

John Lynch

From: Jones, Jennifer <jennifer.jones@brevardcounty.us>
Sent: Tuesday, July 22, 2014 8:11 AM
To: Christine Mulligan; Donna Scott; John Lynch; Kelly Fulton; Tammy Etheridge
Subject: 08-07-14 BCC Zoning Agenda
Attachments: 08-07-14 BCC Agenda.docx

Good morning!

Attached is the zoning portion of the August 7th BCC zoning agenda.

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Zoning Portion of BCC Agenda for Thursday, August 7, 2014

III. PUBLIC HEARINGS

A. Tabled Items

THE FOLLOWING ITEM WAS HEARD BY NMI ON 03/13/14 AND TABLED BY THE BCC ON 05/29/14

DISTRICT 2

III.A.1. (14PZ-00008) – LGH GROVE, LLC AND HARVEY'S INDIAN RIVER GROVES, INC. – (Ken Fulmer/Del Avery) – request a change of classification from AU and BU-1 to EU-2 with a BDP on 111.03 acres, located on the north side of Hall Rd., approx. 1,020 ft. east of N. Courtenay Pkwy. (Tax Parcel 505: 320 E. Hall Rd., Merritt Island; Tax Parcel 264: No assigned address. In the N. Merritt Island area; Tax Parcel 270: 4870 N. Courtenay Pkwy., Merritt Island; Tax Parcel 274: No assigned address. In the N. Merritt Island area; Tax Parcel 275: No assigned address. In the N. Merritt Island area)

NMI Recommendation: McFarland/Hillberg – Approved as RR-1, with a BDP limiting ingress and egress to one access at North Courtenay Parkway, and one access at Hall Road. Vote was unanimous.

DISTRICT 1

THE FOLLOWING ITEM WAS HEARD BY P&Z ON 05/05/14 AND WAS AUTOMATICALLY TABLED BY THE APPLICANT TO THE 08/07/14 MEETING (Letter Received 05/15/14)

III.A.2. (14PZ-00033) – JOSEPH K. AND ANNETTE G. DITTMER – request a change of classification from GU to AU(L) on 1.01 acres, located on the north side of Caraway Street, approx. 154 feet west of Cherokee Ave. (3222 Caraway St., Cocoa)

P&Z Recommendation: Ott/Barber – Denied. Vote was unanimous.

THE FOLLOWING TWO ITEMS WERE HEARD BY P&Z ON 05/05/14 AND TABLED BY THE BCC ON 05/29/14

III.A.3. (14PZ-00021) – COCOA EXPO SPORTS CENTER, LLC – (Scott Glaubitz) – requests the following: **Tax Parcel 516** (.53 acres) 1.) A change of classification from TR-1 to BU-1, with a Small Scale Plan Amendment (14S.02) to change the Future Land Use from NC to CC; 2.) CUP for Alcoholic Beverages for On-Premises Consumption; 3.) CUP for Commercial Entertainment and Amusement Enterprises, with waivers to: a.) the required 300-foot minimum setback to an existing residential development or area designated by the County Comprehensive Land Use Plan for Residential Development; and b.) to the 75 ft. required perimeter setback for athletic fields and ancillary improvements; 4.) CUP for a light source to exceed 50 footcandles; and 5.) Acceptance of a modified BDP to include this property.

Tax Parcel 502 (47.87 acres) 1.) CUP for a light source to exceed 50 footcandles; and 2.) Amendment to existing BDP (Binding Development Plan). (48.4 acres total) Located on the east side of Friday Rd., approx. 490 feet north of S.R. 520 (Tax Parcel 516: 420 Friday Rd., Cocoa; Tax Parcel 502: 500 Friday Rd., Cocoa)

LPA Recommendation: Moia/McLellan – Approved. Vote was unanimous.

P&Z Recommendation: Moia/McLellan – Approved with the condition that Tax Parcels 515 and 524 have a Type A buffer. Vote was unanimous.

III.A.4. (14PZ-00022) – COCOA EXPO SPORTS CENTER, LLC – (Scott Glaubitz) – requests the following: **Tax Parcel 758** (2.36 acres) 1.) CUP for Alcoholic Beverages for On-Premises Consumption; 2.) CUP for Commercial Entertainment and Amusement Enterprises, with waivers to: a.) the required 300-foot minimum setback to an existing residential development or area designated by the County Comprehensive Land Use Plan for Residential Development; and b.) to the required 75 ft. perimeter setback for athletic fields, parking, and ancillary improvements; 3.) CUP for a light source to exceed 50 footcandles; and 4.) Acceptance of a modified BDP to include this property.

Tax Parcel 762 (.86 acres) 1.) A change of classification from TR-1 to BU-1 and a Small Scale Plan Amendment (14S.03) to change the Future Land Use from NC to CC; 2.) CUP for Alcoholic Beverages for On-Premises Consumption); 3.) CUP for Commercial Entertainment and Amusement Enterprises, with waivers to: a.) the required 300-foot minimum setback to an existing residential development or area designated by the County Comprehensive Land Use Plan for Residential Development; and b.) to the required 75 ft. perimeter setback for athletic fields, parking, and ancillary improvements; 4.) CUP for a light source to exceed 50 footcandles; and 5.) Acceptance of a modified BDP to include this property.

Remainder of Tax Parcel 762 (4.5 acres) 1.) CUP for Alcoholic Beverages for On-Premises Consumption; 2.) CUP for Commercial Entertainment and Amusement Enterprises, with waivers to: a.) the required 300-foot minimum setback to an existing residential development or area designated by the County Comprehensive Land Use Plan for Residential Development; and b.) to the required 75 ft. perimeter setback for athletic fields, parking, and ancillary improvements; 3.) CUP for a light source to exceed 50 footcandles; and 4.) Acceptance of a modified BDP to include this property.

Tax Parcel 817 (.48 acres) 1.) A change of classification from AU to BU-1 and a Small Scale Plan Amendment (14S.03) to change the Future Land Use on that portion with an NC designation to CC; 2.) CUP for Alcoholic Beverages for On-Premises Consumption; 3.) CUP for Commercial Entertainment and Amusement Enterprises, with waivers to: a.) the required 300-foot minimum setback to an existing residential development or an area designated by the County Comprehensive Land Use Plan for Residential Development; and b.) to the required 75 ft. perimeter setback for athletic fields, parking, and ancillary improvements; 4.) CUP for a light source to exceed 50 footcandles; and 5.) Acceptance of a modified BDP to include this property.

Remainder of Tax Parcel 817 (1.76 acres) 1.) CUP for Alcoholic Beverages for On-Premises Consumption; 2.) CUP for Commercial Entertainment and Amusement Enterprises, with waivers to: a.) the required 300-foot minimum setback to an existing residential development or area designated by the County Comprehensive Land Use Plan for Residential Development; and b.) to the required 75 ft. perimeter setback for athletic fields, parking, and ancillary improvements; 3.) CUP for a light source to exceed 50 footcandles; and 4.) Acceptance of a modified BDP to include this property.

Tax Parcel 760 (5.45 acres) 1.) CUP for Alcoholic Beverages for On-Premises Consumption; 2.) CUP for Commercial Entertainment and Amusement Enterprises, with waivers to: a.) the required 300-foot minimum setback to an existing residential development or area designated by the County Comprehensive Land Use Plan for Residential Development; and b.) to the required 75 ft. perimeter setback for athletic fields, parking, and ancillary improvements; 3.) CUP for a light source to exceed 50 footcandles; and 4.) Amendment to an existing BDP. (15.5 acres total) Located on the northwest corner of S.R. 520 and Friday Rd., Cocoa. (Tax Parcel 758: 5120 Highway 520, Cocoa. Parcel 762: No assigned address. Parcel 817: No assigned address. Parcel 760: 335 Friday Rd., Cocoa)

LPA Recommendation: *Thodey/Moia – Approved. Vote was unanimous.*

P&Z Recommendation: *Thodey/Moia – Approved. Vote was unanimous.*

B. P&Z Board Recommendations of July 7, and July 21, 2014

DISTRICT 1

III.B.1. (14PZ-00050) – ALEXANDER J. AND PATRICIA B. MONTMINY – request a change of classification from AU to SR on 0.81 acres, located on the east side of Lake Poinsett Rd., approx. .14 mile southwest of S.R. 520 (5145 Lake Poinsett Rd., Cocoa)

P&Z Recommendation: *Ott/LaMarr – Approved. Vote was unanimous.*

DISTRICT 2

III.B.2. (14PZ-00047) – JOHN E. AND LAURAY AITCHESON – request a change of classification from RU-1-13 to IN(L) on 0.29 acres, located on the southwest corner of Green Rd., and Fiske Blvd. (1003 Green Rd., Rockledge)

P&Z Recommendation: *Barber/Ott – Tabled to the 08-11-14 P&Z Meeting. Vote was unanimous.*

III.B.3. (14PZ-00054) – GERALD E. WOODCOCK, TRUSTEE - (Darron Dobson) – requests a CUP for Alcoholic Beverages (beer & wine only) for On-Premises Consumption in Conjunction with a Restaurant in a BU-1 zoning classification, on 1.29 acres, located on the east side of N. Courtenay Pkwy., approx. .19 mile north of Crisafulli Road. (6100 N. Courtenay Pkwy., Merritt Island)

NMI Recommendation: McFarland/Hillberg – Approved. Vote was unanimous.

DISTRICT 5

III.B.4. (14PZ-00052) – EDWARD STOCKER – requests removal of a Binding Development Plan in a PUD zoning classification, on 0.72 acres, located on the northwest corner of Brandywine Lane and Ranch Road. (2500 Ranch Rd., Melbourne)

P&Z Recommendation: Barber/Ott – Approved. Vote was unanimous.

THE FOLLOWING ITEM HAS BEEN AUTOMATICALLY TABLED TO THE 09/08/14 P&Z MEETING AND THE 10/02/14 BCC MEETING (Letter received 06/25/14)

III.B.5. (14PZ-00055) – MORTGAGE INVESTMENT FUND I, LLC – requests an amendment to an existing CUP (Conditional Use Permit) for Commercial, Entertainment, and Amusement Enterprises, to include racing, swap meets, and vehicle shows for cars, air boats, tractors, trucks, riding lawn mowers, go carts, and ATV's, with spectator seating, concessions, and a grandstand for awards and live music, with a waiver of 50 ft. from the required 75 ft. setback for a building, mobile home, trailer, vehicle, or maintenance equipment, in an IU zoning classification, on 21.84 acres, located on the south side of Eau Gallie Blvd., approx. 410 ft. west of Jones Rd. (Tax Parcel 751: No assigned address. In the Melbourne area; Tax Parcel 753: 835 Paw Prints Ave., Melbourne; Tax Parcel 766: No assigned address. In the Melbourne area)

DISTRICT 1

III.B.6. (14PZ-00068) – BREVARD COUNTY - (Solid Waste Department) – requests a CUP for a Solid Waste Management Facility in a GML-H (Government Managed Lands – High-Intensity) zoning classification with CUP's, on 240 acres +/-, located on the west side of Adamson Rd., approx. 1.23 mile north of S.R. 524 (2250 Adamson Rd., Cocoa)

P&Z Recommendation (07/21/14): Thodey/Stone – Approved. Vote was unanimous.

C. Administrative Rezoning Recommendations of March 3, and May 29, 2014

THE FOLLOWING ITEM WAS HEARD BY P&Z ON 03/10/14 AND BY BCC ON 05/29/14

DISTRICT 1

III.C.1 (13PZ-00110) Section 22, Township 20G, Range 34, Sub. #A1, Block 7, Lot 1, on 20.57 acres; and Section 35, Township 20, Range 34, Parcel 3, owned by the State of Florida (DOT) - 18.3 acres, located on the west side of I-95, between Gandy Road and Hidden Lakes (In the Mims area. No assigned address)

CURRENT ZONING: GU (General Use)

PROPOSED ZONING: (GML(I) (Government Managed Lands - Institutional). OWNER: State of Florida (DOT).

P&Z Recommendation: Ott/Thodey – Approved. Vote was unanimous.

BCC ACTION of 05/29/14: Fisher/Nelson – APPROVED. Vote was unanimous.



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

Telephone: (321) 637-2001
Fax: (321) 264-6972

August 8, 2014

MEMORANDUM

TO: Cindy Fox, Planning and Zoning Manager

RE: Board Actions on Tabled Items, Planning and Zoning Board Recommendations of July 7, 2014, and July 21, 2014 and Administrative Rezoning Recommendations of March 3, 2014, and May 29, 2014

The Board of County Commissioners, in regular session on August 7, 2014, took action on Tabled Items, Planning and Zoning Board recommendations of July 7, 2014, and July 21, 2014; and Administrative Rezoning Recommendations of March 3, 2014, and May 29, 2014.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Etheridge, Deputy Clerk

/clm

Encl. (1)

cc: Planning and Development Director
Natural Resources Management Director
County Attorney

TABLED ITEMS, PLANNING AND ZONING BOARD RECOMMENDATIONS OF JULY 7, 2014, AND JULY 21, 2014, AND ADMINISTRATIVE REZONING RECOMMENDATIONS OF MARCH 3, 2014, AND MAY 29, 2014

- III.A.1. LGH Grove, LLC and Harvey's Indian River Groves, Inc. Anderson/Bolin Lewis, approved as requested. Commissioner Infantini voted nay.
- III.A.2. Joseph K. and Annette G. Dittmer. Nelson/Anderson, tabled to September 4, 2014, Zoning meeting.
- III.A.3. Cocoa Expo Sports Center, LLC. Infantini/Anderson, tabled to September 4, 2014, Zoning meeting.
- III.A.4. Cocoa Expo Sports Center, LLC. Infantini/Anderson, tabled to September 4, 2014, Zoning meeting.
- III.B.1. Alexander J. and Patricia B. Montminy. Infantini/Anderson, approved as recommended.
- III.B.2. John E. and Lauray Aitcheson. Nelson/Anderson, tabled to September 4, 2014, Zoning meeting.
- III.B.3. Gerald E. Woodcock, Trustee. Infantini/Anderson, approved as recommended.
- III.B.4. Edward Stocker. Anderson/Nelson, approved as recommended.
- III.B.5. Anderson/Infantini, automatically tabled to October 2, 2014, Zoning meeting.
- III.B.6. Brevard County. Nelson/Anderson, approved as recommended. Commissioner Infantini voted nay.
- III.C.1. Section 22, Township 20G, Range 34, Sub #A1, block 7, Lot 1, on 20.57 acres; and Section 35, Township 20, Range 34, Parcel 3, owned by the State of Florida (DOT). Anderson/Nelson, approved as recommended.

John Lynch

From: Lewis, Sally A <Sally.Lewis@brevardcounty.us>
Sent: Monday, July 21, 2014 10:11 AM
To: Christine Mulligan; Donna Scott; John Lynch; Kelly Fulton; Tammy Etheridge
Subject: FW: Invocation for Zoning Meeting 8/7/14

FYI, for the August 8, 2014 Zoning Agenda.

From: Tice, Molly
Sent: Monday, July 21, 2014 9:55 AM
To: Lewis, Sally A
Cc: Woodard, Patrick
Subject: Invocation for Zoning Meeting 8/7/14

Hi Sally,

Chaplain H.F. (Chip) Hanson, Pastor of American Veterans will be giving the invocation for the Zoning Meeting on August 8, 2014.

Thanks,

Molly Tice

Executive Assistant to Commissioner Mary Bolin Lewis

P: 321.633.2044

F: 321.633.2121

molly.tice@brevardcounty.us



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