

A G E N D A

MEETING OF THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS  
GOVERNING BOARD OF THE BREVARD MOSQUITO CONTROL DISTRICT  
GOVERNING BOARD OF THE BAREFOOT BAY WATER AND SEWER DISTRICT  
Government Center Commission Room, Building C  
2725 Judge Fran Jamieson Way  
Viera, Florida

August 7, 2014

**IF YOU WISH TO SPEAK TO ANY ITEM ON THE AGENDA, PLEASE FILL OUT A SPEAKER CARD. PERSONS ADDRESSING THE BOARD SHALL HAVE FIVE MINUTES TO COMPLETE HIS/HER COMMENTS ON EACH AGENDA ITEM FOR WHICH HE/SHE HAS FILLED OUT A CARD.**

**THE BOARD OF COUNTY COMMISSIONERS REQUESTS THAT SPEAKERS APPEARING UNDER THE PUBLIC COMMENT SECTION OF THE AGENDA LIMIT THEIR COMMENTS AND/OR PRESENTATIONS TO MATTERS UNDER THE BOARD'S JURISDICTION. IT IS THE RESPONSIBILITY OF THE CHAIRMAN TO DETERMINE THE TIME LIMIT ON COMMENTS UNDER PUBLIC COMMENT.**

5:00 p.m.      CALL TO ORDER

INVOCATION BY:      Chaplain H.F. Hanson, Pastor of American Veterans (District 4)

PLEDGE OF ALLEGIANCE:      Commissioner Andy Anderson, District 5

- I.      RESOLUTIONS, AWARDS, AND PRESENTATIONS (LESS THAN 5 MINUTES)**
  
- II.     CONSENT AGENDA (The entire Consent Agenda will be passed in one motion to include everything under Section II.)**
  
- 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) – requests 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)**

**III. PUBLIC HEARINGS (CONTINUED)****A. Tabled Items (continued)**

**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,**

### III. PUBLIC HEARINGS (CONTINUED)

#### A. Tabled Items (continued)

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** – requests 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.**

**III. PUBLIC HEARINGS (CONTINUED)****B. P&Z Board Recommendations of July 7, and July 21, 2014 (continued)****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.**

**III. PUBLIC HEARINGS (CONTINUED)****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 05/29/2014**

**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.**

**IV. UNFINISHED BUSINESS****V. NEW BUSINESS****VI. PUBLIC COMMENTS (Comments may not address subsequent Agenda items.)****VII. BOARD REPORTS AND PRESENTATIONS (MORE THAN 5 MINUTES)**

- A. Stockton Whitten, County Manager
- B. Christine Lepore, Assistant County Attorney
- C. Chuck Nelson, District 2 Commissioner
- D. Trudie Infantini, District 3 Commissioner
- E. Andy Anderson, District 5 Commissioner
- F. Robin Fisher, District 1 Commissioner, Vice Chairman
- G. Mary Bolin Lewis, District 4 Commissioner, Chairman

**In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations or an interpreter to participate in the proceedings, please notify the County Manager's Office no later than 48 hours prior to the meeting at (321) 633-2010.**

**Assisted listening system receivers are available for the hearing impaired and can be obtained from SCGTV Staff at the meeting. We respectfully request that ALL ELECTRONIC ITEMS and CELL PHONES REMAIN OFF while the County Commission is in session. Thank you.**

**This meeting will be broadcast live on Space Coast Government Television (SCGTV) on Bright House Networks Cable Channel 199, Comcast (North Brevard) Cable Channel 51, and Comcast (South Brevard) Cable Channel 13. SCGTV will also replay this meeting during the coming month on its 24-hour video server nights, weekends, and holidays. Check the SCGTV website for daily program updates at <http://www.scgtv.org>.**

**The Advanced Agenda may be viewed at: <http://www.brevardcounty.us>.**