

4-B)

**DEPARTMENTAL CORRESPONDENCE**

TO: James R. O'Connor  
City Manager

FROM: Timothy J. McGarry, AICP   
Director of Planning and Development

DATE: October 23, 2015

SUBJECT: **First Reading of Ordinance to Amend the Official Zoning Map from C-1B to C-1, Commercial District, Requested by Camp Haven, Inc., for Property Totaling Approximately 0.95 of an Acre Located at 3256 US Highway #1**

**Overview**

The Planning and Development Department requests that the attached draft Ordinance be placed on the City Council's November 3<sup>rd</sup> meeting agenda for First Reading. The public hearing for adoption of the Ordinance will be quasi-judicial.

**Background**

Camp Haven's application and the staff report provided for the Planning and Zoning Board's October 15<sup>th</sup> public hearing are attached. The Planning and Zoning Board unanimously recommended approval of the draft Ordinance.

**Recommendation**

The Planning and Zoning Board and the Planning and Development Department staff recommend approval of the draft Ordinance.

TJM/tf  
Attachments

**ORDINANCE NO. 2015 – \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF VERO BEACH, FLORIDA, REQUESTED BY CAMP HAVEN, INC. AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE ZONING DISTRICT DESIGNATION OF C-1B, GENERAL COMMERCIAL TRADES & SERVICES DISTRICT, TO C-1, HIGHWAY ORIENTED COMMERCIAL DISTRICT, FOR PROPERTY LOCATED AT 3256 US HIGHWAY #1, IN THE R.D. CARTER SUBDIVISION, CONTAINING 0.95 OF AN ACRE, MORE OR LESS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, property owner Camp Haven, Inc. submitted an application for an amendment to the City of Vero Beach Official Zoning Map pursuant to Chapter 65, Article III, of the City’s Land Development Regulations, requesting a change in the Official Zoning Map designation from C-1B, General Commercial Trades & Services District, to C-1, Highway Oriented Commercial District for property comprising 0.95 of an acre, more or less, located at 3256 US Highway #1; and

**WHEREAS**, the Planning and Zoning Board held an advertised public hearing on the zoning map amendment on October 15, 2015, and made a recommendation to the Vero Beach City Council; and

**WHEREAS**, the Vero Beach City Council finds the proposed amendment is in the public interest and consistent with the Future Land Use Map, goals, objectives, and policies of the Comprehensive Plan, and the other standards and criteria for review and approval of amendments to the Official Zoning Map pursuant to Section 65.22(i)(1) and (5) of the Vero Beach Code of Ordinances,

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VERO BEACH, FLORIDA, THAT:**

**Section 1. Adoption of “WHEREAS” clauses.**

The foregoing “WHEREAS” clauses are hereby adopted and incorporated herein.

**Section 2. Adoption of Amendment to the Official Zoning Map.**

The amendment to the Official Zoning Map of the City of Vero Beach is hereby adopted for the property located at 3256 US Highway #1, comprising 0.95 of an acre, more or less, as graphically depicted in the Exhibit “A” attached and incorporated herein.

**[SEE EXHIBIT “A”]**

**Location and Zoning Map of Subject Property**

**Section 3. Effective Date**

This Ordinance shall become effective upon final adoption by the City Council.

\*\*\*\*\*

This Ordinance was read for the first time on the \_\_\_\_ day of \_\_\_\_\_, 2015, and was advertised on the \_\_\_\_ day of \_\_\_\_\_, 2015, as being scheduled for a public hearing to be held on the \_\_\_\_ day of \_\_\_\_\_, 2015, at the conclusion of which hearing it was moved for adoption by Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, and adopted by the following vote:

- Mayor Richard G. Winger \_\_\_\_\_
- Vice Mayor Jay Kramer \_\_\_\_\_
- Councilmember Pilar E. Turner \_\_\_\_\_
- Councilmember Amelia Graves \_\_\_\_\_
- Councilmember Randolph B. Old \_\_\_\_\_

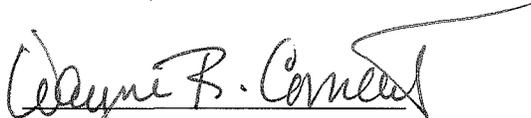
ATTEST:

CITY OF VERO BEACH, FLORIDA

\_\_\_\_\_  
Tammy K. Vock  
City Clerk

\_\_\_\_\_  
Richard G. Winger  
Mayor

Approved as to form and legal  
sufficiency:

  
\_\_\_\_\_  
Wayne R. Coment  
City Attorney

Approved as conforming to municipal  
policy:

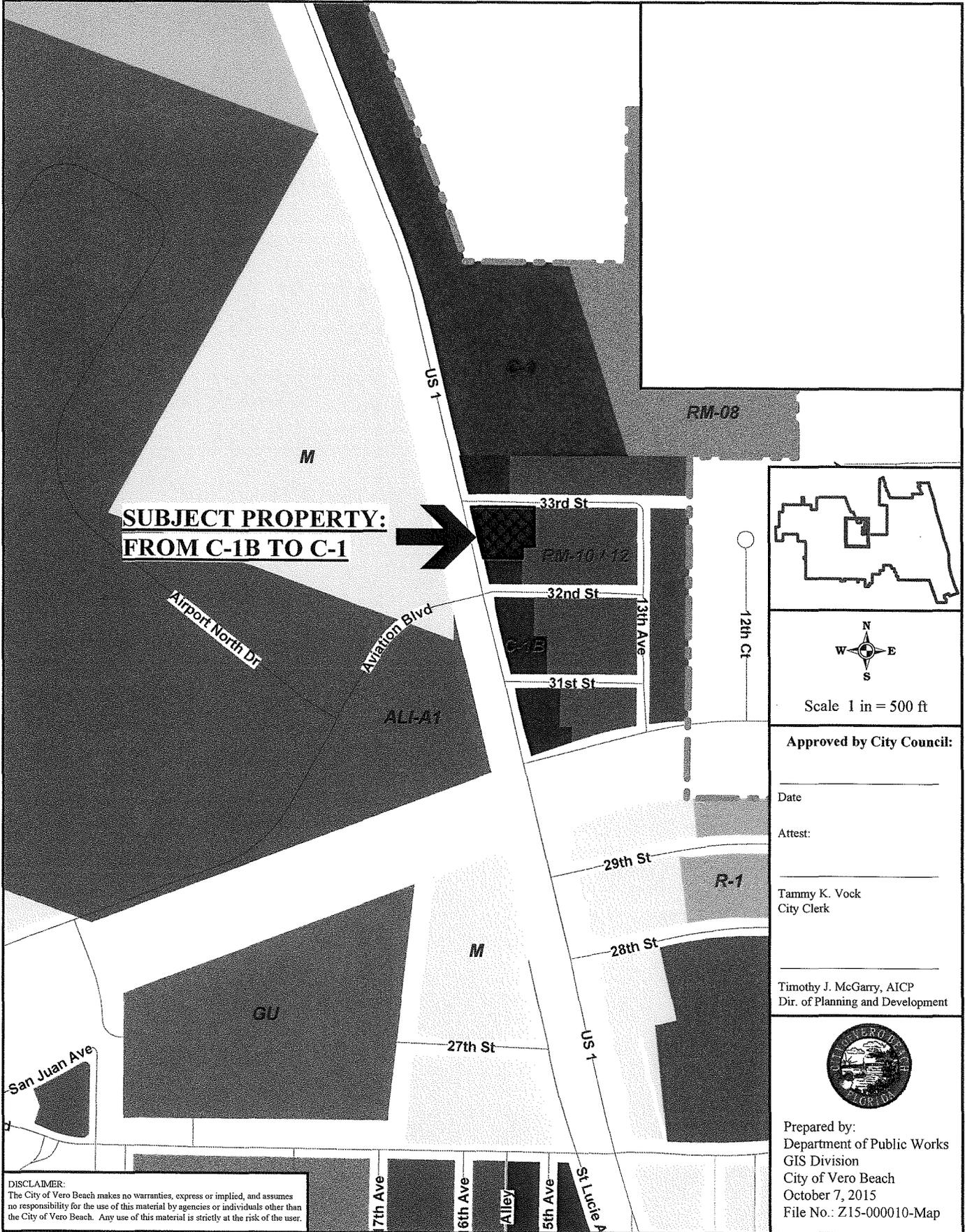
  
\_\_\_\_\_  
James R. O'Connor  
City Manager

Approved as to technical requirements:

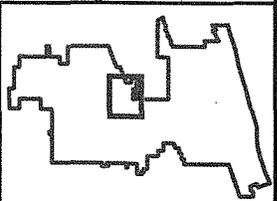
  
\_\_\_\_\_  
Timothy J. McGarry, AICP  
Director, Planning & Development

# Location and Zoning Map

Exhibit "A"



**SUBJECT PROPERTY:  
FROM C-1B TO C-1**



Scale 1 in = 500 ft

Approved by City Council:

Date \_\_\_\_\_

Attest: \_\_\_\_\_

Tammy K. Vock  
City Clerk

Timothy J. McGarry, AICP  
Dir. of Planning and Development



Prepared by:  
Department of Public Works  
GIS Division  
City of Vero Beach  
October 7, 2015  
File No.: Z15-000010-Map

**DISCLAIMER:**  
The City of Vero Beach makes no warranties, express or implied, and assumes no responsibility for the use of this material by agencies or individuals other than the City of Vero Beach. Any use of this material is strictly at the risk of the user.



## DEPARTMENTAL CORRESPONDENCE

TO: Chairman Larry Lauffer and Planning  
and Zoning Board Members

THRU: Timothy J. McGarry, AICP  
Planning and Development Director

FROM: Cheri B. Fitzgerald, AICP  
Project Manager

DATE: October 6, 2015

SUBJECT: **Public Hearing Request by Camp Haven, Inc. to Amend the Zoning Map from C-1B to C-1, Commercial District for Property Totaling Approximately 0.95 of an Acre Located at 3256 US Highway #1 (Application #Z15-000010-MAP)**

### Request

Camp Haven, Inc. is requesting a zoning map amendment to change the zoning from C-1B, General Commercial Trades and Services to C-1, Highway Oriented Commercial District for property comprising approximately 0.95 of an acre located 3256 US Highway #1. The following are attachments to this report: Attachment A- Draft Ordinance Amending Zoning Map and Attachment B- Application Package.

### Description of Parcel and Requested Designations

*Parcel ID:* 32 39 35 00003 0020 00001.0

*Property Owner:* Camp Haven, Inc.

*FLUM Designation:* MX, Mixed Use (up to 18 units/acre)

*Existing Zoning Designation:* C-1B, General Commercial Trades & Services

*Requested Zoning Designation:* C-1, Highway Oriented Commercial (up to 18 units/acre)

**Existing Site Conditions and Infrastructure**

Existing Site Conditions. There are existing structures on the subject site including the former Citrus Motel which is currently used as a transitional homeless shelter (Camp Haven).

Neighborhood Land Use and Zoning Patterns. Directly abutting the subject property to the south and across 33<sup>rd</sup> Street to the north the properties include various commercial uses, and are zoned C-1B, General Commercial Trades and Services. Directly abutting the subject property to the east there are vacant parcels and are zoned RM10/12, Multiple Family Residential. To the west, across US#1 the zoning is M, Industrial and the City of Vero Beach Water Plant facilities are located in this area.

Utilities. The subject property is located within the City’s electric, water and sewer service areas. Capacity is available in all these systems to support the proposed change in zoning designation and the allowable uses.

Transportation Facilities. The subject property has road frontage along US Highway #1 to the west and 33<sup>rd</sup> Street to the north. In 2014 the average daily traffic volume of that section of US Highway #1 was 29,259.

**Comparison of Existing Versus Requested Zoning District Designations**

Zoning Designations. The existing zoning of the subject property is C-1B, General Commercial Trades and Services. The proposed zoning designation is C-1, Highway Oriented Commercial. A comparison of the two zoning districts permitted/allowable uses is provided in the table below:

<i>Uses</i>	<i>Zoning Districts</i>	
	<i>C-1B</i>	<i>C-1</i>
Administrative Services .....	P	P
Adult Congregate Living Facility .....		P
Business and Professional Offices .....	P	P
Day Care Services .....	P	
Commercial Amusements .....		P
Cultural and Civic Activities .....	P	
Financial Institutions .....	P	P
Fire Stations .....	P	P
Funeral Homes .....	P	P
General Retail Sales and Services .....	P	P
Guest House and Transient Quarters .....		P

Hotels and Motels .....			<b>P</b>
Medical Services .....		<b>P</b>	<b>P</b>
Multiple-Family Residences .....			
Nonprofit Clubs .....		<b>P</b>	<b>P</b>
Nursing or Convalescent Home .....			<b>P</b>
Parking Lots and Garages .....		<b>P</b>	<b>P</b>
Places of Worship .....		<b>P</b>	<b>P</b>
Plant Nurseries .....		<b>P</b>	<b>P</b>
Public and Private Utilities .....		<b>P</b>	<b>P</b>
Recreation and Park Areas .....		<b>P</b>	<b>P</b>
Restaurants .....		<b>P</b>	<b>P</b>
Restricted Sales and Services .....		<b>P</b>	<b>P</b>
Self-Service Storage Facilities .....		<b>P</b>	<b>P</b>
Trade Service and Repair .....		<b>P</b>	<b>P</b>
Vehicular Sales and Services .....			<b>P</b>
Veterinary Services .....		<b>P</b>	<b>P</b>
Wholesale Trades and Services .....		<b>P</b>	<b>P</b>
Accessories to Permitted Uses .....		<b>P</b>	<b>P</b>

P = Permitted Use

As indicated in the above table, the existing and proposed zoning districts allow similar permitted uses. However, there are differences which include:

- The C-1B (existing) zoning district allows two (2) uses that are not permitted in the proposed C-1 zoning district (day care services and cultural and civic activities).
- The C-1 (proposed) zoning district allows six (6) additional uses that are not permitted in the existing C-1B zoning district (adult congregate living facility, commercial amusements, guest house and transient quarters, hotel and motels, nursing or convalescent home, and vehicular sales and services).

In summary, the comparison of the existing (C-1B) and proposed zoning (C-1) indicates the proposed zoning would allow additional allowable commercial uses as stated above.

## Review and Analysis

The staff reviewed the request to amend the Zoning Map based on the standards for considering such amendments pursuant to the provisions of Chapter 65, Article III, of the City's Land Development Regulations. Section 65.22(i) sets the standards for review and approval of amendments.

Justification for Amendment. Pursuant to Section 65.22(i)(1), the staff finds that the requested amendment is warranted and justified to allow the existing (grandfathered motel use) and potential expansion of the existing use of the property to be brought in compliance with the code requirements. Currently, the existing use is a legal non-conforming use as the motel was in existence since the 1940's. However, the code does not allow for expansion of the existing non-conforming use.

The current property owner has indicated their interest in expanding the uses within its existing development. A change in the zoning district would allow the subject property to be in compliance with the zoning code permitted uses and allow for future expansion of the uses.

**Finding:** The staff finds that the requested amendment to the Zoning Map is justified as discussed in the above review and analysis.

Consistency of the Requested Rezoning with the Comprehensive Plan and Land Development Regulations. Pursuant to Section 65.22(i)(5) a through g., the staff finds that the requested amendment to the Zoning Map is consistent with the goals, objectives, and policies of the Comprehensive Plan and Land Development Regulations and zoning district standards and criteria as discussed below:

- Land Use Element Policy 1.15: *The City shall rezone land consistent with Table 1.1, Relationship between Land Use Designation and Zoning Districts. The City recognizes that not every zoning district allowed within a land use designation is appropriate for every site within that designation. Therefore, the City may deny a rezoning request, even if the requested zoning district is consistent with a site's land use designation, if the request does not meet zoning map amendment standards of the land development regulations or other legitimate public purpose.* The requested C-1, Commercial zoning is listed as one of the appropriate zoning districts under the MX, Mixed Use future land use designation.

**Finding:** The staff finds the request consistent with the Policy 1.15 and Table 1.11.

- Zoning District Standards and Criteria: *The amendment shall be consistent with the Land Development Regulations and zoning standards and criteria.* Section 62.34 states in the purpose of the district (including the proposed C-1, Commercial District) that "these districts are designed to provide adequate space in appropriate and highly accessible locations suitable for accommodating

*various levels of commercial development, including multiple-family residential structures and hotels or motels oriented to serving seasonal or transient residents.*” The subject property is located along US Highway #1 which is a highly accessible location along a major arterial highway and is suitable to accommodate the existing and future expansion of the motel use. Such expansion is a consistent progression in the development of the commercial zoning and uses in this location.

**Finding:** The staff finds the requested amendment is consistent with zoning district standards and criteria.

- **Compatibility with Zoning Map Designations within the Immediate Vicinity of the Subject Property:** *The amendment shall be compatible with Zoning Map designations within the immediate vicinity of the proposed change.* The properties to the north, south and west of the subject property are zoned C-1B, Commercial and M, Industrial. The commercial pattern already exists along US Highway 1 and is consistent with the proposed change in zoning to another commercial zoning district.

The proposed C-1, commercial zoning is consistent with the higher density RM10/12 zoning district which abuts the subject property to the east, which already exists along the US #1 commercial corridor.

Based on the above review and analysis, the proposed change in zoning does not constitute “spot zoning”. As stated above, the commercial development pattern already exist and the subject property is surrounded by a majority of commercial or industrial zoning districts.

**Finding:** The staff finds the proposed C-1 zoning district classification is compatible with the zoning district designations in the immediate vicinity of the subject property.

- **Changed Conditions:** *Changed conditions to the property, neighborhood, or the area in the vicinity in which the property is located that warrant an amendment.* As explained in the application and identified in the justification for the proposed amendment, the property owner has requested the amendment to allow the existing (grandfathered motel use) and potential expansion of the existing use of the property to be brought in compliance with the code requirements. Currently, the existing use is a legal non-conforming use as the motel was in existence since the 1940’s. However, the code does not allow for expansion of the existing non-conforming use.

The current property owner has indicated their interest in expanding the uses within its existing development. A change in the zoning district would allow the

subject property to be in compliance with the zoning code permitted uses and allow for future expansion of the uses.

**Finding:** The staff finds that the request to change the zoning district designation to C-1 is warranted due to the already existing commercial uses in the area and the change in conditions to the subject property.

- **Maintenance of the Level of Service:** *The amendment is consistent with the concurrency requirements of the Comprehensive Plan and Land Development Regulations.* Under either the existing zoning designation or the requested designation the existing sanitary sewer, potable water, solid waste, stormwater, recreation, and school systems have sufficient capacity to handle any anticipated development and meet Level of Service standards.

As mentioned previously, sufficient capacity exists in the road system to accommodate development under both the existing and requested zoning designations without any degradation in LOS.

Due to the similarity in the uses allowed in both the existing commercial zoning and the proposed commercial zoning district there is no anticipated increase in additional impacts on traffic or other public facilities.

**Finding:** Staff concurs with the applicant's analysis and finds that the potential impacts of the proposed rezoning will not have an adverse impact on LOS standards for public services and infrastructure.

- **Consistency and Harmony:** *The requested amendment is consistent with the public interest and is in harmony with the purpose and intent of the land development regulations.* As stated previously, the purpose of the Commercial zoning districts are to provide adequate space in appropriate areas for accommodating various levels of commercial development, including hotels or motels in suitable locations. The requested zoning change would facilitate the provision of such uses; and, therefore, it is in harmony with the intent and purpose of the C-1 district.

**Finding:** The staff finds that the requested change in zoning designation is consistent with the public interest and in harmony with the intent of the Land Development Regulations.

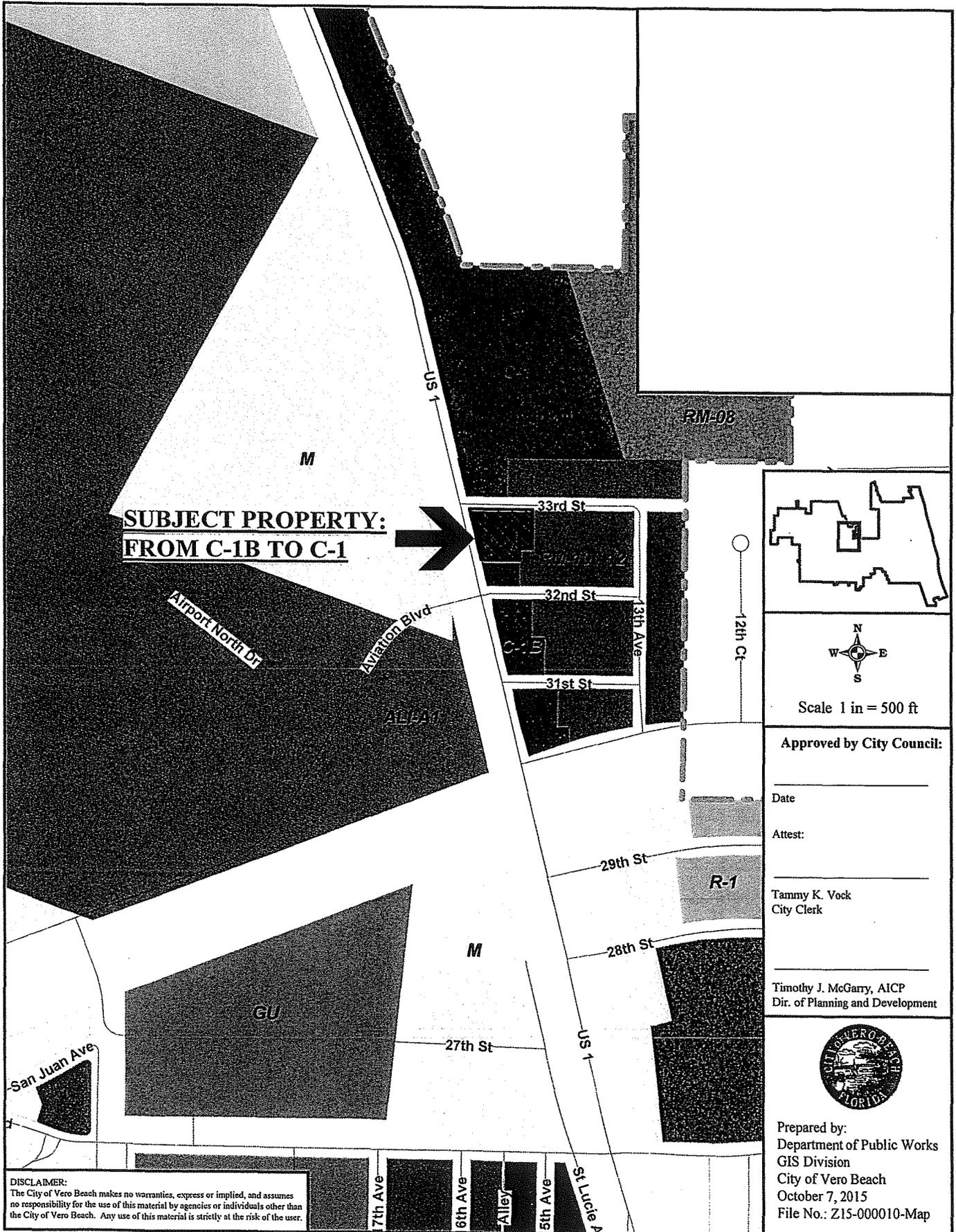
### **Recommendation**

Based on the analysis and findings above, and the responses provided in the applicant's justification for the proposed amendment, the staff recommends that the Planning and Zoning Board approve submittal of the following ordinance to the City Council for favorable consideration: Draft Ordinance amending the Official Zoning Map for the subject property from C-1B to C-1.

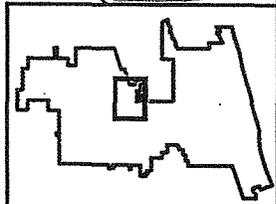
/cbf  
Attachments

# Location and Zoning Map

Exhibit "A"



**SUBJECT PROPERTY:  
FROM C-1B TO C-1**



Scale 1 in = 500 ft

Approved by City Council:

Date

Attest:

Tammy K. Vock  
City Clerk

Timothy J. McGarry, AICP  
Dir. of Planning and Development



Prepared by:  
Department of Public Works  
GIS Division  
City of Vero Beach  
October 7, 2015  
File No.: Z15-00010-Map

**DISCLAIMER:**  
The City of Vero Beach makes no warranties, express or implied, and assumes no responsibility for the use of this material by agencies or individuals other than the City of Vero Beach. Any use of this material is strictly at the risk of the user.

**ATTACHMENT "A"**

ORDINANCE NO. 2015 – \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF VERO BEACH, FLORIDA, REQUESTED BY CAMP HAVEN, INC. AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE ZONING DISTRICT DESIGNATION OF C-1B, GENERAL COMMERCIAL TRADES & SERVICES DISTRICT, TO C-1, HIGHWAY ORIENTED COMMERCIAL DISTRICT, FOR PROPERTY LOCATED AT 3256 US HIGHWAY #1, IN THE R.D. CARTER SUBDIVISION, CONTAINING 0.95 OF AN ACRE, MORE OR LESS; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, property owner Camp Haven, Inc. submitted an application for an amendment to the City of Vero Beach Official Zoning Map pursuant to Chapter 65, Article III, of the City's Land Development Regulations, requesting a change in the Official Zoning Map designation from C-1B, General Commercial Trades & Services District, to C-1, Highway Oriented Commercial District for property comprising 0.95 of an acre, more or less, located at 3256 US Highway #1; and

WHEREAS, the Planning and Zoning Board held an advertised public hearing on the zoning map amendment on October 15, 2015, and made a recommendation to the Vero Beach City Council; and

WHEREAS, the Vero Beach City Council finds the proposed amendment is in the public interest and consistent with the Future Land Use Map, goals, objectives, and policies of the Comprehensive Plan, and the other standards and criteria for review and approval of amendments to the Official Zoning Map pursuant to Section 65.22(i)(1) and (5) of the Vero Beach Code of Ordinances,

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VERO BEACH, FLORIDA, THAT:**

**Section 1. Adoption of "WHEREAS" clauses.**

The foregoing "WHEREAS" clauses are hereby adopted and incorporated herein.

**Section 2. Adoption of Amendment to the Official Zoning Map.**

The amendment to the Official Zoning Map of the City of Vero Beach is hereby adopted for the property located at 3256 US Highway #1, comprising 0.95 of an acre, more or less, as graphically depicted in the Exhibit "A" attached and incorporated herein.

[SEE EXHIBIT "A"]

**Location and Zoning Map of Subject Property**

**Section 3. Effective Date**

This Ordinance shall become effective upon final adoption by the City Council.

\*\*\*\*\*

This Ordinance was read for the first time on the \_\_\_\_ day of \_\_\_\_\_, 2015, and was advertised on the \_\_\_\_ day of \_\_\_\_\_, 2015, as being scheduled for a public hearing to be held on the \_\_\_\_ day of \_\_\_\_\_, 2015, at the conclusion of which hearing it was moved for adoption by Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, and adopted by the following vote:

- Mayor Richard G. Winger \_\_\_\_\_
- Vice Mayor Jay Kramer \_\_\_\_\_
- Councilmember Pilar E. Turner \_\_\_\_\_
- Councilmember Amelia Graves \_\_\_\_\_
- Councilmember Randolph B. Old \_\_\_\_\_

ATTEST:

CITY OF VERO BEACH, FLORIDA

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Tammy K. Vock  
City Clerk

---

Richard G. Winger  
Mayor

Approved as to form and legal  
sufficiency:

Approved as conforming to municipal  
policy:

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Wayne R. Coment  
City Attorney

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James R. O'Connor  
City Manager

Approved as to technical requirements:

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Timothy J. McGarry, AICP  
Director, Planning & Development

## **ATTACHMENT “B”**

**ZONING MAP CHANGE AMENDMENT APPLICATION**

City of Vero Beach Planning & Development Department  
1053 20<sup>th</sup> Place – P.O. Box 1389  
Vero Beach, Florida 32961-1389  
Phone (772) 978-4550 / Fax (772) 778-3856

Date Received 9/1/15 Application # Z15-000010-MAP

*Prior to completing or signing this application, applicants and property owners are encouraged to read it thoroughly. If you have any questions, please do not hesitate to contact the Planning Department at (772) 978-4550.*

APPLICANT Camp Haven, Inc. Telephone (772) 999-3625  
Fax #: \_\_\_\_\_

MAILING ADDRESS P.O. Box 2469, Vero Beach, FL 32961

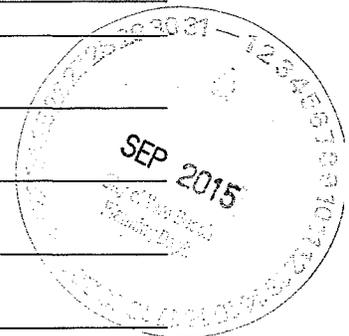
SITE OWNER Camp Haven, Inc. Telephone (772) 999-3625  
Fax #: \_\_\_\_\_

OWNER ADDRESS P.O. Box 2469, Vero Beach, FL 32961

SITE LOCATION 3256 US Highway 1, Vero Beach, FL 32960

PARCEL I.D. NUMBER 32-39-35-00003-0020-00001.0

PROPOSED ZONING CHANGE: FROM C1-B TO C-1



(If this amendment requires a comprehensive plan change, a future land use map amendment application must accompany this request.)

Application Fee\* with Future Land Use Change

Large Scale (More than 10 acres)	\$3,370	\$4,090
Small Scale (Less than 10 acres)	\$2,460	\$3,010

\* See attached fee schedule for additional advertising and administrative costs.

Lalita Janke 8/21/2015      Lalita Janke 8/21/2015  
Applicant Signature                      Date                      Property Owner Signature                      Date

Lalita Janke, President - Board of Directors  
(Print Name)

Lalita Janke, President - Board of Directors  
(Print Name)

\$ 2460.00 pd

## ZONING MAP CHANGE JUSTIFICATION

The applicant shall have the burden for justifying the amendment including identifying specific reasons warranting the amendment. Therefore, unless waived by the Planning Director, as part of the Zoning Map change request, please provide justification for the proposed change by providing the following required items, including any supporting data and information:

1. Describe why the proposed change is needed, including any change in circumstances to the property or the neighborhood/area in which the property is located that warrant a change in the Zoning Map designation.
2. Describe how the proposed amendment to the Zoning Map is compatible with the goals, objectives, and policies of the Land Use Element and other affected elements of the Comprehensive Plan and consistent with zoning district standards and criteria.
3. Describe how the proposed amendment is compatible with the Zoning Map designations within the immediate vicinity of the property subject to the proposed change and will not lead to undesirable changes to established residential neighborhoods.
4. Provide School Impact Analysis, if allowable residential density is increased, indicating number of potential dwelling units by type. For purposes of dwelling unit type, the applicant shall use single family units for R-1AAA through R-1 and multi-family for all other zoning districts.
5. Provide data and analysis of the impacts on non-educational school facilities and services subject to the concurrency requirements of the Capital Improvements Element of the Comprehensive Plan. This analysis should show the availability of and demand on the following: sanitary sewer; solid waste; drainage; potable water; roads; and recreation, as appropriate. The demand estimates should be based on the change in demand over the current land use designation for the property and clearly spell out the assumptions used in the demand and availability analysis.

NOTE: If the proposed Zoning Map change is in combination with a proposed FLUM change, required items 4 and 5 above should be prepared based on the permitted residential densities and non-residential uses and intensities of the proposed zoning district.

## ADDITIONAL MATERIALS REQUIRED

The following materials are also required:

1. A copy of the property deed.
2. One original and one copy of submitted materials.
3. A Traffic Impact Assessment or Statement if required by Chapter 910, Indian River County Code.
4. Two (2) sealed surveys prepared by a State of Florida licensed surveyor made and dated within one year and to include existing topographic features, elevations based on mean sea level datum to be shown together with the benchmark reference used, rights-of-way and easements, water bodies and courses, and wetlands.

**ADDITIONAL FEES SCHEDULE:**

Large scale map amendments only:

Advertising fee (1 regular advertisement)	\$ 180
Advertising fee (2 special advertisements)	\$ 720
Compiling of Mailing List and Preparing Notification Notice	\$ 40
Posting of Property	\$ 40
Handling and Mailing of Notification	\$ 2.50 per address

Small scale map amendments only:

Advertising fee (2 regular advertisements)	\$ 360
Compiling of Mailing List and Preparing Notification Notice:	\$ 40
Posting of Property:	\$ 40
Handling and Mailing of Notification:	\$ 2.50 per address

[If site plan approval is also required as part of conditional use approval, the additional costs for advertising, notification, and posting are included with those required for a major site plan application.]

Large scale map amendment with future land use change:

Advertising fee (1 regular advertisement)	\$ 200
Advertising fee (2 special advertisements)	\$ 800
Compiling of Mailing List and Preparing Notification Notice	\$ 40
Posting of Property	\$ 40
Handling and Mailing of Notification	\$ 2.50 per address

Small scale map amendment with future land use change:

Advertising fee (1 regular advertisements)	\$ 200
Advertising fee (1 special advertisements)	\$ 400
Compiling of Mailing List and Preparing Notification Notice	\$ 40
Posting of Property	\$ 40
Handling and Mailing of Notification	\$ 2.50 per address

## ZONING MAP \*/CHANGE JUSTIFICATION

1. Camp Haven, Inc. is a locally administered not-for-profit organization which provides a transitional home for men who are committed to rise out of homelessness. Residents are provided supportive living opportunities and educational assistance to help them become active, engaged and contributing members of our community.

Camp Haven provides a unique service as the only shelter available for single adult males in Indian River County and the surrounding areas. Camp Haven is looking to expand within its existing development to accommodate a community need to provide shelter for homeless men without families. The Zoning Map change is justified for the following reasons. First, the increase in need for temporary housing in our community exceeds the current options available. Second, the current zoning restrictions do not align with the existing facility as was previously approved. The change to C-1 is in suit with nearby properties to the north of the subject property and is consistent with the zoning of most properties abutting US-1 throughout the City of Vero Beach.

2. The existing Land Use Element for the property is Mixed Use (MX) and according to the Comprehensive plan Chapter 1, Supplement 5, section 1.9, that land use designation is suitable for urban scale development and intensities including a mixture of commercial and residential uses. This land use category also allows for 17 dwelling units per acre which is the highest density of all of the land use categories. The intended use by Camp Haven as temporary housing for homeless men is consistent with the existing land use element.

3. The proposed amendment is not anticipated to affect the adjacent neighborhood. Parcels to the north and south of the property are currently zoned for commercial use and the parcels to the east are zoned RM-10/12 which is suitable for bordering commercial uses. Furthermore, the zoning change will not change the use of the parcel from its current use. Camp Haven is directly connected to US-1 and any modifications to traffic patterns are not expected to impact the adjacent local roads.

4. The 0.95 acres proposed in the C-1 zoning district (MX Land Use) may be developed at a maximum of 18 efficiency units per acre or 30 rooms per acre. For the purposes of school impact, we will assume the 18 units per acre. The current C-1B zoning does not allow residential uses. The proposed use of the property by Camp Haven does not include housing for families or children and should not provide any impact for the school system. In addition, given the transitional nature of the occupants, the current units more closely resemble rooms than efficiency units. Nevertheless, please find attached the "School Impact Analysis Form" for the City's review for the allowable 17 residential units allowed with the proposed zoning.

5. Conversations have been held with both the City of Vero Beach and Indian River County staff to discuss the availability and demand of sanitary sewer, solid waste, drainage, potable water, roads, and recreation. For the purposes of analyzing impacts, commercial uses will be calculated at 10,000 SF/Acre and residential uses will be calculated at the highest allowable density of 18 efficiency units per acre.

For the purpose of analyzing utility demand, we can calculate that the 0.95 acres proposed in the C-1 zoning district (MX Land Use) will allow a total number of 17 efficiency units requiring a 17 ERU capacity for utilities. As described in paragraph 4 above, the current C-1B zoning does not allow for residential uses, however, the zoning district does allow for most commercial uses including restaurants. On a parcel of this size, it would be possible to construct a 200 seat restaurant which would require a 13 ERU capacity. This results in only a 4 ERU increase in utility services. The added 4 units will have an insignificant impact on the facilities described above as it would only create an additional 1,000 gallons per day of consumption of potable water, which is minimal.

In reviewing traffic concurrency, the highest allowable impact use for the proposed zoning/land use change was discussed with the county staff. The determination was made that a shopping center would result in the highest traffic rate for both the current and proposed zoning. As a result, there is no anticipated increase in traffic due to the requested re-zoning.

School Impact Analysis Form

Instructions: Submit one copy of completed application, location map, and applicable fee for each new residential project or building permit requiring a determination of school capacity to the applicable local government.

Type of Application Request:  Conditional School Capacity Availability Determination  
 School Capacity Availability Determination  
 Request for Exemption

**Project Information**

Project Name: Camp Haven  
Municipality (if applicable): City of Vero Beach

Parcel ID#: (attach separate sheet for multiple parcels): 32-39-35-00003-0020-00001.0

Location/Address of subject property: 3256 US Highway 1  
(Attach vicinity location map -- with Closest Major Intersection)

**Ownership/Contact Information**

Owner/Contract Purchaser Name(s): Camp Haven, Inc.

Agent/Contact Person: Lalita Janke, President - Board of Directors  
(If agent or contact information is completed the District will forward all information to that person)

Mailing address: 3256 US Highway 1, Vero Beach FL 32960

Telephone#: 772-999-3625 Fax: \_\_\_\_\_

**Development Information**

Current Land Use Designation	MX	Proposed Land Use Designation	MX
Current Zoning	C-1B	Proposed Zoning	C-1
		Proposed # Dwelling units by type*:	SF: TH: 17 Efficiency MF: (rental) Units Condo:

\* Show only the # of units for this application not the total for the development

I hereby certify the statements and/or information contained in this application with any attachments submitted herewith are true and correct to the best of my knowledge.

Owner or Agent Signature Lalita Janke Date Aug 21<sup>st</sup> 2015  
*B*

(If applicant is not the owner of record, a letter of authorization from the property owner(s) must be included with this form at time of application submittal.)

2259775 RECORDED IN THE RECORDS OF JEFFREY R SMITH, CLERK OF CIRCUIT COURT INDIAN RIVER CO FL,  
BK: 2632 PG: 121, 12/29/2012 11:11 AM D DOCTAX PD \$2,520.00

This Instrument Prepared by  
and after recording Return to:  
Thomas A. Fogt, Esq.  
700 Colorado Avenue  
Stuart, FL 34997

Parcel ID: 32393500003002000001.0

**SPECIAL WARRANTY DEED**

THIS INDENTURE made effective this 21 day of **December, 2012**, by **Land Holding, LLC, a Delaware limited liability company**, whose post office address is 249 Fifth Avenue, Pittsburgh, PA 15222-2707 (hereinafter called the "Grantor"), to **Camp Haven, Inc., a Florida corporation**, whose post office address is 1015 Commerce Avenue, Vero Beach, FL 32960, (hereinafter called the "Grantee").

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations or partnerships)

**WITNESSETH:**

THAT the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable considerations, the receipt and adequacy of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate, lying and being in Indian River County, Florida, as more particularly described as follows (hereinafter referred to as the "Property"):

**Lots 1, 2, 3, 4 and 7, Block 2, R.D. Carter's Subdivision, according to the Plat thereof, as recorded in Plat Book 4, Page 28, of the Public Records of St. Lucie County, Florida; said lands now lying and being in Indian River County, Florida.**

TOGETHER with all the easements, tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

SUBJECT TO ad valorem real estate taxes and assessments for the year 2012 and subsequent years; comprehensive land use plans, zoning restrictions, prohibitions and other requirements imposed by any governmental and/or quasigovernmental authority or agency, including the documents, resolutions, conditions, restrictions, encumbrances and prohibitions imposed by such governmental approvals; restrictions and matters appearing on the plat; unplatted public utility easements of record; covenants, easements and restrictions of record, if any, provided that this reference shall not serve to reimpose same; and an existing structure encroaching onto a portion of the neighboring real property, Parcel ID Number: 32-39-35-00003-0020-00001/0, (the "Encroachment") owned at this time by RDC Phoenix, LLC, a Florida limited liability company. The Grantee, on behalf of itself, its successors and/or assigns, hereby expressly accepts this Deed subject to the Encroachment and takes all risks of such Encroachment.

AND Grantor hereby covenants with Grantee that Grantor will specially warrant and

4852-8807-6050.1  
41193/0048

defend the Property, subject to the foregoing, against the lawful claims and demands of all persons claiming by, through, or under Grantor, but against none other.

IN WITNESS WHEREOF, this Special Warranty Deed has been executed by the Grantor as of the day and year set forth above.

Signed, sealed and delivered in the presence of:

LAND HOLDING, LLC, a Delaware limited liability company

Witness #1  
Print Name: Thomas A. Fogt

By: [Signature]  
Name: Albert A. Del Tufo, III  
Title: Vice President

Witness #2  
Print Name: Christian C. Klein

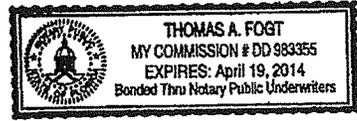
[Seal]

STATE OF FLORIDA  
COUNTY OF MARTIN

The foregoing instrument was acknowledged before me this 21 day of Dec., 2012, by Albert A. Del tufo, III, as Vice President of Land Holding, LLC, a Delaware limited liability company, on behalf of the company. He/She is personally known to me.

[Notary Seal]

[Signature]  
Notary Public, State of Florida  
Print Name: Thomas A. Fogt  
Commission No. \_\_\_\_\_  
My commission expires: \_\_\_\_\_



2259773 RECORDED IN THE RECORDS OF JEFFREY R SMITH, CLERK OF CIRCUIT COURT INDIAN RIVER CO FL,  
BK: 2632 PG: 117, 12/29/2012 11:11 AM D DOCTAX PD \$0.70

THOMAS A. FOGT, ESQ.  
700 Colorado Avenue  
Stuart, FL 34997

Parcel ID Number: 32-39-35-00003-0020-00001/0

# Warranty Deed

This Indenture, Made this *31st* day of December, 2012 AD., Between  
RDC Phoenix, LLC, a Florida limited liability company

of the County of Indian River, State of Florida, grantor, and  
Camp Haven Inc., a Florida corporation

whose address is: 1015 Commerce Avenue, Vero Beach, FL 32960

of the County of Indian River, State of Florida, grantee.

Witnesseth that the GRANTOR, for and in consideration of the sum of

----- 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:

The north 3.00 feet of Lot 24, Block 2, R.D. Carter Subdivision,  
according to the plat thereof as recorded in Plat Book 4, Page 28, of  
the Public Records of St. Lucie County, Florida; said land now lying  
and being in Indian River County, Florida.

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

-----  
Laser Generated by © Display Systems, Inc., 2012 (863) 763-5555 Form FLWD-2

BK: 2632 PG: 118

# Warranty Deed - Page 2

Parcel ID Number: 32-39-35-00003-0020-00001/0

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

Signed, sealed and delivered in our presence:

RDC Phoenix, LLC, a Florida limited liability company,  
by Beatty Rentals, Inc., a Florida corporation, as  
its Managing Member

*Margaret J. Averill*

Printed Name: Margaret J. Averill  
Witness

By: *Gary L. Beatty*

Gary L. Beatty as President (Seal)  
P.O. Address: 1475 58th Avenue SW  
Vero Beach, FL 34968

*Shirley Ann M. Murico*

Printed Name: SHIRLEY ANN M. MURICO  
Witness

STATE OF Florida  
COUNTY OF Indian River

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of December, 2012 by  
Gary L. Beatty, as President of Beatty Rentals, Inc., a Florida  
corporation, as Managing Member of RDC Phoenix, LLC, a Florida  
limited liability company  
who is personally known to me or who has produced his Florida driver's license as identification.

*Shirley Ann M. Murico*

Printed Name: SHIRLEY ANN M. MURICO  
Notary Public  
My Commission Expires:

