

Deborah Thomas

From: Jones, Jennifer <jennifer.jones@brevardfl.gov>
Sent: Monday, November 28, 2016 4:41 PM
To: Christine Mulligan; Deborah Thomas; Donna Scott; Kimberly Powell; Tammy Rowe
Subject: 11-21-16 LPA Minutes
Attachments: Local Planning Agency Minutes 2016 11 November.pdf

"Under Florida Law, email addresses are Public Records. If you do not want your e-mail address released in response to public record requests, do not send electronic mail to this entity. Instead, contact this office by phone or in writing."

LOCAL PLANNING AGENCY MINUTES

The Local Planning Agency convened as the Planning and Zoning Board and met in regular session on Monday, July 25, 2016, at 3:00 p.m., in the Commission Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

Board members present were: Henry Minneboo, Chair; Bill Cannon; Peter Aydelotte; Andy Barber; Rochelle Lawandales; Robert LaMarr; Clyde Thodey; Bruce Moia; Bill Cannon; Ron Bartcher; and Jeff Holleran.

Staff members present were: Cindy Fox, Zoning Manager; Cristina Berrios, Assistant County Attorney; Virginia Barker, Natural Resources Management Office Director; Conroy Jacobs, Planner I; and Jennifer Jones, Special Projects Coordinator II.

The Chair, Henry Minneboo, called the meeting to order at 3:00 p.m.

Henry Minneboo, Chair, announced the Board of County Commissioners will have the final vote on the recommendations made today by the Local Planning Agency and the Planning and Zoning Board, on Thursday, December 1, 2106.

APPROVAL OF JULY 25, 2016, MINUTES

Motion by Robert LaMarr, seconded by Clyde Thodey, to approve the minutes of July 25, 2016. The vote passed unanimously.

LPA AGENDA:

Item 1. Three ordinances amending Article III, Chapter 62, of the Code of Ordinances of Brevard County, entitled "The Comprehensive Plan", setting forth the adoption of the Fall Plan Amendment Cycle 2016-2; amending Section 62-501, entitled Contents of the Plan; specifically amending Section 62-501 as described below; and provisions with require amendments to maintain internal consistency with this amendment; providing legal status; providing a severability clause; and providing an effective date.

a. Plan Amendment 2016-2.1 – a proposal initiated by Sharpes Executive Golf Course, Inc., to amend Part XI, the Future Land Use Element, to change the Future Land Use Map Series designation from Recreational to Residential 4 on 56.17 acres on the west side of U.S. 1, approx. 0.26 miles south of Camp Rd.

Motion by Rochelle Lawandales, seconded by Bruce Moia, to approve Item 1a. The vote passed unanimously.

b. Plan Amendment 2016-2.2 – a proposal initiated by Brevard County staff to amend Part I, the Conservation Element, to amend Objective 3 – Surface Water, to amend Policy 3.3 and Map 5, relating to development along the surface water conservation buffer.

Henry Minneboo asked if the rules and regulations will be more stringent than they are.

Virginia Barker, Natural Resources Director, stated the changes staff has proposed would not, but what is more stringent is the fact that the State changed the classification of the waters in the Lagoon back in February, so the purpose of this is to help mitigate the circumstance. She noted staff went through each section of shoreline that was affected looking for small lots that might not have sufficient area to build a primary residence without a to the 50-foot setback and found three. There are larger lots, which were not counted because they would have sufficient room to meet the 50-foot setback.

Henry Minneboo asked if that takes into account setbacks for septic tanks. Bruce Moia stated the State requires 75 feet separation from a new septic system to a surface water.

Rochelle Lawandales asked if the three lots identified by staff can be built on at all, or if the 25-foot exemption paragraph cover them. Virginia Barker replied the 25-foot exemption paragraph would put them back to what the Code allowed before the State's change in February.

Clyde Thodey stated it is his interpretation that they will be grandfathered in. Virginia Barker advised they will be grandfathered-in to a degree. If they were a lot of record prior to the State's February 17th re-classification, then they would be eligible for this buffer reduction that would allow them to go back to the 25-foot buffer instead of the 50-foot buffer, if they need it, for their primary structure.

Motion by Clyde Thodey, seconded by Peter Aydelotte, to approve Item 1b. The vote passed unanimously.

c. Plan Amendment 2016-2.3 – a proposal initiated by Brevard County staff to amend Part XV, the Glossary, to update certain definitions according to Florida Administrative Code changes.

Motion by Bruce Moia, seconded by Rochelle Lawandales, to approve Item 1c. The vote passed unanimously.

P&Z AGENDA:

DISTRICT 1

IV.B.6. (16PZ00095) – SEASONS IN THE SUN, LLC – (Rodney Honeycutt) – requests an amendment to an existing BDP to add all types of RVs with a minimum length of 22 feet, in an RVP zoning classification, on 38.10 acres, located on the south side of S.R. 46, approx. 0.23 mile west of N. Carpenter Rd. (2400 Seasons in the Sun Blvd., Mims)

P&Z Recommendation: Lawandales/Moia – Approved, and directed staff to consider requirement of a wall in the site planning process. Vote was unanimous.

Rodney Honeycutt, 3700 S. Washington Avenue, Titusville, stated the request is to allow all types of RVs in the RV park as in all other RV parks, although there is still a limit of a 22-foot minimum, which other RV parks don't have. Originally, when the park was developed, they thought they only allowed motorized, but they've decided since then that that's not the best way to operate.

Margret Primavera, 2485 Darcy Road, Mims, stated she lives adjacent on the opposite side where the buffer zone is and the drainage easement. She asked if there would be some kind of fencing installed if more RV's will be coming to the park. She said she has had incidents where people wander from Seasons in the Sun, or KOA, to her property, and she has had to call the police.

Henry Minneboo asked staff if an RV park is required to put up a fence. Cindy Fox replied it will be site planned, and that can be something that's discussed during the site planning stage, but there is landscaping required. Henry Minneboo asked if the KOA have a fence right now. Ms. Primavera stated she is not sure if the KOA has a fence, but she would like to know if it would be available. Henry Minneboo said it will be handled at the site planning stage by staff.

Bruce Moia asked if RVP is considered commercial or residential. Ms. Fox replied it is considered commercial for site planning. She stated they are going to have to meet the setbacks, but whether or not they have to put in a 20-foot buffer or wall, she is not sure a wall is a requirement in RVP against other commercial.

Ms. Primavera asked if that would go against the existing buffer zone, as far as the protection of it on the other side. Ms. Fox replied, typically what happens when there is a commercial use next to a residential use, there's a 6-foot masonry wall required, but because this is a commercial site plan that is going to be used for

residential, they may just require some delineation by landscaping, but she is not sure they have to actually put up a wall. She encouraged Ms. Primavera to talk to the developer to see if she and the other neighbors have the same concerns, and perhaps the developer can help put up a fence or a wall if not required by Code.

Motion by Rochelle Lawandales, seconded by Bruce Moia, to approve Item IV.B.6. The vote passed unanimously.

IV.B.7. (16PZ00102) – SHARPES EXECUTIVE GOLF COURSE, INC. – (Boaz Bar-Navon and Rodney Honeycutt) – requests a change of classification from AU and RU-2-15(12) to RU-1-7, with a BDP limited to 4 units per acre, on 56.17 +/- acres, located on the west side of U.S. Hwy 1, approx. 0.26 mile south of Camp Rd. (4247 N. U.S. Hwy 1, Cocoa)

P&Z Recommendation: Moia/LaMarr – Approved with inclusion of sewer connection in BDP. Vote was unanimous.

Rodney Honeycutt, 3700 S. Washington Ave., Titusville, advised there is a binding development plan that has been submitted to confirm it will be four units per acre.

Henry Minneboo asked if Mr. Honeycutt has met with the Williams Point residents. Mr. Honeycutt replied he has not met with them separately, but they were notified by advertisement, and he has not heard anything negative from anyone.

Robert LaMarr asked about the availability of sewer for the project. Mr. Honeycutt stated sewer is available; there is a force main on the other side of the road, and they will have to build a lift station, which they plan to do, so it will be sanitary sewer with the City of Cocoa.

Cindy Fox stated since there is a binding development plan limiting the site to four units per acre, and septic is going to continue to be a question, the board may want to ask Mr. Honey cut if the applicant would be willing to bind themselves to connect to sewer and have no septic tanks in the binding development plan. Mr. Honeycutt agreed to add that to the binding development plan.

Bruce Moia asked if there have been soils tests out there, as golf courses typically have arsenic issues. Mr. Honeycutt replied yes, and they will have to deal with that. Mr. Moia asked about that process. Bo Bar-Navon stated they have been told the soils can be diluted and spread and then capped.

Motion by Bruce Moia, seconded by Robert LaMarr, to approve IV.B.7. with a binding development plan limited to four units per acre, and inclusion of connecting to sewer.

Upon consensus by the board, the meeting was adjourned at 3:23 p.m.