

IV. PUBLIC HEARINGS

A. Tabled Items

B. P&Z Recommendations of September 12, 2016; and PSJ Recommendation of September 14, 2016

DISTRICT 4

IV.B.1. (16PZ00073) – MIKE ERDMAN MOTORS, INC. – (Mike Williams) – requests a change of classification from PIP and PBP to BU-2; and removal of existing BCP, with a BDP, on 4.13 acres, located on the north side of Viera Blvd., approx. 100 ft

. west of U.S.1 (No assigned address. In the Viera area.)

P&Z Recommendation: Aydelotte/McLellan – Approved with a BDP limiting ingress and egress to one (1) access at Viera Blvd.; limiting maximum building height to 45 ft.; and maintaining a minimum 15-ft. side setback, a minimum 40-ft. rear setback, and a minimum 40-ft. front setback for all building structures. Vote was unanimous.

DISTRICT 1

IV.B.2. (16PZ00070) – JONATHAN AMICK – requests a change of classification from AU to SR, on 0.55 acres, located on the west side of Folsom Rd., approx. .25 mile south of Kelly Rd. (2612 Folsom Rd., Mims)

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

IV.B.3. (16PZ00074) – K&T ENTERPRISES OF BREVARD COUNTY, LLC – (John W. Maloy, Jr.) – 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 0.79 acres, located on the southeast corner of U.S. 1 and Brockett Rd. (3121 N. U.S. 1, Mims)

P&Z Recommendation: Barber/Thodey – Approved with the conditions that the lighting is restricted, fencing and landscaping be installed as a buffer for the grassy area east of the property, the parking lot be striped, and the hours of operation be limited to 10:00 a.m. to midnight, with the exception of a couple of holidays per year. Vote was 6:3, with Minneboo, McLellan, and Holleran voting nay.

IV.B.4. (16PZ00072) – EARL & STEPHANIE CANNON – request a change of classification from GU to AU(L), on property described as Lot 22, Block 16, Canaveral Groves Unrecorded Subdivision. Section 20, Township 24, Range 35. (1 acre) Located on the north side of Burning Tree Ave., approx. 0.16 mile east of Satellite Blvd. (6736 Burning Tree Ave., Cocoa)

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

IV.B.5. (16PZ00077) - VIOLETA V. WELSH – (Diane Nagel) – requests a change of classification from RU-1-9 to AGR, on 9.68 acres, located on the south side of Parrish Rd., approx. 0.42 mile west of Burnett Rd. At terminus of Robeson Rd. on south end. (No assigned address. In the Cocoa area.)

P&Z Recommendation: Thodey/McLellan – Tabled to the 10/10/16 P&Z meeting. Vote was unanimous.

THE FOLLOWING ITEM WAS TABLED FROM THE 08/08/16 P&Z AND 09/01/16 BCC MEETINGS

DISTRICT 2

IV.B.6. (16PZ00064) – JANICE RENK – (Robert Potter) - requests a change in classification from AU to RU-2-8, on 1.89 acres, located on the east side of S. Tropical Trail, approx. 102 ft. south of River Cliff Lane (892 S. Tropical Trail, Merritt Island.)

P&Z Recommendation: LaMarr/McLellan – Denied. Vote was unanimous.

THE FOLLOWING ITEM WAS TABLED FROM THE 07/11/16 P&Z AND 08/04/16 BCC MEETINGS; AND FROM THE 08/08/16 P&Z AND 09/01/16 BCC MEETINGS

DISTRICT 2

IV.B.7. (16PZ00055) – BANANA RIVERFRONT, LLC – (Kim Rezanka) – requests a **Small Scale Plan Amendment (16S.05)** to change the Future Land Use from Residential 15 and CC to all CC; and a change of classification from RU-2-15 to BU-1 on 2.44 acres, located on the west side of Orlando Ave., approx. 415 ft. north of Crescent Beach Dr. (2200 S. Orlando Ave., Cocoa Beach)

LPA Recommendation: Barber/Thodey – Approved. Vote was unanimous.

P&Z Recommendation: Barber/Cannon – Approved with a Binding Development Plan limiting use of the property to a restaurant, along with the following conditions on the Conditional Use Permit: 1.) Install a sound barrier curtain on the north side of the canopy, from the top of the canopy down to the existing roof level within 60 days of issuance of permit by Brevard County for the curtain installation. There will be no live music on the deck until the sound barrier curtain is installed. If the sound barrier curtain does not mitigate the noise to within County Code requirements, a mass loaded vinyl covering will be installed on the canopy ceiling over the bandstand area; 2.) Limit outside live music to 10:00 p.m. on Fridays and Saturdays, Sundays until 8:30 p.m. unless Sunday falls on a night prior to a Monday holiday, then until 10:00 p.m. Outside live music on Mondays-Thursdays will be limited to solo, duo, or acoustical acts, except if weekday is a holiday or a night prior to a holiday, then may have a full live band until 10:00 p.m.; 3.) Install and pay for signage indicating ‘No Left Turn’ onto Orlando Avenue/A1A within 60 days of approval of CUP; 4.) Contract with Waste Management to install a large trash compactor to handle waste concerns within 15 days of issuance of permit by Brevard County for pouring a concrete slab on which to locate compactor; 5.) Strict adherence to Brevard County Performance Standards regarding smell and sound; and 5.), Establish a stormwater management plan to control runoff from the property to the Indian River Lagoon. Vote was 8:1, with Minneboo voting nay.

DISTRICT 1

THE FOLLOWING ITEM WAS TABLED FROM THE 07/13/16 PSJ AND 08/04/16 BCC MEETINGS; AND FROM THE 08/10/16 PSJ AND 09/01/16 BCC MEETINGS

IV.B.8. (16PZ00058) – RJM MERCO, LLC – (Kendall Moore, Esq.) requests a change of classification from RU-1-9 to BU-1-A, on 0.37 acres, located on the northeast corner of Elkcam Blvd. and Manth Ave., approx. 470 ft. west of U.S. Hwy. 1. (Lot 1 = No assigned address. In the Cocoa area. Lot 2 = 1070 Elkcam Blvd., Cocoa)

PSJ Recommendation: Porter/Musselman – Approved with a BDP limited to an age 65 and over Assisted Living Facility. Vote was unanimous.

C. P&Z Administrative Rezoning Recommendations of September 12, 2016

DISTRICT 1

IV.C.1 (16PZ00067) Section 31, Township 23, Range 36, Tax Parcel 260; and Section 31, Township 23, Range 36, Tax Parcel 2, owned by State of Florida, ITTF – 28.19 acres, located on the southwest corner of Camp Rd. and the F.E.C. Railroad. (Tax Parcel = No assigned address. In the Cocoa area; Tax Parcel 2 = 555 Camp Rd., Cocoa)

Current Zoning: GU (General Use) and RU-1-7 (Single-Family Residential)

Proposed Zoning: GML(I) (Government Managed Lands – Institutional)

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

DISTRICT 4

IV.C.2. (16PZ00071) Section 19, Township 26, Range 37, a portion of Tax Parcel 521, owned by Brevard County – 1.10 acres, located on the southwest corner of Holy Trinity Dr. and Pineda Cswy. (No assigned address. In the Melbourne area.)

Current Future Land Use and Zoning: Public, and GML(H) (Government Managed Lands – High Intensity)
Proposed Future Land Use and Zoning: CC (Community Commercial) and BU-1 (General Retail Commercial)

LPA Recommendation: Barber/Thodey – Approved. Vote was unanimous.

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