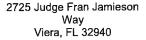
Agenda Report





Consent

F.1. 11/7/2024

Subject:

Waiver Request, Re: Waiver of Wall Requirement for Rovini Storage Site Plan (22SP00041) District 1

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

The applicant is requesting that the Board of County Commissioners grant a waiver of Section 62-3202(h)(10), which requires a 6-foot masonry or solid wall when commercial developments within a BU-1, BU-2, or Industrial zoning classification are adjacent to residential zoning. Should the Board grant approval, the waiver shall be subject to the criteria depicted in site plan 22SP00041, and must maintain the existing fencing and vegetation along the southern property line.

Summary Explanation and Background:

Section 62-3202(h)(10) stipulates that site plans within BU-1, BU-2, or Industrial zoning classifications shall construct a minimum of a six-foot high masonry or solid wall, including, but not limited to, concrete block walls, pre-cast (solid) walls, or foam core/steel support with stucco finish, when the subject property abuts a residential zoning classification.

In this case, the owners of the subject property are proposing to develop a 77,200 square-foot single story indoor storage facility. Residential properties abut the south boundary of the subject property. The proposed indoor storage building will be located approximately 281 feet from the closest residential structure to the south.

The Brevard County Natural Resource Management Department is in support of the waiver, noting that the waiver will allow for greater tree preservation and limited disturbance to the natural vegetation onsite. Existing fencing and mature vegetation provide adequate buffering, and constructing a masonry wall will negatively affect the existing landscape screening along the southern boundary of the subject property.

Staff has not granted approval of the waiver and defers to the Board of County Commissioners for a decision. If approved, the waiver shall be subject to the criteria depicted in site plan 22SP00041 and must maintain the existing fencing and vegetation along the southern property line. Any future development, redevelopment, or alteration of the subject property that modifies the site plan or reduces the vegetative buffer will void the wall waiver.

F.1. 11/7/2024

Reference: 24WV00028 and 22SP00041

Clerk to the Board Instructions:

N/A



FLORIDA'S SPACE COAST

Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001 Fax: (321) 264-6972 Kimberly Powell@brevardclerk.us



November 8, 2024

MEMORANDUM

TO: Tad Calkins, Planning and Development Director Attn: Jeffrey Ball

RE: F.1., Waiver of Wall Requirement for Rovini Storage Site Plan (22SP00041)

The Board of County Commissioners, in regular session on November 7, 2024, approved a waiver of Section 62-3202(h)(10), which requires a six-foot masonry or solid wall when commercial developments within a BU-1, BU-2, or Industrial zoning classification are adjacent to residential zoning, the waiver shall be subject to the criteria depicted in site plan 22SP00041, and must maintain the existing fencing and vegetation along the southern property line.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board



Planning and Development Planning and Zoning

2725 Judge Fran Jamieson Way Building A, Room 114 Viera, Florida 32940 (321) 633-2070 Phone

LAND DEVELOPMENT WAIVER APPLICATION

This form should be used for all waiver requests or appeals associated with the Code of Ordinances, Section 62, as it relates to Subdivisions, Minor Subdivisions, and Site Plans. Fees for Waivers are \$775.00.

Application Type:					
OSubdivision Waiver	• • • • • • • • • • • • • • • • • • •	Site Plan V	Waiver	Other	
If other, please indicate					
Tax Account Numbers:					
24-35-36-00-286					
Tax Account 1	Tax Account 2				
Project Information and	Site Address:				
Rovini Storage Fa		Rovin	i, LLC.		
Project Name		Property	y Owner		
900 Falls TRL	Malabar		FL	32950	
Street	City		State	Zip Code	= 9
Applicant Information:					
Rohit Patel		R	ovini LLC		
Applicant Name		Cor	mpany		
900 Falls TRL	Malabar		FI FI	32950	_
Street	City		State	Zip Code	
321-258-3257			RohitP(@ATT.Net	
Primary Phone	Secondary Pho	one	Email Add	ress	

Engineer/Contractor (if dif	ferent from applic	ant):			
James W. Mills		Mills, Short Associates, LLC.			
Engineer or Project Manage	r	Company			
700 22nd Place STE 2C/2D	Vero Beach	FL		32960	
Street	City	Sta	te	Zip Code	
772-226-7282		WMil	ls@Iv	MillsShortAssociates.com	
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Proposed waiver is requeste industrial zoning classificatio wall, including, but not limited support with stucco finish, where the support with stucco finish, where the support with stucco finish, where the support with stucco finish, where support with stucco finish, where support wall is required 6'-ht solid wall is rewaiver is in request to remove that are to remain with additional support support with support suppo	ns shall construct and to, concrete block hen the subject properties along the Sale required 6'-ht was onal landscaping p	a minimum of a walls, pre-caperty abuts a outh and port ll. South proproposed. Prop	a six-fust (so reside for of erty be cosed	foot high masonry or solid lid) walls, or foam core/steel ential zoning classification. East property boundary. This oundary shows existing tree landscaping along portion of	
for details.					
If you wish to appeal any de the Board of County Commi- disapproving the waiver or in	ssioners make a de	etermination.	he wa The B	vier, you may request that oard's decision approving or	
Ball		Rohit Pa	tel		
Owner/Applicant Signature		Print Name			

Land Development Application Document Submittal Requirements

Waivers for Site Plans or Subdivisions require an application, waiver criteria (listed below), an $8 \frac{1}{2}$ -inch x 11 inch vicinity map, and a fee of \$775.00.

Waiver Criteria for Subdivisions and Site Plans

For a waiver to be considered and approved by staff, your request must comply with all of the following criteria. Please explain, in detail, how your request meets the following conditions.

1. The particular physical conditions, shape, or topography of the specific property involved causes an undue hardship to the applicant if the strict letter of the code is carried out.

Existing conditions along the southern property boundary include 18" to 24" mature oak trees that will remain. Additional canopy and shrubs will be provided as required by Brevard County LDR. Additionally, approximately 100 feet of the southeastern property boundary requires a 6-foot-high wall due to adjacent residential zoning. The commercial lot to the east of our site is zoned commercial, except for a small portion in the rear that requires the 6-foot-high wall. The site is proposing canopy trees with continuous shrubs.

2. The granting of the waiver will not be injurious to the other adjacent property.

The Commercial site located to the East is developed. The proposed building is roughly 200-feet from the Southern property boundary. The proposed landscaping, decorative chain link fence and existing large oak trees will provide a natural buffer for screening.

The conditions, upon which a request for waivers are based, are particular to the property for which the waiver is sought and are not generally applicable to other property and do not result from actions of the applicant.

The Commercial site located to the East is developed. The proposed building is roughly 200-feet from the Southern property boundary. The proposed landscaping, decorative chain link fence and existing large oak trees will provide a natural buffer for screening.

5. Delays attributed to state or federal permits. The development requires SJRWMD, FDEP, FDOT and local jurisdictional permits. No delays are expected. 6. Natural disasters. Not Applicable. 7. County development engineer and affected agencies concur that an undue hardship was placed on the applicant. (To be filled out by County staff) Office Use Only Request Date Fees Board Date Original Project Number Waiver Number Coordinator Initials Reference Files County Manager/Designee Approval	the county land use plants The existing developed corn South. The residential zoni	nt with the intent and purpose of the can, and the requirements of this articlements in the tothe East has a small split in garea is unable to be developed. With and East will create a natural buffer that is	e. zoning with residential to the the additional proposed
7. County development engineer and affected agencies concur that an undue hardship was placed on the applicant. (To be filled out by County staff) Office Use Only Request Date Fees Board Date Original Project Number Waiver Number Coordinator Initials Reference Files	The development requires	ate or federal permits. SJRWMD, FDEP, FDOT and local juriso	dictional permits. No delays are
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ALEP Landscape Plan

Brevard County, Florida

Storage Facility Rovini LLC



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ALEP Landscape Plan

Brevard County, Florida

Storage Facility Rovini LLC

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Landscape Plan Sheet Key

LANDPLANNING ANDDESION STUART • 1-T. PIERCE

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Tree Management Plan

Brevard County, Florida

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Tree Canopy Data

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Example of protective barrier Tree Protection Details

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NOTE Call 321-633-2016 for Tree Rool Protection impection prier to any land cleaning.

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Brevard County, Florida

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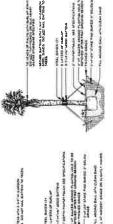


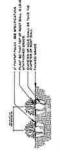
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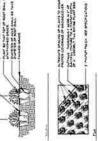
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Florida East Coast Pain Special will be a trust caliper unless otherwise specified

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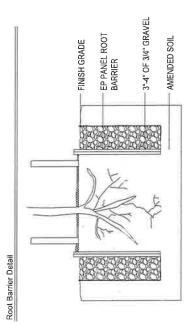
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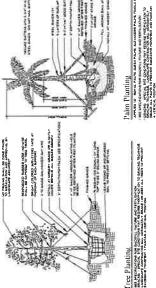
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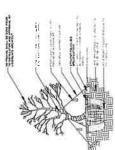


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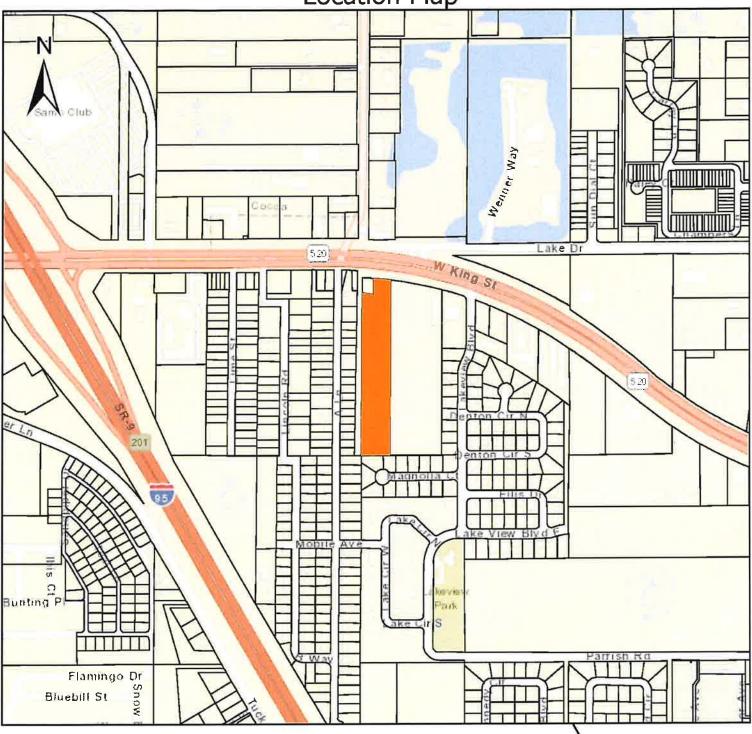


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Location Map



Subject Property in Orange



Disclaimer: This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Scale: 1:8,400 1 inch equals 700 feet

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Planning & Development Department

revard

BOARD OF COUNTY COMMISSIONERS

2725 Judge Fran Jamieson Way Building A, Room 115 Viera, Florida 32940

September 18, 2024

Re: 24WV00028 - Rovini Storage Waiver of 6-Foot High Solid Wall

Dear Property Owner:

You are receiving this notice because the owner of the property adjacent to your property to the north has submitted a waiver request to the Board of County Commissioners for consideration at the October 8, 2024 Board meeting. You are welcome to attend the meeting in order to address the following issue:

The applicant is asking for a waiver to Section 62-3202(h)(10) of the requirement to construct a six-foot high masonry or solid wall along the south and east property line which abuts residentially zoned property. They wish to rely on the existing mature vegetation and chain link fence to provide adequate screening of the Rovini Storage property without requiring the removal of vegetation to build a solid wall. See attached site plan with the location of the wall (if it were built) highlighted in red.

You are receiving this notice because you are the owner of a property adjacent to the waiver request.

The Board of County Commissioners meeting begins at 5:00 pm on October 8, 2024 in Building C, at 2725 Judge Fran Jamieson Way, Viera, FL 32940. If you have comments or questions regarding the waiver request, please call me at 321-350-8266 or email at tim.craven@brevardfl.gov.

Sincerely,

Tim Craven
Planner III
Land Development Division
Brevard County Planning and Development Department

Planning & Development Department

revard

BOARD OF COUNTY COMMISSIONERS

2725 Judge Fran Jamieson Way Building A, Room 115 Viera, Florida 32940

October 14, 2024

Re: 24WV00028 - Rovini Storage Waiver of 6-Foot High Solid Wall - Updated Meeting Time

Dear Property Owner:

The meeting referenced above has been rescheduled for November 7, 2024 at 5:00 pm. You are receiving this notice because the owner of the property adjacent to your property to the north has submitted a waiver request to the Board of County Commissioners for consideration at the November 7, 2024 Board meeting. You are welcome to attend the meeting in order to address the following issue:

The applicant is asking for a waiver to Section 62-3202(h)(10) of the requirement to construct a six-foot high masonry or solid wall along the south and east property line which abuts residentially zoned property. They wish to rely on the existing mature vegetation and chain link fence to provide adequate screening of the Rovini Storage property without requiring the removal of vegetation to build a solid wall. See attached site plan with the location of the wall (if it were built) highlighted in red.

You are receiving this notice because you are the owner of a property adjacent to the waiver request.

The Board of County Commissioners meeting begins at 5:00 pm on November 7, 2024 in Building C, at 2725 Judge Fran Jamieson Way, Viera, FL 32940. If you have comments or questions regarding the waiver request, please call me at 321-350-8266 or email at tim.craven@brevardfl.gov.

Sincerely,

Tim Craven
Planner III
Land Development Division
Brevard County Planning and Development Department

DATE: 9/4/2024 TIME: 4:14:52 PM