

ORDINANCE NO. 528

AN ORDINANCE OF TOWN OF INDIAN RIVER SHORES, FLORIDA, A MUNICIPAL CORPORATION, PURSUANT TO FLORIDA STATUTES CHAPTER 163.3187, PROVIDING FOR A SMALL SCALE AMENDMENT TO THE TOWN'S COMPREHENSIVE PLAN WITH AMENDED ZONING OF A PARCEL OF LAND OWNED BY THE TOWN AND FULLY DESCRIBED IN THIS ORDINANCE; PROVIDING FOR LAND USE OF MODERATE DENSITY RESIDENTIAL DEVELOPMENT (MD) WITH ZONING OF R2A MULTIPLE-FAMILY AS DEFINED IN SECTION 160.04 OF THE TOWN'S LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Indian River Shores (Town) is the owner of a parcel (hereinafter referred to as the "parcel") of land described herein previously purchased from Indian River County and now fully annexed into the Town limits; and

WHEREAS, it has been necessary to consider the proper land use designation for this parcel and to amend the Town's Comprehensive Plan and Land Development Code to include this parcel; and

WHEREAS, the Town Planning, Zoning and Variance Board (PZ&V Board) has reviewed the proper use for the property and has considered the use of adjoining and surrounding land use within the Town; and

WHEREAS, an appraisal of the parcel was received and reviewed by the PZ&V Board; and

WHEREAS, recommendation has been made by the PZ&V Board to the Town Council that the Town Comprehensive Plan should be amended for this parcel to a Moderate Density Residential Development (MD) and that to reflect the MD designation, the zoning of the parcel should be amended to R2A Multiple-Family Residential as provided for in Section 160.04 of the Town Land Development Code.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN RIVER SHORES, FLORIDA, AS FOLLOWS:

1. **SECTION 1.** The parcel of land to which this ordinance applies is described as follows:

The South one-half of Government Lot 9 less the North 620 feet thereof, and Government Lot 10 less the South 1070.63 feet thereof all in Section 19, Township 32 South, Range 40 East and lying east of State Road A-1-A; also the North 320 feet of the South 1390.63 feet of Government Lot 1, lying west of the East 10.69 acres of said Government Lot 1, Section 20, Township 32 South, Range 40 East, Indian River County, Florida, being more particularly described as follows:

Beginning at the Southwesterly corner of Pebble Beach Development No. 2, according to the plat filed in Plat Book 7, Page 83A, Public Records of said Indian River County and running thence N 89 degrees 53' 24" E, 421.88 feet along the South boundary of said Pebble Beach Development No. 2; thence run S 0 degrees, 06' 36" E 20.00 feet along said South boundary; thence run N 89 degrees, 53' 24" E, 344.28 feet to the Southeast corner of Pebble Beach Development No. 2; thence S 0 degrees 22' 34" W, 320 feet along the West boundary of the East 10.69 acres of said Government Lot 1, Section 20, Township 32 South, Range 40 East; thence S 89 degrees 53' 24" W, 654.33 feet, more or less, to the Easterly right of way of State Road A-1-A; thence N 17 degrees 54' 12" W, 357.06 feet more or less to the Point of Beginning.

Lying and being in the Town of Indian River Shores in Indian River County, Florida. ("Parcel")

SECTION 2. The Comprehensive Plan of the Town is amended to include this parcel as Medium Density Residential Development (MD) as defined in the Town Comprehensive Plan.

SECTION 3. The parcel is hereby zoned R2A Multiple-Family Residential as provided for in Section 160.04 R2A Multiple-Family District of the Town Land Development Code.

SECTION 4. The official zoning map of the Town referenced in Section 160.011 of the Land Development Code shall be amended to reflect this change in zoning of the above parcel.

SECTION 5. All ordinances or parts of ordinances in conflict herewith or inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 6. If any provision of this ordinance or the application hereof is held invalid, such invalidity shall not affect the other provisions or applications, and to this end, the provisions.

SECTION 7. This Ordinance shall take effect upon its final reading and approval.

1st Reading: May 25, 2016

Published: June 6, 2016

PASSED AND ADOPTED upon second and final reading at a regular meeting of the Town Council of the Town of Indian River Shores, Florida, on the 16th day of June, 2016.

By:

/s _____
Brian M. Barefoot, Mayor

Attest: /s _____
Laura Aldrich, Town Clerk

See Attachment A, map of entire 5+/- acre parcel