Comprehensive Plan policies aimed at promoting compatible land use arrangements and housing diversity.

Item C - Whether the proposed amendment is consistent with existing and proposed land uses.

The proposed rezoning is consistent with the existing and planned land uses in the vicinity, as reflected in both the current development pattern and the County's Future Land Use Map. Importantly, the change to RM-3 does not alter the fundamental use of the property as residential, nor the density, but rather allows a different residential product type.

Item D - Whether the proposed amendment follows the adopted county thoroughfare plan.

The County's Thoroughfare Plan identifies U.S. Highway 1 as a Major arterial roadway serving this portion of the Urban Service Area. The subject properties have direct frontage on U.S. Highway 1, providing suitable access for urban residential development. Concentrating residential use at this location is consistent with thoroughfare planning principles, as arterial roadways are designed to accommodate traffic volumes associated with suburban infill development. At the time

of development review, the project will be required to meet all applicable access management standards under the County's Thoroughfare Plan and Land Development Regulations. The rezoning itself does not propose any changes to roadway alignments or classifications and remains fully consistent with the adopted Thoroughfare Plan.

Item E - Whether the proposed amendment would generate traffic which would decrease the service levels on roadways below the level adopted in the comprehensive plan.

Under the current RM-3 and RS-3 zoning, the site could allow up to 42 single-family detached units and 52 low-rise multi-family units, generating approximately 705 daily trips. Under the proposed RM-3 zoning, a maximum of 95 low-rise multi-family units could be developed, generating up to 590 daily trips. This represents a theoretical decrease of 115 daily trips at full buildout.

The extent of any impact to U.S. Highway 1 will depend on the specific development proposed at the subdivision or site plan stage. At that time, concurrency and access management evaluation will ensure compliance with all applicable roadway capacity and design standards. Importantly, the trip generation scenario reflects a "maximum-intensity" concurrency analysis for rezoning purposes only; a rezoning does not commit the parcels to the assumed use, nor does it guarantee that this level of traffic will occur.

Item F - Whether there have been changed conditions which would warrant an amendment.

The subject properties have contained split zoning since the original 1975–1985 Indian River County Zoning Atlas, with zoning along the U.S. Highway 1 frontage later converted to RM-3 while the eastern portions remained RS-3. Since that time, the surrounding zoning pattern has changed, most notably through approval of the Spoonbill Preserve Planned Development east of the subject properties. That rezoning left the RS-3 zoning on the eastern portions of the subject properties as a remnant of the prior zoning pattern. The requested rezoning would resolve the existing split-zoning condition, place the subject properties under one zoning district, and allow future development to occur more cohesively within the applicable Future Land Use designation.

Item G - Whether the proposed amendment would decrease the level of service established in the comprehensive plan for sanitary sewer, potable water, solid waste, drainage, and recreation.

Based upon the analysis conducted by staff, it has been determined that all concurrency-mandated facilities, including stormwater management, solid waste, water, wastewater, and recreation, have adequate capacity to accommodate the most intense use of the subject properties under the proposed rezoning. Per Indian River County LDRs, the applicant will be required to pay utility connection and other customary fees and comply with other routine administrative procedures. As with all developments, a more detailed concurrency review will be conducted during the development review process.

As per Section 910.07 of the County's LDRs, the conditional concurrency review examines the available capacity of each facility with respect to a proposed project. Since rezoning requests are not development projects, County regulations call for the concurrency review to be based on the most intense use of the subject properties allowed within the requested zoning district.

- | | |
|---|--|
| 1. Size of Area to be Rezoned: | ± 10.4 acres |
| 2. Existing Zoning District: | RS-3, Single-Family Residential District
(up to 3 units/acre) |
| 3. Proposed Zoning District: | RM-3, Multiple-Family Residential District
(up to 3 units/acre) |
| 4. Most Intense Use of Entire Properties
Under Existing Zoning District: | 31 dwelling units
(based on 3 units/acre) |
| 5. Most Intense Use of Entire Properties
Under Proposed Zoning District: | 31 dwelling units
(based on 3 units/acre) |

Item H - Whether the proposed amendment would result in significant adverse impacts on the natural environment.

No adverse environmental impacts are expected to result from the rezoning. The subject properties do not contain any land designated by the State of Florida or the U.S. Federal Government as environmentally sensitive or protected land, such as wetlands or sensitive uplands. The rezoning does not authorize any specific construction or site disturbance (it only changes the zoning map designation), and so it has no direct impact on the environment. When development is proposed for the subject site, a more detailed environmental analysis will be conducted.

Item I - Whether the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

The proposed rezoning will facilitate an orderly and logical development pattern in this area. By establishing a single consistent zoning across the entire parcel, the amendment promotes a coordinated development of the property, as opposed to a piecemeal or disjointed pattern that might result from split zoning. The RM-3 zoning is appropriate for this location given the surrounding context.

Item J - Whether the proposed amendment would conflict with the public interest and is in harmony with the purpose and interest of the land development regulations.

Staff have not identified any adverse impacts to public welfare and find that the request aligns with the purpose and intent of the land development regulations. The proposed amendment is consistent with established planning principles and supports the broader objectives of promoting orderly

growth and compatible land use. As such, the request is deemed to be in harmony with the County's regulatory framework and community development goals.

Item K - Any other matters that may be deemed appropriate by the planning and zoning commission or the board of county commissioners in review and consideration of the proposed amendment, such as police protection, fire protection, and emergency medical services.

Based upon the analysis conducted by staff, it has been determined that all concurrency-mandated facilities have adequate capacity to accommodate the most intense use of the subject properties under the proposed rezoning. The subject properties are in an area of the County that is readily serviceable by existing fire and emergency medical facilities. The Indian River County Sheriff's Office provides law enforcement in the unincorporated area and routine patrols already cover U.S 1 Highway. No issues are foreseen in extending coverage to new development.

REQUIRED NOTICE

For this project, staff were required to publish a legal advertisement in the newspaper, send out notice by mail to all property owners within 300 feet of the project site, and post a project notice sign at the project site. All these items were completed by staff.

CONCLUSION

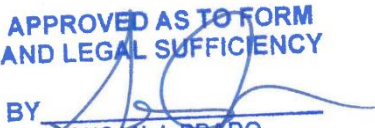
Based on the analysis above, staff concludes that the request to rezone the subject properties, totaling $\pm$ 10.4 acres, from RS-3 to RM-3, is consistent with the Comprehensive Plan, meets all applicable land development regulations, and will advance the County's planning objectives for the area.

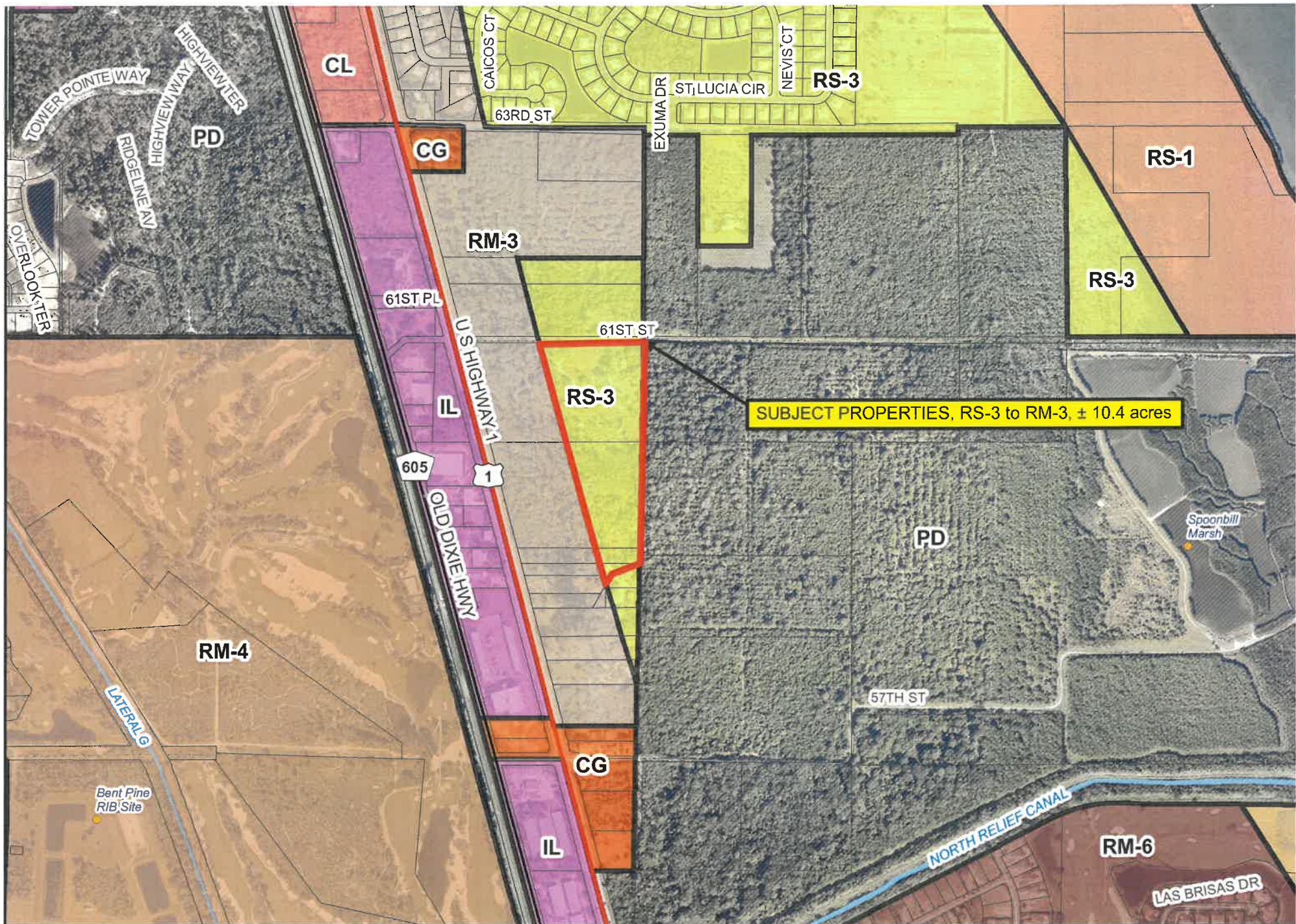
RECOMMENDATION

Based on the analysis and conclusions outlined in this report, staff recommends that the Planning and Zoning Commission recommend that the Board of County Commissioners approve the request to rezone the $\pm$ 10.4 acres of subject properties from RS-3 to RM-3.

ATTACHMENTS

1. Existing Zoning Map
2. Existing Future Land Use Map
3. 1975–1985 Indian River County Zoning Atlas
4. Ordinance 86-15
5. Zoning District Comparison Table
6. Rezoning Application

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
BY 
SUSAN J. PRADO
DEPUTY COUNTY ATTORNEY

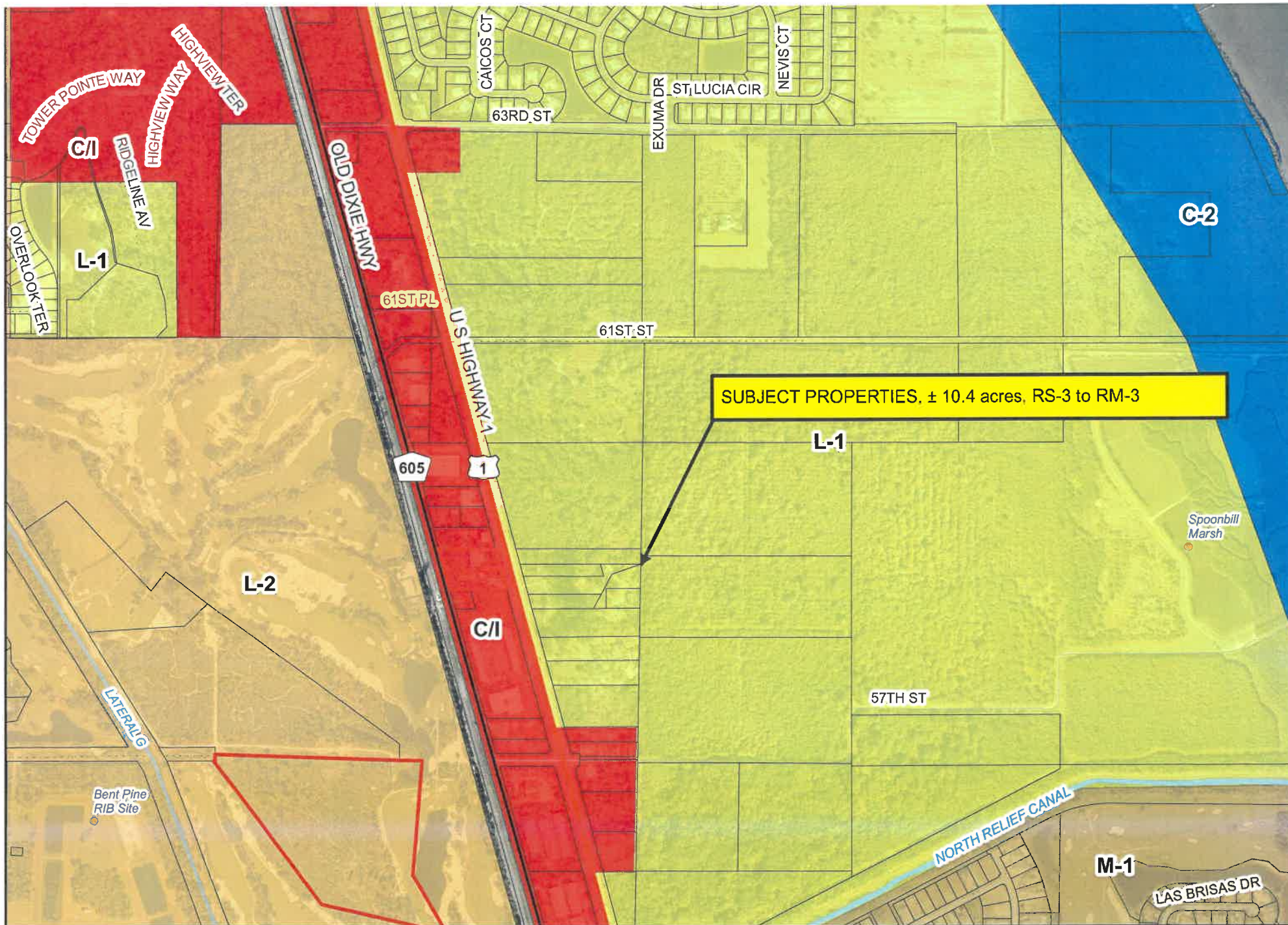


INFORMATIONAL MAP - NOT A SURVEY

The information on this map is taken from reliable sources.
However, its accuracy is not guaranteed.

Rezoning Map - BALFE



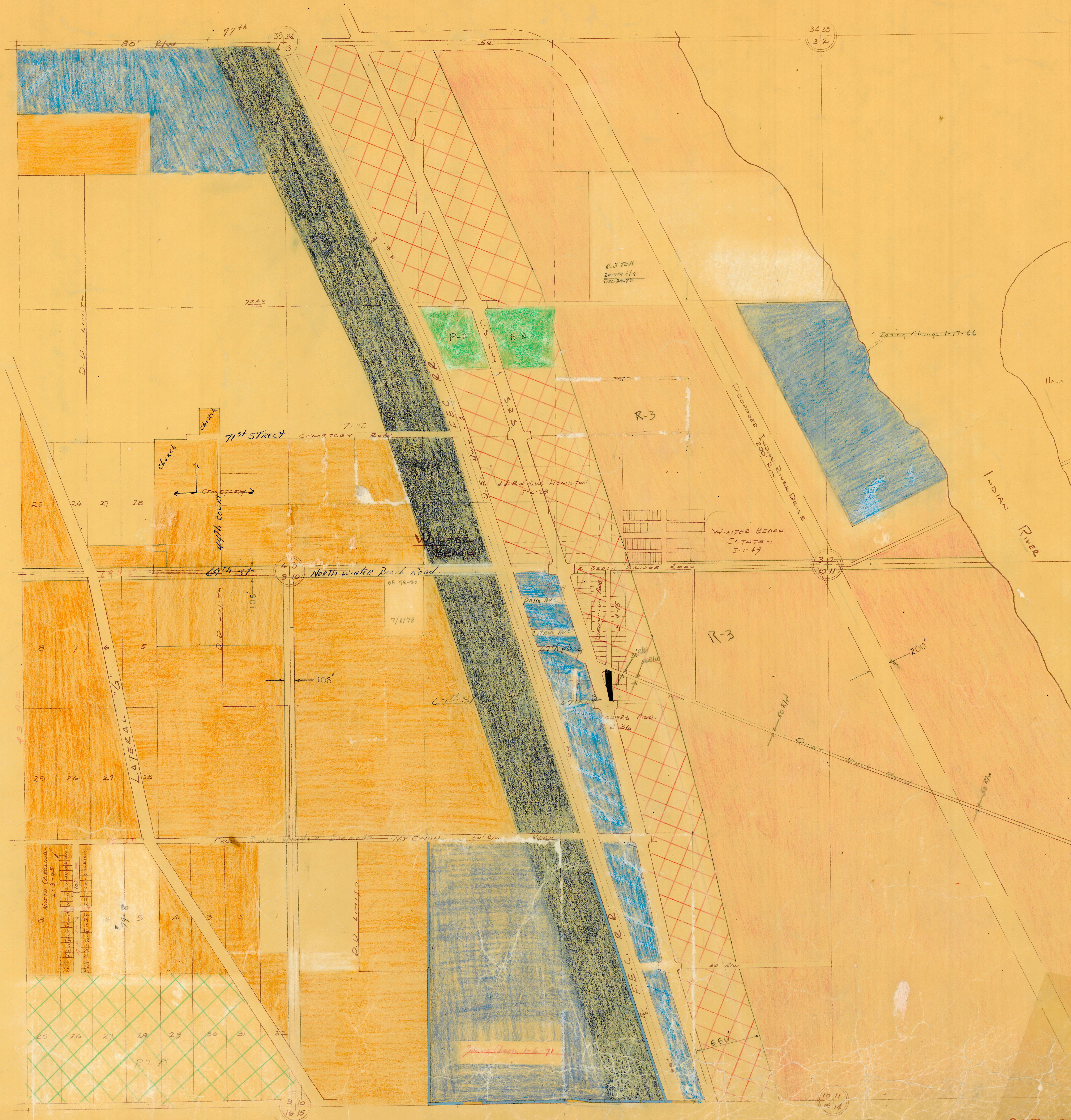


INFORMATIONAL MAP - NOT A SURVEY

The information on this map is taken from reliable sources.
However, its accuracy is not guaranteed.

FLU Map - BAFBE





ORDINANCE # 86 - 15

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, PROVIDING FOR A COMPREHENSIVE AMENDMENT TO THE COUNTY'S ZONING ATLAS BY CONVERTING THE ZONING DISTRICTS DEPICTED ON THE ATLAS TO NEW DISTRICTS DESCRIBED IN APPENDIX A OF THE CODE OF LAWS AND ORDINANCES, KNOWN AS THE ZONING CODE, IN ACCORDANCE WITH THE COUNTY'S COMPREHENSIVE LAND USE PLAN; PROVIDING FOR EXCEPTIONS TO THE CONVERSION TABLE; REPEALING SECTION 4, A, AGRICULTURAL DISTRICT; SECTION 18, B-1, PLANNED BUSINESS DISTRICT; SECTION 18.1, MED, MEDICAL DISTRICT; SECTION 19, C-1A, RESTRICTED COMMERCIAL DISTRICT; SECTION 20, C-1, COMMERCIAL DISTRICT; SECTION 20.1, C-2, HEAVY COMMERCIAL DISTRICT; SECTION 21, LM-1, LIGHT MANUFACTURING DISTRICT; AND SECTION 22, M-1, RESTRICTED INDUSTRIAL DISTRICT; AND PROVIDING FOR CODIFICATION; SEVERABILITY; REPEAL OF CONFLICTING PROVISIONS; AND EFFECTIVE DATE.

WHEREAS, The Board of County Commissioners of Indian River County has adopted a Comprehensive Land Use Plan, Ordinance #82-21, pursuant to Chapter 163 of the Florida Statutes; and

WHEREAS, Chapter 163 of the Florida Statutes requires that all future development be consistent with the County's adopted Comprehensive Land Use Plan; and

WHEREAS, the existing zoning of many areas of the County is not in conformance with the County's adopted Comprehensive Land Use Plan; and

WHEREAS, on January 16, 1985, the Board of County Commissioners adopted fourteen new residential zoning districts to specifically implement the provisions of the County's adopted Comprehensive Land Use Plan; and

WHEREAS, on July 24, 1985, the Board of County Commissioners adopted eight new nonresidential zoning districts to specifically implement the provisions of the County's adopted Comprehensive Land Use Plan; and

WHEREAS, a table has been prepared to convert the existing nonresidential, and some residential zoning districts depicted on the zoning atlas to the new nonresidential and residential zoning districts; and

ORDINANCE # 86 - 15

WHEREAS, certain exceptions to the general conversions are necessary to assign the appropriate zoning districts to properties which contained lawfully conforming uses when the Comprehensive Plan was adopted or have been determined by the Board of County Commissioners to be in conformance with the Comprehensive Plan; and

WHEREAS, after the conversion table is adopted, eight non-residential zoning districts will no longer appear on the County's Zoning Atlas; and

WHEREAS, the Board of County Commissioners wishes to repeal eight nonresidential zoning districts which will no longer appear on the County's Zoning Atlas;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Indian River County, Florida:

SECTION 1

All properties lying in unincorporated Indian River County which have any of the "old zoning district" classifications listed in the below table are hereby rezoned to the corresponding "new zoning district" classifications listed below, as determined by reference in such table to the existing land use designation for such properties. Appropriate and necessary revisions to the County Zoning Atlas to reflect such rezoning are hereby authorized and approved.

ZONING CONVERSION TABLE

<u>Old Zoning District (s)</u>	<u>Land Use Designation (s)</u>	<u>New Zoning District</u>
A	ALL	A-1
MED	ALL	MED
C-2	ALL	CH
LM-1	ALL	IL
C-1	BCID	R-BCID
B-1, C-1A	MXD	CL
B-1, C-1A, C-1	LD-1	RM-3
B-1, C-1A, C-1, M-1	LD-2, MD-1	RM-6
M-1	LD-1	RS-3
C-1	MXD	CG
M-1	MXD	IL
C-1	AG	A-1
C-1	RR-1	RFD
C-1A, M-1	Environmentally Sensitive	RS-1
C-1A, RM-6	37th Street Hospital/Commercial Node	MED
C-1A, RS-6	Kings Highway Commercial Node	CL
C-1,A	Kings Highway Commercial Node	CG

ORDINANCE # 86 - 15

C-1, C-1A	Oslo Road & U.S. 1 Commercial Node	CG
C-1	Oslo Road & 27th Ave. Commercial Node	CL
C-1	Oslo Road & 74th Ave. Commercial/ Industrial Node	CG
M-1	Oslo Road & 74th Ave. Commercial/ Industrial Node	IG
M-1	South Winter Beach Road Industrial Node	IL
C-1A, C-1	Hobart Road & U.S. 1 Commercial/ Industrial Node	CL
C-1	U.S. 1 Commercial Corridor	CG
C-1	MD-2	RM-10
C-1A	MD-2	RM-6
C-1A	Moorings Commercial Node	CL
C-1	Roseland Tourist/Commercial Node	CL
C-1	I-95/C.R. 512 Commercial Industrial Node	CG

SECTION 2

The County's Comprehensive Plan states that it was not the intent of the Board of County Commissioners to create nonconforming uses by the adoption of the Plan. All lawful, conforming uses in existence at the date of Plan adoption shall be considered consistent with the Plan. In addition, projects that had received site plan approval or subdivision plat approval at the date of the adoption of the Plan shall be considered in conformance with the Plan.

Notwithstanding anything to the contrary in Section One, the following specifically identified properties are hereby rezoned from their existing "old zoning district" classifications to the "new zoning district" classifications listed below for each such property. The Board determines that each such rezoning is consistent with the Comprehensive Plan, based on the above provision of the Plan, regardless of the current land use designation depicted on the Land Use Map for such properties, and appropriate changes to the County Zoning Atlas are hereby authorized and approve to reflect such rezonings.

<u>Old Zoning District(s)</u>	<u>Location</u>	<u>New Zoning District</u>
C-1	Tracts 1639 thru 1643, inclusive, Fellsmere Farms Subdivision	RS-6
C-1	Lots 4 thru 12, inclusive, Block A, Ercildoune Heights Subdivision	RS-6

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A-1	Tracts 1239 thru 1243, inclusive, Tracts 1250 thru 1254, inclusive, and Tracts 1342 and 1343, Fellsmere Farms Subdivision	RMH-8
C-1	Lot 1, Jeans Unit, Indian River Twin Estates Subdivision	OCR
C-1	Lot 16, Riverview Subdivision	CG
C-1	Lot 18, Wauregan Subdivision	OCR
C-1	N $\frac{1}{2}$ Section 25, Township 30S, Range 38E	CL
C-1	Lot 24, Wauregan Subdivision	CL
C-1	S $\frac{1}{2}$ Section 25, Township 30S, Range 38E	CG
M-1	Lots 17 through 20, inclusive, A.A. Berry Subdivision	IL
RM-6	Lots 37, 41, and 42, A.A. Berry Sub- division	RM-4
RM-6	Haven View Subdivision	RM-4
RMH-8	SW $\frac{1}{4}$ of Section 21, Fleming Grant	RMH-6
RMH-8	SW $\frac{1}{4}$ of Section 30, Fleming Grant	RMH-6
C-1	Sections 22, 23, and 27 Township 31 S, Range 39 E	CL
A	Vero Lake Estates Subdivision	RS-3
M-1	Sebastian Grove Estates Subdivision	CH
C-1	Section 7, Township 31 S, Range 39E lying east of U.S. #1	CG
A	Lot 9 and Lots 11 through 16, inclusive, Block 1 Sebastian Grove Estates Subdivision	CH
C-1	Section 7, Township 31 S, Range 39E lying west of U.S. #1	CH
C-1	Section 8, Township 31 S, Range 39E except Gov. Lot 2, lying east of U.S. 1	CG
C-1	Section 8, Township 31S, Range 39E, lying west of U.S. 1	CH
C-1	N $\frac{3}{4}$ of Section 17, Township 31S Range 39E	CL
C-1	SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 17, Township 31 S, Range 39E	CRVP
C-1A	S $\frac{1}{2}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and N $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 17, Township 31 S, Range 39E	CL
C-1A	S $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 17, Township 31 S, Range 39E	OCR
M-1	SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 20, Township 31 S, Range 39 E	CH

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M-1	S 1/2 of Section 20, Township 31 S, Range 39E	CH
M-1	NW 1/4 of NE 1/4 of Section 20, Township 31S, Range 39E	IL
RS-6	Section 21, Township 31S, Range 39E	RM-6
C-1A	N 1/2 of S 1/2 of Section 23, Township 31 S, Range 39E	RM-4
C-1A	Lots 10 and 11, Summerplace Subdivision, Unit 1	RS-6
C-1A, C-1	Lots L, M, 5, 4, 3, Park, Summerplace Subdivision, Unit 1	CN
RM-6	Oceanaire Heights Subdivision	RT-6
C-1	Section 26, Township 31S, Range 39E	CG
C-1	SW 1/4 of SW 1/4 of Section 28, Township 31S Range 39E	CL
C-1A	SE 1/4 of SW 1/4 of Section 28, Township 31S Range 39E	CH
C-1	Cadenhead Subdivision	CL
C-1	SW 1/4 of SE 1/4 of Section 28, Township 31S Range 39E, lying west of U.S. #1	CH
C-1A, C-1	W 1/4 of NW 1/4 of SE 1/4 of Section 28, Township 31S, Range 39E	CL
C-1, C-1A	Tracts A & B, Blocks 1, 2, 3, and 11, Weona Park Subdivision & Lots 1 through 12, inclusive, Wabasso Tourist Court	CL CL
M-1	SW 1/4 of Section 28, Township 31S, Range 39E	IL
RS-6	Section 29, Township 31 S, Range 39E	RM-6
C-1	Blocks 1, 3, and 6, Colored School Subdivision	CL
RS-3	N 1/2 of NW 1/4 of NE 1/4 of Section 32, Township 31 S, Range 39E	RM-3
C-1	NE 1/4 of NW 1/4 of Section 33, Township 31 S, Range 39 E	CH
C-1A	NW 1/4 of NE 1/4 of Section 33, Township 31S, Range 39E, located west of Old Dixie Highway	CH
C-1A	Lots 5 through 12, inclusive, Block 2, Graves Addition to Wabasso Subdivision	CH
C-1A	Lots 1,2,3,13,14 of Block 2, Lots 5 and 6 of Block 1, and Lots 4 through 7, inclusive, Graves Addition to Wabasso	CL
RS-6, C-1A	Blocks 3, 5, 6, 7, and 8, Graves Addi- tion to Wabasso Subdivision	OCR
C-1A	Block 1, Wabasso Manor Addition Sub- division	OCR
C-1A	NW 1/4 of SE 1/4 of NE 1/4 of Section 33, Township 31 S, Range 39E	CL

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RMH-6,C-1A	S ½ of SE ¼ of NE ¼ of Section 33, Township 31S, Range 39E	CL
M-1	SE¼ of Section 33, Township 31S, Range 39E	IL
RS-6	Lot 49, and Tracts "B" and "C" Hobart Landing Subdivision	RM-6
C-1A	SW 1/4 of SW 1/4 of SW ¼ Section 34, Township 31 S, Range 39E	CH
M-1	N 3/4 of Section 3, Township 32S, Range 39E	IG
M-1	N 1/2 of NE 1/4 of NE 1/4 of Section 4, Township 32 S, Range 39E	IG
C-1A, RM-3	Section 5, Township 32 S, Range 39E	RS-3
RS-3	Indian River Highlands Subdivision	RS-6
C-1A	Blocks 1 and 2 and Lots 1 thru 7, inclusive, Block 4, Jennings Addition to Quay Subdivision	RS-6
C-1A	Lots 1 thru 6, inclusive, Block 3, Jennings Addition to Quay Subdivision	CH
C-1A	Triangular piece of property located south of N. Winter Beach, Rd., west of Jennings Addition to Quay Subdivision, and east of U.S. #1.	CH
M-1	Lots 8 thru 11, inclusive, Block 2, Quay Subdivision	CH
M-1	Lots 4 thru 7, inclusive, Lots 12 thru 19, inclusive, Block 2 and Lots 4 thru 16, inclusive, Block 3, Quay Subdivision	RM-6
M-1	NW ¼ of NE ¼ of Section 10, Township 32S, Range 39E, located west of U.S. #1 and north of 67th Place	CL
M-1	NE ¼ of NW ¼ of Section 10, Township 32S, Range 39E, located east of Old Dixie Highway	RM-6
M-1	That part of Fletcher's Addition to Winter Beach Lying west of 34th Terrace	RM-6
M-1	Parcel Nos. 10 32 39 00 1000 036.0 10 32 39 00 1000 029.1 10 32 39 00 1000 029.0 10 32 39 00 1000 027.0 10 32 39 00 1000 037.0	CH
C-1A	Parcel No. 10 32 39 00 1000 022.0	CL
M-1	Parcel Nos. 10 32 39 00 1000 038.0 10 32 39 00 1000 035.0 10 32 39 00 1000 034.0 10 32 39 00 1000 033.0 10 32 39 00 1000 032.0 10 32 39 00 1000 030.0 10 32 39 00 1000 031.0 10 32 39 00 1000 028.0 10 32 39 00 1000 026.0 10 32 39 00 1000 025.0	RM-6

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M-1	That part of Parcel No. 10 32 39 00 1000 023.0 lying west of U.S. #1 and East Old Dixie Highway	RM-6
C-1A, RS-3	The west $\frac{1}{2}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 3, Township 32S, Range 39E	CH
C-1A	SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 3, Township 32S Range 39E, lying east of U.S. #1.	CH
M-1	Parcel No. 3 32 39 00 5000 018.2	CH
M-1	Parcel Nos. 3 32 39 00 5000 018.0 3 32 39 00 5000 017.0 3 32 39 00 5000 016.0 3 32 39 00 5000 015.0 3 32 39 00 5000 002.0	RM-6
M-1	That part of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10, Township 32S, Range 39E, lying east of Old Dixie Highway and West of U.S. #1.	CL
RM-6	Section 15, Township 32 S, Range 39E	RM-4
C-1A	SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 14, Township 32S, Range 39E	CL
M-1	The west 30 acres of Tract 16, Section 21, Township 32S, Range 39E, less the east 125 feet	IG
M-1	Section 22, Township 32 S, Range 39E	IG
M-1	S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 15, Township 32 S, Range 39E lying east of Lateral H Canal and west of F.E.C. Railroad	IG
C-1A, RM-6	SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 23, Township 32S, Range 39E	CG
C-1A	The south 1100 feet of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23, Township 32S, Range 39E	CL
M-1	Section 26, Township 32 S, Range 39E	CH
C-1	NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 26, Township 32S, Range 39E	RM-10
C-1A	The South 300 feet of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 26, Township 32S, Range 39E	CL
C-1A	E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 15, Township 32 S, Range 39 E	CG
C-1A	N $\frac{1}{2}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 26, Township 32 S, Range 39E	CH
C-1	NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 26, Township 32 S, Range 39E, less the south 400 feet	CH
C-1A, RM-6	W.E. Geoffrey Subdivision	RM-8
C-1A	SW $\frac{1}{4}$, Section 26, Township 32 S, Range 39E	CG
C-1A	SE $\frac{1}{4}$, Section 26, Township 32 S, Range 39E lying west of U.S. Highway 1	CG

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RS-6	Section 26, Township 32 S, Range 39E	RM-6
M-1	N 1/2 of Section 28, Township 32 S, Range 39E	IG
LM-1	Tracts 5, 6, and 12, Section 28, Township 32 S, Range 39E	CH
RM-3	Section 36, Township 32 S, Range 39E	RM-6
C-1A	Tracts 8 and 9, Section 1, Township 33 S, Range 38E	CN
C-1A, B-1, RM-6	West 30 acres of Tract 12, Section 1, Township 33 S, Range 38E	CL
C-1, B-1, A, C-1A	Tracts 5, 9, 10, 11, 12; and NW 1/4 and SW 1/4 of NE 1/4 of Tract 13, Section 2, Township 33 S, Range 38E	CG
C-1	NE 1/4 of Tract 13, Section 2, Township 33 S, Range 38E, less the SW 1/4	RMH-8
B-1	Tracts 7 and 8, Section 2, Township 33S Range 38E	RM-8
C-1	South 1/2 of Tract 13, Section 2, Township 33S, Range 38E	CH
B-1, C-1A	Paradise Park Subdivision	CL
C-1	Section 3, Township 33 S, Range 38E	CG
C-1	Tract 9, Section 4, Township 33 S, Range 38E	CG
M-1	Tract 1, Section 9, Township 33 S, Range 38E	IL
C-1A	Section 1, Township 33 S, Range 39E	OCR
B-1	Lots 11 and 12 Wallace Acres Subdivision	CL
A	Tract 8, Section 5, Township 33S Range 39E	RM-6
C-1A	Section 5, Township 33 S, Range 39E	CL
A	Rivera Estates Subdivision	RS-6
C-1	Tract 5, Section 6, Township 33 S, Range 39E	RMH-8
C-1A	Tract 8, Section 6, Township 33 S, Range 39E	CN
M-1	Section 11, Township 33 S, Range 39E	CH
RS-6, LM-1	NW 1/4, Section 12, Township 33 S, Range 39E	CH
C-1	SW 1/4, Section 12, Township 33 S, Range 39E	CL
RS-6	N 1/2 of N 1/2 of S 1/2 of SW 1/4 of Section 12, Township 33 S, Range 39E	RM-6
M-1	Blocks 2 thru 4, inclusive, Rosedale Gardens Subdivision	CH

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M-1	Blocks 1 and 5 Rosedale Gardens Subdivision	CG
C-1A	Lots 13 thru 16, inclusive, and the east 1/2 of Lot 17, Gablers Subdivision	CL
M-1	East 1/2 of NW 1/4 of Section 12, Township 33 S, Range 39E less the south 850 feet	IG
M-1	South 850 feet of SE 1/4 of NW 1/4 of Section 12, Township 33 S, Range 39E located east of F.E.C. Railroad	CG
M-1	SW 1/4 of NW 1/4 of Section 12, Township 33 S, Range 39E	CH
M-1	E 1/2 of NE 1/4 of SW 1/4 of Section 12, Township 33 S, Range 39E, lying west of F.E.C. Railroad	IG
M-1	N 1/2 of SE 1/4 of SW 1/4 of Section 12, Township 33 S, Range 39E, lying east of Old Dixie Highway	IG
C-1A, M-1	W 1/2 of NE 1/4 of SW 1/4 of Section 12, Township 33 S, Range 39E, lying east of Old Dixie Highway	CH
M-1	S 1/2 of SE 1/4 of SW 1/4 of Section 12, Township 33 S, Range 39E	CH
M-1	SE 1/4 of SW 1/4 of Section 12, Township 33 S, Range 39E, lying east of the F.E.C. Railroad	CH
M-1	SW 1/4 of SE 1/4 of Section 12, Township 33 S, Range 39E, lying west of U.S Highway 1	CH
C-1A, M-1	Lots 1 thru 4, inclusive, J.A. Harris Subdivision	CH
C-1A, M-1	Lots 1 thru 8, inclusive, Gablers Subdivision	CH
C-1A, M-1	Gloria Gardens Subdivision	CH
C-1, M-1	East 1/2 of Section 13, Township 33 S, Range 39E, lying west of U.S. Highway 1 and east of F.E.C. Railroad	CH
C-1	SE 1/4 of Section 13, Township 33S, Range 39E	CL
M-1	SE 1/4 of Section 13, Township 33 S, Range 39E, lying west of F.E.C. Railroad	IG
C-1	Sections 15 and 16, Township 33 S, Range 39E	CG
RS-3	Stevens Park Subdivision	RS-6
RS-3	Pine Tree Park Subdivision	RS-6
C-1	S 600' of E 10 acres of W 20 acres of Tract 15, Section 22, Township 33 S, Range 39E	CH
C-1	S 600' of W 10 Acres of E 20 acres of Tract 15, Section 22, Township 33 S, Range 39E	RM-3

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C-1	NW 1/4 of Section 22, Township 33 S, Range 39E	CG
C-1	South 520 feet of the East 10 acres of Tract 8, Section 22, Township 33S, Range 39E	CL
C-1	NW 1/4 of Section 23, Township 33 S, Range 39E	CN
C-1	Tracts 14 and 15, and west 400 feet of Tract 16, Section 23, Township 33 S, Range 39E	RM-6
C-1	East 20 acres of Tract 16 & east 265 feet of east 10 acres of west 20 acres of Tract 16, Section 23 S, Township 33 S, Range 39E	CH
C-1, M-1	Blocks D and E, Oslo Park Subdivision	CH
C-1	South 300 feet of Tract 14, Section 24, Township 33 S, Range 39E	CL
C-1	North 300 feet of South 600 feet of Tract 14, Section 24, Township 33 S, Range 39E	RM-6
C-1	Tract 15, Section 24, Township 33 S, Range 39E	CL
M-1	NE 1/4 of Section 24, Township 33 S, Range 39E	IG
RS-6	North 600 feet of the NW 1/4, Section 25, Township 33 S, Range 39E	RM-6
C-1	Tract 3, Section 26, Township 33 S, Range 39E	CL
C-1	Block A, Oslo Park Subdivision, Unit 7	CG
C-1	W 1/2 of Section 27, Township 33 S, Range 39E	CL
C-1	NW 1/4 of NE 1/4 of NE 1/4 Section 27, Township 33S, Range 39E	RS-3
C-1	Section 28, Township 33 S, Range 39E	RS-3
C-1	Section 34 and 35, Township 33 S, Range 39E	CN
C-1	SW 1/4 of Section 18, Township 33 S, Range 40E,	CL
C-1	Florida Federal Saving Site, NW 1/4 Section 19, Township 33 S, Range 40E	OCR
C-1	W 1/2, SW 1/4, Section 19, Township 33 S, Range 40E	CL
M-1	Section 19, Township 33 S, Range 40E	CH
RM-8, A	Section 21, Township 33 S, Range 40E	RS-3
C-1	Blocks L and R, Unit 4; Blocks K & B, Unit 3; Blocks A, T and U, Unit 2; Dixie Heights Subdivision	RS-6

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C-1, LM-1, M-1	Block S, Unit 4, and Block V, Unit 5, Dixie Heights Subdivision	CH
C-1, M-1	West 1/2 of Section 30, Township 33 S, Range 40E, lying west of F.E.C. Railroad and east of Old Dixie Highway	CH
C-1, M-1	West 1/2 of Section 30, Township 33 S, Range 40E, lying west of U.S. Highway 1 and east of F.E.C. Railroad	CG
C-1	Lots 1 thru 4, inclusive, Block A and Blocks B and C, Granada Gardens Subdivision	CH
C-1	Lots 5 thru 10, inclusive, Block A, Tracts A and B, and Block E, Granada Gardens Subdivision	CL
M-1	SE 1/4 Section 31, Township 33 S, Range 40E	CH
M-1	N 1/2 Section 31, Township 33 S, Range 40E, lying west of F.E.C. Railroad	CH
M-1	N 1/2 Section 31, Township 33 S, Range 40E, lying east of F.E.C. Railroad	CG
C-1	SW 1/4 of NE 1/4 of Section 31, Town- ship 33 S, Range 40E lying south of drainage ditch right-of-way	CG
C-1	SE 1/4 of Section 31, Township 33 S, Range 40E	CG

SECTION 3

The following Sections of Appendix A, Zoning, of the Code of Laws and Ordinances, also know as Ordinance 71-3, as amended, are hereby repealed in their entirety:

Section 4, A, Agricultural District;
Section 18, B-1, Planned Business District;
Section 18.1, MED, Medical District;
Section 19, C-1A, Restricted Commercial District;
Section 20, C-1, Commercial District;
Section 20.1, C-2 Heavy Commercial District;
Section 21, LM-1, Light Manufacturing District; and
Section 22, M-1, Restricted Industrial District.

SECTION 4

REPEAL OF CONFLICTING PROVISIONS

All previous ordinances, resolutions, or motions of the Board of County Commissioners of Indian River County, Florida which conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict. All Special Acts of the legislature applying only to the unincorporated portion of Indian River County and which conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

ORDINANCE # 86 - 15

SECTION 5

INCORPORATION IN CODE

The provisions of this ordinance shall be incorporated into the County Code and the word "ordinance" may be changed to "section", "article", or other appropriate word, and the sections of this ordinance may be renumbered or relettered to accomplish such intentions.

SECTION 6

SEVERABILITY

If any section, part of a sentence, paragraph, phrase or word of this ordinance is for any reason held to be unconstitutional, inoperative or void, such holdings shall not affect the remaining portions hereof and it shall be construed to have been the legislative intent to pass this ordinance without such unconstitutional, invalid or inoperative part, with the exception that should the application of the "new districts" to any property be held unconstitutional, inoperative or void, then such property shall be considered zoned under the "old district" applicable to the property as of the date of adoption of this ordinance.

SECTION 7

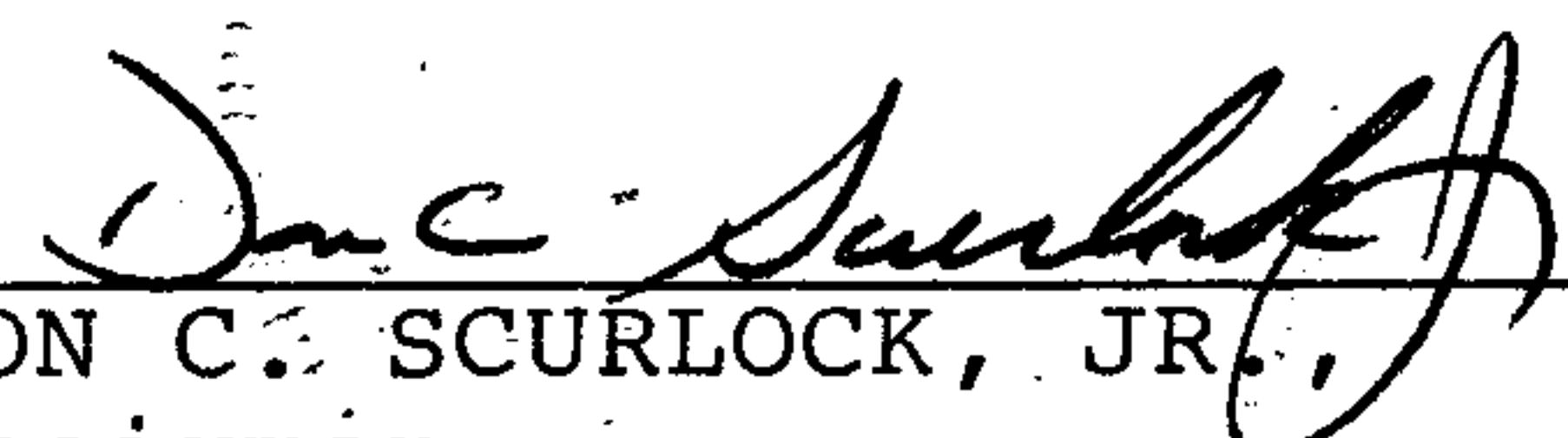
EFFECTIVE DATE

The provisions of this ordinance shall become effective upon receipt from the Florida Secretary of State of official acknowledgment that this ordinance has been filed with the Department of State.

Approved and adopted by the Board of County Commissioners of Indian River County, Florida on this 29th day of January 1986.

BOARD OF COUNTY COMMISSIONERS
OF INDIAN RIVER COUNTY

BY:

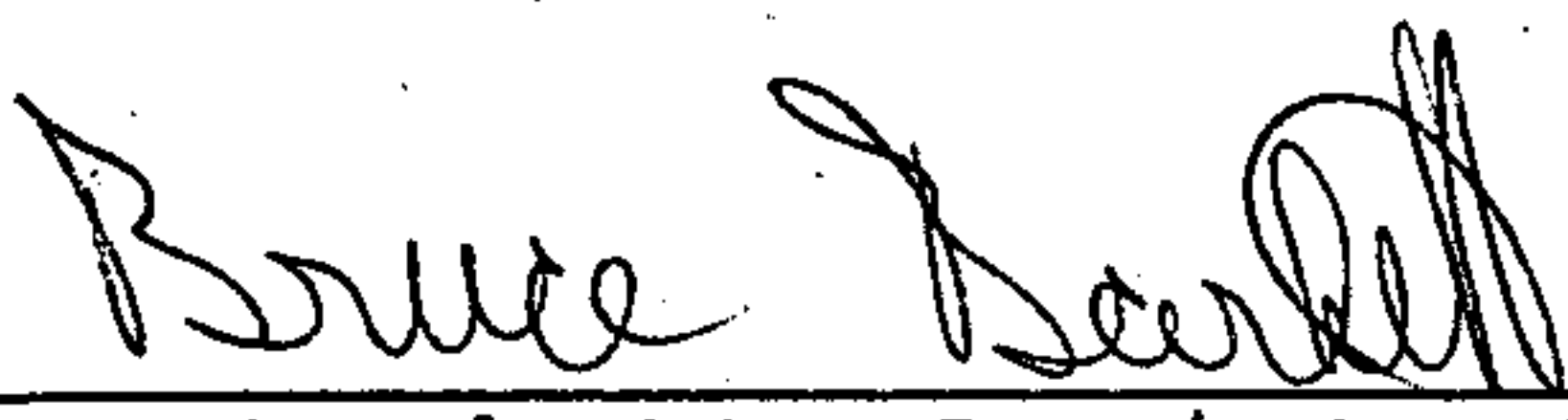

DON C. SCURLOCK, JR.,
Chairman

Acknowledgement of the Department of State of the State of Florida this 6th day of February, 1986.

ORDINANCE # 86 - 15

Effective Date: Acknowledgement from the Department of State received on this 10th day of February, 1986, at 11:00 A.M./P.M. and filed in the office of the Clerk of the Board of County Commissioners of Indian River County, Florida.

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY.



Bruce Barkett, Assistant County Attorney

NON.RES.CONV.ORD.
RICH2

RS-3 and RM-3 Zoning District Standards Table:

Development Parameter	RS-3 District Standards*	RM-3 District Standards*
Minimum Lot Width	80'	70'
Minimum Lot Size	12,000 SF Single-Family	12,000 SF Single-Family 24,000 SF Multi-Family
Maximum Density	3 units per acre	3 units per acre
Front Setback	25'	25'
Side Setbacks	15'	10'
Rear Setback	25'	25'
Maximum Building Height	35'	35'
Maximum Building Coverage	30%	40%
Minimum Open Space	40%	40%
Permitted Uses	Single-Family Dwellings	Single-Family <u>and</u> Multi-Family Dwellings

* RS-3 Zoning District Minimum Standards per Section 911.07 / RM-3 Zoning District Minimum Standards per Section 911.08 of the County's Land Development Regulations

** *Note:* A one-foot additional setback is required for every one (1) foot in building height over twenty-five (25) feet in building height. For example, a building or portion of a building that has a thirty-five-foot building height, as defined in the land development regulations, must have an additional ten-foot setback from any adjacent front, side, or rear property line to that portion of the building that exceeds twenty-five (25) feet in building height.

**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 - _____			
	Current Owner	Applicant (Contract Purchaser)	Agent
Name:	Valerie Baffe and William Wagner		Peter J. Sweeney
Complete Mailing Address:	4370 Caryota Drive, Boynton Beach, FL 33436		49 Royal Palm Pointe, Suite 204, Vero Beach, FL 32960
Phone #: (including area code)	N/A		(772) 618-3625
Fax #: (including area code)	N/A		N/A
E-Mail:	N/A		psweeney@mtcflalaw.com
Contact Person:	John Wagner, Esq. (561) 202-8971		Peter J. Sweeney
Signature of Owner or Agent: <u>Peter J. Sweeney</u>			
<u>Property Information</u>			
Site Address: N/A			
Site Tax Parcel I.D. #s: 32391500000100000001.1; 32391500000100000002.0; 323915000001000000017.0; 323915000001000000019.0			
Subdivision Name, Unit Number, Block and Lot Number (if applicable) N/A			
Existing Zoning District: RM-3 and RS-3		Existing Land Use Designation: L-1	
Requested Zoning District: RM-3		N/A	
Total (gross) Acreage of Parcel: 14.94/		Acreage (net) to be Rezoned: 14.94	
Existing Use on Site: Vacant			
Proposed Use on Site: Parcel 32391500000100000001.1 is projected to be developed into an assisted living and memory care facility on 14.94 acres.			
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.			

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	Completed	
2. Completed Rezoning Application Form (front page)	Completed	
3. Letter of Authorization from Current Owner(s) OR Current Owner is Applicant	Completed	
4. Verified statement (separate letter) naming every individual or entity having legal or equitable ownership in the property.	N/A	
5. One (1) Copy of the current Owner's Deed	Completed	
6. A Current Owner's Title Policy OR A Certificate of Title from a Title Company OR An attorney's written opinion evidencing fee ownership of the property.	Completed	
7. A justification of change statement and detailed intended use	Completed	
8. One (1) SEALED boundary survey of the area to be rezoned. The boundary survey shall include, but not be limited to the following: ☐ a legal description of the land to be rezoned ☐ the size of the land to be rezoned ☐ the public road right-of-way width of adjacent roads; and ☐ a north arrow	Completed	
9. Electronic version (MS Word is preferable) of the legal description	Completed (see attached thumbdrive)	
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.	Completed (see attached thumbdrive)	
11. Copy of Approved Concurrency Certificate OR Copy of filed application for Concurrency Certificate, including traffic study, if applicable	N/A (see attached traffic analysis information)	

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

Revised: September 19, 2022