



**INDIAN RIVER COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT**

1801 27th Street, Vero Beach FL 32960

772-226-1237 / 772-978-1806 fax

www.ircgov.com

December 4, 2007

Todd Smith, P.E.
121 Hinchman Ave
Sebastian FL 32958

RE: Request to Extend Ocean Concrete Site Plan Application 2004110124/SP-MA-07-03-15

Dear Mr. Smith:

Be advised that staff has received and reviewed your request for a one year extension of the above referenced site plan application. Since your extension request was not received until November 21, 2007, we could not accommodate your request for a response by November 21st.

Although your extension request letter indicates that "established county practice and policy" is to "automatically and summarily grant" such extension requests, that is incorrect. In fact, the county's practice and policy is to review site plan application extension requests in a manner comparable to reviewing site plan approval extension requests [reference 914.08(2)]. As such, staff considers the impacts of new and existing regulations as applied to the project. In this case, the project proposed by the subject site plan application does not conform to the existing IL (Light Industrial) zoning district regulations. Therefore, staff denies your request to extend the subject site plan application. Accordingly, the subject site plan application was filed on December 6, 2006 and will become null and void if approval is not obtained within 12 months from that date.

Pursuant to 914.06(4)(d), you may appeal this decision to the Planning & Zoning Commission if an appeal is filed within 10 days of notification. If you decide to file an appeal, you will need to use the enclosed form.

If I can be of any further assistance, please do not hesitate to contact me.

Sincerely,


Robert M. Keating, AICP
Community Development Director

Attachments: 1. Extension Request from Todd Smith
2. Appeal Form

cc: Joe Baird, County Administrator
Stan Boling, AICP
Will Collins, Esq.
George Glenn, Esq.
Brian Freeman, AICP
Jim Davis, P.E.
Chris Mora, P.E.
Chris Kafer, P.E.
David Hays
Glenn Schuessler
George Maib
Rebecca Grohall, City of Sebastian
Ralph Brown
Richard Brown
Susan Cressionnie
Deb Robinson
Helene Caseltine
Ruth Stanbridge
George Simons
Rex Nelson
Don Liesen
Robert Markham
Don Wright
Bart Burns
Hazel Bond
Kathy Charest TM2007-0495

Todd N. Smith, P.E.
121 Hinchman Ave.
Sebastian, Fl. 32958
772-589-8722



November 15, 2007

Mr. Bob Keating

Via Hand Delivery and E-mail

Community Development Director
Indian River County
1801 27th Street
Vero Beach, Florida 32960

RE: Ocean Concrete, Inc., Site Plan App. #57127, Project #2004110124, SP-MA-07-03-15

Dear Mr. Keating:

On behalf of Ocean Concrete, and pursuant to County Code Section 914.06(4)(d), this is to request a one-year extension of the referenced Ocean Concrete Application.

Because this is our first request for extension, we trust that consistent with established County practice and policy, the requested one-year extension will be automatically and summarily granted. Our grounds for the request include that we have been working diligently to address the numerous comments of the TRC in its January 2, 2007 letter and made our final submittal to address all comments from TRC, and in addition, our efforts and attention have been diverted to the numerous legal and regulatory matters that have arisen with respect to the site and project, which intertwine with the final approvals of this project.

If at all possible, please advise us of your decision by next week, November 21, so that we may plan accordingly.

Sincerely,

Todd Smith, PE
For Ocean Concrete, Inc.

11/2/07

APPLICATION FORM FOR APPEALS

APPEALS FROM:

- Decisions of the Community Development Director or His Designee; AND
- Actions/Decisions of the Planning and Zoning Commission (P&ZC)

FEES:

- I. Site Plan Projects:
 - Appeal by project applicant: \$400.00
 - Appeal by affected party: \$800.00
- II. Appeal of Staff Determination: \$800.00

Is this an appeal by a project applicant? _____

If so, please list the project name _____

Property Owner(s): _____

Address: _____

Phone Number: _____

Signature: _____ (or letter of authorization attached)

Applicant Name: _____

Address: _____

Phone Number: _____

Signature: _____

Site Address (If Applicable): _____

1. What is being appealed? _____

2. Reason(s) for the appeal _____

3. What staff (or P&ZC) error(s) is alleged? _____

4. What land development regulation (LDR) provision(s) have allegedly been improperly interpreted or applied _____

5. What LDRs and/or Comprehensive Plan goals, objectives, policies support your position? _____

NOTE: Supplemental or additional information may be attached. If such information is being attached, please list here what is being attached:

- 1.
- 2.
- 3.

OFFICE USE ONLY:

FEE PAID: _____

DATE RECEIVED: _____ DATE ACCEPTED: _____