

AGENDA
REGULAR MEETING OF THE CITY PLANNING AND ZONING BOARD
THURSDAY, SEPTEMBER 3, 2020, AT 1:30 PM
COUNCIL CHAMBERS, CITY HALL, VERO BEACH, FLORIDA

I. PRELIMINARY MATTERS

Agenda Additions and/or Deletions

II. APPROVAL OF MINUTES

Regular Meeting – August 20, 2020

III. PUBLIC COMMENT

IV. PUBLIC HEARING

[Quasi-judicial]

- A. An Ordinance of the City Council of the City of Vero Beach, Florida, Amending the Official Zoning Map by Changing the Zoning District Designation of Property from POI, Professional Office Institutional To RM-13, Multiple Family Residential, for the Property Located at 915 East Causeway Boulevard, Containing 0.34 of an Acre More or Less; Providing for an Effective Date

[Quasi-judicial]

- B. Minor Subdivision Application Submitted by Masteller, Moler & Taylor, Inc, for a Proposed Subdivision of Existing Residential Lots 1, 2, & 3, Block 2, Riomar Subdivision Plat No. 2, which is Considered a Single Residential Lot under Unity of Title, to be Subdivided into Two Residential Lots A & B Located at 995 Painted Bunting Lane (#SD20-000003)

V. PLANNING DEPARTMENT MATTERS

VI. BOARD MEMBERS' MATTERS

VII. ADJOURNMENT

ANY PERSON AGGRIEVED BY A DECISION OF THE PLANNING AND ZONING BOARD RELATIVE TO SITE PLAN APPROVAL MAY WITHIN TEN DAYS AND IN ACCORDANCE WITH SECTION 64.08(j) FILE AN APPEAL WITH THE PLANNING DIRECTOR OF THE CITY OF VERO BEACH. ANYONE WHO MAY WISH TO APPEAL ANY DECISION THAT MAY BE MADE AT THIS HEARING WOULD NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE THAT INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL WILL BE BASED.

ANYONE IN NEED OF SPECIAL ACCOMMODATIONS FOR THIS MEETING MAY CONTACT THE CITY'S AMERICANS WITH DISABILITIES ACT (ADA) COORDINATOR AT 978-4920 AT LEAST 48 HOURS IN ADVANCE OF THE MEETING.

PUBLIC INVITED TO ATTEND

**PLANNING AND ZONING BOARD MINUTES
THURSDAY, AUGUST 20, 2020 - 1:30 PM
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

PRESENT: Chairman, Steven Lauer; Vice Chairman, Honey Minuse; Members: Robin Pelensky, Jose Prieto and Alternate Member #1, Richard Cahoy **Also Present:** Planning and Development Director, Jason Jeffries; City Attorney, John Turner and Deputy City Clerk, Sherri Philo

Excused Absence: Jeb Bittner

Today's meeting was called to order at 1:30 p.m., and the Deputy City Clerk performed the roll call.

I. PRELIMINARY MATTERS

A) Agenda Additions and/or Deletions

None

II. APPROVAL OF MINUTES

A) Regular Meeting – July 23, 2020

Mrs. Minuse made a motion to approve the minutes of the July 23, 2020 Planning and Zoning Board meeting. Mrs. Pelensky seconded the motion and it passed unanimously.

III. PUBLIC COMMENT

None

IV. PUBLIC HEARING

[Legislative]

- A. An Ordinance of the City of Vero Beach, Florida; Amending the Land Development Regulations by Amending Chapter 62, Article III, Commercial Districts, to Add Museum, Commercial to the List of Permitted Uses in the C-1 Zoning District; Amending Chapter 60 (Appendix. Definitions) to Add a Definition of Museum, Commercial; Providing for Codification; Providing for Conflict and Severability; and Providing for an Effective Date**

The Chairman read the Ordinance by title only.

Mr. Jason Jeffries, Planning and Development Director, went over staff's report accompanied by a Power Point presentation with the Board (attached to the original minutes). Staff recommends Planning and Zoning Board approval of the draft Ordinance for transmittal to the City Council for a favorable consideration.

Mrs. Minuse asked to see the zoning map that shows the C-1 Zoning District.

Mr. Jeffries was unable to pull the map up on the screen due to some online technical difficulties. He asked if there was a specific question regarding the map. He said they are amending the text by adding an allowable use to that zoning district.

Mrs. Minuse said because there is so much reference to residential uses, she wants to be clear that if they are making a change it is a permitted use and not a conditional use.

Mr. Jeffries explained that the proposal is that it is a permitted use in the zoning district. He said a use is made a conditional use when the use is out of character with the zoning district and this use is not out of character.

Mrs. Minuse said her concern is where the other C-1 Zoning Districts are in the City where this might fit and if that would be appropriate.

Mr. Jeffries said that he understands her concern because there is some C-1 zoning on individual lots along the A1A Corridor, but he felt that was more of an issue of should those properties been zoned for the compatibility of what is around them, not because of what use they were putting into the zoning district.

Mrs. Minuse said this is a very appropriate use for where it is zoned, but she hoped that they would not be creating a problem in other C-1 zoning areas.

Mr. Jeffries said that he didn't think it would because of the nature of this use. He noted that they carefully crafted it to be "museum commercial." He felt this was more in line with the zoning district.

Mrs. Minuse agreed.

Mr. Bruce Barkett, Attorney for the applicant, said this is not about a particular project, but a use in the C-1 Zoning District. He felt this was a great addition to the Code and a great benefit to the City.

Mrs. Pelensky asked is it going to be retail/museum or museum/retail.

Mr. Wayne Gould, Applicant, explained that it would be more of an art museum, but the art has wheels. He said they hope to have a commercial aspect, but it is going to be a museum first.

Mr. Cahoy asked where on US1 are they discussing.

Mr. Barkett reported that it is the old Press Journal building.

Mr. Jeffries said this building has been sitting vacant for several years and this will be a viable use of it.

The Chairman opened and closed the public hearing at 1:49 p.m., with no one wishing to be heard.

Mrs. Minuse made a motion to accept staff's recommendation. Mr. Prieto seconded the motion and it passed 5-0 with Mr. Cahoy voting yes, Mr. Prieto yes, Mrs. Pelensky yes,

Mrs. Minuse yes, and Mr. Lauer yes.

[Legislative]

- B. An Ordinance of the City of Vero Beach, Florida, Amending the Land Development Regulations by Amending Chapter 62, Article VII, Airport Master Plan Land Use Zones, to Add Broadcast Studio to the List of Permitted Uses in the ALI-1, Airport Light Industrial Zoning District; Amending Chapter 62, Article X, Downtown District, to Amend Radio/TV Stations to Broadcast Studios in the List of Permitted Uses in the DTW, Downtown Zoning District; Amending Chapter 60 (Appendix. Definitions) to Add a Definition of Broadcast Studio; Providing for Codification; Providing for Conflict and Severability; and Providing for an Effective Date**

The Chairman read the Ordinance by title only.

Mr. Jeffries went over staff's report accompanied by a Power Point presentation with the Board (attached to the original minutes). Staff recommends Planning and Zoning Board approval of the draft Ordinance for transmittal to the City Council for favorable consideration.

Ms. Rebecca Grohall, of MBV Engineering, thanked staff and asked the Board's support with a favorable vote.

The Chairman opened and closed the public hearing at 2:09 p.m., with no one wishing to be heard.

Mrs. Minuse made a motion to accept staff's recommendation. Mr. Prieto seconded the motion and it passed 5-0 with Mr. Cahoy voting yes, Mr. Prieto yes, Mrs. Pelensky yes, Mrs. Minuse yes and Mr. Lauer yes.

V. PLANNING DEPARTMENT MATTERS

Mr. Jeffries reported that the Architectural Review Commission will be discussing the architectural design standards for the Cultural Arts Village.

Mr. Jeffries gave a brief update on the Three Corner's project. He reported that the City Council went with the Board's recommendation and staff's recommendation to postpone the project. He said there has been a lot of discussion on social media where people want to see this project happen and are concerned. He reported that staff is currently putting together a schedule for moving forward. He hoped to have more details to provide the Board at their September 3, 2020 meeting.

VI. BOARD MEMBERS' MATTERS

Mrs. Minuse asked that the Board receives an updated zoning map and land use map.

VII. ADJOURNMENT

Today's meeting adjourned at 2:20 p.m.

/sp

W. A

DEPARTMENTAL CORRESPONDENCE

TO: Chairman Lauer and Planning and Zoning Board Members

THROUGH: Jason H. Jeffries, AICP **JHJ**
Director of Planning and Development

FROM: Cheri B. Fitzgerald **[Signature]** AICP
Principal Planner

DATE: August 27, 2020

SUBJECT: **Request by Roger Lightle to Rezone ±0.34 of an acre from POI, Professional Office Institutional, to RM-13, Multiple Family Residential; located at 915 East Causeway Boulevard (Application #Z20-000011-MAP)**

Overview

This is a request to rezone approximately 0.34 of an acre of land from POI, Professional Office Institutional to RM-13, Multiple Family Residential District. The subject property is located at 915 East Causeway Boulevard.

The following are attachments to this report:

- Attachment A-Maps of Subject Property
- Attachment B-Draft Ordinance Amending Zoning Map
- Attachment C-Zoning Map Change Amendment Application

Background

The subject property was rezoned in 2014 from RM-13, Multiple-Family Residential to POI, Professional Office Institutional and is currently vacant/undeveloped.

Land Uses and Zoning. Located to the north and south of the subject property are existing single-family residential and duplex uses that are zoned R-1A, Single-Family Residential and RM-13, Multiple-Family Residential. The properties to the east and west are zoned RM-13, Multiple-Family Residential and there is a multi-family residential apartment complex located to the east and a professional office to the west.

The subject site and properties to the south, east and west are designated RH, Residential High on the Future Land Use Map. The property to the north has a RL, Residential Low land use designation.

Table 1. Adjacent Land Uses and Zoning Classifications:

	Land Uses	Land Use Designation	Zoning Classification
Subject Site	Undeveloped Vacant	RH, Residential High	POI, Professional Office Institutional
North	Single family residential	RL, Residential Low	R-1A, Single Family Residential
South	Single family & duplex residential	RH, Residential High	RM-13, Multiple Family Residential
East	Multi- family residential apartments	RH, Residential High	RM-13, Multiple Family Residential
West	Professional office	RH, Residential High	RM-13, Multiple Family Residential

Environment. The subject property is a vacant/undeveloped parcel.

Utilities and Services. The subject property is located in the City’s current water and sewer service area and capacity is available in the system to provide necessary services.

Transportation Facilities. The subject property has road frontage on two streets including Marigold Lane (city local residential street) adjacent to the north and East Causeway Boulevard (minor collector roadway) adjacent to the south.

Comparison of Existing versus Requested Zoning District Designations

The existing zoning of the subject property is POI, Professional Office Institutional. The proposed zoning district is RM-13, Multiple-Family Residential. A comparison of the two zoning districts permitted/allowable uses are included in Table 2.

Table 2. Comparison of Permitted Uses in POI and RM-13:

Permitted Uses:	POI	RM-13
Single Family Residential	X	X
Duplex		X
Multiple Family Residential		X
Adult Congregate Living Facilities	X	X
Nursing Homes	X	X
Business & Professional Offices	X	
Banks & Financial Institutions	X	
Administrative Services	X	
Radio or television studios or stations	X	

Permitted Uses:	POI	RM-13
Places of Worship	X	
Utility Services enclosed	X	
Day Care Services	X	
Cosmetology salons & barber shops	X	
Health & Fitness Clubs in conjunction with existing development	X	

As noted above, the two zoning districts share three (3) permitted uses, they are: single-family residential homes, nursing homes, and adult congregate living facilities. The RM-13 zoning district is mainly designated for residential uses versus the proposed POI zoning district permits various professional offices and banks and financial institutions, and other non-residential uses as noted.

Review and Analysis

The staff reviewed the proposed zoning map change based on the standards for considering amendments as required in Chapter 65, Article III, of the City’s Land Development Regulations. Sections 65.22(i)(1) and (5) set the review standards for amendments to the zoning map.

Justification for Amendment. Pursuant to Section 65.22(i)(1), the applicant’s justification for the proposed amendment to the zoning map for the subject property is discussed below.

The justification statement for the amendment is stated as follows: “The land-use designation of the subject property is “Residential High” (RH). According to Policy 1.6 of the Land-Use Element of the Comprehensive Plan, the RH land –use designation is applied to areas of the City that are suitable for multifamily residential uses with high densities adjacent to arterial or collector streets, which sites are a transition between moderate density multi-family residential development and more intensive uses. This site satisfies those criteria.

In addition, according to Table 2.1 of the Land-Use Element, the RH District permits a maximum density of up to 15 dwelling units.

According to Policy 1.18, “the City should rezone land consist with Table 2-2....”. Table2-2 indicates that the RM13 Zoning District is appropriate for the RH Land-Use Designation.

Findings: The amendment is justified based on consistency with Polices 1.6 and 1.18 and Table2-2.

Consistency of the Requested Rezoning with the Comprehensive Plan and Zoning District Standards and Criteria. Pursuant to Section 65.22(i)(5)a., the consistency with the goals, objectives and policies of the Comprehensive Plan, Land Development Regulations, and zoning district standards and criteria as discussed below:

- Land Use Element Policy 1.18: *The City shall rezone land consistent with Table 2-2, Relationship between Future Land Use Designation and Zoning Districts, and the standards set forth in this policy and elsewhere in the element. The City recognizes that not every zoning district allowed within a future 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 the following standards:*
 - (a) *Consistency with the goals, objectives, and policies of the Comprehensive Plan;*
 - (b) *Compatibility with zoning map designations abutting or in the immediate vicinity of the subject property;*
 - (c) *Changed conditions to the subject property and the neighborhood or area in the vicinity in which the property is located that warrant an amendment;*
 - (d) *Maintenance of adopted level of service on roadways, public school facilities, sanitary sewer, potable water, solid waste, storm drainage, and recreation;*
 - (e) *Maintenance of an orderly and logical development pattern; and*
 - (f) *Consistency with the public interest.*

The requested zoning designation is RM-13, Multiple-Family Residential. This zoning district is listed as one of the appropriate districts under the RH, Residential High future land use designation. The RH designation allows multifamily residential development.

Findings: The requested change in zoning designation is consistent with Policy 1.18 and Table 2-2 in the City's Comprehensive Plan.

- Land Use Element Policy 1.6: *The Residential High (RH) Land Use designation shall be applied to areas of the City that are suitable for multifamily residential uses with high densities adjacent to arterial or collector streets, and that are a transition between moderate density multifamily residential development and more intensive uses. This land use category shall allow single family, duplex and multifamily residential development.*

The subject property is located in the RH future land use category. The subject property is adjacent to existing RM-13 zoning districts to the south, east and west. The subject property is also located along a collector street.

Findings: The subject property is within the RH designation, as noted above. The zoning change request is consistent with Policy 1.6.

Compliance with Other Review Standards for Rezoning in the City Code. Pursuant to Section 65.22(i)(5)b. through g., the proposed zoning map amendment meets the following standards:

- Compatibility with Zoning Map Designations within Immediate Vicinity: *The amendment is compatible with the Zoning Map designation within the immediate vicinity of the proposed change.*

The proposed amendment is compatible with the Zoning Map designation within the immediate vicinity of the proposed change based on the following: adjacent to the subject property to the east and west and to the south across East Causeway Boulevard are properties that have the same zoning district as the proposed zoning designation RM-13, Multiple-Family Residential District. The property located to the north is zoned R-1A, Single-Family Residential (across Marigold Lane). This zoning district is compatible with the proposed RM-13 which already exists along the south section of Marigold Lane in the immediate vicinity and nearby neighborhood.

The RM-13 Zoning District purpose statement states the district is designed to provide adequate space in appropriate locations suitable for accommodating high-density residential development. The RM-13 allows up to 13 units per acre.

Finding: Based on the facts state above, the proposed change is considered a compatible zoning map designation with the zoning map designations as they are the same as the proposed zoning to the east, west and south.

- *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 discussed previously under the justification for the amendment, the site is an appropriate site for higher density multi-family residential development based on the location of the property and proximity to East Causeway Boulevard.

Finding: The amendment is warranted as discussed in the justification for the amendment and the location of 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.* Since a request to change the zoning map is not part of development review or a site plan, the impacts on available public facilities can only be considered in general terms. Specific impacts on public facilities and concurrency are addressed as part of the City's development review process. In general terms, the following information is provided.

The Capital Improvements Element of the Comprehensive Plan states there is available capacity to support future demand on public facilities and services such as sewer, water, solid waste, and roads.

A traffic impact analysis was prepared in 2014 as part of the request to rezone the property to POI, Professional Office Institutional. The proposed zoning district uses are less intense and have less potential traffic impacts than the existing zoning and the size constraints of the site itself limits the impacts. Therefore, a new traffic impact analysis was not required.

The applicant provided the required school concurrency documentation from the Indian River County School District that confirms capacity is available.

Finding: The change in zoning will not significantly change the traffic impacts or levels of service.

- Orderly and logical: *The requested amendment maintains an orderly and logical development pattern.* Approval of the change in zoning would allow for development of multiple-family residential uses on a site adjacent to the same existing zoning district.

Finding: The change in zoning will allow for the development of the same multiple family residential uses on land adjacent to existing RM-13 zoning.

Staff Recommendation

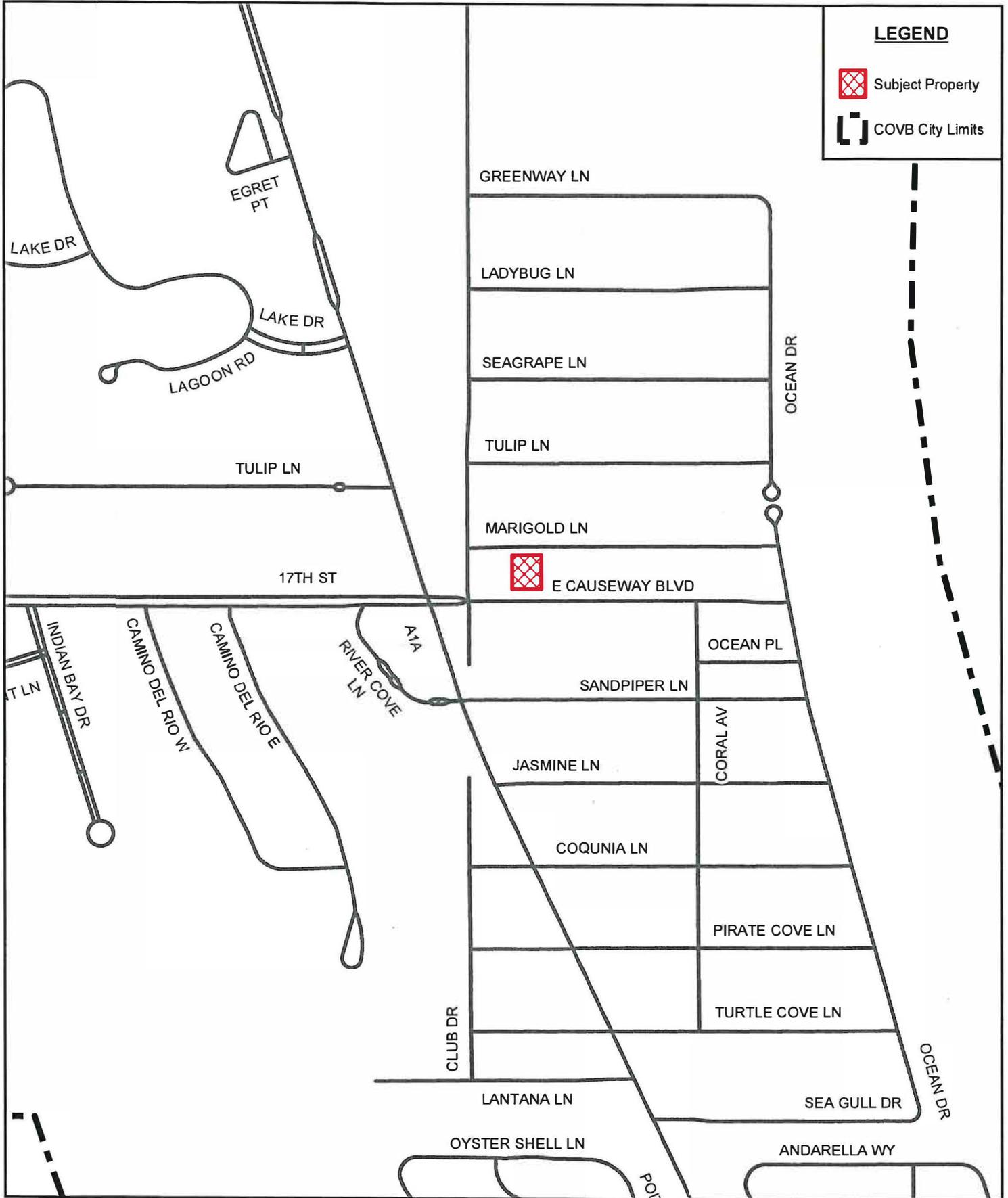
Based on the analysis and findings above, the staff recommends that the Planning and Zoning Board recommend approval by the City Council of the following:

- Draft Ordinance amending the Zoning Map designation from POI, Professional Office Institutional to RM-13, Multiple-Family Residential (± 0.34 acres) for the subject property.

Attachments

LOCATION MAP

915 E Causeway Blvd, Vero Beach, FL



LEGEND

 Subject Property

 COVB City Limits



Prepared by:
Department of Public Works/GIS Division
City of Vero Beach
July 29, 2020

1 inch = 500 feet

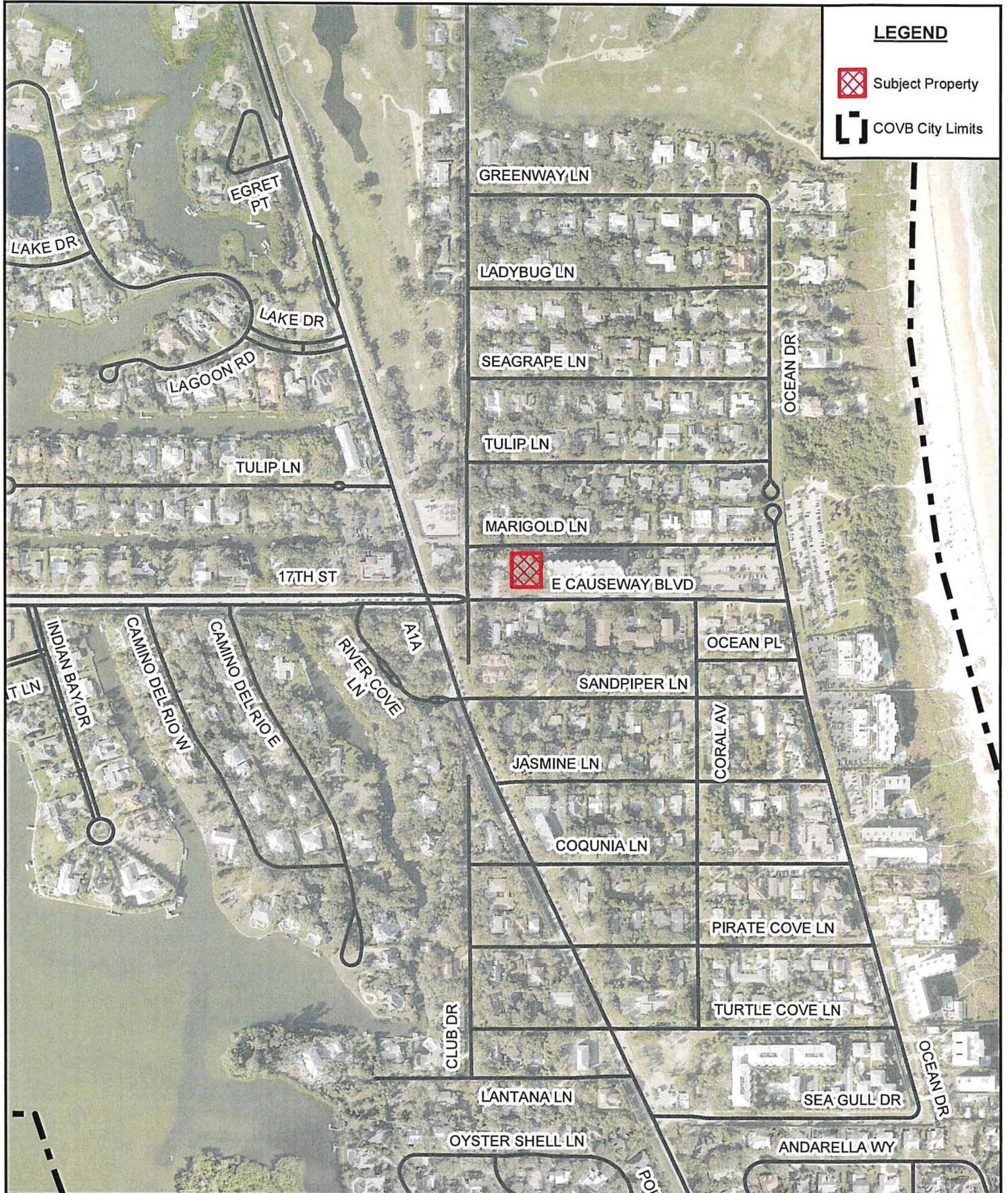
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AERIAL MAP

915 E Causeway Blvd, Vero Beach, FL



LEGEND

 Subject Property

 COVB City Limits



Prepared by:
Department of Public Works/GIS Division
City of Vero Beach
July 29, 2020

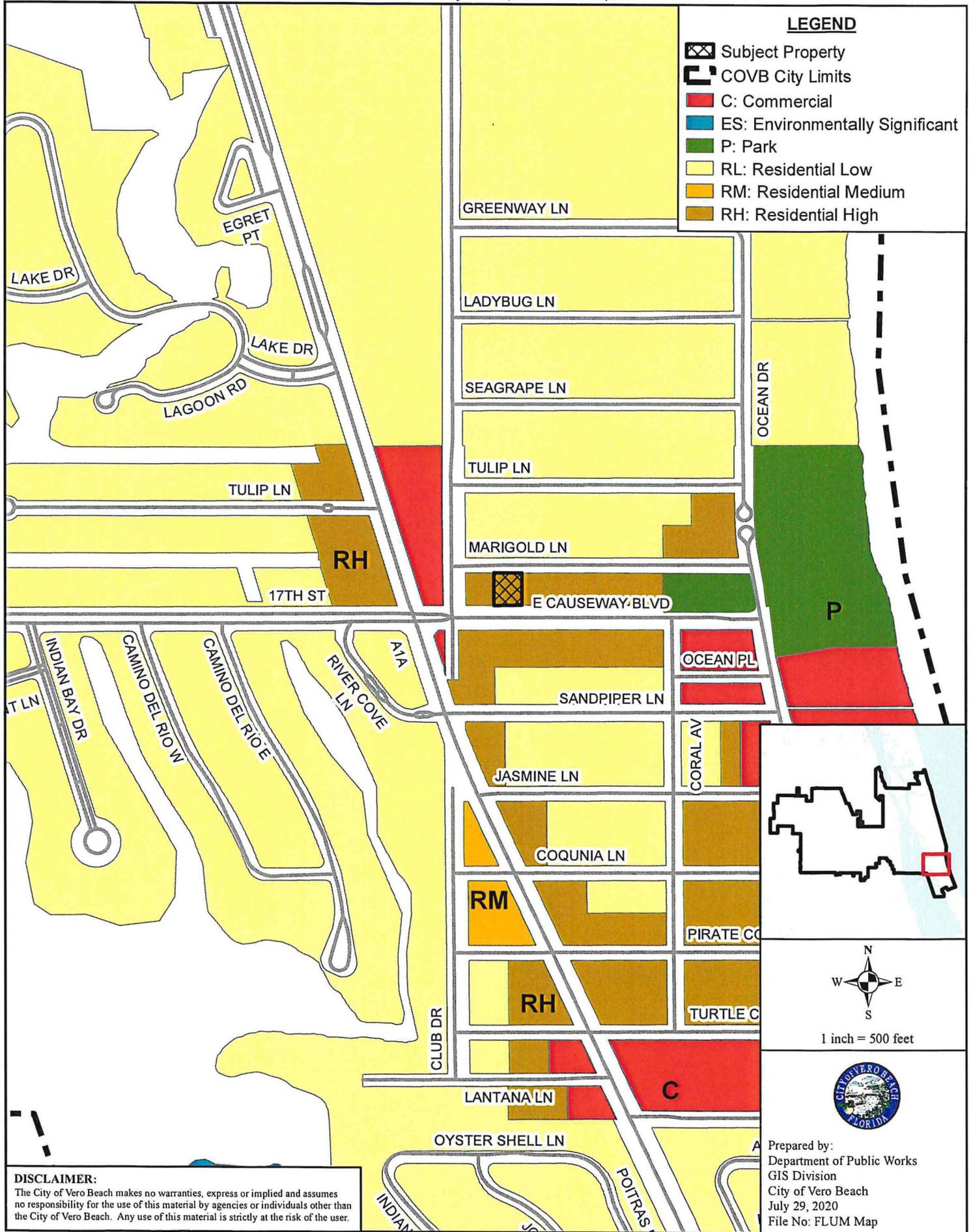
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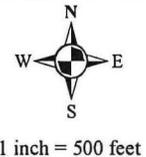
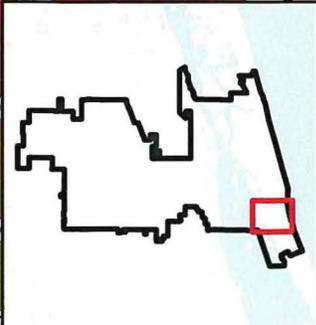
FUTURE LAND USE MAP

915 E Causeway Blvd, Vero Beach, FL



LEGEND

-  Subject Property
-  COVB City Limits
-  C: Commercial
-  ES: Environmentally Significant
-  P: Park
-  RL: Residential Low
-  RM: Residential Medium
-  RH: Residential High

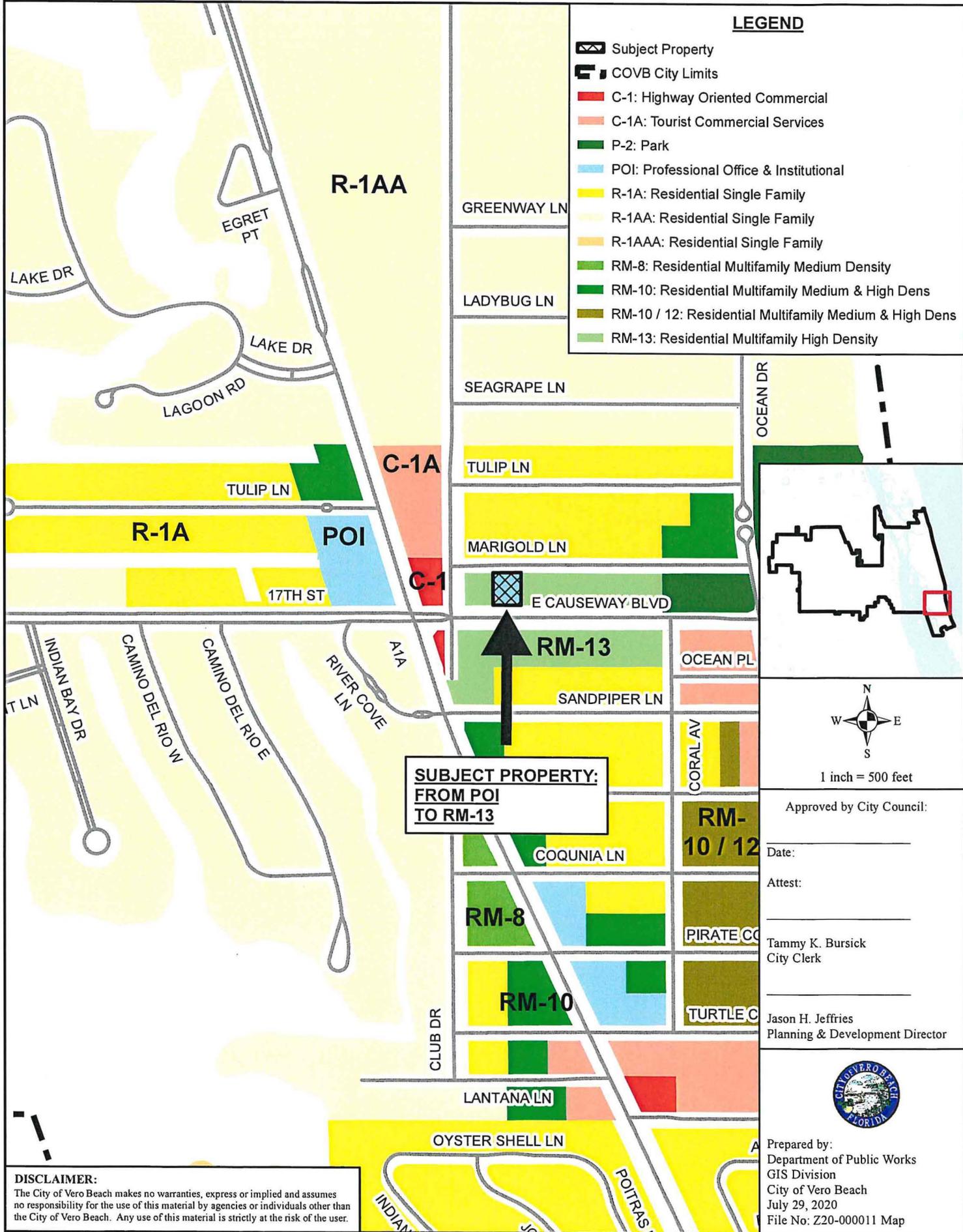


Prepared by:
 Department of Public Works
 GIS Division
 City of Vero Beach
 July 29, 2020
 File No: FLUM Map

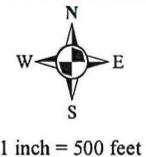
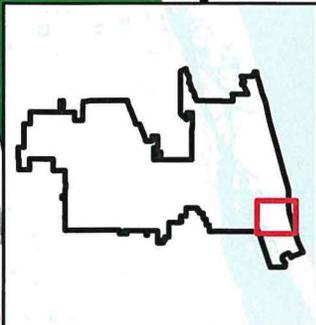
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ZONING DISTRICTS MAP

915 E Causeway Blvd, Vero Beach, FL



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Approved by City Council:

Date: _____

Attest: _____

Tammy K. Bursick
City Clerk

Jason H. Jeffries
Planning & Development Director



Prepared by:
Department of Public Works
GIS Division
City of Vero Beach
July 29, 2020
File No: Z20-000011 Map

ORDINANCE NO. 2020 – _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VERO BEACH, FLORIDA, AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE ZONING DISTRICT DESIGNATION OF PROPERTY FROM POI, PROFESSIONAL OFFICE INSTITUTIONAL TO RM-13, MULTIPLE FAMILY RESIDENTIAL, FOR THE PROPERTY LOCATED AT 915 EAST CAUSEWAY BOULEVARD, CONTAINING 0.34 OF AN ACRE MORE OR LESS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Roger Lightle property owner submitted an application for 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 POI, Professional Office Institutional to RM-13, Multiple Family Residential District for property comprising 0.34 of an acre, more or less, located at 915 East Causeway Boulevard; and

WHEREAS, the City Council adopted the Vero Beach Comprehensive Plan on April 4, 2018; and

WHEREAS, the Planning and Zoning Board, serving as the local planning agency under Florida Statute 163.3174, after a public hearing held on September 3, 2020, finds that the zoning map amendment is consistent with relevant goals, objectives and policies contained within the City’s Comprehensive Plan and made a recommendation to the Vero Beach City Council; and

WHEREAS, notice was given as required by law that the Official Zoning Map of the City of Vero Beach, Florida, be amended to change designation from POI, Professional Office Institutional District to RM-13, Multiple Family Residential District for property comprising 0.34 of an acre, more or less, located at 915 East Causeway Boulevard; and

WHEREAS, advertisements were placed in a newspaper of general circulation and provided the public with at least ten (10 days) advance notice of this Ordinance’s public hearings to be held by the Planning and Zoning Board and the City Council of the City of Vero Beach (“City Council”) in the City Council Chambers, located on the first floor of City Hall in the City of Vero Beach; and

WHEREAS, public hearings were held pursuant to the notices described above at which hearings the parties in interest and all others had an opportunity to be and were, in fact, heard; 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 Official Zoning Map.

The amendment to the Official Zoning Map of the City of Vero Beach is hereby adopted for the property located at 915 East Causeway Boulevard; and

Section 3. Conflict and Severability.

In the event any provision of this Ordinance conflicts with any provision of the Code or other applicable law, the provisions of this Ordinance shall apply and supersede. If any phrase or portion of this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion.

Section 4. Effective Date.

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

This Ordinance was read by title for the first time on the ____ day of _____, 2020, and was advertised on the ____ day of _____, 2020, for a public hearing to be held on the ____ day of _____, 2020, at the conclusion of which hearing it was moved for adoption by Councilmember _____, seconded by Councilmember _____, and adopted by the following vote of the City Council:

Mayor Anthony W. Young _____
Vice-Mayor Laura Moss _____
Councilmember Robert Brackett _____
Councilmember Rey Neville _____
Councilmember Joseph Graves _____

ATTEST:

**CITY OF VERO BEACH,
FLORIDA**

Tammy K. Bursick
City Clerk

Anthony W. Young
Mayor

ADMINISTRATIVE REVIEW
(For Internal Use Only-Sec.2-77 COVB Code)

Approved as to form and legal sufficiency:

Approved as conforming to
municipal policy:

John S. Turner
City Attorney

Monte K. Falls
City Manager

Approved as to technical requirements:

Jason H. Jeffries, AICP
Planning and Development Director

ZONING MAP CHANGE AMENDMENT APPLICATION

City of Vero Beach Planning & Development Department

1053 20th Place – P.O. Box 1389

Vero Beach, Florida 32961-1389

Phone (772) 978-4550 / Fax (772) 778-3856

Date Received 7/21/20

Application # Z 20-000014-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 Bruce Barkett

Telephone 772-231-4343

Fax #: 772-234-5213

MAILING ADDRESS 756 Beachland Blvd., Vero Beach, FL 32963

SITE OWNER Roger Lightle

Telephone 772-473-2507

Fax #: _____

OWNER ADDRESS 715 Pirate Cove Lane, Vero Beach, FL 32963

SITE LOCATION 915 Causeway Blvd. E., Vero Beach, FL 32963

PARCEL I.D. NUMBER 33400500009004000008.0

PROPOSED ZONING CHANGE: FROM POI TO RM-13

(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

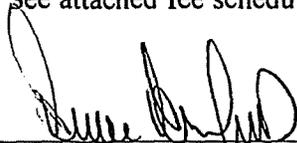
Large Scale (More than 10 acres) \$3,370

\$4,090

Small Scale (Less than 10 acres) \$2,460

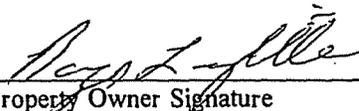
\$3,010

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



Applicant Signature

7/20/2020
Date

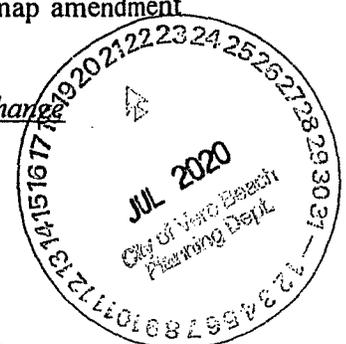


Property Owner Signature

7/17/2020
Date

Bruce Barkett
(Print Name)

ROGER LIGHTLE
(Print Name)



\$ 2460.00

JUSTIFICATION STATEMENT
For
RE-ZONING 915 CAUSEWAY BLVD. EAST, VERO BEACH, FLORIDA

The land-use designation of the subject property is “Residential High” (RH). According to Policy 1.6 of The Land-Use Element of the Comprehensive Plan for the City of Vero Beach, the RH land-use designation is applied to areas of the City that are suitable for multifamily residential uses with high densities adjacent to arterial or collector streets, which sites are a transition between moderate density multifamily residential development and more intensive uses. This site satisfies those criteria.

In addition, according to Table 2.1 of the Land-Use Element, the RH District permits a maximum density of up to 15 dwelling units.

Finally, according to Policy 1.18, “the City should rezone land consist with Table 2-2”. Table 2-2 indicates that the RM 13 Zoning District is appropriate for the RH Land-Use Designation.

IV. B

DEPARTMENTAL CORRESPONDENCE

TO: Chairman Steve Lauer and
Planning and Zoning Board Members

FROM: Jason H. Jeffries, AICP *JHJ*
Director of Planning and Development

DATE: August 25, 2020

SUBJECT: **Minor Subdivision Application #SD20-000003; Subdividing Existing Residential Lots Under Single Unity of Title into Two Residential Lots**

REQUEST

A request by Masteller, Moler & Taylor, Inc, on behalf of James I. Bellis, Trustee, for a proposed subdivision of existing residential lots 1, 2, & 3, block 2, in the Riomar Subdivision Plat No. 2, which is considered a single residential lot under unity of title, to be subdivided into two residential lots A & B located at 995 Painted Bunting Lane.

OVERVIEW

995 Painted Bunting Lane is an existing 1.23 acre residential parcel with a single-family residential structure constructed in 1985 and an accessory structure constructed in 1930. The residential parcel (995 Painted Bunting Lane) is a unity of title containing lots 1, 2, & 3 of block 2 in the Riomar Subdivision Plat No. 2, recorded in May 1931. The applicant is proposing to subdivide the existing parcel into two residential lots.

BACKGROUND

The parcel is located at the northwest corner of the intersection of Painted Bunting Lane and Ocean Drive. The parcel is designated RL, Residential Low (6 dwelling units per acre) on the Future Land Use Map and the zoning classification is the R-1AA, Single-Family Residential District. The site is currently developed as single-family residential use. The surrounding properties are also single-family residential uses and zoned R-1AA, Single-Family Residential. The property across Ocean Dr. to the northeast is developed with a beach club use, a conditional use in the R-1AA zoning district. Attached is a map series with the parcel location, zoning and future land use designations.

The subdivision of platted lots must comply with Sec 70.14, Plat Approval Criteria, of the City's Subdivision Ordinance. In addition to the general plat approval criteria, the following provisions from Sec. 70.14(c)(1) apply to subdivision of existing lots in single-family residential zoning districts, including this lot:

- (1) No resulting lot shall be smaller than the average lot width and lot area of existing platted lots located within 300 feet of the lots to be subdivided that are located within the same subdivision and zoning district. The existing platted lots that are to be subdivided shall be included in this calculation of the average minimum lot width and lot area.

Since 2007, lots 1, 2, & 3 in Block 2 of the Riomar Subdivision Plat No. 2 have been combined under a single unity of title. See attached quit-claim deed. Pursuant to Sec. 70.14(c)(2), existing platted lots under a single unity of title and occupied by residential structure and accessory structures over more than one platted lot are considered by the City Land Development Regulations as a single parcel or lot. 995 Painted Bunting has a principle and accessory structures that are located over the three platted lots in a single unity of title. Based on the plat approval criteria in Sec. 70.14(c)(1), any lot split of the above referenced parcel may not result in lots smaller than 0.615 acres and a lot width of less than 153.5 feet. Therefore, the 1.23 acre lot at 995 Painted Bunting may only be split into two lots.

PLAT EVALUATION

Section 70.14(a) and (c) of the Subdivision Ordinance of the City of Vero Beach, Florida requires that all approved residential plats meet the following review criteria and standards.

- *Be consistent with the pertinent goals, policies, and objectives of the comprehensive plan*
Analysis. The subject property is designated RL, Residential Low on the City's Future Land Use Map. Policy 1.15 and Table 2-1 of the Land Use Element limit the maximum density in the RL, Residential Low future land use designation to 6 units per acre. The propose subdivision plat will allow the development with a residential density of 2 units per acre. Objective 13, General Neighborhood Principles and Strategies, requires the City to reinforce Vero Beach as a "community of neighborhoods" through strategies that promote neighborhood conservation and revitalization.
Finding. The staff finds that the subdivision plat is consistent with pertinent objectives and policies in the City's Comprehensive Plan.
- *Comply with all applicable provisions of this chapter and part III, land development regulations of this Code including the requirements of chapter 76, concurrency management system*
Analysis. The plat's compliance with all applicable provision of the City's land development regulations, specifically the zoning code, was reviewed by the Planning and Development. The subject property is zoned R-1AA, Single-Family Residential District. Attachment A provides information on how the project meets development regulations. The existing single-family residential structure is proposed to be located on the new Lot A and the existing accessory structure is located on the new Lot B. The proposed new lots cannot result in creating non-conforming structures. Pursuant to Sec. 61.13, accessory structures are not permitted on separate lots or constructed prior the principle building. The existing accessory structure is 616 sf. and does not meet the minimum floor area required for a principle structure in the R-1AA zoning district and the required parking for a residential structure is not provided.
Finding. The staff finds that the proposed subdivision plat is compliant with the applicable provisions of the land development regulations, specifically the standards for the R-1AA zoning district, subject to the demolition of the accessory structure.

- *Be compatible with established development patterns and be able to be adequately supported by public or private facilities, utilities and street systems*

Analysis. The proposed residential lots are similar to the average lot size within 300ft of the subject property. The lots are served by existing water service and a STEP sewer system. The property owners are responsible for any necessary utility service requirement to connect to the public utilities. The lots are located adjacent and have access to an existing public street.

Finding. The staff finds that the proposed subdivision plat is compatible with established development patterns and are adequately supported by existing public utilities and streets.

- *Not create lots that are unbuildable due to noncompliance with the wetlands regulations of part III, land development regulations of this Code and the wetlands goals, objectives, and policies of the comprehensive plan*

Analysis. The proposed residential lots are located in an existing developed residential area of the City. The proposed residential lots are buildable while complying with wetland regulations.

Finding. The staff finds that the proposed subdivision plat is in compliance with wetland regulations and policies in the City's Comprehensive Plan.

- *Comply with the minimum lot size and dimensional standards of part III, land development regulations of this Code, including the additional standards for subdividing single-family residential zoned lots in Sec. 70.14(c)*

Analysis. The plat's compliance with minimum lot size and dimensional standards of the City's land development regulations was reviewed by the Planning and Development Department. The subject property is zoned R-1AA, Single-Family Residential District. Attachment A provides information on how the plat meets the minimum lot size and dimensional standards. The average lot width is 153.5 ft. and the average lot area is .615 acres for lots located within 300 feet of the subject property and in the Riomar Plat No. 2 and R-1AA zoning district. Pursuant to Sec. 70.14(c), the proposed lots may not have a smaller lot width and lot area of those average lot dimensions.

Finding. The staff finds that the proposed subdivision plat is compliant with minimum lot size and dimensional standards for the R-1AA zoning district and the additional standards for subdividing single-family residential zoned lots in Sec. 70.14(c).

- *Comply with the statutory requirements of F.S. ch. 177*

Analysis. The plat's compliance with the statutory requirements of F.S. ch. 177 was reviewed by the Public Works Department.

Finding. The staff finds that the proposed subdivision plat is compliant with the statutory requirements of F.S. ch. 177.

FINDINGS AND RECOMMENDATIONS

Based on the above analysis and findings, the staff finds that the proposed subdivision plat application meets the criteria for plat approval and recommends approval of the plat subject to the demolition of the accessory structure.

EXHIBIT A

**PROJECT DESCRIPTION AND FACT SHEET
 FOR PROPOSED TWO RESIDENTIAL LOTS
 (995 PAINTED BUNTING)**

PROJECT DESCRIPTION

The subdivision of existing residential lots 1, 2, & 3, block 2, in the Riomar Subdivision Plat No. 2, which is considered a single residential lot under unity of title, to be subdivided into two residential lots A & B located at 995 Painted Bunting Lane.

GENERAL INFORMATION

Application No.: #SD20-000003
Location: 995 Painted Bunting (lots 1, 2, & 3, block 2, in the Riomar Plat #2)
Owner: James L. Bellis, Trustee
Applicant / Engineer: David M. Taylor, PSM
Parcel ID #: 05-33-40-00001-0020-00001.0

SITE INFORMATION

Future Land Use: RL, Residential Low
Zoning: R-1AA, Single-Family Residential District
Existing Use: Single-Family Residential
Area of Development: 1.23 Acres

Surrounding Land Use & Zoning:

	Land Uses	Land Use Designation	Zoning Classification
Subject Site	Single-Family Residential	RL, Residential Low	R-1AA (Single-Family Residential)
North	Single-Family Residential	RL, Residential Low	R-1AA (Single-Family Residential)
South	Single-Family Residential	RL, Residential Low	R-1AA (Single-Family Residential)
East	Single-Family Residential Beach Club	RL, Residential Low	R-1AA (Single-Family Residential)
West	Single-Family Residential	RL, Residential Low	R-1AA (Single-Family Residential)

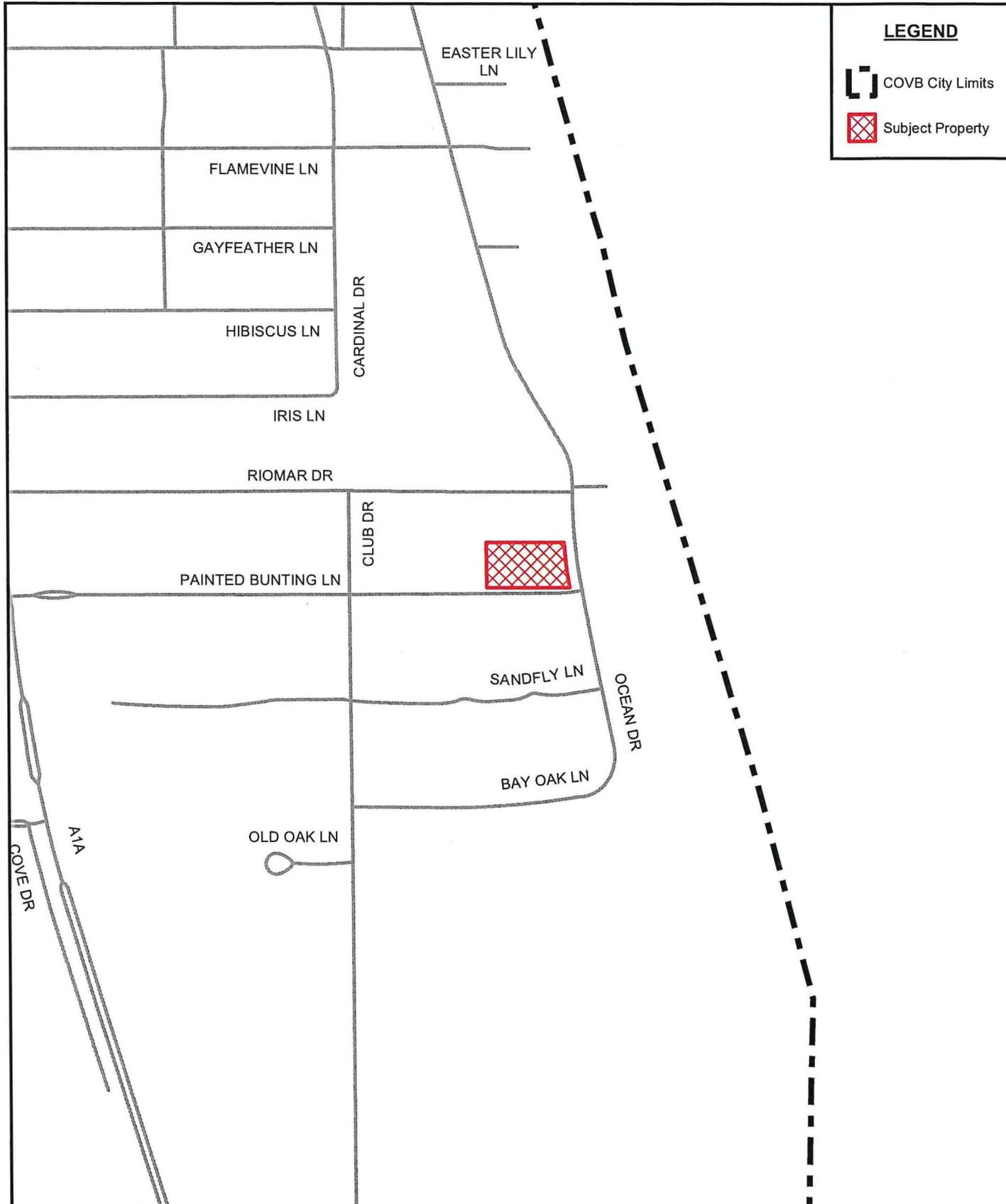
DEVELOPMENT SPECIFICATIONS

Specifications/ Code Citations	Required / Allowed	Proposed	
		Lot A	Lot B
[Sec. 61. 06]			
Minimum Lot Size	15,000	27,106	26,885
Minimum Lot Width	100 ft	159.84 ft	159.84 ft
Min. Setbacks (ft)			
Front Yard	25 ft	103.52 ft	N/A
Side Yard	15 ft	19.62 ft	N/A
Side Yard	15 ft	68.26 ft	N/A
Rear Yard	25 ft	27.18 ft	N/A
Minimum Floor Area (Building)	1,600 sf	1,701 sf	N/A
Maximum Floor/Area Ratio	0.3	0.06	N/A
Minimum Open Space	25%	80%	100%
Off-Street Parking	2 Spaces	2 Spaces	N/A

Note: Existing accessory structure on Lot B to be demolished.

LOCATION MAP

995 Painted Bunting Ln, Vero Beach, FL



LEGEND

-  COVB City Limits
-  Subject Property



Prepared by:
Department of Public Works/GIS Division
City of Vero Beach
August 27, 2020

1 inch = 500 feet

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.



AERIAL MAP

995 Painted Bunting Ln, Vero Beach, FL



LEGEND

-  COVB City Limits
-  Subject Property

1 inch = 500 feet



Prepared by:
Department of Public Works/GIS Division
City of Vero Beach
August 27, 2020

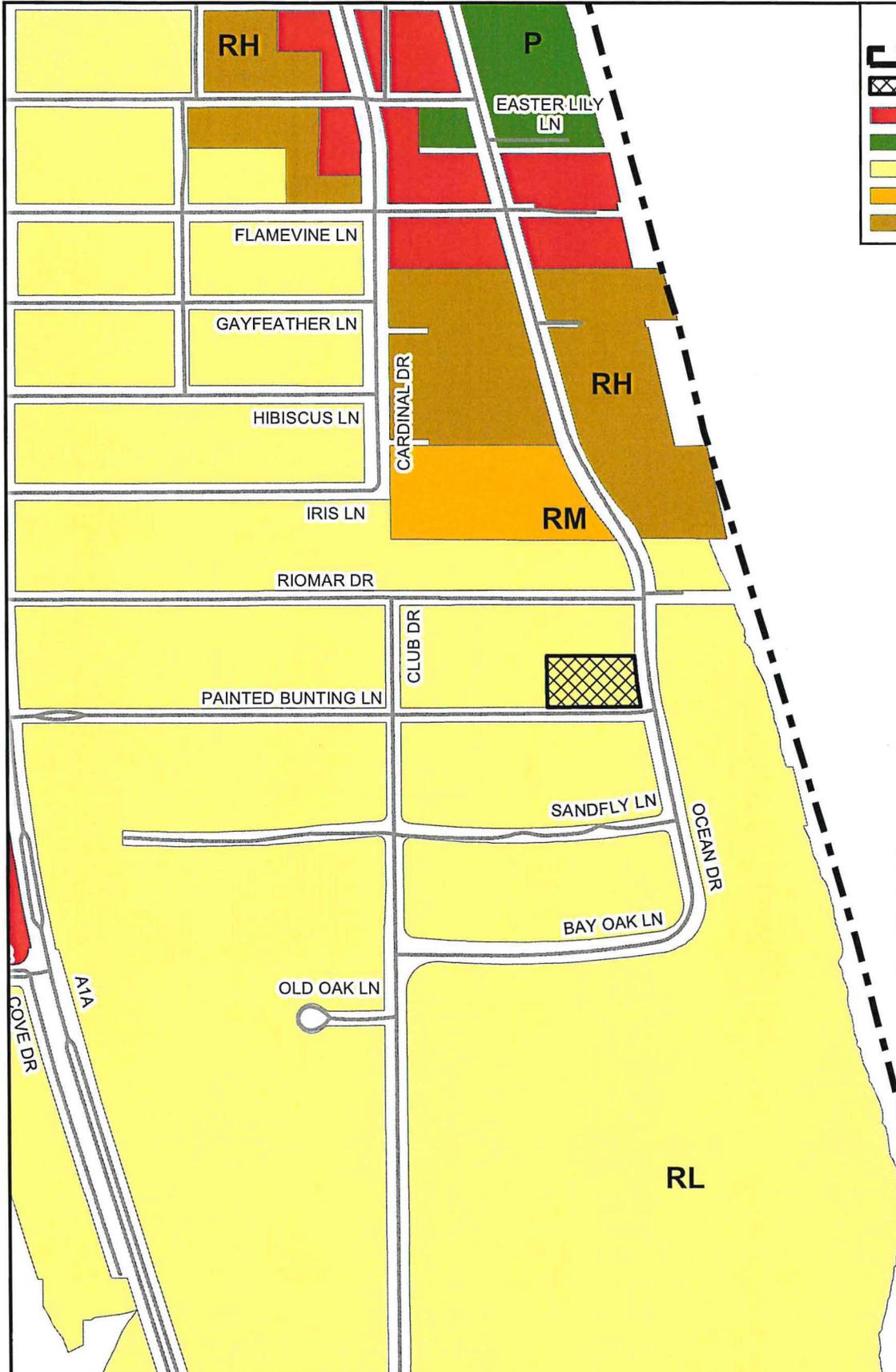
DISCLAIMER:

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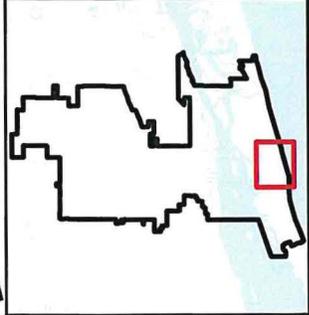
FUTURE LAND USE MAP

995 Painted Bunting Ln, Vero Beach, FL



LEGEND

- COVB City Limits
- Subject Property
- C: Commercial
- P: Park
- RL: Residential Low
- RM: Residential Medium
- RH: Residential High



1 inch = 500 feet

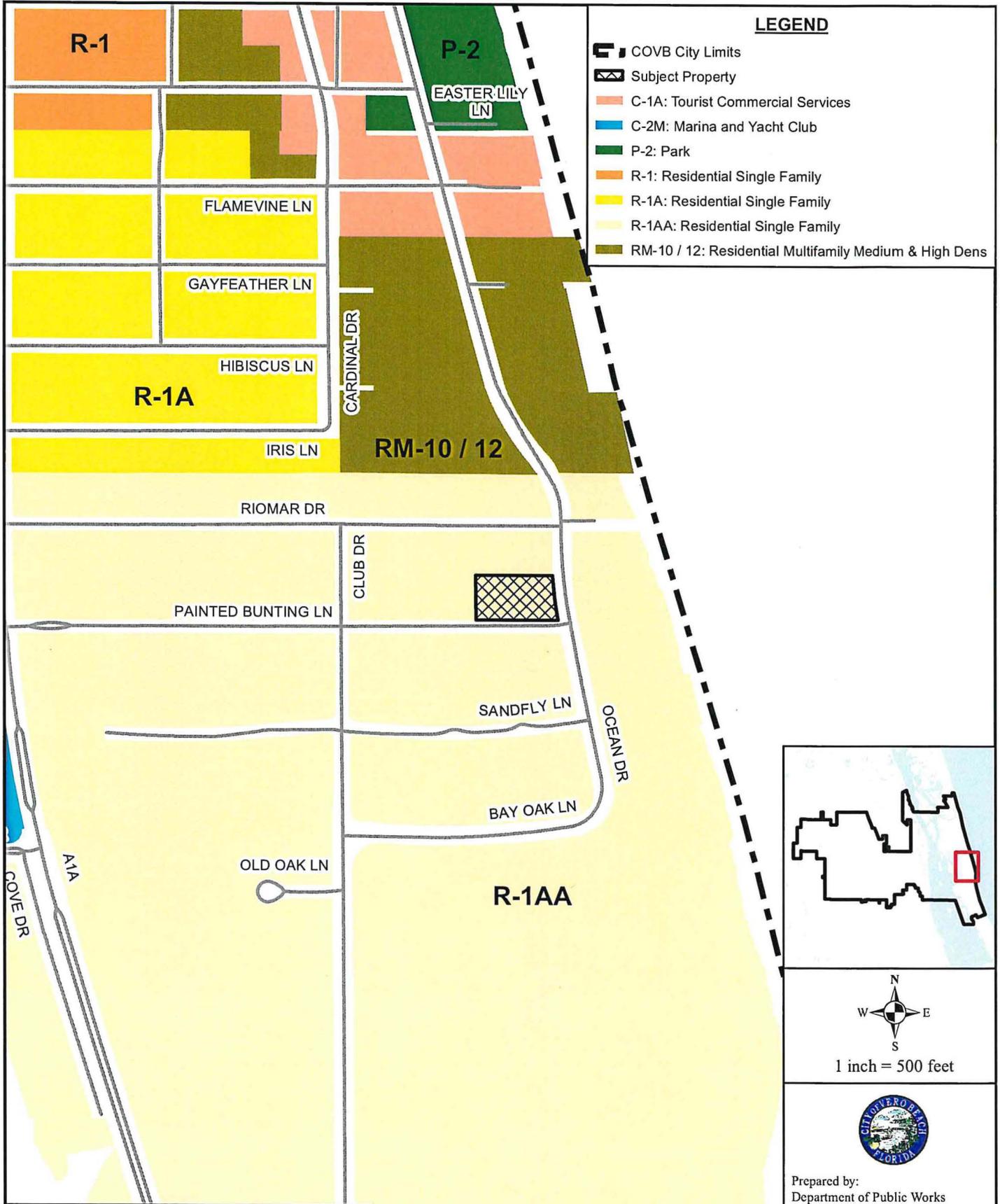


Prepared by:
 Department of Public Works
 GIS Division
 City of Vero Beach
 August 27, 2020
 File No: -

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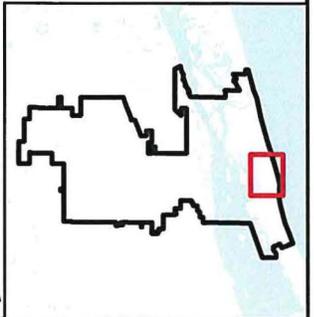
ZONING DISTRICTS MAP

995 Painted Bunting, Vero Beach, FL



LEGEND

- COVB City Limits
- Subject Property
- C-1A: Tourist Commercial Services
- C-2M: Marina and Yacht Club
- P-2: Park
- R-1: Residential Single Family
- R-1A: Residential Single Family
- R-1AA: Residential Single Family
- RM-10 / 12: Residential Multifamily Medium & High Dens



1 inch = 500 feet



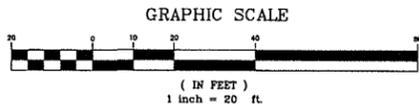
Prepared by:
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 GIS Division
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RIOMAR 995PB

BEING A REPLAT OF LOTS 1 THROUGH 3 OF BLOCK 2, RIOMAR SUBDIVISION PLAT NO. 2,
 PLAT BOOK 2, PAGE 27, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA;
 LYING WITHIN A PART OF GOVERNMENT LOT 1 OF SECTION 5, TOWNSHIP 33 SOUTH, RANGE 40 EAST.

PLAT BOOK: _____
 PAGE: _____
 CLERK'S FILE NUMBER (CFN): _____



ABBREVIATIONS

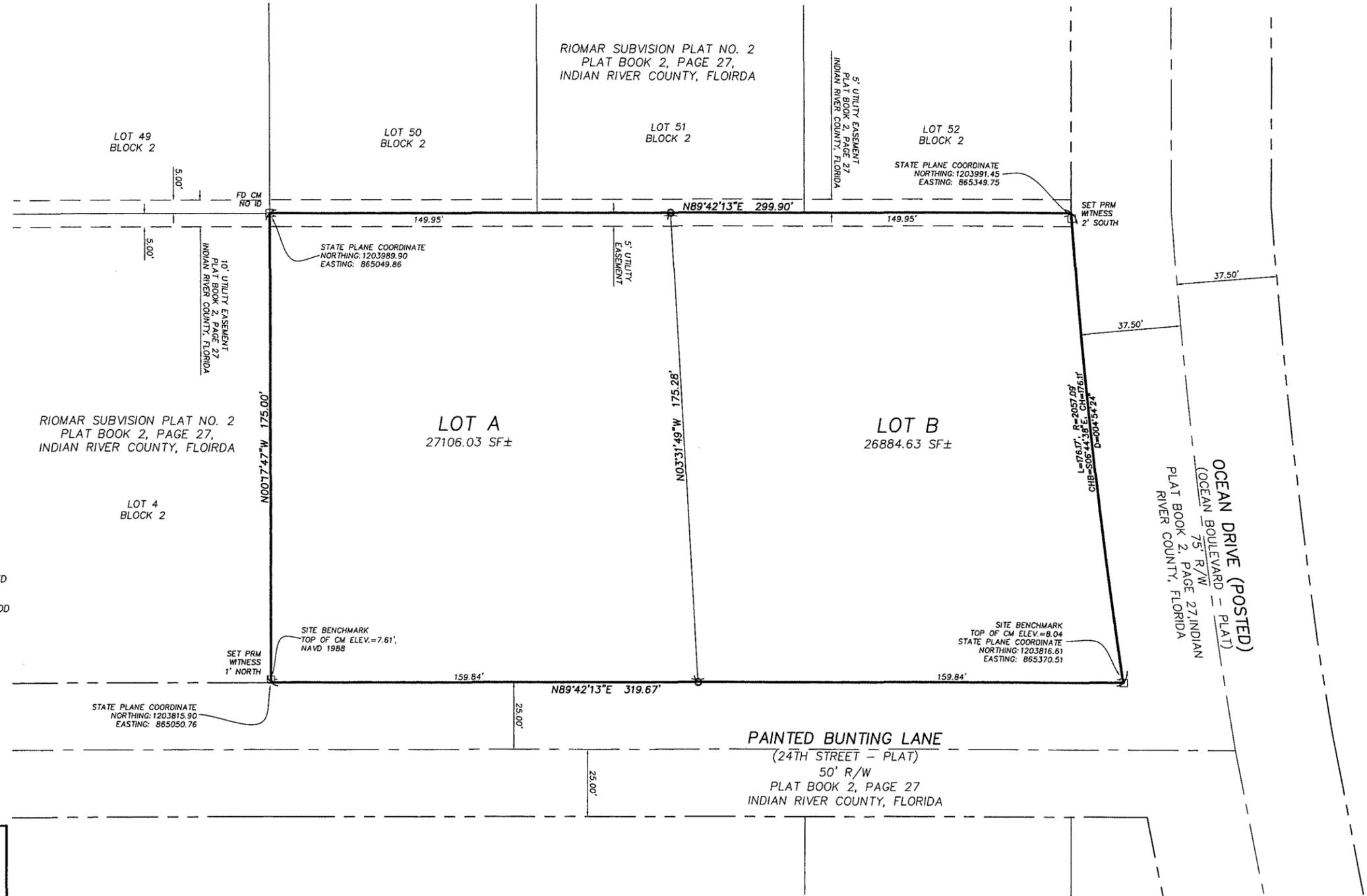
PCC	POINT OF COMPOUND CURVE
PI	POINT OF INTERSECTION
PT	POINT OF TANGENCY
PCP	PERMANENT CONTROL POINT
PRM	PERMANENT REFERENCE MONUMENT
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
PD	PLANNED DEVELOPMENT
PSM	PROFESSIONAL SURVEYOR AND MAPPER
RP	RADIUS POINT
R/W	RIGHT OF WAY
P.D.B.E.	P.D. BUFFER EASEMENT
D.E.	DRAINAGE EASEMENT
D.M.E.	DRAINAGE MAINTENANCE EASEMENT
L.A.E.	LIMITED ACCESS EASEMENT
U.E.	UTILITY EASEMENT
L.M.E.	LAKE MAINTENANCE EASEMENT
PRC	POINT OF REVERSE CURVE
POL	POINT ON LINE
IRCO	INDIAN RIVER COUNTY
BM	BENCH MARK
CE	CONSERVATION EASEMENT
CH	CHORD
CM	CONCRETE MONUMENT
FEMA	FEDERAL EMERGENCY MANAGEMENT AGENCY
RR.F.W.C.D.	INDIAN RIVER FARMS WATER CONTROL DISTRICT
FD	FOUND
ID	IDENTIFICATION
IR	IRON ROD
IP	IRON PIPE
ELEV	ELEVATION
PLS	SURVEYOR'S NUMBER
NAVD	NORTH AMERICAN VERTICAL DATUM
NR	NON-RADIAL
ORB	OFFICIAL RECORD BOOK
PB	PLAT BOOK (INDIAN RIVER COUNTY)
PBS	PLAT BOOK (ST. LUCIE COUNTY)
PG	PAGE
PC	POINT OF CURVATURE
S.P.C.	STATE PLANE COORDINATE
	DELTA
	LENGTH
CHB	CHORD BEARING
	RESIDENTIAL LOW
	SQUARE FEET

LEGEND

- P.R.M.=4"x4" CONCRETE MONUMENT WITH CAP STAMPED
PRM PSM 5243 UNLESS NOTED OTHERWISE
- LOT CORNERS ARE MONUMENTED WITH A 1/2" IRON ROD
AND CAP STAMPED "LB 4644".

BENCHMARK NOTE:

THE ELEVATIONS AS SHOWN ON THIS SURVEY ARE BASED ON
 THE NORTH AMERICAN VERTICAL DATUM OF 1988.



PREPARED BY: DAVID M. TAYLOR, PSM
MASTELLER, MOLER & TAYLOR, INC.
 1655 27th STREET, SUITE 2
 VERO BEACH, FLORIDA 32960 772-564-8050
 LICENSE BUSINESS NUMBER 4644
 DATE OF ORIGINAL PREPARATION: 5/11/2020

PLAT NO. 2 RIOMAR SUBDIVISION

BEING A REPLAT OF EAST VIEW DEVELOPMENT COMPANY'S SUBDIVISION No. 1 & 2
AND A SUBDIVISION OF A PART OF GOVT LOTS 1, 2, 3 & 4 OF SECTION 5, TOWNSHIP 33 SOUTH
RANGE 40 EAST

VERO BEACH, INDIAN RIVER COUNTY, FLORIDA.

SCALE 1"=200'

MARCH 1931.



DILIGENT BY OWNER
 I, the undersigned, the owner of the land herein described, do hereby certify that the plat and streets shown as depicted thereon are correct and true to the location of the same, and that the same are in accordance with the plan of subdivision filed in the office of the Clerk of the Circuit Court of Indian River County, Florida, on the 15th day of March, 1931, and recorded in Book 15, Page 27 of the Public Records of said County, Florida.

John W. McFarland Jr.
 Secy.

ENGINEERS CERTIFICATE
 We, the undersigned, being duly licensed and qualified engineers, do hereby certify that we have surveyed and staked, under the personal supervision of the undersigned, the lots and streets shown as depicted thereon, and that the same are in accordance with the plan of subdivision filed in the office of the Clerk of the Circuit Court of Indian River County, Florida, on the 15th day of March, 1931, and recorded in Book 15, Page 27 of the Public Records of said County, Florida.

J. B. Peter
 Engineer

CERTIFICATE OF CLERK OF CIRCUIT COURT
 STATE OF FLORIDA,
 INDIAN RIVER COUNTY.

I, Clerk of the Circuit Court of Indian River County, Florida, do hereby certify that I have recorded the foregoing plat and streets shown as depicted thereon, and that the same are in accordance with the plan of subdivision filed in the office of the Clerk of the Circuit Court of Indian River County, Florida, on the 15th day of March, 1931, and recorded in Book 15, Page 27 of the Public Records of said County, Florida.

Miles W. Harrison
 Clerk of Circuit Court

CERTIFICATE OF APPROVAL
 I, the undersigned, being duly licensed and qualified, do hereby certify that I have surveyed and staked, under the personal supervision of the undersigned, the lots and streets shown as depicted thereon, and that the same are in accordance with the plan of subdivision filed in the office of the Clerk of the Circuit Court of Indian River County, Florida, on the 15th day of March, 1931, and recorded in Book 15, Page 27 of the Public Records of said County, Florida.

J. B. Peter
 Engineer

ACKNOWLEDGMENT
 STATE OF FLORIDA,
 INDIAN RIVER COUNTY.

I, the undersigned, do hereby acknowledge that I have signed and acknowledged the foregoing plat and streets shown as depicted thereon, and that the same are in accordance with the plan of subdivision filed in the office of the Clerk of the Circuit Court of Indian River County, Florida, on the 15th day of March, 1931, and recorded in Book 15, Page 27 of the Public Records of said County, Florida.

John W. McFarland Jr.
 Secy.

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J. B. Peter
 Engineer

NOTE: This plat is the same as Riomar Subd. Plat No. 1 except that Block 6 is added.

ABBREVIATIONS AND SYMBOLS

LB NO. LICENSED BUSINESS NUMBER	○ DAK	⊕ SANITARY MANHOLE	— SIGN
R/W RIGHT OF WAY	⊗ PINE	⊕ DRAINAGE MANHOLE	□ LIGHT POLE
CM 4x4 CONCRETE MONUMENT	⊗ PALM	⊕ WELL	□ MAIL OR PAPER BOX
P.U.D.E. PUBLIC UTILITY AND DRAINAGE EASEMENT FOUND	⊗ SHRUB	⊕ HYDRANT	● COMMUNICATIONS BOX
O.R.B. OFFICIAL RECORD BOOK	⊗ MAPLE	⊕ WATER VALVE	□ CABLE TV BOX
P.R.M. PERMANENT REFERENCE MONUMENT	⊗ CYPRESS	⊕ WATER METER	⊕ POWER POLE
P.C.P. PERMANENT CONTROL POINT	⊗ ELM	⊕ CLEANOUT	⊕ ELECTRIC BOX
BM BENCHMARK	⊗ MISC TREE	⊕ CATCH BASIN	⊕ UTILITIES SIGN
FT. FINISH FLOOR ELEVATION	⊗ BLOW-OFF	⊕ CURB INLET	⊕ MONITORING WELL
R RADIUS	⊗ PULL BOX	⊕ REUSE WATER VALVE	⊕ TELEPHONE MANHOLE
Δ DELTA	⊗ GAS VALVE	⊕ IRRIGATION VALVE	⊕ POST WOOD OR STEEL
L LENGTH	⊗ SEPTIC TANK	⊕ YARD DRAIN	⊕ CONCRETE POWER POLE
LD IDENTIFICATION SECTION	⊗ TIE SURFACE	⊕ FIRE DEPARTMENT CONNECTION	⊕ TRANSFORMER PAD
RANGE	⊗ SOIL BORING	⊕ STOP LIGHT	⊕ BACK FLOW PREVENTER
CH CHORD	⊗ PROPOSED ELEVATION	⊕ REUSE WATER METER	⊕ SPRINKLER HEAD
CHB CHORD BEARING	⊗ EXISTING ELEVATION	⊕ PROPOSED ELEVATION	⊕ CONCRETE SURFACE
(C) CALCULATED			⊕ BRICK PAVEMENT SURFACE
(M) MEASURED			
(P) PLAT			
(D) DEED			
IR 1/2" IRON ROD			
IRC 1/2" IRON ROD AND CAP			
IP 3/4" IRON PIPE			
P.F.D. EDGE OF PAVEMENT			
P.R.D. PLANNED RESIDENTIAL DEVELOPMENT			
N.D. NAIL & DISK			
A/C AIR CONDITIONING PAD			
P/E SWIMMING POOL EQUIPMENT PAD			
P.L.S. PROFESSIONAL LICENSED SURVEYOR			
R.L.S. REGISTERED LAND SURVEYOR			

Map of Survey Performed For James and Blair Bellis



LEGAL DESCRIPTION

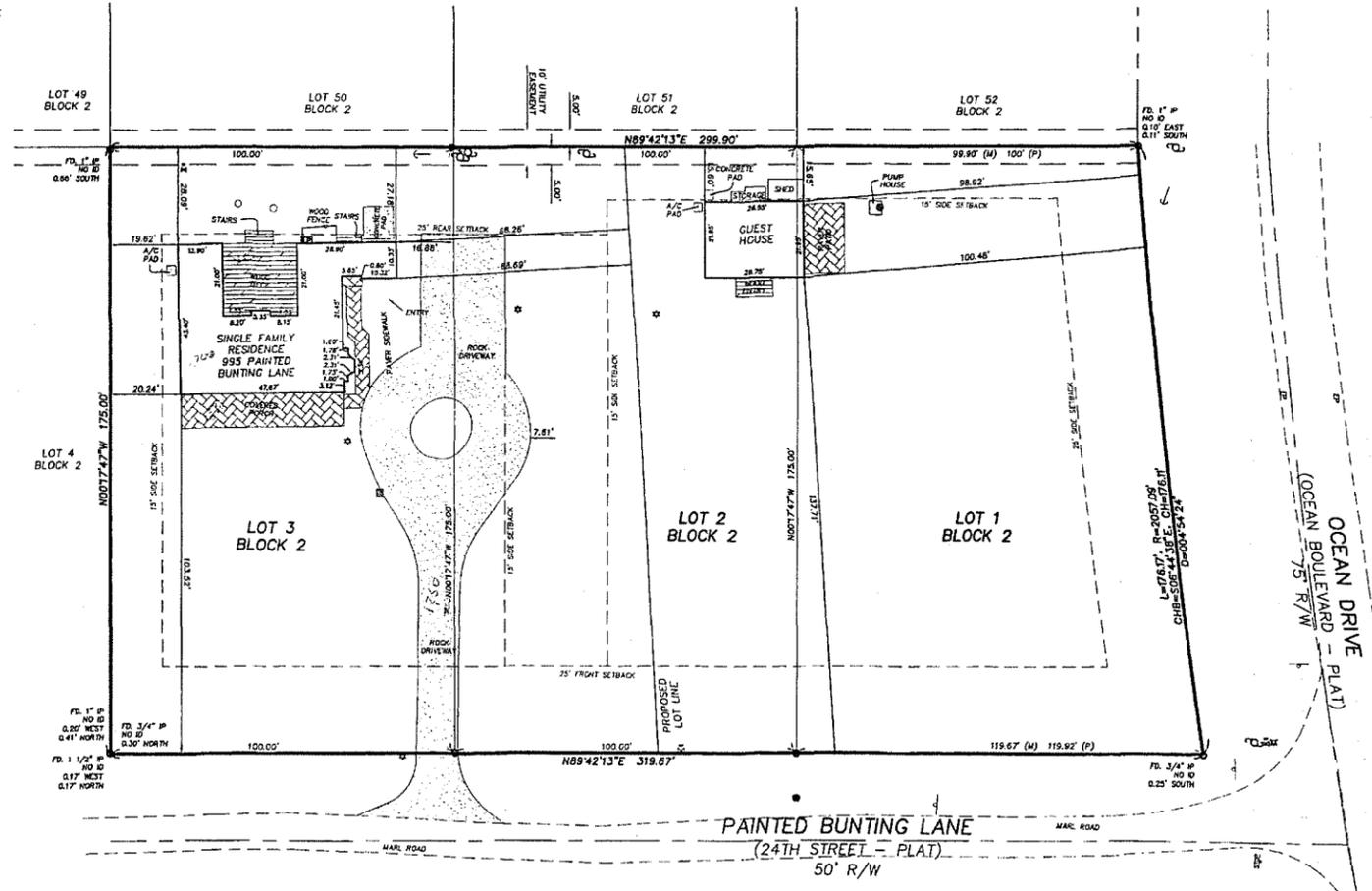
LOTS 1-3, BLOCK 2, RIOMAR SUBDIVISION PLAT NO. 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 27, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA.

CERTIFIED TO

- 1) JAMES L. BELLIS, SR. AND BLAIR BUTLER BELLIS, AS TRUSTEES UNDER AGREEMENT DATED APRIL 26, 2007
- 2) ROSSWAY SWAN TERNEY BARRY LACEY & OLIVER, P.L.
- 3) OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

REPORT OF SURVEY

- TYPE OF SURVEY: BOUNDARY WITH IMPROVEMENTS.
- SURVEY USE: REAL ESTATE TRANSACTION
- MASTELLER, MOLER & TAYLOR INC. CERTIFICATE OF AUTHORIZATION L.B. 4644 1655 27TH STREET, SUITE 2, VERO BEACH, FLORIDA 32980 PHONE (772) 564-8050 FAX (772) 794-0617
- THIS SURVEY AND REPORT IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO THE SURVEY MAP AND/OR REPORT OF SURVEY BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- THE HORIZONTAL ACCURACY OF THE MEASUREMENTS OBTAINED MEETS OR EXCEEDS THE REQUIREMENTS FOR THE TYPE AND EXPECTED USE OF THIS SURVEY.
- HORIZONTAL FEATURE ACCURACY: TOPOGRAPHIC LAND FEATURES (SIGNS, INLETS, VALVES, MAILBOXES, POWER POLES, DRIVEWAYS, CULVERTS AND SIMILAR FEATURES) HAVE A HORIZONTAL FEATURE ACCURACY OF PLUS OR MINUS 0.25 FEET.
- ELEVATIONS OF WELL-IDENTIFIED FEATURES CONTAINED IN THIS SURVEY AND MAP HAVE BEEN MEASURED TO AN ESTIMATED VERTICAL POSITION ACCURACY OF PLUS OR MINUS 0.10 FEET.
- DATA ACQUISITION WAS COMPLETED ON THE FOLLOWING DATE: 3/6/2020
- THE BEARING BASE FOR THIS SURVEY IS AS FOLLOWS:
 - A) PLAT.
 - B) WEST LINE OF LOT 3, BLOCK 2.
 - C) THE BEARING BEING N0017°47'.
- NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN. NO TITLE OPINION IS EXPRESSED OR IMPLIED.
- THIS SURVEY DOES NOT CERTIFY TO THE EXISTENCE OR LOCATION OF ANY FOUNDATIONS, UTILITIES, UNDERGROUND ENCROACHMENTS OR IMPROVEMENTS EXCEPT AS SHOWN.
- THE PARCEL OF LAND SHOWN HEREON IS LOCATED IN FLOOD ZONE X PER FLOOD INSURANCE RATE MAP 12081C0263H, DATED DECEMBER 4TH, 2012.
- UNLESS A COMPARISON IS SHOWN, PLAT VALUES & MEASURED VALUES ARE THE SAME.
- ALL MEASUREMENTS ARE IN FEET AND DECIMAL PARTS THEREOF AND ARE IN ACCORDANCE WITH THE STANDARDS OF THE UNITED STATES.
- THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1"=20' OR SMALLER.



James and Blair Bellis

Masteller, Moler & Taylor, Inc.
Professional Surveyors and Mappers
Land Surveying Business LB #644
1655 27th Street, Suite 2, Vero Beach, FL 32980
Phone: (772) 564-8050 Fax: (772) 794-0617
www.mastellermoler.com



DATE	3/9/2020
SCALE	1"=20'
SHEET NO.	1 OF 1
FILE NO.	7719
DRAWN BY	BUM
APPROVED BY	BAT
DRAWING NAME	7719.dwg



SUBDIVISION APPLICATION (ADMINISTRATIVE)

City of Vero Beach Planning and Development Department
P.O. Box 1389, Vero Beach, FL 32961-1390
(772) 978-4550 - Fax (772) 778-3856
E-mail: www.planning@covb.org - Website: www.covb.org

Re-subdivision Subdivision (nonresidential) Platted-over subdivision
[Defined and described in Chapter 70, Subdivision, Section 70.04, Application & Scope]

Application # SD 20 - 0000 03

Applicant(s): David M. Taylor, PSM, President Telephone(s) (772) 564-8050

Masteller, Moler & Taylor, Inc. Fax (772) 794-0647
Email dt5243@bellsouth.net

Address: 1655 27th Street, Suite 2, Vero Beach, Florida 32960

Owner(s): James L. Bellis, Trustee v/a 4/26/2007 Telephone(s) (772) 231-4440

c/o William J. Stewart, Esq. - Rossway Swan Tierney Barry & Oliver Fax (772) 231-4430

Email _____
Address: 2101 Indian River Boulevard, Suite 200, Vero Beach, FL 32960

Site Location & Subdivision Name: 995 Painted Bunting Lane, Vero Beach, Florida 32963

Lots 1, 2 & 3, Block 2, Riomar Subdivision Plat No. 2, PBI 2-27, Indian River County, Florida

Provide a brief description of request: To reconfigure originally platted Lots 1, 2 & 3, Block 2
into two Lots A & B per the attached plat drawing.

The following attachments must accompany the application:

1. The application requirements required in Chapter 70, Subdivisions, Section 70.11(a), of the Vero Beach Code of Ordinances.
2. If the application includes "Platted-Over Subdivisions," a complete site plan application for the platted-over subdivision must be submitted concurrently with the subdivision application and shall include the requirements identified in Chapter 70, Subdivisions, Section 70.04 (d) & (e).

Any false statement, concealment, or misrepresentation made in this application or the submitted plans, intentional or unintentional, shall be grounds for revocation of approval.

[Signature] 7/9/20
Applicant Signature Date

David M. Taylor, PSM, President
Print Name

Applicant Signature Date

Print Name

[Signature] 6/25/20
Owner Signature Date

James L. Bellis, Trustee
Print Name

Owner Signature Date

Print Name

Fee: \$430.00 ✓

R-1A1 / X

Paul R. Amos
Kevin M. Barry ^{3 4}
Brooke M. Benzio ¹
Rebecca F. Emmons ⁵
Chelsea A. Miller
J. Cole Oliver
Tyler G. Puttick
Bradley W. Rossway
Jason D. Slater ²
R. Blake Smith
John M. Stewart
Michael J. Swan
Thomas W. Tierney ²

wstewart@rosswayswan.com

July 29, 2020

Jason H. Jeffries, AICP
Director of Planning and Development
City of Vero Beach
P.O. Box 1389
Vero Beach, FL 32961-1387

**RE: Plat Application - RIOMAR 995PB
Title Opinion**

Dear Mr. Jeffries:

Please accept this letter as my Opinion of Title with respect to the lands included in the Plat Application for RIOMAR 995PB, being a Replat of Lots 1 through 3 of Block 2, Riomar Subdivision Plat No. 2, Plat Book 2, Page 27, Public Records of Indian River County, Florida, lying within a part of Government Lot 1 of Section 5, Township 33 South, Range 40 East.

I am an attorney at law, licensed to practice law in the State of Florida, Florida Bar number 0125039.

It is my opinion that the lands as described and shown on this Plat, and as described above, are in the names of, and apparent record title is held by James L. Bellis, Jr., Successor Trustee of the James L. Bellis and Blair B. Bellis Trust under agreement dated April 26, 2007, as amended on January 17, 2007; that all taxes have been paid on said property as required by Chapter 197.192, Florida Statutes, as amended; and that there are no mortgages, liens or encumbrances held against the land.

If you should have any questions concerning the above, please feel free to contact me.

Respectfully submitted,



William J. Stewart

WJS/
45372-001



William J. Stewart,
Of Counsel

¹ LL.M Master of Laws –
Estate Planning

² Also admitted in CA

³ Also admitted in MA

⁴ Also admitted in NY

⁵ Also admitted in OH

LOCATIONS

VERO BEACH

The Modern One Building
2101 Indian River Blvd.
Suite 200
Vero Beach, FL 32960
772.231.4440

MELBOURNE

One Harbor Place
1901 S. Harbor City Blvd.
Suite 500
Melbourne, FL 32901
321.984.2700

CORAL GABLES*

Gables International Plaza
2655 LeJeune Rd.
Penthouse 1-C
Coral Gables, FL 33134
305.443.5020

*By Appointment

Prepared by:
James A Schorner
Schorner & Associates
1702 Club Drive
Vero Beach, FL 32963

When recorded return to:
James A Schorner
Schorner & Associates
1702 Club Drive
Vero Beach, FL 32963

(Space above this line reserved for recording office use only)

CORRECTIVE QUIT-CLAIM DEED¹

1. IDENTIFICATION OF GRANTOR

Grantor's name and address is: Blair B. Bellis joined by her husband, James L. Bellis, Sr.,
995 Painted Bunting Lane
Vero Beach, FL 36963 and

Blair Butler Bellis as Trustee of the same address.

The word "I" or "me" as hereafter used means the Grantor.

2. IDENTIFICATION OF GRANTEE

Grantee's name and address is: James L. Bellis, Sr. & Blair Butler Bellis
as Trustees u/a 4/26/07
995 Painted Bunting Lane
Vero Beach FL 32963

The word "you" as hereafter used means the Grantees as Trustees of their Joint Revocable trust u/a 4/26/07 with power to protect, conserve, sell, lease, encumber, manage and dispose of the hereafter identified Real Property.

3. MEANINGS OF TERMS

The terms "I," "me," "you," "grantor," and "grantee," shall be non-gender specific ((i) masculine, (ii) feminine, or (iii) neuter, such as corporations, partnerships or trusts), singular or plural, as the context permits or requires, and include heirs, personal representatives, successors or assigns where applicable and permitted.

¹This instrument is intended to correct that certain Quitclaim deed dated April 26, 2007, and recorded in Official Records Volume 2166, page 2323, public records of Indian River County, Florida, which instrument was deficient due to the incorrect middle initial of Grantee and to include the entire lot 3 which grantor owned.

No documentary stamp tax and/or intangible tax is due and payable upon the recordation of this Quit-Claim Deed as proper tax was paid upon the recordation of the prior instrument which is corrected hereby.

4. DESCRIPTION OF REAL PROPERTY CONVEYED

Property hereby conveyed (the "Real Property") is described as follows:

Lots 1 and 2 and Lot 3 of East View Development Company's Subdivision No. 2 according to Plat filed in the office of the Clerk of the Circuit Court of St. Lucie County, Florida, Plat Book 4, page 31; said land now lying and being in the City of Vero Beach, Indian River County, Florida. (The above land is further known and is described as Lots 1 and 2 and 3, Block 2, Riomar Subdivision according to the plats filed in the office of the Clerk of the Circuit Court of Indian River County, Florida, Plat Book 2, pages 18 and 27.)

(The property being further described as Sub-lots 1, 2 and 3 of Subdivision No. 2 as the same is designated in the plat of lands of East View Company filed in the office of the Clerk of the Circuit Court of St. Lucie County, Florida, in Plat Book 4, page 31.)

(Sub-lot No. 2 being further described as beginning at the Southeasterly corner of Sub-lot No. 51 in the East View Company's Sub-division No. 1 as the same is designated on the Plat of Lands of the East View Company filed in the office of the Clerk of the Circuit Court of St. Lucie County, Florida, and recorded in Plat Book 4, at page 1, thence Southerly along the prolongation Southerly of the Easterly line of said Lot 51, 200 feet to the center line of a proposed street, which street is 50 feet in width; thence Westerly along the line parallel with the Southerly line of said Sub-lot No. 51 and being the center line of said street 100 feet to the point of intersection of the prolongation Southerly of the Westerly line of Sub-lot No. 51 with the center line of said street; thence Northerly along the prolongation of said Westerly line of Sub-lot No. 51, 200 feet to the Southwesterly corner of said Sub-lot No. 51; thence Easterly along the Southerly line of said Lot No. 51 to the place of beginning, and being further known as Sub-lot No. 2 in East View Company's proposed Subdivision No. 2.)

The above described property is located at 995 Painted Bunting Lane, Vero Beach, Florida.

The Property Appraiser's Parcel Identification Number is 05-3340-0020-00001-0.

5. CONSIDERATION

Good and valuable consideration plus the sum of Ten Dollars (\$10.00) received by me from you.

6. CONVEYANCE OF REAL PROPERTY

For the consideration described in Paragraph 5, I convey, remise (to give up a claim), and quit claim (transfer without warranty) to you any interest I may have in and to the Real Property.

Executed on May 24th, 2007.

Blair Butler Bellis 5-24-07 James L. Bellis, Sr. 5/24/07
 Blair Butler Bellis, Individually (Date) James L. Bellis, Sr. (Date)
 995 Painted Bunting Lane 995 Painted Bunting Lane
 Vero Beach, FL 36963 Vero Beach, FL 36963

Blair Butler Bellis 5-24-07
 Blair Butler Bellis, Trustee (Date)
 995 Painted Bunting Lane
 Vero Beach FL 32963

Signed in the presence of:

Signed in the presence of:

Cecily Frank 5/24/07 Yin - Lou Yin 5-24-07
 468 Route 206N (Date) 468 Route 206 N (Date)
 Bedminster, NJ 07921 Bedminster, NJ 07921
 Witness Witness

STATE OF New Jersey
 COUNTY OF Somerset

The foregoing instrument was acknowledged before me this 24th day of May, 2007, by Blair Butler Bellis, individually and as trustee, who is personally known to me or has produced Florida Driver's license as identification.

ERIN ELIZABETH YOUNG
 NOTARY PUBLIC OF NEW JERSEY
 My Commission Expires Oct. 12, 2011

Erin Young
 Notary Public

STATE OF New Jersey
 COUNTY OF Somerset

The foregoing instrument was acknowledged before me this 24th day of May, 2007, by James L. Bellis, Sr., who is personally known to me or has produced Florida Driver's license as identification.

Erin Young
 Notary Public ~~State of Florida~~

ERIN ELIZABETH YOUNG
 NOTARY PUBLIC OF NEW JERSEY
 My Commission Expires Oct. 12, 2011



MASTELLER, MOLER & TAYLOR, INC.

~ PROFESSIONAL SURVEYORS & MAPPERS ~

July 30th, 2020

Mr. Jason Jeffries
Planning and Development Director
City of Vero Beach
P. O. Box 1389
Vero Beach, FL 32961-1389

RE: Subdivision Application (Administrative)
RIOMAR 995PB
995 Painted Bunting Lane
MMT Project #7719

Mr. Jeffries:

Enclosed please find the following in support of a re-subdivision of Lots 1, 2 & 3, Block 2 of the Riomar Subdivision Plat 2:

- Completed Subdivision Application (Administrative) Form
- Application Fee of \$430.00
- Copy of the recorded plat of Riomar Subdivision Plat 2
- Copy of the recorded deeds
- Boundary survey of existing and proposed platted lots
- Proposed Final Plat
- Title opinion

The lots being created by this re-subdivision meet all applicable zoning requirements and is compatible with established development patterns. Please don't hesitate to contact our office if you have any questions or need any additional information.

Sincerely,
MASTELLER, MOLER & TAYLOR, INC.

David M. Taylor, PSM
President

cc. William J. Stewart – Rossway Swan Tierney Barry & Oliver, P.L.

