

16CT-00189



BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA
CONTRACTOR LICENSING BOARD

CITATION

CIT# L 1167

In the name of Brevard County, Florida: The Officer designated below has just and reasonable grounds to believe and does believe that on:

DAY OF WEEK Thurs TIME _____ DAY 18 MONTH Feb YEAR 16
ISSUED TO Roger J Harrell DBA Space Coast Fire and Safety Inc
ADDRESS 420 Manor Rd CITY Merritt Isl STATE FL ZIP 32952
PHONE 321 783 1040 SS # _____ DOB _____
DRIVERS LICENSE/ID # _____ STATE _____ EXPIRES _____
OCCUPATION Fire mechanical LICENSE NUMBER CMC1249856
VEHICLE: YEAR _____ MAKE _____ COLOR _____ TAG # _____ STATE _____ YEAR _____

LOCATION OF VIOLATION 2200 Orlando Ave, Cocoa Rch

BRIEF STATEMENT OF FACTS: Proceeding on the job without obtaining all applicable permits and inspections.

SPECIFICALLY: Installed hood system (exhaust) without permit at new Squid Lips restaurant

VIOLATION OF BREVARD COUNTY CODE OF ORDINANCES, SECTION 22-534 (a) (20) CIT# L 1167

1st Violation \$ _____ Repeat Violation \$ 500.00 Time _____ Date _____
(1st or only)

Officer Name Maggie Castellano

Officer Signature Maggie Castellano

WARNING

The person cited must cease and desist from the act for which this citation has been issued. Payment of the above civil penalty must be received by the Brevard County Licensing Enforcement & Regulation Office within (10) days of the issuance of this Citation. Failure to either pay the above civil penalty or to request in writing to appear before the Special Magistrate to challenge the issuance of this Citation shall constitute a waiver of your right to an administrative hearing. A waiver of the right to an administrative hearing shall be deemed an admission of the violation and penalties may be imposed accordingly. The violator may be liable for the reasonable costs of the administrative hearing should the violator be found guilty of the violation. An additional citation may be issued for each day that the applicable violation is found to exist. Repeat violation penalty will be twice the amount of the first violation.

WILLFUL REFUSAL TO SIGN AND ACCEPT CITATION IS A MISDEMEANOR.

I WISH TO PAY THE CIVIL PENALTY

I WISH TO SEEK AN ADMINISTRATIVE HEARING

Signature of Violator _____ Date _____

Signature of Violator _____ Date _____

Payment of the Civil Penalty may be made in person by cash, check or credit card at the Brevard County Licensing Regulation & Enforcement Office, 2725 Judge Fran Jamieson Way, Bldg. A, Viera, FL 32940, Mon. - Fri. between 8:00 AM and 4:30 PM, or by mailing check or money order or credit card by phone. Make checks payable to Brevard County Board of County Commissioners. (DO NOT SEND CASH)

Rev. 01-12-2013

Phone (321) 633-2058, Fax (321) 690-6878, Website www.brevardcounty.us/licensing

16CT-00240



BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA
CONTRACTOR LICENSING BOARD

CITY# 9859

CITATION

In the name of Brevard County, Florida: The Officer designated below has just and reasonable grounds to believe and does believe that on:

DAY OF WEEK Wed TIME 9¹⁰ DAY 30 MONTH March YEAR 16

ISSUED TO Harry Jackson Untrill III DBA Banana River Road LLC Squid Lips

ADDRESS 440 Harbor City Blvd CITY Melbourne STATE FL ZIP 32935

PHONE 321 258 5840 / 321 242 8881 SS # _____ DOB 09/18/49

DRIVERS LICENSE/ID # U5242370-49-338-0 STATE FL EXPIRES 09/18/17

OCCUPATION Restaurant Owner EMPLOYER SELF

VEHICLE: YEAR _____ MAKE _____ COLOR _____ TAG # _____ STATE _____ YEAR _____

LOCATION OF VIOLATION 2200 S Orlando Av Cocoa Beach

BRIEF STATEMENT OF FACTS work without permit - outdoor open
seating w/ electrical, plumbing, roof, pilings, bar, work
station w/ sink & elec, band stand

VIOLATION OF BREVARD COUNTY CODE OF ORDINANCES, SECTION 22-558 (C)(9) CITY# 9859

1st Violation \$ 150 Repeat Violation \$ _____ Time 10:21 Date 3/30/16

Officer Name Maggie Castellano

Officer Signature Maggie Castellano

WARNING

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WILLFUL REFUSAL TO SIGN AND ACCEPT CITATION IS A MISDEMEANOR.

I WISH TO PAY THE CIVIL PENALTY

I WISH TO SEEK AN ADMINISTRATIVE HEARING

Signature of Violator [Signature] Date 3/30/16

Signature of Violator _____ Date _____

Payment of the Civil Penalty may be made in person by cash, check or credit card at the Brevard County Licensing Regulation & Enforcement Office, 2725 Judge Fran Jamieson Way, Bldg. A, Viera, FL 32940, Mon. - Fri. between 8:00 AM and 4:30 PM, or by mailing check or money order or credit card by phone. Make checks payable to Brevard County Board of County Commissioners. (DO NOT SEND CASH)

Rev: 01-12-2015

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11aCT-00239



BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA
CONTRACTOR LICENSING BOARD

CIT# 9858

CITATION

In the name of Brevard County, Florida: The Officer designated below has just and reasonable grounds to believe and does believe that on:

DAY OF WEEK Wed TIME 9:10 DAY 30 MONTH March YEAR 16
ISSUED TO Harry Jackson Underhill III DBA Banana River Boat Llc / Squid Lips
ADDRESS 490 Harbor City Blvd N CITY Melbourne STATE FL ZIP 32935
PHONE 321-258-5840 / 321-242-2222/SS # DOB 9/18/49
DRIVERS LICENSE/ID # U586-370-49-338-0 STATE FL EXPIRES 9/18/17
OCCUPATION Restaurant Owner EMPLOYER Self
VEHICLE: YEAR _____ MAKE _____ COLOR _____ TAG # _____ STATE _____ YEAR _____

LOCATION OF VIOLATION 2200 S Orlando Av Cocoa Beach
BRIEF STATEMENT OF FACTS Unlicensed building Contractor - outdoor
open seating/dining deck constructed by maintenance
staff to include electrical, plumbing - roofing

VIOLATION OF BREVARD COUNTY CODE OF ORDINANCES, SECTION 22-558 (C)(6) CIT# 9858

1st Violation \$ 250 Repeat Violation \$ _____ Time 10:21 Date 3/30/16

Maggie Castellani
Officer Name

Maggie Castellani
Officer Signature

WARNING

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WILLFUL REFUSAL TO SIGN AND ACCEPT CITATION IS A MISDEMEANOR.

I WISH TO PAY THE CIVIL PENALTY

I WISH TO SEEK AN ADMINISTRATIVE HEARING

[Signature] 3/30/16
Signature of Violator Date

Signature of Violator Date

Payment of the Civil Penalty may be made in person by cash, check or credit card at the Brevard County Licensing Regulation & Enforcement Office, 2725 Judge Fran Jamieson Way, Bldg. A, Viera, FL 32940, Mon. - Fri. between 8:00 AM and 4:30 PM, or by mailing check or money order or credit card by phone. Make checks payable to Brevard County Board of County Commissioners. (DO NOT SEND CASH)
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BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA
CONTRACTOR LICENSING BOARD

CITATION

CIT# L 1169

In the name of Brevard County, Florida: The Officer designated below has just and reasonable grounds to believe and does believe that on:

DAY OF WEEK Wed TIME 9:10 DAY 30 MONTH March YEAR 2016

ISSUED TO William J. Logan DBA Kangaroo Electric

ADDRESS 282 Pioneer Avenue CITY Palm Bay STATE FL ZIP 32907

PHONE 321-722-5593 SS# 6625 DOB 12-25-1962

DRIVERS LICENSE/ID # _____ STATE _____ EXPIRES _____

OCCUPATION Electrician LICENSE NUMBER EC13001583

VEHICLE: YEAR _____ MAKE _____ COLOR _____ TAG# _____ STATE _____ YEAR _____

LOCATION OF VIOLATION 2200 S. Orlando Ave, Cocoa Beach

BRIEF STATEMENT OF FACTS: Proceeding on the job without obtaining all applicable permits and inspections.

SPECIFICALLY: Working without a permit adding electrical to new outdoor open dining deck.

VIOLATION OF BREVARD COUNTY CODE OF ORDINANCES, SECTION 22-534 (a) (20) CIT# L 1169

1st Violation \$ 250 Repeat Violation \$ _____ Time _____ Date _____

Minnie Castellano
Officer Name

Nangie Castellano
Officer Signature

WARNING

The person cited must cease and desist from the act for which this citation has been issued. Payment of the above civil penalty must be received by the Brevard County Licensing Enforcement & Regulation Office within (10) days of the issuance of this Citation. Failure to either pay the above civil penalty or to request in writing to appear before the Special Magistrate to challenge the issuance of this Citation shall constitute a waiver of your right to an administrative hearing. A waiver of the right to an administrative hearing shall be deemed an admission of the violation and penalties may be imposed accordingly. The violator may be liable for the reasonable costs of the administrative hearing should the violator be found guilty of the violation. An additional citation may be issued for each day that the applicable violation is found to exist. Repeat violation penalty will be twice the amount of the first violation.

WILLFUL REFUSAL TO SIGN AND ACCEPT CITATION IS A MISDEMEANOR.

I WISH TO PAY THE CIVIL PENALTY

I WISH TO SEEK AN ADMINISTRATIVE HEARING

Signature of Violator _____ Date _____

Signature of Violator _____ Date _____

Payment of the Civil Penalty may be made in person by cash, check or credit card at the Brevard County Licensing Regulation & Enforcement Office, 2725 Judge Fran Jamieson Way, Bldg. A, Viera, FL 32940, Mon. - Fri. between 8:00 AM and 4:30 PM, or by mailing check or money order or credit card by phone. Make checks payable to Brevard County Board of County Commissioners. (DO NOT SEND CASH)

16CT-00241

16CT-00241



BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA
CONTRACTOR LICENSING BOARD

CITATION

CIT# L 1168

In the name of Brevard County, Florida: The Officer designated below has just and reasonable grounds to believe and does believe that on:

DAY OF WEEK Wed TIME 9¹⁰ DAY 30 MONTH March YEAR 16

ISSUED TO Leon A Tucker Sr DBA Tuckers Concrete Plumbing & SVC

ADDRESS 2915 S Harbor City Blvd CITY Melbourne STATE FL ZIP 32901 ^{FAK}

PHONE 321 727-3453 SS# _____ DOB 12/27/14

DRIVERS LICENSE/ID # T260-521-36-467-0 STATE FL EXPIRES 12/27/36

OCCUPATION Plumber LICENSE NUMBER PL298

VEHICLE: YEAR _____ MAKE _____ COLOR _____ TAG# _____ STATE _____ YEAR _____

LOCATION OF VIOLATION 2200 S Orlando Av Cocoa Beach

BRIEF STATEMENT OF FACTS: Proceeding on the job without obtaining all applicable permits and inspections.

SPECIFICALLY: Work without permit adding plumbing to new outdoor open dining deck

VIOLATION OF BREVARD COUNTY CODE OF ORDINANCES, SECTION 22-534 (a) (20) CIT# L 1168

1st Violation \$ _____ Repeat Violation \$ 500 Time _____ Date _____

Margie Castellano
Officer Name

Margie Castellano
Officer Signature

WARNING

The person cited must cease and desist from the act for which this citation has been issued. Payment of the above civil penalty must be received by the Brevard County Licensing Enforcement & Regulation Office within (10) days of the issuance of this Citation. Failure to either pay the above civil penalty or to request in writing to appear before the Special Magistrate to challenge the issuance of this Citation shall constitute a waiver of your right to an administrative hearing. A waiver of the right to an administrative hearing shall be deemed an admission of the violation and penalties may be imposed accordingly. The violator may be liable for the reasonable costs of the administrative hearing should the violator be found guilty of the violation. An additional citation may be issued for each day that the applicable violation is found to exist. Repeat violation penalty will be twice the amount of the first violation.

WILLFUL REFUSAL TO SIGN AND ACCEPT CITATION IS A MISDEMEANOR.

I WISH TO PAY THE CIVIL PENALTY

I WISH TO SEEK AN ADMINISTRATIVE HEARING

Signature of Violator _____ Date _____

Signature of Violator _____ Date _____

Payment of the Civil Penalty may be made in person by cash, check or credit card at the Brevard County Licensing Regulation & Enforcement Office, 2725 Judge Fran Jamieson Way, Bldg. A, Viera, FL 32940, Mon. - Fri. between 8:00 AM and 4:30 PM, or by mailing check or money order or credit card by phone. Make checks payable to Brevard County Board of County Commissioners. (DO NOT SEND CASH)

Rev. 01-12-2015

Phone (321) 633-2058, Fax (321) 690-6876, Website www.brevardcounty.us/licensing

OBJECTION

~~IV.D.2~~

Jones, Jennifer

From: Carol Love <car.love@me.com>
Sent: Thursday, August 04, 2016 5:21 PM
To: Jones, Jennifer; Fox, Cynthia C
Subject: Squid Lips Re: #16Z00055

IV.A.2

Dear Madam

I recently received a notification about the rezoning request for Squid Lips. Both my husband, Robert Love, and I are vehemently opposed to this! What was our wonderful condo community at Magnolia Bay, became a party community by default almost overnight! The music blaring till all hours made it lose the peace and tranquility we invested in when we purchased our condominium. We chose this area of Coco Beach for its beauty, proximity to the water, and the tranquility. I cannot tell you what a rude awakening it was to begin hearing the blaring music replacing the symphony of nature! And this also effects the value of our investment! Although we cannot personally attend the meetings since we will be out of town- please represent our voices on this matter!

Thank you for your service.

Sincerely

Carol and Robert J. Love
2001 Julep Dr. #101
Cocoa Beach, FL 32931

Sent from my iPhone

OBJECTION
~~IEB 27~~

Jones, Jennifer

From: kaszymanski@aol.com
Sent: Monday, August 08, 2016 1:00 PM
To: Jones, Jennifer; Fox, Cynthia C
Subject: August 8, 2016 Planning and Zoning meeting - Request by Banana Riverfront LLC for Squid Lips Cocoa Beach - Zoning change from RU-2-15 to BU-1

IV.A.2

To: Ms. Cynthia Fox
Ms. Jennifer Jones

From: Mrs. Kathleen Szymanski, 2012 Julep Dr, Unit 307, Cocoa Beach, FL; kaszymanski@aol.com

Date: 8 . August . 2016

Re: Request zoning change by Banana Riverfront, LLC for Squid Lips restaurant (W side of S Orlando Av, 415' N of crescent Beach Dr) from RU-2-15 to BU-1

My husband, James G. Szymanski and I are property owners at the Magnolia Bay condominium at 2012 Julep Drive, Unit 307, Cocoa Beach Florida. Our residence is directly adjacent to Squid Lips Cocoa Beach, the property the Banana Riverfront, LLC is requesting a zoning change for.

While one would expect all "neighbors" be it residential or commercial use, to abide by all county zoning parameters, earlier this year the owners of Squid Lips Cocoa Beach blatantly violated a number of Brevard County zoning and building restrictions to the detriment of the Magnolia Bay home owners. Today I am addressing one primary issue, although there are others.

My husband and I enjoy sitting outside on our balcony on the weekend as well as in the evening. Once Squid Lips began outdoor musical performances we could no longer enjoy the use of our balcony. This did not happen just once; instead it occurred from the time Squid Lips began holding musical performances until the time Brevard County held them in violation of zoning and building codes. The music was **loud**. It exceeded parameters set by the Noise Ordinance, Sec. 62-2271 (Pure Tone, Impulsive Sound, maximum allowable sound pressure levels). We clearly heard the lyrics to the songs as well as the instruments from our balcony. Loud music not only impacted use of the balcony but the enjoyment of Magnolia Bay's outdoor common space including the walking path, club house, pool and hot tub.

If approved this zoning change will undoubtedly benefit the Banana Riverfront LLC and optimize *their revenues*, however it will be at the detriment to the property value of the Magnolia Bay home owners.

I am respectfully requesting, as representatives of Brevard County, that you consider all property owners who will be impacted by your decision. Please do not approve this zoning change. I have a strong point of view as I am concerned that their past behaviors demonstrate disregard for the law and a lack of respect for their neighbors. Understanding that there will be multiple view points weighing in on the issues, should you approve this zoning change, how will the county monitor and hold Banana Riverfront, LLC accountable?

Best Regards,
Kathleen Szymanski

OBSJECTION

IV.B.7 Public Comment

~~IV.B.7~~

IV.A.2.

Dear Commissioners:

I am a homeowners and taxpayer at Magnolia Bay, 2022 Julep Drive, Unit 101, the condominium closest to Squid Lips. We are asking that you seriously reflect on the pending applications before you; our homeowner community has direct experience with this business and their profound lack of respect for the County, let alone our neighborhood.

We offer the following for your consideration:

1. Please insist that any permits include a provision requiring that a permanent sound mitigation wall be installed. When the restaurant/bar opened, reportedly without the appropriate permits, the music was so loud that we spoke with the manager on two occasions and he acknowledged that the music was at 20-21 decibels when the level should have been set at 9. The noise was outrageous, disruptive to a residential neighborhood, agitated pets and created a raucous atmosphere. You have the ability and legal authority to insist that any music be limited to Friday and Saturday nights, ending at 10 p.m. and Sunday ending at 5 p.m. so they can operate a business and we can enjoy our homes.
2. Unlike the prior operator that focused on families, this operator is catering to a different clientele, which is their prerogative. However, we are very concerned that after substantial alcohol consumption, those exiting the property will turn left onto a one-way street; there were close calls during the months when Squid Lips first opened. Please insist that the operator pay for signage indicating a turn-right only so we avoid casualties. This is a Duty to Care and Duty to Warn issue; as an instructor for the U.S. Department of Justice, these are the very issues that I raise when charges are brought against an enterprise subsequent to a fatality.
3. We have photographs of trash and garbage that accumulated at Squid Lips when it operated without the required licenses. These photos show open bins that created astounding odors and attracted insects and rats. We saw and experienced these conditions, constituting public health challenges that can be corrected by a responsible business owner with your oversight.

Any business should follow the law, obtain the appropriate permits and respect neighbors. As stewards of the public, the homeowners are relying upon the Commission to ensure that Squid Lips follow these basic tenets of operating a bar/restaurant.

We want Squid Lips to succeed as an enterprise, but we do not want them to have a flagrant disregard for you as a Commission and for us, as taxpayers, with uncontrolled noise. By making modest investments in public safety and noise control, they can become a responsible business and an asset to Brevard County. If a hair salon, gas station or pharmacy must comply with the law, shouldn't a restaurant/bar be held to the same, or higher standard of care?

Thank you sincerely for helping us protect Brevard County.

Richard Ridings

2022 Julep Drive, Number 101
Cocoa Beach FL 32931

Prudential Investment LLC
A Prudential Financial company
Prudential Tower, 17th floor
Tele -973-802-5572
Fax - 973-367-7016

OBJECTION
IV. A. 2.

Jones, Jennifer

From: Newell, Marcia on behalf of Commissioner, D1
Sent: Wednesday, October 19, 2016 11:17 AM
To: Fox, Cynthia C; Jones, Jennifer
Subject: FW: Commissioners Meeting/Nov 3-Iten 16PZ00055-Squid Lips Zoning Change

Email we received regarding Squid Lips.

Thanks,

Marcia Newell

Legislative Aide to Commissioner Robin Fisher
Marcia.newell@brevardcounty.us



District 1 Commission Office
400 South Street, Suite 1A
Titusville, Florida 32780-7698
321-264-6750

From: Joan Friedman [<mailto:joanfriedman2@gmail.com>]
Sent: Monday, October 17, 2016 12:31 PM
To: Commissioner, D1
Subject: Commissioners Meeting/Nov 3-Iten 16PZ00055-Squid Lips Zoning Change

When we heard of this request many of our owners sent letters of concern. As a result, the P and Z Board mandated that Squid Lips representatives meet with us. Our first concern was the unbearable loudness of the outside music and that it went on seven days a week. Mr. Underill's response was that he would install a sound barrier curtain and that he could reduce the amount of days they had music.

We also discussed the horrific parking and traffic that existed for the 2 months the deck was open. We were forced to patrol our private parking areas to keep their customers out.

Trash was a huge problem. The dumpsters were overflowing and trash bags were piled all around. This was allowed to continue for the two months until the deck was shut down. The trash problem was resolved- not due to their efforts but to the slowdown of business. Mr. Underill claims they were too overwhelmed to address the situation. I would think sanitation and health would be an urgent problem.

At the end of our meeting, we requested something in writing to be agreed upon but did not receive anything until about 2 hours before the next P and Z meeting. This seemed to be intentional so that we could not dispute it.

When we were finally able to read it, we found some discrepancies between what was said and what was written. One example was that instead of reducing the number of music days, he was allocating these days for solo or duo musicians. That sounds o.k. at first glance but just think of how loud solo or duo musicians can be with today's technology. Those sounds can easily exceed the sound of a band.

We are willing to accept a sound barrier curtain but there has to be some recourse for us if it doesn't work.

We were told that they are catering to the 45-70 age group. When the outside deck was open, it was primarily spring breakers and hard core bar groups. A small indication of the clientele was our having to pick up beer cans etc. after they had been tossed over the wall.

We understand that he wishes to expand the outside deck into the lagoon to add to the 1900 hundred square feet he already added and that he want to create public access for paddleboarders as well.

It is sad to think about losing our lovely quiet residential community. One of the reasons we bought here was to be away from the hustle and bustle. We had a restaurant next door, zoned residential, and we coexisted without a problem.

If past performance is any indication of future performance, the chances are that Squid Lips will continue to violate codes and conditions. If their zoning request is approved we will have two unhappy choices to make- either live with it and have a lower quality of life or sell at a hardship price.

Please seriously consider our concerns and deny their request for a zoning request.

Thank you for "listening" to me.

Joan and Sam Friedman
2022 Julep Drive-#301
Cocoa Beach.

IV.A.2.
OBJECTION

Jones, Jennifer

From: Woodard, Patrick
Sent: Monday, October 17, 2016 8:27 AM
To: Jones, Jennifer
Cc: Tice, Molly; Valliere, Jennifer
Subject: FW: Squid Lips

Jennifer,

Here is a public comment on the Squid Lips item.

Thanks,

Pat

From: eyelle [<mailto:eyelle@aol.com>]
Sent: Friday, October 14, 2016 11:36 AM
To: Commissioner, D4
Subject: RE: Squid Lips

Dear Commissioner Smith,

We are residents of Magnolia Bay Condominiums and totally opposed to the zoning change that Squid Lips is requesting. In the short time that the restaurant was fully open, they demonstrated to us that they have no regard for rules and regulations. They have flaunted all the existing building codes and shown a total disrespect for our community. We did not have a problem with the restricted use of the property when it was Lobster Shanty, but this owner is disturbing the lagoon, generating horrendous noise and creating a dangerous traffic problem. When he met with some board members here, no vote was given to the membership, and most of us are totally opposed to a change. We purchased this property at a cost of a half million dollars with the assurance that the zoning around us is residential. Please do not yield to a change and undo what previous Commissions have established. Please consider the damage being done by crowds on the dock, boat traffic on the pier, and the noise generated by bands attracting a rowdy crowd. Would you want that next door to you?

Sincerely,

Eloise Yelle

Cdr. A Courtney Yelle, USN Ret.

OBJECTION
IV. A. 2.

JAMES G. SZYMANSKI

2012 JULEP DRIVE, UNIT 307, COCOA BEACH, FLORIDA 32931

Dear Chairman Barfield and Commissioners Fisher, Infantini, Smith and Anderson:

For all the reasons set forth below, I write to record my strong objection to the application of Banana Riverfront, LLC (hereinafter "Squid Lips") for a Small Scale Plan Amendment (16S.06) that seeks to change the Future Land Use from Residential 15 and CC to all CC; a change of classification from RU-2-15 to BU-1; and a Conditional use Permit for Alcoholic Beverages (full liquor) for On-Premises Consumption in Conjunction with a Restaurant on an improved, 2.44 acre parcel of land in Cocoa Beach, previously known and operated as the Lobster Shanty.

**THE CHANGES SOUGHT ARE INCONSISTENT WITH CURRENT LAND USES
AND SHARE NOTHING IN COMMON WITH THE COMPREHENSIVE PLAN
AND DEVELOPMENT TRENDS FOR THE COMMUNITY**

The area affected by the proposed changes is primarily multifamily residential with scattered nonconforming, small business commercial land uses (single story eating establishments), virtually each of which abuts a single family or multifamily residential structure. All of the current commercial uses appear to have acquired their "nonconforming" designation, because they were built and/or operating before the Comprehensive Plan rezoned the area RU-2-15. Until the applicant, Squid Lips, acquired the subject property, the prior owner operated a restaurant (the Lobster Shanty) on the property for decades, without incident. The Lobster Shanty never operated in a way that threatened the quiet enjoyment of the neighboring residences, including ours. While the Lobster Shanty played music, live and otherwise, it confined the entertainment it provided to the interior of the restaurant, an option that is clearly available to Squid Lips. In fact, there is an area of the restaurant that the Squid Lips owner has cordoned off for future use, which contains a bar and more than sufficient space to accommodate live entertainment and dancing. Nevertheless, the applicant now begs your forgiveness and seeks to legalize an expansion of that restaurant, which he has already achieved without licensed contractors and without permits, inevitably transforming this business into a new Spring Break venue. I, and more than 50% of the unit owners who occupy the Magnolia Condominium Development directly to the north of Squid Lips, believe and know that blessing this expansion will change the character of the neighborhood in a way the Comprehensive Plan sought to prevent when it rezoned the area in 2006 to encourage residential development, rather than full, unbridled commercial use. Moreover, blessing this expansion will threaten the predictability the Comprehensive Plan offers to current users and developers, when it

was adopted. It will also set a precedent that will encourage other land owners in the area to seek similar zoning changes. The resulting economic impact for current residential users will be swift and an undeniable breach of the faith we have in you and the Comprehensive Plan you are entrusted to enforce on our behalf.

When you deliberate this application, please evaluate the following issues of relevance to this application and the Comprehensive Plan:

- a. You cannot approve this expansion without changing the zoning for the parcel, an act that should not be taken lightly and may contradict a relatively recent action on your part to deny a change of zoning for a parcel of land that is located north of the subject parcel and directly in front of Magnolia Bay. As I understand it, the owner of that parcel sought a zoning change from commercial to residential use that you granted not too long ago, but later denied his application to return the property to commercial use, presumably because that would have been inconsistent with the Comprehensive Plan and development trends.
- b. Long before the rezoning in 2006, this area enjoyed a boom of multi-family develop that continues to this day. There has been virtually no commercial development of this area since the late 1990's, if not before. Given that trend, the Planners amended the Comprehensive Plan and rezoned it, primarily residential. This application bucks that trend. Why would you want to go down that road at the expense of the neighboring residents who relied on that trend, the promise of the Plan and the tranquil community it produced, when they bought their homes.
- c. The proposed expansion would encroach upon the current 50 foot surface water protection area for the lagoon. It would be laughable for you to approve this— perhaps even front page news for the voters currently considering spending more of their hard-earned dollars to revitalize the lagoon.
- d. The Magnolia Bay owners have already been notified that prospective buyers are asking about the noise generated by the large number of Squid Lips patrons and live music from the deck. Local real estate brokers are predicting that the value of our Magnolia Bay units will decline. If you approve this expansion – are anyone one of you interested in a unit with a great view of the ocean and the lagoon?
- e. The Squid Lips parcel lacks the square footage for parking sufficient to accommodate the large number of patrons it draws. During the months it was operating illegally, patrons were parking all over the surrounding neighborhood, including in the parking spaces provided for Magnolia Bay residents and their guests. Do the math, I don't care what is said or promised about this issue it cannot and will not be resolved to the satisfaction of Squid Lips' neighbors anytime soon.

**THE CONCESSIONS OFFERED AND CONDITIONS "REQUIRED" WILL NOT
PROTECT OUR RIGHT TO QUIET ENJOYMENT**

I will not repeat here the operational conditions apparently required and promised to permit Squid Lips to expand and operate as it plans, if you approve their application. They are nothing more than the same or similar promises previously made to Magnolia Bay owners and its neighbors at other Squid Lips locations in the county—promises that they never kept. The owners cannot be trusted. In any event, they will not abate the noise that will emanate from the property. We live hundreds of feet from Squid Lips. One building of the Magnolia Bay Development, a county right of access plus a dense stand of trees more than 50 feet tall separates us from Squid Lips, and we could still hear the bands playing week nights and every weekend. Whether additional sound barriers will abate that noise remains to be seen, but it hasn't worked at other Squid Lips locations, and, thus, there is no reason to believe that it will work here. In any event, it is not likely to bring it to an end.

I promise that, if this application is approved, I (and others) will put the county to the test, when it comes to enforcement of the law and any conditions you require. I will be one of the first to complain to authorities about the noise, one of the first to complain about the parking, one of the first to complain about traffic congestion, one of the first to complain about the reckless driving so very common with the patrons leaving the property. Do you have the resources to respond to the complaints or is that, simply, just not your problem? Do you have any reason to expect Squid Lips to keep its promises and cooperate with enforcement authorities? Its record at other locations in the county suggest otherwise, as you are already aware.

THIS EXPANSION THREATENS PUBLIC SAFETY

Highway A1A abuts the subject property to east. Ingress and egress to the property is confusing at best. Since Squid Lips commenced its illegal operations, the volume of traffic entering and exiting the restaurant has increased substantially. Add to that the lack of sufficient parking and you have a mess on your hands—a picture far different than we saw when the Lobster Shanty was in business.

More than once I have observed patrons making a left turn to exit the restaurant into traffic travelling south bound on A1A—a one way highway adjacent to Squid Lips. A warning sign will help the sober driver for sure, but an impaired driver presents a different problem. Depending upon the time of day, south bound traffic can be relatively heavy in the area of the restaurant. As the traffic flows south, it approaches a bend in the road that drivers negotiate with increased speed, anticipating the change in the speed limit from 35 mph to 45 mph that is posted just south of Squid Lips. If you are leaving Squid Lips and travelling north, you must cross the southbound section of A1A and enter a short cutout that passes through a center island that divides the south fork from the north fork of the highway. I have observed several very close calls involving Squid Lips patrons attempting that route of travel versus southbound drivers. It takes good judgment, patience and sound reflexes to complete the maneuver safely. I believe that the day will come when someone will die at that intersection, because liquor has impaired their ability to execute the maneuver safely. Yes, of course, it hasn't happened yet, but how

much greater will the risk of that accident occurring be, when the restaurant expands and becomes a new Spring Break venue—an eventuality you know the owner is anticipating.

A BALANCING OF THE EQUITIES FAVORS A DENIAL OF THIS APPLICATION

There is overwhelming support for a denial of this application from the Magnolia Bay owners. I recently participated in an effort to canvass the owners to see where they stood on the issue. Although the results are not yet complete, more than 50% of those who were contacted and replied said NO to the application—far different from the rumor that said we didn't care or were ok with the proposed expansion. Incidentally, I believe that rumor was the product of a flaw in the notice requirements for an application of this kind—or, at least, in the manner in which that requirement is typically satisfied. I never received a direct notice regarding the application from the county. I believe the notice was directed to the condominium association's board of directors at a time when most of the owners were not present in Florida. I think the timing of the notice may have been part of a strategy that bet on the fact that most of the residents of Magnolia Bay would have long since departed for their summer homes. When invited to attend a meeting with the Squid Lips owner and his counsel, they did not attend, because they were not here. That meeting undoubtedly gave rise to the aforementioned rumor and the belief that an "agreement" had been reached with Squid Lips and Magnolia Bay that belied any opposition to the application—nothing could be further from the truth. Since that rumor surfaced, owners contacted within the last week have expressed concern about the noise, the public safety implications and that the value of their investment was at risk with the proposed expansion. On the latter point, many owners said that they had been ok with the Lobster Shanty's operations—no noise, no parking or traffic issues. Others complained that Squid Lips failed to keep its promises to do what was necessary to abate the noise. A number of owners questioned why the county would reward this applicant whose record of defiance of the law was so well established and documented.

We all know that the owner of Squid Lips does what he wants, when he wants and seeks forgiveness later—that is what this application is all about. Why would you reward that conduct? Surely, you are not a guarantor of the applicant's plan for Squid Lips—the plan he purposefully failed to share with you as required by law. Surely, you must recognize that your loyalties lie elsewhere—more specifically to the people who own homes adjacent to Squid Lips who have a lot to lose, if you grant this application.

Thank you for your attention and your patience.

Very truly yours,

James G Szymanski

The Honorable Jim Barfield, Chairman

2575 North Courtenay Parkway

Merritt Island, Florida 32953

OBJECTION
IV.A.2.

Alward, Elizabeth M

From: susan suplee <suejam_92@msn.com>
Sent: Monday, October 10, 2016 8:02 PM
To: Commissioner, D2
Subject: Request for Denial of Zoning Change - Squid Lips

My name is Susan Suplee and my husband Jamie and I live at Magnolia Bay Condominiums, 2022 Julep Drive #306, located adjacent to the Squid Lips Property.

I would like to express my deepest concern of the proposed zoning change for the Squid Lips Property. I have expressed my concerns in a previous letter to the Planning and Zoning Board and am pleading for your help to maintain our peaceful way of life in this residential neighborhood. Please don't turn our retirement spot and our back yard into an Entertainment Complex and a venue for all the local bands in the area.

This Zoning change will cause **Extreme Hardship** for the many residents here at Magnolia Bay. Should there be a zoning change, there is no turning back. It not only causes a nuisance 7 days a week of constant background noise but opens up the door for the remaining vacant property owners along A1A to apply for zoning changes of their own. This will be a domino effect of restaurants, bars and strip clubs in our neighborhood. **Not to mention the hardship caused by the thick smoke that permeates the air, seeps into your home and causes a hardship for anyone dealing with lung issues.** In addition, it forces the protected wildlife such as osprey, owls, scrub jays and more from their habitats. Isn't there a reason why we entitle these species "protected"?

The Lobster Shanty operated very Successfully as R 2-15 with a conditional use and were respectful of their neighbors. Lobster Shanty had outdoor seating for 50 plus customers and also had acoustical music on Friday and Saturday nights for 3 hours only. It was not invasive to the surrounding neighbors and community. It is only due to the fact that the owner knowingly and admittedly expanded the footprint by 1900 square feet without the proper permitting and knowing that he would be fined that we are forced to compromise our homes, our retirement and investments, our safety, health and well being, our wildlife conservation area, and we'll be forced to police their negligence on a daily basis. Why should we reward such behavior?

You can't tell me that this business owner didn't know exactly what he was getting into and how the property was zoned. In this day and age, you can't tell me that the Bank that is providing the financing wasn't aware of what they were getting into either. Why would you reward someone that blatantly acknowledged that he knew he couldn't get permits and proceeded to build with his own non licensed workers and took his chances for being slapped fines by the County. Who knows how this structure was built and we all know that there was no fire sprinkler system in place for the new structure which again compromises the entire community. 1900 square feet is a substantial amount of additional space and additional seating. The parking alone does not support the additional square footage and when you add in the additional traffic coming into our area it is a formula for complete mayhem. When my husband and I went to check out the restaurant, we counted at least 20 seats at the bar and 20 four tops which is a far cry from the additional 50 seats that the owner states. Every bit of this additional 1900 square feet compromises the Parking, Fire Codes, safety of our residents, traffic patterns etc. How can you even consider an outside Parking agreement with neighboring Churches and land owners to satisfy the parking element when you know that these agreements are not binding. The Church that has agreed to house employees is 1/4 mile down the road and has already gone through a name change. I also know that if I was an employee, I would not be walking a 1/4 mile down the road at 12:00 at night when I get through working. The other parking agreement in place was the original

person that shut this place down due to the many code violations and was against the zoning change. HMMMM. What kind of agreement do they really have?

The new conditions proposed to our Homeowners offers us 7 days a week from morning to night of music with no means of enforcing these conditions. May I reiterate that the only reason Squid Lips met with our HOA was because it was a requirement and may I also inform you that the conditions that were supposedly agreed upon by our HOA were proposed to us 2 hours before the meeting and didn't allow the entire community the opportunity to review, and absorb the conditions put forth. Again, this was just another tactic to force our hand .

I sincerely wish this business well and know that they will be successful but it doesn't have to be at the community's expense. Please consider the Restaurant to open as it was purchased and restricting music to acoustical only. There is a wonderful opportunity here if they just have the vision and step out of the box.

I respectfully request denial of the zoning change and appreciate your thoughtful consideration in this regard.

Respectfully,

Susan and Jamie Suplee

OBJECTION
IV.A.2.

Alward, Elizabeth M

From: Robert Sullivan <driftwoodhouse@me.com>
Sent: Wednesday, November 2, 2016 10:18 AM
To: Barfield, Jim
Subject: Squid lips rezone request

To whom it may concern ,

My name is Robert Sullivan and I own a home directly across the street from squid lips . I have lived here 22 years and am very concerned about the increase in traffic and noise the proposed rezoning of squid lips will cause to our neighborhood .

The two to three months squid lips was operating as an outside concert venue were a complete shake up to our way of life on this end of town . People parking everywhere in all directions . It was like a weekend at coconuts every night they had an outdoor concert .

Life could dramatically change permanently if this rezoning is allowed to go through . I already know of three residents at magnolia bay that have either bought other dwellings to get away from this, or plan to rent their units and move elsewhere.

I too may be forced to sell or turn my home which has been here since 1912 into a rental house .

The consequences of this rezoning are vast and far reaching and in no way represent the wishes or desires of overwhelming majority of home owners that are directly influenced by such a change .

Any proposed agreement between the neighborhood and squid lips management won't be able to be enforced . The owner knows this and so does anyone who has every been associated with this type of loose agreement depending on the county officials to play the role of attempting to police it .

By bringing in popular headline bands week after week year after year , squid lips can make this into an outdoor concert destination venue bringing in traffic from Orlando and beyond and influencing other nearby locations to also request commercial rezoning that they might have also had in the past .

This opens the door to the possibility of turning this area into another coconuts / beach shack like frequented destination.

I don't think it's fair to the surrounding neighbor to subject them to this possible reality . The squid lips owner has already proven himself to be a rule breaker not a rule follower .

While I wish him nothing but success as a restaurant owner I do not want a successful outdoor concert venue across the street electric or acoustic . His other squid lips establishments sometimes have 3 bands a day performing . There is nothing in the proposed agreement to stop even more bands from playing from open to close at this location .

I hope the commissioners will deny rezoning and allow squid lips to maintain the status that lobster shanty had when he purchased the property , nothing more and nothing less . Thank you for your consideration on this very important matter .

Robert Sullivan
2205 S Atlantic Ave

Sent from my iPhone

OBSSECTION
IV.A.2.

Alward, Elizabeth M

From: SAM SHAKE <samjax_1@msn.com>
Sent: Tuesday, October 25, 2016 4:09 PM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4;
Commissioner, D5
Subject: BOCC Zoning Meeting November 3, 2016 -- Item 16PZ00055

Dear Brevard County Commissioners,

I am contacting you to voice my opposition to a zoning change and a Conditional Use Permit for Banana Riverfront, LLC. As a resident of Magnolia Bay Condominiums, positioned just to the north of 2200 S. Orlando Ave, I am compelled in the strongest of terms to ask for your denial of this request.

The initial excitement of Magnolia Bay Residents about the transformation from Lobster Shanty to Squid Lips began to quickly fade as we noticed the music seemed too loud and continued past the designated allowable time. At the same time, the new venue's larger crowd and more "party-time" atmosphere was displayed when we noticed we were being used as over-flow parking and then a couple of close calls on Orlando as revelers turned north out of the Squid Lips parking lot. Thankfully, the problems ceased when the county closed down the deck. After the request was tabled at the initial Planning and Zoning meeting, I called Banana Riverfront's attorney and requested a face-to-face with the residents of Magnolia Bay. They were most congenial and the meeting took place at our clubhouse. The owner gave us a brief, high level review of why his back deck was closed down. We believed him. We then discussed certain conditions that we would like to have in place if he were to receive his new zoning. He agreed and these were presented at the subsequent Planning and Zoning meeting (see conditions below). He promised his new venture would "in no way be intrusive to Magnolia Bay".

After learning the reason he met with us was dictated by the P&Z Board (NOT because we asked), AND that he now plans an even larger venue for paddle boards and kayaks, AND finally seeing the list off all the violations he was given and way he handled them . . . I've learned to not trust Banana Riverfront to follow any sort of conditions or agreements. They obviously do not abide by either rules or agreements. I am now convinced they will be bad neighbors. A review of law enforcement service calls to the Melbourne Squid Lips shows 72 calls in the last 24 months. I would bet a review of service calls in our neighborhood over the same time would yield less than 5, probably zero. Our bucolic neighborhood will never be the same.

The change in zoning will allow use that is not compatible with the surrounding residential area. This incompatibility will definitely have a negative effect on our property values. These are not inexpensive homes and the loss of property tax will surely outweigh the gain from whatever portion of sales tax the county gets from the re-zoned venue.

I respectfully ask that you vote NO to the change in zoning and conditional use permit for Banana Riverfront, LLC at 2200 S. Orlando Avenue.

Thank You

Sam Shake
2022 Julep Drive #105

Cocoa Beach 32931

IV.A.2. (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; a change of classification from RU-2-15 to BU-1; and a Conditional Use Permit for Alcoholic Beverages (full liquor) for On-Premises Consumption In Conjunction with a Restaurant, 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 of 09/12/16: Barber/Thodey – Approved. Vote was unanimous.

P&Z Recommendation of 09/12/16: 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 storm-water management plan to control runoff from the property to the Indian River Lagoon. Vote was 8:1, with Minneboo voting nay.

OBSSECTION
IV.A.2.

CL

2022 Julep Drive #303 • Cocoa Beach, FL 32931 • Phone: 407/625-0713
E-Mail: clangleyl@cfl.ir.com

Date: October 22, 2016

Brevard County
Board of County Commissioners

RE: Squid Lips
Comp Plan Amendment and Rezoning Request

Dear Commissioners:

I am the owner of unit #303 in the building closest to the Squid Lips restaurant and I am opposed to the requested comprehensive plan amendment and rezoning. Often when these matters come before the Board, they are met with concern by adjacent property owners stemming from fear of the unknown. In this instance, the owners in our building have experienced first hand exactly what is going to take place. We have seen the owner's flagrant disregard for building codes, building permits, the county development process and use of qualified licensed contractors. We have witnessed the traffic and the patron's vehicles illegally parked in the adjacent County River Bend Park, along AIA, and at the nearby gas station. We have seen the beer cans and bottles and other trash left in the narrow park separating our condo from the restaurant; a park that is maintained by our condo association. The litter started almost immediately after Squid Lips opened and stopped just as soon as the deck was closed. We have heard the way too loud music from inside our units after evening curfew. We listened to the owners tell us how they intended to correct this, only to see the conditions they proposed to the Board fall way short of what was promised. Given this history it would be illogical to trust that any conditions of rezoning imposed by the Board or agreed to by the owner would be adhered to.

As such I respectfully ask that you vote to deny the requested amendment and rezoning.

Sincerely,


Craig Langley

OBJECTION
IV.A.2.

Alward, Elizabeth M

From: Carol Love <car.love@me.com>
Sent: Saturday, October 22, 2016 9:32 AM
To: Commissioner, D2
Subject: Squid Lips

Dear Sir

Under no circumstances do we want Squid Lips to get the zoning accommodations and changes! We invested in Magnolia Bay because this part of Cocoa Beach is more tranquil. Imagine our dismay when we went to sit on our balcony, only to be barraged by obnoxious music late into the night! Their disregard for zoning rules obviously doesn't bode well for any prospects of staying within the limits of their promised parameters. They have shown their disregard! And the proposal on the table still is not good in and of itself. If we wanted a party atmosphere, we would have purchased a condo elsewhere. And who is going to recoup our investment money when we sell? Certainly not Squid Lips! They knew or should have known what the zoning was when they purchased the property.

Respectfully yours,

Carol Love

2001 Julep Dr. #101

Cocoa Beach, FL 32931

Sent from my iPad

Sent from my iPad

OBJECTION
IV. A2

Alward, Elizabeth M

From: eyelle <eyelle@aol.com>
Sent: Friday, October 14, 2016 11:40 AM
To: Commissioner, D2
Subject: RE:Zoning change at Squid Lips

Dear Commissioner Barfield,

My husband and I are residents of Magnolia Bay, next door to Squid Lips. When we purchased our unit for a half million dollars, we were assured that the neighborhood was zoned residential. We did not have a problem with the existing restaurant next door as they were quiet and respectful. When Squid Lips moved in, everything changed! The smells, traffic, NOISE, and confusion they generated in the neighborhood was intolerable. When the owner met here at Magnolia Bay, only a handful of people were present. We did not agree to the terms set forth as a result of that meeting. We trusted the Commissioners to enforce the Residential zoning. Please do not allow this change to take place and set a precedent for overruling the work of previous commissions. If this passes, We sincerely hope that at best a maximum of week-end nights only for music can be set as many residents here retire early and have to work. Imagine paying the price for a beautiful place to live and listening to horrendous noise from outdoor music, loud acoustics from indoors, and lots of drunks on the pier, and in their boats and in the parking lot. We do not believe that the owner has the best interests of this community at heart. We were sorely disappointed in the last meeting and hope that you can save us from this travesty.

Sincerely,
Eloise Yelle
A. Courtney Yelle, CDR. USN Retired

OBJECTION
IV.A.2..

Alward, Elizabeth M

From: donna vignaroli <dvignaroli@hotmail.com>
Sent: Wednesday, October 12, 2016 2:29 PM
To: Commissioner, D2
Subject: Squid Lips Zoning

Please reconsider keeping the zoning Residential or at least keep the music to acoustical 3 days a week to conform with the residential environment.

Thank you,
Donna Vignaroli
Magnolia Bay Resident

Sent from my iPhone

OBJECTION
IV. A. 2.

Alward, Elizabeth M

From: Karen Frustaci <kar624@aol.com>
Sent: Wednesday, October 12, 2016 11:37 AM
To: Commissioner, D2
Subject: Rezoning of Squid Lips

Dear Commissioner Barfield:

I am writing to you with regard to the rezoning of Squid Lip which is located right beside our condos Magnolia Bay. I urgently request that the zoning remain R2 15 "conditional use". If the zoning is changed this would lead to others requesting the same change and our peaceful area could be turned into a nightmare. We do not have a problem with Squid Lips remaining where they are, however I would also ask that their request to play music 7 days a week be denied. Again we are willing to let them have music on the weekends, no later than 10:00, but really 7 days a week I feel is ridiculous. We love sitting out on our balconies after dinner every night and if they allowed music every night our peaceful neighborhood would be destroyed.

I'm hoping that you will consider all the requests you have received in favor of keeping the zoning as is, which will give us all peace of mind.

Thanking you in advance, I remain,
Karen & Marcello Frustaci
Magnolia Bay
2012 Julep Dr
Unit 309
Cocoa Beach Florida
32931

Sent from my iPhone

OBJECTION
II.A.2.

Alward, Elizabeth M

From: Dan Bednar <danielgbednar@gmail.com>
Sent: Tuesday, October 11, 2016 12:06 PM
To: Commissioner, D2
Subject: Squid Lips Rezoning Proposal

Dear Commissioner Barfield,

We are writing to you to kindly request that the zoning of Squid Lips remain R 2 -15 with Conditional Use.

We are very concerned that the requested rezoning would create an impossible situation for our quiet residential neighborhood, with loud music playing late at night, and generally increased traffic and noise that would not be consistent with our area.

Please reconsider and keep the zoning residential, or at least in conformity with a residential environment: keeping music acoustical and to just three days a week.

Thank you in advance for your consideration.

Michelle and Dan Bednar

Magnolia Bay

OBJECTION
IV.A.2

Alward, Elizabeth M

From: Joan Friedman <joanfriedman2@gmail.com>
Sent: Tuesday, October 4, 2016 5:22 PM
To: Commissioner, D2
Subject: Squid Lips Meeting 10/6

I had planned on attending the above meeting but with the storm may not make it but I don't want to go unheard. At the request of the Zoning board, we met with representatives from Squid Lips before the final zoning meeting. We had a list of concerns to which Squid Lips agreed to address. We requested that we receive their responses in writing and did not see anything until right before the meeting. And most of the people there had no opportunity to even see what they had written. We were quite upset because once we really looked at it, we felt taken advantage of.

When we moved here, we thought we were buying into a quiet residential area. We had a quiet restaurant next door that had a residential license that prevented many of the problems that a commercial license will allow. We are so concerned about our quality of life. These condos were not inexpensive to buy and I hate to think what we may have to live with or what we will lose in value if we had to sell.

I have many concerns about having music 7 days a week and though their plans are now to have solo or duo entertainers on some nights, they can be as loud and brash as a band. We have already experienced the noise coming from the outside back deck. What do we do if the sound barriers don't work. We will have no recourse.

From what I have seen, the emphasis at Squid Lips is not on being a restaurant but on being a bar and that brings an entirely different clientele. We love our area. Please don't let them spoil it.

Thank you for listening to me.

Joan Friedman - Magnolia Bay

OBJECTION
IV. A. 2.

Alward, Elizabeth M

From: Carol Love <car.love@me.com>
Sent: Tuesday, October 4, 2016 2:52 PM
To: Commissioner, D2
Subject: Squid Lips

We are residents of Magnolia Bay and are vehemently opposed to the rezoning of Squid Lips! We invested our money and hearts into our community. The atmosphere of our community and therefore our investment is greatly affected by the presence of Squid Lips. We don't want our peace and investment to be ruined. You need to listen to your community. Keep it residential zoning. No more last minute/ cram down your throat proposals! Please respect our voices!

Thank you for your time and effort on our behalf.
Carol and Robert Love

Sent from my iPhone

OBSJECTION
IV.A.2.

Tony and Jeanne Cook
2022 Julep Drive, Apt 205
Cocoa Beach, FL 32931

October 17, 2016

Brevard County Board of County Commissioners
2725 Judge Fran Jamieson Way
Viera, FL 32940

Attn: County Commissioners
CC: Henry Minneboo

Ref: IV.B.7 (16PZ00055) Banana Riverfront, LLC

Dear Commissioners,

This letter is in regard to the above referenced item that was to be on the agenda for your meeting on October 13, 2016. It is my understanding that this item has been tabled until a later date but I want to be on the record before the next meeting.

On August 3, 2016 I sent a letter to the Planning and Zoning Board about this matter and spoke at their meeting on August 8, 2016. My letter and my statement to the board indicated my neighbors and I have had several issues with Squid Lips since the new owner took over. My neighbors and I worked in good faith with the new owner and had several conditions we wanted to have enforced with any zoning change. With those conditions agreed to, I had no objection to the zoning change.

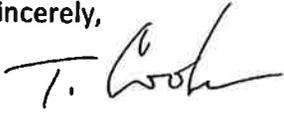
On September 12, 2016, the Planning and Zoning Board approved the zoning change with the conditions we agreed to among others from the P&Z board. Those conditions are listed in your meeting agenda.

Now it has come to my attention that the owner has requested tabling so he can follow up on a Public Interest Determination. This would be so he could presumably add a kayak and paddle board launch site and extend the deck further into the Banana River. None of this was discussed at the Planning and Zoning meetings. None of it was discussed at our meeting with him in our clubhouse. Therefore, neither me, my neighbors nor the P&Z board had the opportunity to discuss this. So, the owner is now attempting to change what he agreed to at the Planning and Zoning meeting.

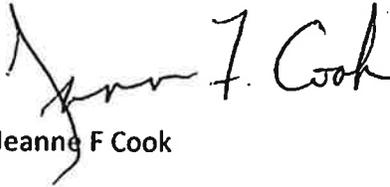
In my letter to the Planning and Zoning Board I stated that I was ok with the zoning change as long as our issues were addressed. I now formally rescind that statement. The owner has demonstrated that he disregards any rules that apply to him and he simply does what he wants,

whether it is adding structures that may or not conform to building codes, performing that work without any building permits or inspections, violating zoning conditions or unilaterally changing terms he agreed to in the past. Given that, I strongly recommend, encourage and request that the Board of County Commissioners deny this zoning change request.

Sincerely,



Tony Lee Cook



Jeanne F Cook

OBJECTION
IV.A.2.

Jones, Jennifer

From: Newell, Marcia on behalf of Commissioner, D1
Sent: Monday, October 24, 2016 3:20 PM
To: Fox, Cynthia C; Jones, Jennifer
Subject: FW: Squid Lips' request for new zoning

Email received regarding Squid Lips.

Marcia Newell

Legislative Aide to Commissioner Robin Fisher
Marcia.newell@brevardcounty.us



District 1 Commission Office
400 South Street, Suite 1A
Titusville, Florida 32780-7698
321-264-6750

From: Joan Miller [<mailto:jkmiller@cfl.rr.com>]
Sent: Monday, October 24, 2016 12:13 PM
To: Commissioner, D1
Subject: Squid Lips' request for new zoning

Commissioner Fisher,

We are recent area residents now living next door to Squid Lips.

In considering the Squid Lips application we would appreciate everyone remembering that this restaurant is next to a large residential complex on the north and that another similar, smaller complex is planned to the south. As noise travels and amplifies over water we are concerned with the quality of our life here as well as the negative impact on our property values. We are also concerned given Squid Lips past indifference to building codes that they may continue to be unreliable in adhering to any new agreements that they find inconvenient.

A change from restaurant to restaurant with a recreational and entertainment venue is neither desirable nor acceptable for this location. The noise level and insufficient parking are also a concern.

We moved from southwest Florida and are especially interested in the efforts to restore the Indian River Lagoon. We experienced, with great sadness, the extensive pollution and negative economic impacts caused by Lake O discharges down the Caloosahatchee River and are impressed by the serious efforts being made by you and others to restore the Lagoon. Common sense tells us that any changes that allow additional impact on

our buffer zones and also exceed the current impervious coverage limits are poorly timed and set a bad precedent at this crucial time for the Lagoon restoration.

Thank you,

Sincerely,

Joan & Richard Miller

2012 Julep Drive #301

- Cocoa Beach

OBSJECTION
IV. A. 2.

Jones, Jennifer

From: Newell, Marcia on behalf of Commissioner, D1
Sent: Monday, October 24, 2016 3:21 PM
To: Fox, Cynthia C; Jones, Jennifer
Subject: FW: Opposition to All Zoning and Other Requests made by Banana Riverfront LLC for Squid Lips Cocoa Beach

Email received regarding Squid Lips.

Thanks,

Marcia Newell

Legislative Aide to Commissioner Robin Fisher
Marcia.newell@brevardcounty.us



District 1 Commission Office
400 South Street, Suite 1A
Titusville, Florida 32780-7698
321-264-6750

From: kaszymanski@aol.com [mailto:kaszymanski@aol.com]
Sent: Monday, October 24, 2016 11:24 AM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Cc: jgszymanski@aol.com
Subject: Opposition to All Zoning and Other Requests made by Banana Riverfront LLC for Squid Lips Cocoa Beach

To: Commissioner Jim Barfield
Commissioner Robin Fisher
Commissioner Trudie Infiniti
Commissioner Curt Smith
Commissioner Andy Anderson

cc: Mr. James Szymanski

From: Mrs. Kathleen Szymanski
Date: 24 October 2016

Re: Opposition to All Zoning and Other Requests made by Banana Riverfront, LLC for Squid Lips Cocoa Beach

My husband, James G. Szymanski and I live at the Magnolia Bay condominium, 2012 Julep Drive, Unit 307, Cocoa Beach, Florida. Our residence is directly adjacent to Squid Lips Cocoa Beach, the property the Banana Riverfront, LLC is requesting multiple zoning changes for.

While one would expect all "neighbors" be it residential or commercial use, to abide by all county zoning rules and regulations, earlier this year the owners of Squid Lips Cocoa Beach blatantly violated a number of Brevard County zoning and building codes and rules to the detriment of the South Cocoa Beach community. Today I am addressing one primary issue that directly impacts Magnolia Bay, although there are others.

My husband and I enjoy sitting outside on our balcony on the weekends as well as in the evenings. Once Squid Lips began outdoor musical performances we could no longer enjoy the use of our balcony. This did not happen just once; instead it occurred from the time Squid Lips began holding musical performances until the time Brevard County held them in violation of zoning and building codes. The music was **loud**. It exceeded parameters set by the Noise Ordinance, Sec. 62-2271 (Pure Tone, Impulsive Sound, maximum allowable sound pressure levels). We clearly heard the lyrics to the songs as well as the instruments from our balcony. Loud music not only impacted use of the balcony but the enjoyment of Magnolia Bay's outdoor common space including the walking path, club house, pool and hot tub.

If approved these zoning changes will undoubtedly benefit the Banana Riverfront LLC expanding the restaurant to a CABARET. It will optimize *their revenues*, however it will be at the detriment to the property value of the Magnolia Bay home owners.

I am respectfully requesting, as representatives of Brevard County, that you consider all property owners who will be impacted by your decisions. Please do not approve these zoning changes. I have a strong point of view as I am concerned that their past behaviors demonstrate disregard for the law and a lack of respect for their neighbors. Understanding that there will be multiple view points weighing in on the issues, should you approve their multiple requests, how will the county monitor and hold Banana Riverfront, LLC accountable?

Best Regards,
Kathleen Szymanski

OBJECTION
IV.A.2.

Jones, Jennifer

From: Newell, Marcia on behalf of Commissioner, D1
Sent: Monday, October 24, 2016 3:22 PM
To: Fox, Cynthia C; Jones, Jennifer
Subject: FW: Request for Denial of Zoning Change - Squid Lips

Email received regarding Squid Lips.

Thanks,

Marcia Newell

Legislative Aide to Commissioner Robin Fisher
Marcia.newell@brevardcounty.us



District 1 Commission Office
400 South Street, Suite 1A
Titusville, Florida 32780-7698
321-264-6750

From: Steve Blume [<mailto:jsteveblume@gmail.com>]
Sent: Sunday, October 23, 2016 1:51 PM
To: Commissioner, D1; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: Fwd: Request for Denial of Zoning Change - Squid Lips

I respectfully ask that you support Jim Barfield in denying the zoning change for Squid Lips and allow them to open as originally purchased. Thank you for your consideration.

Steve & Lorraine Blume
Residents of Magnolia Bay Condominiums

----- Forwarded message -----

From: Steve Blume <jsteveblume@gmail.com>
Date: Sun, Oct 23, 2016 at 1:35 PM
Subject: Request for Denial of Zoning Change - Squid Lips
To: D2.Commissioner@brevardcounty.us

We are homeowners residing in the Magnolia Bay Condominiums and am writing to you to respectfully request the denial of the proposed zoning change for Squid Lips.

The new conditions proposed to our homeowners is for music 7 days a week from morning until evening and based on how that was managed before they were shut down to me is totally unacceptable. The zoning change will forever change the quality of our lives

as well as reduce the value of our homes. What bothers me with trusting the owners to abide by any agreed upon conditions is that they had no regard before for rules and regulations and thus were shut down. Why do they get a second chance number 1 and why are they allowed to propose such a huge change in the use of the facility. The proposed expansion of the deck and waterfront areas will also have a negative effect on quality of life for the residents and wildlife in the wild areas as we saw previously. This proposed addition will present a huge problem with parking and traffic and presents a significant safety concern. We witnessed this when the deck was open before and saw cars parked not only in our parking spaces, but on the grass median strip. There were cars driving the wrong way on A!A as well.

I sincerely wish this business well and know that they will be successful but it doesn't have to be at the community's expense. Please consider the Restaurant to open as it was purchased and restricting music to only 3 nights per week with limits on the noise level. Thank you for your consideration.

Sincerely,

Steve & Lorraine Blume

CONCERN
~~IBS~~

Jones, Jennifer

From: Laurence Barton <laurencebartonllc@gmail.com>
Sent: Sunday, July 31, 2016 9:11 AM
To: Jones, Jennifer; Fox, Cynthia C
Subject: Planning and Zoning Department: Letter of Concern: ID #16Z00055

IV.A.2.

Dear Commissioners:

We are full-time homeowners and taxpayers at Magnolia Bay, 2022 Julep Drive, Unit 304, the condominium directly adjacent to Squid Lips. We are asking that you seriously reflect on the pending applications before you; our homeowner community has direct experience with this business and their profound lack of respect for the County, let alone our neighborhood.

We offer the following for your consideration:

1. Please insist that any permits include a provision requiring that a permanent sound mitigation wall be installed. When the restaurant/bar opened, reportedly without the appropriate permits, the music was so loud that we spoke with the manager on two occasions and he acknowledged that the music was at 20-21 decibels when the level should have been set at 9. The noise was outrageous, disruptive to a residential neighborhood, agitated pets and created a raucous atmosphere. You have the ability and legal authority to insist that any music be limited to Friday and Saturday nights, ending at 10 p.m. and Sunday ending at 5 p.m.so they can operate a business and we can enjoy our homes.
2. Unlike the prior operator that focused on families, this operator is catering to a different clientele, which is their prerogative. However, we are very concerned that after substantial alcohol consumption, those exiting the property will turn left onto a one-way street; there were close calls during the months when Squid Lips first opened. Please insist that the operator pay for signage indicating a turn-right only so we avoid casualties. This is a Duty to Care and Duty to Warn issue; as an instructor for the U.S. Department of Justice, these are the very issues that I raise when charges are brought against an enterprise subsequent to a fatality.
3. We have photographs of trash and garbage that accumulated at Squid Lips when it operated without the required licenses. These photos show open bins that created astounding odors and attracted insects and rats. We saw and experienced these conditions, constituting public health challenges that can be corrected by a responsible business owner with your oversight.

Any business should follow the law, obtain the appropriate permits and respect neighbors. As stewards of the public, the homeowners are relying upon the Commission to ensure that Squid Lips follow these basic tenets of operating a bar/restaurant.

We want Squid Lips to succeed as an enterprise, but we do not want them to have a flagrant disregard for you as a Commission and for us, as taxpayers, with uncontrolled noise. By making modest investments in public safety and noise control, they can become a responsible business and an asset to Brevard County. If a hair salon, gas station or pharmacy must comply with the law, shouldn't a restaurant/bar be held to the same, or higher standard of care?

Thank you sincerely for helping us protect Brevard County.

Laurence Barton, Ph.D.
Eliza Alden

2022 Julep Drive, Number 304
Cocoa Beach FL 32931
602.740.4888

CONCERN

~~IV. B. 2.~~

IV. A. 2.

Jones, Jennifer

From: Joan Friedman <joanfriedman2@gmail.com>
Sent: Wednesday, August 03, 2016 2:23 PM
To: Jones, Jennifer
Subject: Case # 16Z0005 Letter of Concern Planning and Zoning Commission

-When we purchased our condo 2 years ago, we expected to be living in a quiet and clean environment. The area was, and still is, primarily residential. The existing few commercial sites were unobtrusive and had no adverse effect on the neighboring residents or their environment.

When we first learned that Squid Lips had purchased the Lobster Shanty, we had no concerns. However, when they opened the enlarged outside deck, everything changed. The parking spaces available were completely inadequate for the amount of patrons. Consequently, people were parking anywhere they could, even on other people's property. The trash was overflowing the dumpsters and was piled everywhere, cardboard boxes were stacked all over. Conditions were not only unsightly but unsanitary providing an invitation to rodents and scavenger birds to forage. I have photos of said trash.

Every night we were subjected to loud and brash music-most certainly above the allowed decibals. We could no longer remain on our balcony and had to go inside and close up.

Most days we were forced to close up because of the dense smoke coming from the restaurant. People with allergies or lung problems were at risk and if we kept the condo open, the smoke permeated the rooms. We have a preserve on the river in back of us and we are good stewards in trying to provide a nurturing environment for the many species of birds. Having all of that smoke coming from next door has to affect their environment.

A representative from our condo had contacted Squid Lips about our concerns and I am sorry to say that they made no effort to address them.

They have since been forced to close the outside deck for many building code infractions. I am respectfully requesting that you consider our issues before making any decisions on their zoning request.

Sincerely,

Joan Friedman

2022 Julep Drive #301

CONCERN
~~IV. A. 2.~~ ~~IV. G. 17.~~

Tony and Jeanne Cook
2022 Julep Drive Apt 205
Cocoa Beach, FL 32931

August 3, 2016

Brevard County Planning and Development
Planning and Zoning Board
2725 Judge Fran Jamieson Way, Bldg C
Viera, FL 32940
Attn: Cynthia Fox and Jennifer Jones
CC: Jim Barfield, Commissioner, District 2

Reference: ID# 16Z00055

Ms. Fox and Ms. Jones,

This letter is to voice our concerns regarding the proposed zoning change for the above referenced property doing business as Squid Lips. We are property owners and full time residents at the Magnolia Bay Condominium in the building directly adjacent to Squid Lips. Our concerns revolve around three major areas: Excessive noise, parking problems and general safety.

First, the noise levels at Squid Lips were excessive when their patio was open and live music was being played. Many of our neighbors have called them regarding the excessive noise and I went to talk to them personally. I spoke to one of the managers on duty about a particularly raucous Sunday evening. The manager admitted that "yeah, the guys kind of got carried away" and he'd take care of the problem. Although promises were made, no solutions were implemented. The sheer volume of the noise is not the only problem. The loud music continues well beyond the cut off time. Complaints from our community regarding this have also fallen on deaf ears. Squid Lips has a noise problem and they have made it into a problem for their neighbors.

Second, is the issue of inadequate parking at Squid Lips. When the outside deck was open there was no room for their customers to park in their parking lot. Not even close. Cars were parked in the grass median of Highway A1A. Cars were parked at the Chevron station across the street. Cars were parked in the small strip of park land between Squid Lips and Magnolia Bay. Cars were parked on the side of Highway A1A in front of our condos and cars were even parked on our private property in our parking lot. Two of these places are grassy areas our condo association is responsible for taking care of. Even though the small strip park is County property, our association takes care of it. Our lawn service mows it and our residents keep it

clean. Somewhere along the line, a section of wooden split rail fence was removed and cars were parked along the park's walking path. Squid Lips has a parking problem and it has been made into a problem for all their neighbors.

The last area of concern is general safety. We walk our dogs along A1A in front of our condo every day. We have personally been witness to numerous near misses of traffic accidents. Cars pull out of Squid Lips directly in front of oncoming traffic. The posted speed limit is 35 MPH north of Squid Lips and increases to 45 MPH to the south. Regardless of posted speed limits, traffic moves at around 50-55 MPH in this area. On no less than ten occasions we have witnessed cars turning northbound onto A1A in the southbound lanes. Keep in mind; this is only what we have personally witnessed. We can assure you that this is a scary situation to witness and have no control over. To be fair, the area is poorly marked. We addressed this issue with the Florida DOT when they were seeking input regarding the A1A improvement project. The DOT assured us the proper signage would be placed during the project but not before. This is an ongoing problem for the state and our county but it has been made worse by the increased traffic from Squid Lips.

When it was announced that Squid Lips was taking over from Lobster Shanty we were excited. We anxiously looked forward their opening and were among the first to go once they did open. We wanted them to succeed. We still do. However, the problems they brought to our quiet corner of the world have made them bad neighbors. Their inability or refusal to correct these problems has made it worse. Unfortunately, the only thing that corrected the problems was having their deck shut down. So, the question before your board is whether or not to grant their zoning change request. Let me be clear in this final section: If Squid Lips can reopen their deck and address these concerns then we are ok with approval. This would mean limited and enforced noise limits, changes to their parking lot to keep cars off private property and addressing the traffic safety issues. If Squid Lips cannot or will not address these problems our recommendation would be to reject the zoning change request.

Thank you for your consideration.

Tony Cook, MBA

Jeanne Cook, RN BSN

CONCERN
~~IV. A. 2.~~

Jones, Jennifer

From: dnhcouch@earthlink.net
Sent: Wednesday, August 03, 2016 7:22 PM
To: Jones, Jennifer; Fox, Cynthia C
Subject: ID #16Z00055

IV. A. 2.

Planning and Zoning Department: Letter of Concern: ID #16Z00055

From: Heather Couch dnhcouch@earthlink.net
Sent: Thurs, 8/3/2016
To: Jennifer Jones Cynthia Fox

Dear Commissioners:

We are full-time homeowners and taxpayers at Magnolia Bay, 2022 Julep Drive, Unit 102, the condominium directly adjacent to Squid Lips. We are asking that you seriously reflect on the pending applications before you; our homeowner community has direct experience with this business and their profound lack of respect for the County, let alone our neighborhood.

We offer the following for your consideration:

1. Please insist that any permits include a provision requiring that a permanent sound mitigation wall be installed. When the restaurant/bar opened, reportedly without the appropriate permits, the music was so loud that we spoke with the manager on two occasions and he acknowledged that the music was at 20-21 decibels when the level should have been set at 9. The noise was outrageous, disruptive to a residential neighborhood, agitated pets and created a raucous atmosphere. You have the ability and legal authority to insist that any music be limited to Friday and Saturday nights, ending at 10 p.m. and Sunday ending at 5 p.m. so they can operate a business and we can enjoy our homes.
2. Unlike the prior operator that focused on families, this operator is catering to a different clientele, which is their prerogative. However, we are very concerned that after substantial alcohol consumption, those exiting the property will turn left onto a one-way street; there were close calls during the months when Squid Lips first opened. Please insist that the operator pay for signage indicating a turn-right only so we avoid casualties. This is a Duty to Care and Duty to Warn issue; as an instructor for the U.S. Department of Justice, these are the very issues that I raise when charges are brought against an enterprise subsequent to a fatality.
3. We have photographs of trash and garbage that accumulated at Squid Lips when it operated without the required licenses. These photos show open bins that created astounding odors and attracted insects and rats. We saw and experienced these conditions, constituting public health challenges that can be corrected by a responsible business owner with your oversight.

Any business should follow the law, obtain the appropriate permits and respect neighbors. As stewards of the public, the homeowners are relying upon the Commission to ensure that Squid Lips follow these basic tenets of operating a bar/restaurant.

We want Squid Lips to succeed as an enterprise, but we do not want them to have a flagrant disregard for you as a Commission and for us, as taxpayers, with uncontrolled noise. By making modest investments in public safety and noise control, they can become a responsible business and an asset to Brevard County. If a hair salon, gas station or pharmacy must comply with the law, shouldn't a restaurant/bar be held to the same, or higher standard of care?

Thank you sincerely for helping us protect Brevard County.

Heather A. Couch
David R. Couch

2022 Julep Drive, Number 102
Cocoa Beach FL 32931
321-613-3251

CONCERN
~~ISSUE~~

IV. A. 2.

Jones, Jennifer

From: david386_2000@yahoo.com
Sent: Thursday, August 04, 2016 2:49 PM
To: Jones, Jennifer; Fox, Cynthia C; suejam_92@msn.com
Subject: Planning and Zoning Department #16ZOO55

Dear Commissioners

We are concerned as homeowners and tax payers at Magnolia Bay located adjacent to the new Squid Lips. We would appreciate your consideration for us as homeowners and resident (neighbors).

It was our original understanding that the music was to be restricted to 20-21 decibels. Also that the music was to end at 10 p.m. all evenings except for Sunday which was to end at 5 p.m. (neither of which occurred while the deck was open. This hopefully could be achieved by the construction of a sound barrier wall.

We certainly would hope that Squid Lips can be a successful business as well as considerate neighbors.

One final concern at this point is a safety issue, when people were exiting the property they often turned left on to a one way thoroughfare meeting traffic heading south head on this we fear can be a catastrophe waiting to happen.

We hope that these issues can be rectified before any serious damage or problems occur.

David & Bernardine Bochette
2022 Julep Dr. E-201
Cocoa Beach, Fla. 32931

CONCERN
I.B.#7.

Jones, Jennifer

From: Nan Baker <nanbaker@gmail.com>
Sent: Thursday, August 04, 2016 5:25 PM
To: Jones, Jennifer; Fox, Cynthia C
Subject: Squid Lips Change of Classification

IV. A. 2.

I am writing as a resident of Magnolia Bay living in the building adjacent to the Squid Lips restaurant & bar. I do have concerns about the ongoing operations of this facility & the past operations and violations.

I was delighted to hear this property was to be renovated & improved. We had assurances from management about noise levels and procedures. However, the reality was not pleasant.

Noise was often above acceptable levels and outside of approved hours. Our condos are well soundproofed, I hear no noise from neighbors but the music from next door could be heard well into the night. I personally visited the deck & spoke with a manager about the noise level due to the fact you could not even converse. He assured me that they welcomed feedback, spoke with the band & as soon as he left the deck they ramped the decibels back up with no oversight.

I have also witnessed cars coming north in the southbound lanes of A-1-A upon leaving the property, parking along our perimeter, and am told that cars were parking in our private lots. We had a rat invasion around our building we presumed came from next door.

I concur with the correspondence you have received from other Magnolia Bay owners about concerns for responsible compliant operations. Noise abatement seems to be a must along with traffic signage and warnings, but most importantly good stewardship, which in light of the building violations does not seem to be a priority of the Banana Riverfront LLC.

I have lived along this stretch of the river for more than 30 years and until such time that I have reassurances that my property values and peaceful living will not be adversely affected, I do not support the change in classification being sought.

Sincerely,
Nan L. Baker
2022 Julep Drive
Cocoa Beach

CONCERN
~~IV.6.79.~~

Jones, Jennifer

From: Michael Lukis <tileroofs@aol.com>
Sent: Friday, August 05, 2016 3:26 PM
To: Jones, Jennifer; Fox, Cynthia C
Cc: mbocbfl2012@gmail.com
Subject: RE: JD #16Z00055 Re: Squid Lips re-zone request from Residential to Commercial.

IV.A.2.

Dear Brevard County Planning and Zoning Board,

My wife and I purchased our condo at the adjacent Magnolia Bay Condominium property 7 years ago, primarily because it is a quiet and tranquil residential area of Cocoa Beach. When we moved into Magnolia Bay, the Lobster Shanty property was zoned residential and therefore they maintained a low profile with acoustical music. When Squid Lips recently opened, the music became much louder and continued past the designated allowable time. The new Squid Lips venue's larger crowd and more party atmosphere placed hardship on Magnolia Bay residents when we noticed that our complex was being used as over-flow parking. There were also a couple of close calls on A1A as a few customers turned north out of the Squid Lips parking lot into the southbound lanes of A1A. Thankfully, the problems stopped when the county closed down the outdoor party deck.

We will be out of town on the hearing dates, but want to express our concerns about our quality of life and Magnolia Bay property values. Squid Lips and its new deck had a very negative impact on our community during its short duration. We ask that the re-zoning be denied. If it is allowed, provisions must be made for additional parking, sound barriers and road signage as well as restricting the loud outdoor music to limited days and hours.

Michael Lukis
2012 Julep Dr. #202
Cocoa Beach, FL
(773)447-3926

CONCERN
~~IV. A. 2.~~

Susan and Jamie Suplee
2022 Julep Drive, #306
Cocoa Beach, Fl. 32931

IV. A. 2.

Ms. Jennifer Jones
Ms. Cynthia Fox
Members of Planning & Zoning Board
Board of Commissioners

RE: Letter of Concern: ID#16Z00055

Dear Madams/Sirs,

Susan and I would like to introduce ourselves as full time homeowners and taxpayers residing at Magnolia Bay Condominiums located directly adjacent to the Squid Lips property. The Condominium HOA is also responsible to maintain and protect the Wildlife Conservation Area that sits directly behind our property and adjacent to the above mentioned property. As residents of this upscale residential Community, we are extremely opposed to any consideration of a zoning change for the Squid Lips property. The primary reason for these concerns is the direct result of our experiences during their brief window of illegal operations and their blatant disregard for the Planning and Zoning Department, the Commissioners, their neighbors and the Community. As a result, we would have no faith that this business would abide by any zoning change with conditions. This is not the first location of Squid Lips in Brevard County and this proprietor is not naïve to the process of planning, zoning, and health and business practices. It is my experience that all of the above mentioned capable people working for Brevard County would guide and direct you towards a successful development plan had they been given the opportunity. Adjacent residents shouldn't have to provide the due diligence that was the onus of this Business owner.

When we first heard that Squid Lips would be coming next door, we were thrilled that they were hiring some of the staff of the Lobster Shanty and that we would be able to wander over to enjoy our beautiful sunsets, meet as a group, have a cocktail or have a meeting over lunch or dinner. This was the furthest thing from reality. Bands were originally going to play 3 nights a week and then slowly moved to 5 nights with piped music on the off nights. When management was approached regarding the noise level, he acknowledged the fact that they were way over the sound limit but response was, I know, hey, we got carried away. The traffic was horrific with people driving around in circles trying to find a place to park, making parking spots along the right of way, taking it upon themselves to park in our lot, Marko Villa's lot, the Gas Station lot and more. We also have been witness to customers departing the restaurant and driving down a one way. Perhaps a traffic study might resolve this issue and offer suggestions for proper signage in this very intricate area where the highway merges.

We ask that you look long and hard on the effects of this Business and the compatibility it has with its adjacent property owners which are zoned Res 15 or Ru 2-15. We understand that there was a Restaurant previously on this property, but that Restaurant was established back in the 50's. There has been tremendous growth in this area since 1950 which no doubted has changed traffic patterns substantially. Has a new traffic study been completed to accommodate the increased volume that his zoning change will produce? Is there enough parking to accommodate 1 spot for every 100 square feet of space including the expansion for an additional 100 persons?

The property was rezoned in 2006 to be compatible with its surroundings and therefore, Magnolia Bay, an upscale condominium community with 57 units was constructed and built. Our residents bought into this wonderful riverfront community with a wildlife conservation area behind it knowing that no one would ever take away from the beauty of nature that sits in our back yard and also knowing that the property next door was zoned Residential.

The following are the many areas of the Zoning Code which need to be addressed:

Section 62-1901 (c) (1) (a), 62-1901 (c) (1) (b), 62-1901 (c) (1) (c)

Noise, number of persons using the property, noise, odor, particulates, smoke, fumes and other emissions and increase traffic within the vicinity

The Noise level is blatantly double the maximum decibel level and prevents us from going to sleep with our windows open or sitting out on our deck. It agitates our animals and limits any possibility of entertaining or listening to your music of choice. Business states that outdoor entertainment will remain the same as the historical use but again, we are not in 1950, historically music was acoustical guitar player and there is now an established residential neighborhood.

The proprietor states that the outside property will accommodate 50 seats. There were at least 15 seats at the bar alone and approximately 20 tables accommodating 4 persons when we were there. The previous owners didn't have an established bar, so to speak, outside. Drinks mainly came from the inside bar.

Emissions of the Barbeque smoker (which operates full time when the deck is open) permeates the area and creeps into your homes from 6 am until evening hours making it impossible to sit out on your deck or open your windows. This causes HARDSHIP for anyone living with lung issues or allergies. I also have concerns with the Wildlife Conservation Area and the effect of noise and smoke to this protected area. While the deck was open, our birds in the Wildlife area had dissipated. Now that it has been closed, the birds are back in full force.

We are relying that the commission will take all of these variables into consideration when making your decision, and hold this business accountable.

Thank you sincerely for helping us protect are our homes and the health and wellbeing of our community and conservation area.

Susan and Jamie Suplee

CONCERN
~~11/5/17~~
IIA.2.

Planning and Zoning Department: Letter of Concern: ID # 16Z00055

From: A Courtney Yelle (acyelle@aol.com)

Sent: August 5, 2016

To: jennifer.jones@brevardfl.gov and Cynthia.Fox@brevardfl.gov

Dear Commissioners:

We are full time homeowners and taxpayers who reside at 2001 Julep Drive, Unit #204. We are concerned with the pending application for Squid Lips Restaurant. When we first heard that they had purchased the property adjoining Magnolia Bay, we were pleased as we had always enjoyed having the Lobster Shanty as our neighbor. However, we were extremely annoyed when they opened and we found that the noise was so objectionable that we were forced to sit inside on a Sunday afternoon rather than on our balcony. The party atmosphere and the total disregard for neighbors makes me question whether they should be granted a change in zoning. Their customers have parked on our property, disturbed the peace and littered. It has been rumored that they dump their used oil into the lagoon but we have no proof of that. Perhaps with your oversight you can check into that since the lagoon is precious to us.

As you consider their request we hope that you will also consider providing some oversight to the running of this business and their disregard for the law.

Thank you for assisting us in maintaining our neighborhood atmosphere.

Sincerely,

Commander A Courtney Yelle, USN Ret.

Eloise H. Yelle

2001 Julep Drive, #204

Cocoa Beach, FL 32931

321-783-3992

CONCERN
~~IV B 7~~
IVA.2.

Planning and Zoning Department: Letter of Concern ID #16Z00055

To: jennifer.jones@brevardfl.gov; Cynthia.Fox@brevardfl.gov
Date: August 6, 2016

Dear Commissioners:

As full-time residents at Magnolia Bay, 2022 Julep Drive, Unit #103, Cocoa Beach, we are asking for your consideration when making a decision on the pending application by Squid Lips restaurant in Cocoa Beach. Our condo is next door to this restaurant and the residents have been experiencing much inconsideration by the owners regarding noise, parking, trash and rodents and traffic control. It seems that the owners have no respect for the comfort of their residential neighbors.

The music coming from the outside seating is so loud that it can be heard with all doors and windows closed. We are asking that you limit the outside music entertainment to Friday and Saturday evenings ending at 10 p.m. and Sundays ending at 5 p.m. with a decibel level of no higher than 9. We also request that a sound barrier be installed by the business owners.

Due to the atmosphere of this restaurant, they are drawing large crowds of partiers. Their parking facility appears not to be sufficient for the crowds being attracted and, therefore, patrons are parking on the shoulder of the road and anywhere else they can find. We have seen people pulling into our private parking area and heading into the restaurant. With all these cars parked on the shoulder of the road, it poses a dangerous situation asking for an accident to happen.

Regarding the trash and rodents, garbage bins are sometimes left open and the odor from rotting food is nauseating. These open bins attract rats and we have experienced numerous rats roaming our property. In fact, one owner had car wires eaten by rats nesting under the hood of their car. This is a blatant lack of consideration on the part of the business owners.

The traffic control is a real issue as we have seen cars exiting the restaurant and heading north in the southbound lane of A1A. We need to have more signs telling drivers to turn right only.

We are not trying to hinder Squid Lips from operating a profitable establishment, but we as homeowners deserve some respect also.

Thank you for your consideration for making Brevard County a pleasant place to live.

Alan and Karen DelMedico
315-269-7155

CONCERN
IV.A.2. #16Z0055

Jones, Jennifer

From: Maria O'Leary-Ridings <mariaolr@verizon.net>
Sent: Saturday, August 06, 2016 8:38 PM
To: Jones, Jennifer
Subject: ID#16Z00055 - Squid Lips

Aug. 6, 2016

Dear Ms. Jones,

We are writing this letter to express my concern regarding Squid Lips restaurant's application to rezone the land from Residential to Commercial. We are homeowners in the Magnolia Bay complex, jut to the north of the restaurant. Our condo is the closest one to the restaurant as it is on the 1st floor of 2022 Julep Dr.

We are very concerned with the sound level and duration of the entertainment that Squid Lips allowed earlier this year. The music was intrusive as it was very loud and continued well past 10 pm. We would like the Board of County Commissioners to consider the impact of this in such a residential neighborhood. The previous management was considerate to their neighbors as they limited to music choices to the weekend and kept the sound levels down.

Additionally, they don't appear to have sufficient parking spaces for their patrons as several have used our parking lot for the overflow. There is the strong potential that patrons will be unaware that Orlando Ave is a one way street and that they would make a left out of either our or their parking lot, head on into another vehicle.

I hope you will take these concerns into consideration and limit Squid Lips ability to disrupt our quiet enjoyment.

Sincerely,

Maria O'Leary-Ridings
Richard Ridings

Jones, Jennifer

IV.A.2 CONCERN
~~IV.B.7.~~

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 1:11 PM
To: Jones, Jennifer
Subject: FW: Reference: ID# 16Z00055

-----Original Message-----

From: SAM SHAKE [mailto:samjax_1@msn.com]
Sent: Wednesday, August 03, 2016 5:25 PM
To: Jones, Jennifer; Fox, Cynthia C
Subject: Fw: Reference: ID# 16Z00055

From: SAM SHAKE <samjax_1@msn.com>
Sent: Wednesday, August 3, 2016 5:20 PM
To: jennifer.jones@brevard.gov; cynthia.fox@brevard.gov
Subject: Reference: ID# 16Z00055

As a property owner and full time resident of Magnolia Bay Condominiums, I wish to voice my concerns as to the proposed zoning change for the above referenced property doing business as Squid Lips.

And as president of the Magnolia Bay Condominium Association, I believe I also speak for the vast majority of the more than 100 residents who now find themselves directly adjacent to Squid Lips. For the few months of operations after the changeover from Jack Baker's Lobster Shanty, we were confronted with three major areas of concern prior to the county shutting down Squid Lip's outdoor deck. These were: excessive noise, parking problems and general safety. Our concerns were justified and we fear that if the re-zoning is approved, they will return.

The noise levels at Squid Lips were excessive when their patio was open and live music was played. Many of our neighbors called them regarding the excessive noise and some went to talk to them personally. Although promises were made, no solutions were implemented. Most weekends, the high volume of the noise continued well beyond the cut off time.

The new deck at Squid Lips was quite popular and parking quickly became inadequate. Cars were parked in the grass median of Highway A1A, at the Chevron station across the street, in River Bend Park just north of the restaurant and even on our private property.

The crowd frequenting Squid Lips is younger and interested less in the food than in the alcohol and ambience of the deck.

Residents have witnessed numerous near misses as cars pull out of Squid Lips directly in front of oncoming traffic. And because of poor signage, we have seen on at least three occasions where someone turned North on the one-way South Orlando Ave.!!

When it was announced that Squid Lips was taking over from Lobster Shanty we were excited. We anxiously looked forward their opening and were among the first to visit. We wanted them to succeed. We still do. However, the problems they brought to our quiet corner of the world are unacceptable and are negatively affecting our property values. Their inability or refusal to correct these problems made it worse. Unfortunately, the only thing that corrected the problems was having their deck shut down. So, the question before your board is whether or not to grant their zoning change request.

We enjoy a close-by eatery with lovely riverside deck and good music. We also welcome a good neighbor that will abide by county regulations and help insure a safe environment. We recommend you approve the re-zoning request only if Squid Lips management makes good faith efforts to eliminate the noise pollution (sound barriers, follow regulations) and add parking space to meet their traffic volume. If Squid Lips cannot or will not address these problems we recommend you reject the zoning change request.

Thank you for your consideration.

Sam Shake

President

Magnolia Bay Condominium Association

CONCERN

IV.A.2

~~IV.B~~

Jones, Jennifer

From: Barbara Schluraff <barbara@c21ocean.com>
Sent: Monday, August 08, 2016 2:19 PM
To: Jones, Jennifer; Fox, Cynthia C
Cc: lchurch@sjrwmd.com; nchurch@sjrwmd.com; mdiolosa@sjrwmd.com; dvoltolina@sjrwmd.com; mcrosby@sjrwmd.com
Subject: SQUID LIPS Zoning Meeting

Hi Jennifer and Cynthia,

I was hoping to attend the meeting today to express my concerns in person in regards to the zoning issues at the Cocoa Beach Squid Lips location. I'm just returning late last night from a week out of town and am just too underwater to get out of the office my first day back.

As a resident just to the north of the restaurant, I hope you will understand my EXTREME FRUSTRATION with how Squid Lips chose to operate their business without seeming regard for it's neighbors. I was initially excited to have them open up nearby. That faded quickly as the reality was very loud music almost every night of the week to the point where it was no longer enjoyable to sit on my porch. Combine that with their food smoker that seems to operate 24/7. The two of these issues attributed to a very quick drop in wildlife along the St. Johns Water Management Preserve which as residents of Magnolia Bay we've been asked to protect. In addition, parking and confusion by the resident's patrons created some to drive the wrong way on A1A when exiting the grounds.

Please know my intent is NOT to have them close, but to create a healthier relationship with nearby residents so we can maintain a normal quality of life. I am asking that the music be curtailed to 2-3 days per week maximum at a low enough decibel that local residents can still sit outside and enjoy wildlife, in addition to having the food smoker issues & parking/traffic problems we experienced addressed. As a Realtor, I would say to use Coconuts on the Beach as comparison on these issues. Their outside seating venue does not interfere with the residents that live both north & south of the restaurant.

I appreciate your attention to this matter and look forward to hearing from you and will be at the September 1st meeting at 5pm.

Please note I've copied some at the St. John's Water Management District in hopes they will be able to support this issue in light of the decline in wildlife we've experienced.

Thanks always,

Barbara

BARBARA SCHLURAFF
CENTURY 21 Ocean
Broker / Owner
C-321-720-3878
<http://c21ocean.com/>
<http://brevardbythesea.com/>

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Click the icons below and
CONNECT WITH US!

CONCERN

IIA.2. #67.

Jones, Jennifer

From: Gary Williams <gwil735@hotmail.com>
Sent: Sunday, September 04, 2016 5:09 PM
To: Jones, Jennifer; Fox, Cynthia C
Cc: SAM SHAKE
Subject: Squid Lip Rezoning

As a resident of Magnolia Bay Condominium, we want to express our concern regarding the application for rezoning of the property just south of our complex which is currently zoned residential to change the zoning to commercial. The Squid Lips Restaurant currently occupies this property.

Our concern is that if they are allowed to rezone, it will adversely affect both our quality of life and property values. Allowing this to become a commercial site will change any current restrictions regarding the outdoor activities and volume of music allowed as well as the hour to discontinue the noise.

Even with promises from the current owner, if the property is rezoned and for any reason they sell to another owner all control has been forfeited regarding the use of the property as a commercial site. And there is no guarantee that any promises made are kept or transferred to any new ownership or establishment.

We appreciate you taking the time to consider our objections to any rezoning of the property that is so close to our home.

Thank You,
Gary and Margaret Williams

From: SAM SHAKE <samjax_1@msn.com>
Sent: Tuesday, August 30, 2016 1:03 PM
To: Gary and Peggy Williams
Subject: Names

Jennifer.jones@brevardcounty.us & Cynthia.fox@brevardcounty.us

Sent from my iPhone

L'ONGERU
IV.A.2.

Alward, Elizabeth M

From: Nan Baker <nanbaker@ymail.com>
Sent: Tuesday, October 4, 2016 3:50 PM
To: Commissioner, D2
Subject: Squid Lips Rezoning Request

Hi Jim,

As a resident of neighboring Magnolia Bay in regard to the above rezoning request, I would like to request careful consideration be given to this request.

The wrong way traffic & improper parking are a concern in this residential neighborhood, but I was most affected by the volume of the music which could be heard inside my unit, perhaps the decibel level could be strictly limited or music limited to 3 weekend nights/holidays only. Additionally, the 'piped' music is louder than the live music at times, I think this is due to the speaker placement & volume around the exterior.

As a community we addressed our concerns to the owner & received reassurances, but we are still concerned about the actual implementation of these measures to ensure our quality of life & property values. And we are concerned that this may create a precedent to rezone additional commercial usage in this area.

I appreciate you giving careful attention to this matter and thank-you,

Nan L. Baker
2022 Julep Drive
Cocoa Beach

OBJECTION
IV.A.2

Alward, Elizabeth M

From: Deborah Wright <thegoodnesswithin@gmail.com>
Sent: Wednesday, November 2, 2016 5:23 PM
To: Barfield, Jim
Subject: Squid Lips rezoning

To whom it may concern:

I am absolutely against the rezoning of Squid Lips to commercial. I have lived in Snug Harbor for over 10 years. I moved to the south end of town for the quiet life it has provided since the neighborhood was built.

I believe their intention is to have bands, 7 days a week, 365 days a year with multiple bands daily. If successful, our end of town will look like Beach Shack/Coconuts. If successful, neighboring businesses will have the precedence to also apply for rezoning their properties for commercial zoning. This has the potential not only to disrupt our peace, but, effect our property values.

It has effected wildlife near the restaurant and that could also reach our neighborhood. I do not believe any amount of sound barrier could reduce the noise to an acceptable level. This is open space as it was meant to be. However, I am concerned that a noise barrier for one set of neighbors could in fact be a megaphone for another.

I don't believe that the peace of the majority should be disrupted for the benefit of one person.

I do not agree to any proposed agreement between the neighborhood and Squid Lips as it will be difficult to enforce. They have also not exhibited their ability to follow the rules.

I am aware that this is not the first issue between other Squip Lips locations and their neighbors.

I believe I have the right to know the area around my family and its zoning and expect it not to change. The owner of Squid Lips knew the zoning when he purchased the property. I am sure he also knew not to build a deck without a proper permit...and that Brevard county respects and cares for its wildlife and property owners. Any bending of the rules--sets a wide door to be opened for lack of respect for the laws that have been placed for the majority. The precedence should be in favor of the laws, zoning and codes...not the breakers of such.

Respectfully,

Deborah A. Wright
1539 Bayshore Drive
321-693-7116

Request to table
(Not Automatic)

Jones, Jennifer

From: Fox, Cynthia C
Sent: Tuesday, October 04, 2016 1:05 PM
To: Jones, Jennifer
Subject: FW: Banana Riverfront, LLC - Development Permits' applicaitons and PID Request

From: Kimberly Bonder Rezanka [<mailto:kim@cfglawoffice.com>]
Sent: Tuesday, October 04, 2016 12:46 PM
To: DiFabio, Robin M; Knox, Scott L; Commissioner, D2
Cc: Fox, Cynthia C
Subject: Banana Riverfront, LLC - Development Permits' applicaitons and PID Request

Dear Ms. DiFabio, Mr. Knox and Chairman Barfield,

We have been advised that the Oct. 6th Commission meeting has been rescheduled to Oct. 13th. My client's representative, Buz Underill, will be unavailable on Oct. 13th due to a scheduled surgery. Therefore, we request a continuance to the County Commission meeting of November 3, 2016. Please advise if this first time continuance request can be granted administratively, or if we will need to attend on Oct. 13th to request the continuance in person.

Thank you for your assistance in this matter.

Sincerely,

Kimberly Bonder Rezanka, Esq.



96 Willard Street, Suite 302
Cocoa, FL 32922
321-639-1320 ext. 123
Fax 321-639-9950

Kim@cfglawoffice.com
www.cfglawoffice.com



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IN FAVOR
~~IV.B.3~~

IV.A.2

Jones, Jennifer

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 8:45 AM
To: Jones, Jennifer
Subject: FW: Rezoning

From: kathleen wells [<mailto:kraewells1@yahoo.com>]
Sent: Friday, August 05, 2016 5:00 PM
To: Fox, Cynthia C
Subject: Rezoning

To Whom It May Concern:

Please allow the rezoning for Squid Lips Cocoa Beach so this establishment can reopen its deck. It is a wonderful and fun place to go and would hate to see it not reopen.

Thank You!
Kathleen Wells

Jones, Jennifer

IV.A.2. IN FAVOR
~~IV.B.17.~~

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 8:46 AM
To: Jones, Jennifer
Subject: FW: Leave squid lips here to stay!!!

From: Brian Cerney [<mailto:bcerney1286@aol.com>]
Sent: Friday, August 05, 2016 6:01 PM
To: Fox, Cynthia C
Cc: d2@commissioner@brevardcounty.us
Subject: Leave squid lips here to stay!!!

This place is awesome, don't rezone them!

Sent from my iPhone

Jones, Jennifer

IV.A.2.

IN FAVOR
~~IV.B.17.~~

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 8:46 AM
To: Jones, Jennifer
Subject: FW: Squid lips

-----Original Message-----

From: Phillip C Karides [<mailto:pkarides@aol.com>]
Sent: Friday, August 05, 2016 6:11 PM
To: Fox, Cynthia C
Subject: Squid lips

To whom it may concern

Please re-consider re-zoning Squid Lips. This establishment is awesome. Great food and the ambiance is Florida at its best!

Thank you
Phil Karides

Sent from my iPhone

Jones, Jennifer

IN FAVOR
IV.A.2. ~~IV.B.2.~~

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 8:47 AM
To: Jones, Jennifer
Subject: FW: Squid Lips

-----Original Message-----

From: Aleka [mailto:akarides21@gmail.com]
Sent: Saturday, August 06, 2016 12:10 AM
To: Fox, Cynthia C
Subject: Squid Lips

Good Evening,

Please consider re-zoning Squid Lips. They're a fantastic restaurant and deserve to serve at their full extent of having their outside bar and live music.

Thank you,
Aleka Karides

Sent from my iPhone

IN FAVOR
~~IV. B. 7.~~

IV.A.2

Jones, Jennifer

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 8:48 AM
To: Jones, Jennifer
Subject: FW: Support for rezoning Squid lips Cocoa Beach

From: chasemp [mailto:chasemp@yahoo.com]
Sent: Saturday, August 06, 2016 2:45 PM
To: Fox, Cynthia C; Commissioner, D2
Subject: Support for rezoning Squid lips Cocoa Beach

I support rezoning Squid Lips in Cocoa Beach to allow dining on the outdoor deck. I have lived in florida since I was a child in many communities that generate a huge tax revenue for the state and residents based on tourism. Squid Lips depends on the ambiance of dining on the river to provide the type of memories our visitors and part year residents look forward to. I urge your support in this vital rezoning hearing.

Sincerley,

Mike Chase

Sent via the Samsung GALAXY S® 5, an AT&T 4G LTE smartphone

Jones, Jennifer

IN FAVOR
IV.A.2. ~~II.B.7.~~

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 8:48 AM
To: Jones, Jennifer
Subject: FW: Squid Lips

From: SUSAN LYNN STEWART [<mailto:susanlynnstewart1@yahoo.com>]
Sent: Saturday, August 06, 2016 3:47 PM
To: Fox, Cynthia C; Commissioner, D2
Subject: Squid Lips

To Whom it may concern:

I used to go to Jack Baker's Seafood Shanty and always enjoyed sitting out on the deck. So imagine my surprise to find out that Squid Lips has to go through re-zoning in order to use the deck. Extremely disappointing.

Please do what you can to speed up the process so that I may enjoy Squid Lips in all of it's outside splendor.

Thank you for your time.

Susan Lynn Stewart
Cocoa Beach, FL

Jones, Jennifer

IV.A.2. IN FAVOR
~~IV.B.19~~

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 8:48 AM
To: Jones, Jennifer
Subject: FW: Squid Lips Cocoa Beach

From: heidi sibert [<mailto:heidisibert@me.com>]
Sent: Saturday, August 06, 2016 3:52 PM
To: Fox, Cynthia C
Cc: d2commissioner@brevardcounty.us
Subject: Squid Lips Cocoa Beach

As a property owner on Crescent Beach Drive in Cocoa Beach, I am happy to welcome the business that Squid Lips in Cocoa Beach brings to our neighborhood.

I was very happy that this great business opened in the old Lobster Shanty property. I really enjoyed the music and sunsets from the beautiful deck before it was closed by the county. This restaurant deserves to be able to make a go of a great location.

The deck provides a great space for diners to enjoy the sunset on the water and a cool drink in the shade while listening to some nice music. We do not have anything else like it in this southern part of Cocoa Beach.

Please allow the re-zoning to pass.

Thank You
Heidi Sibert
Crescent Beach Apartments
150 Crescent Beach Drive
Cocoa Beach FL 32931
Phone 321-266-7831

Jones, Jennifer

IN FAVOR
~~IV.B.7.~~
IV.A.2

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 8:48 AM
To: Jones, Jennifer
Subject: FW: Squid Lips Rezoning Request

-----Original Message-----

From: Jack Kitchin [mailto:jack.kitchin@gmail.com]
Sent: Saturday, August 06, 2016 4:01 PM
To: Fox, Cynthia C
Cc: Commissioner, D2
Subject: Squid Lips Rezoning Request

Dear Cynthia,

As a resident of South Cocoa Beach I would like to express my support for the rezoning request submitted by Squid Lips.

It was nice to have a lively and thriving restaurant and entertainment venue on the south end of the beach. As I am sure you are aware, this has typically been a difficult part of the beach for businesses to survive and I feel the success of Squid Lips could only positively effect the surrounding area due to the increased traffic.

Thank you in advance for your time and consideration with this matter.

Regards,
Jack Kitchin and Rachel Boudreau
2375 S. Atlantic Ave
Cocoa Beach, FL 32931

Sent from my iPhone

IN FAVOR
~~IV. B. 37.~~
IV. A. 2

Jones, Jennifer

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 8:48 AM
To: Jones, Jennifer
Subject: FW: Please Support Squid Lips Rezoning

-----Original Message-----

From: George Trosset [<mailto:georgetrosset@me.com>]
Sent: Saturday, August 06, 2016 4:07 PM
To: Fox, Cynthia C
Cc: Commissioner, D2
Subject: Please Support Squid Lips Rezoning

As a citizen of BREVARD County for all of my 62 years, I would like for you to support the rezoning request for Squid Lips RESTURANT in the unincorporated part of BREVARD County south of Cocoa Beach. There are limited dining options in the area and adding jobs to our county through small business is very important.

Please vote yes for the rezoning.

Thanks
George Trosset
10 S 24th St
Cocoa Beach, FL
321-223-6400

Sent from my iPhone

Jones, Jennifer

IN FAVOR
~~IV B. 77.~~
IV. A. 2.

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 8:49 AM
To: Jones, Jennifer
Subject: FW: Please Support Squid Lips Rezoning

-----Original Message-----

From: Eddie Legge [<mailto:eddielegge@icloud.com>]
Sent: Saturday, August 06, 2016 4:14 PM
To: Fox, Cynthia C
Cc: Commissioner, D2
Subject: Re: Please Support Squid Lips Rezoning

As a Florida native and a Brevard resident since 1961, I would like for you to support the rezoning request for Squid Lips RESTURANT in the unincorporated part of BREVARD County south of Cocoa Beach. There are limited dining options in the area and adding jobs to our county through small business is very important.

Please vote yes for the rezoning.

Thanks

Eddie Legge
1162 Old Millpond Rd.
Melbourne, Fl. 32940
321-622-6246

IN FAVOR
~~IB 17~~

Jones, Jennifer

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 8:50 AM
To: Jones, Jennifer
Subject: FW: Squid Lips Hearing

III. A. 2

From: Al Leadbeater [<mailto:aslead7196@gmail.com>]
Sent: Sunday, August 07, 2016 10:59 AM
To: Fox, Cynthia C
Cc: D D2.commissioner@brevardfl.gov; aslead@ix.netcom.com
Subject: Squid Lips Hearing

Commissioner Fox,

I am writing in regards to a current zoning issue keeping Squid Lips restaurant from opening up the deck/lounge section of their business.

With regards to Monday's hearing I request your time and consideration on several key topics if re-zoning is not approved.

Generally speaking I believe the tax revenue from a businesses is greater than that of a residence which is the current zoning issue.

Let's take a quick look at the more detailed issue that effects many employees this business has created for the economically challenged area of Brevard County.

Take a look at some reasonable restrictions to the re-zoning such as certain types of noise levels that neighbors could tolerate, perhaps the residents of the area remember this business was once zoned commercial.

Take a look at how many current residence moved in since the original business closed down. They knew it was a business and they purchased anyway.

Commissioner Fox and the other Commissioners involved with this case take into consideration the simple points I've brought up.

Thank you for you time and consideration,

Alfred Leadbeater
Brevard County Resident since 1969
Home Owner Since 1983

IN FAVOR
~~IV. S. 87.~~
II. A. 2.

Jones, Jennifer

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 8:51 AM
To: Jones, Jennifer
Subject: FW: Squid Lips CB Oceanside Restaurant

From: Peter Ferrell03 [<mailto:allferrells@msn.com>]
Sent: Sunday, August 07, 2016 11:01 AM
To: Fox, Cynthia C
Cc: D2@.
Subject: Squid Lips CB Oceanside Restaurant

Ladies and Gentlemen,

My name is Peter Ferrell and I live in Melbourne, Florida. Friday evening my sister from Satellite Beach, my brother from Virginia (across the river where the "Washington, D.C." office of our Intellectual Property law firm is near the US Patent and Trademark Office) and I thought we would run up to the newest Squid Lips location for dinner considering how much we enjoy their Melbourne location.

My local bar/restaurant is Cabana Shores down the road and of course I have known about the "wheelchair ramp" issue for some time from discussions there, understanding it is nearing resolution with the City and competitors involved. After we were seated, I was very surprised to learn there is a zoning issue with the SL Cocoa Beach store considering it had been the Lobster Shanty location for years. FYI we are dedicated Yen Yen fans and took over nearly all the South Beach Inn rooms for out-of-state relatives a couple years ago when my sister had her Wedding Reception at the Satellite Beach residents' beachside reception hall. It seems some apparently unexpected(?) residential zoning restriction has prevented the occupancy of the SL deck seating as well. As you likely know, the seaside deck with live music every night is a big attraction at Squid Lips Melbourne and I'm sure the CB location would draw traffic into the City as well.

I would like to voice my support for the Squid Lips organization and request that you kindly allow the entire restaurant to open as soon as possible. Obviously we are moving into the Fall season and I would like them to have another great success in Cocoa Beach.

Thank you for your consideration.

Very truly yours,

Peter M. Ferrell III
2630 Park Place Boulevard, Apt. 6
Melbourne, FL 32935
(321) 775-3259

Virus-free. www.avast.com

IN FAVOR
~~IV. A. 2~~

Jones, Jennifer

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 8:51 AM
To: Jones, Jennifer
Subject: FW: Zoning for Squid aLips

IV. A. 2

From: Sharon Timlin [<mailto:sgt0730@gmail.com>]
Sent: Sunday, August 07, 2016 12:05 PM
To: Fox, Cynthia C
Subject: Zoning for Squid aLips

I would like to support the re-zone for the deck at Squid Lips Restaurant. It is great to have a neighborhood location to meet people and enjoy good food and company. Very friendly staff and the opening of the deck area will only add to enjoying the fish and water. Also, this location was a business before the condos were ever built. Maybe the condo people should have thought about that before now! Thanks for giving us a chance to respond.

IN FAVOR
~~IV.B.19.~~

Jones, Jennifer

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 8:51 AM
To: Jones, Jennifer
Subject: FW: Squid Lips - Cocoa Beach

IV.A.2.

From: KiyM Gardner [<mailto:kiymgardner@gmail.com>]
Sent: Sunday, August 07, 2016 1:15 PM
To: Fox, Cynthia C
Cc: Commissioner, D2
Subject: Squid Lips - Cocoa Beach

Good Afternoon,

I have heard the rumbling about rezoning and the patio construction at Squid Lips in South Cocoa Beach. Let me say, I am new to the area and I was so pleased when this location was opened earlier in the year. The patio dining area could be an amazing money maker to both Squid Lips and the city.

I realize there is a residential building not terribly far from Squid Lips. Additionally, I understand they are not too keen on the idea and have concerns about potential noise issues. There is a variety of property sales that have taken place in the immediate area and based on the plans for those parcels, I believe the potential noise at Squid Lips is a minor challenge these residents will face.

The fact of the matter is this, there are a variety of technologies available to buffer any noise they may be concerned about. Squid Lips is willing to adapt a schedule that is amenable to all involved and should not have their business potential hog tied by "what ifs". Outdoor dining and bar availability is key to making this Squid Lips a success. Without it, it is likely it will not generate the revenue to stay in business.

If all parties could find a schedule that is acceptable to all, this would be a win win for all involved. However simply denying Squid Lips the ability to proceed with the patio renovation, is not fair and should not be allowed. Regardless if an agreement can be reached or not, a small group of residents cannot block growth of businesses in this area.

Regards,

KiyM Gardner
174 SE 1st Street
Satellite Beach, FL 32937
615-714-5906

IN FAVOR
~~IV.B.29.~~

Jones, Jennifer

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 8:51 AM
To: Jones, Jennifer
Subject: FW: Squid Lips Deck

IV.A.2.

From: Sheila Leadbetter [<mailto:prego425@aol.com>]
Sent: Sunday, August 07, 2016 4:12 PM
To: Fox, Cynthia C; D2Commissioner@brevardcounty.us
Subject: Squid Lips Deck

Dear Sir or Madame:

I have recently become aware that the deck at the new Squid Lips in Cocoa is having trouble getting approved for music on their outside deck.

I would like to ask that the opposing residents within earshot give it a test. They may enjoy hearing the music and I'm sure it would only be heard if they were outside.

I'm sure that Squid Lips purchased this property with this in mind and it will hurt their business and thus the economy of the area if they are not allowed to do this.

Thank you for your consideration.

Sincerely,
Sheila Leadbetter
1432 Keys Gate Drive
Melbourne, FL.
32940

IN FAVOR
~~IV.B.27.~~

Jones, Jennifer

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 8:52 AM
To: Jones, Jennifer
Subject: FW: SquidLips

IV.A.2.

-----Original Message-----

From: Liner [<mailto:liner37@aol.com>]
Sent: Sunday, August 07, 2016 7:29 PM
To: Fox, Cynthia C
Cc: Commissioner, D2
Subject: SquidLips

We heard there is a zoning issue with SquidLips new deck. I admire them for taking over and opening the restaurant in a beautiful location.

I am from St. Louis, MO and was at the restaurant when it first opened and loved sitting on the deck. I'm not sure how well they will do without it since it adds so much ambiance. When I come back in the winter, I enjoy sitting outside to dine along with my friends. Please don't let a good Brevard County neighbor fail.

Sincerely,
Carolyn Walsh
Part-time resident

IN FAVOR
~~IB 3/7~~

IV.A.2

Jones, Jennifer

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 8:52 AM
To: Jones, Jennifer
Subject: FW: Squid Lips Cocoa Beach

From: erica reich [<mailto:ericareich@gmail.com>]
Sent: Sunday, August 07, 2016 10:12 PM
To: Fox, Cynthia C
Cc: Commissioner, D2
Subject: Squid Lips Cocoa Beach

Good evening,

I would like to write to express my support for the deck zoning at the Squid Lips location in Cocoa Beach. After 20 years of serving in the Air Force, my husband recently retired and we moved to 24th street. Part of our decision to live at that location had to do with the proximity of nightly outdoor entertainment at the newly opened Squid Lips, which we discovered during our house hunting trip from Colorado in March. We were very disappointed to discover the deck closed and the music silenced upon moving in on 01 June.

Please consider the approval of the outdoor deck on behalf of those who enjoy local talent at a local establishment within walking distance of our home.

Thank you for your time,
Erica Reich

Erica Reich

Fairy Godmother Travel
For a Pixie Dust Sprinkled Trip!
Authorized Disney Vacation Planner
Phone: 321-604-2403
Erica@FairyGodmotherTravel.com
www.FairyGodmotherTravel.com

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I will monitor your reservation for possible but not guaranteed discounts.

As seen on MiceChat.com, TexAgs.com, Texas Aggie Magazine, Communicore Weekly, imagiNERDing, The 626, From the Mouth of the Mouse, the Orange County Register, USA Today, KTRK Channel 13 News, Popular Cruising and Passporters' Guide to the Disney Cruise Line. Fairy Godmother Travel is a Member of the Cruise Line International Association. Erica Reich is a graduate of Disney's College of Knowledge and is a Disney Specialist with a special knowledge level of the Disneyland Resort, Walt Disney World Resort, Adventures by Disney, Disney's Aulani resort and spa, and Disney Cruise Line. Ship's registry, The Bahamas. Erica Reich acts only as an agent for the travel suppliers named in your vacation itinerary. She is not liable for the actions or omissions of the said suppliers or any event beyond her control. Erica Reich is not an employee, agent or affiliate of the Walt Disney Company. CST #2117540-70

IN FAVOR
~~AT 8:37~~

Jones, Jennifer

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 8:52 AM
To: Jones, Jennifer
Subject: FW: rezoning meeting

IV.A.2.

From: Carol Craig [<mailto:carol.craig@craigtechinc.com>]
Sent: Monday, August 08, 2016 7:00 AM
To: Fox, Cynthia C; Commissioner, D2
Subject: rezoning meeting

To Brevard County Planning and Zoning Manager, Ms. Fox and District 2 Commissioner Mr. Barfield:

Squidlips restaurant has a zoning meeting on Monday, 8 Aug. A favorable rezoning allowing Squidlips to remain a restaurant will provide a much needed full service restaurant to this area of Cocoa Beach.

Having personally gone to the restaurant I know how much of a benefit and addition to the community this restaurant, or any restaurant, would be to this area.

As a business leader in the community, I also understand the economic impact a business like this has due to jobs and tax revenue (as do you, I'm sure). I hope Squidlips is given the opportunity to comply with all rules and requirements and provide this service to the Cocoa Beach area.

Thank you in advance for allowing me to share my support of the rezoning.

Carol Craig
Craig Technologies
Founder and CEO
-ISO-9001:2008 Certified
-Service-Disabled Veteran-Owned
-Woman-Owned, Minority-Owned
321.613.5620 Office
321.613.5630 Fax
321.482.0786 Mobile

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IN FAVOR
~~IV. B. 1.~~
IV. A. 2.

Jones, Jennifer

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 8:52 AM
To: Jones, Jennifer
Subject: FW: Open SquidLips Deck Now!! Please...
Importance: High

From: J. Marie [<mailto:gsjs@cfl.rr.com>]
Sent: Monday, August 08, 2016 7:27 AM
To: Fox, Cynthia C
Subject: Open SquidLips Deck Now!! Please...
Importance: High

Please do all that you can to swiftly enact a resolution so that SquidLips can reopen their deck as soon as possible.

- 1) We desperately need this venue for this part of the county/area.
- 2) Employs a significant number of people
- 3) Generates much needed, valuable tax revenues.

I have no doubt that the ownership of SquidLips will do all in their power to amicably resolve any concerns you have regarding issues of permits, noise compliance, traffic, parking and/or any other concerns.

Respectfully,

J.M. Sheppard
1610 Bayshore Drive
Cocoa Beach, FL 32931

IN FAVOR
~~IV. B. 7.~~
IV. A. 2.

Jones, Jennifer

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 8:52 AM
To: Jones, Jennifer
Subject: FW: Squidlips Re-Zoning

From: Marlin Swanson [<mailto:mwsanson46@gmail.com>]
Sent: Monday, August 08, 2016 7:47 AM
To: Fox, Cynthia C
Cc: Commissioner, D2
Subject: Squidlips Re-Zoning

Cynthia,

We are for the zoning of Squidlips approval because it is a great addition to the south end of Cocoa Beach. They have great food and dining and is a very friendly family restaurant.

Marlin Swanson,
REALTOR®
Coconut Properties Florida Real Estate, Inc.
35 South Atlantic Ave
Cocoa Beach, FL 32931
321-205-6912
mwsanson46@gmail.com
Curious about the market call or text. Check out my facebook page for current market conditions!
Please like my Page on Facebook.
<https://www.facebook.com/brevardcountyrealestate2510>

IN FAVOR
~~IV. B. 2.~~

Alward, Elizabeth IV

From: Enos, Heather <heather@orex.lpl.arizona.edu>
Sent: Sunday, August 07, 2016 6:01 PM
To: cythia.fox@brevardfl.gov
Cc: Commissioner, D2
Subject: Squid Lips

IV. A. 2.

To whom this may concern,

I am writing you this email with a plea to honor the request to re-zone Squid Lips. It is a wonderful establishment with a good atmosphere and family feel. The location is lovely and the deck/patio is such a treat for patrons to enjoy.

Sincerely,
Heather Enos
OSIRIS-REx Project Planning & Control Officer
Office (520) 621-8279
Cell (520)979-9275

"The world as we have created it is a process of our thinking. It cannot be changed without changing our thinking." —Albert Einstein

IN FAVOR
~~IV. B. 19.~~

Alward, Elizabeth M

From: jason sipes <jtsipes33@yahoo.com>
Sent: Friday, August 05, 2016 6:18 PM
To: Commissioner, D2
Subject: rezone

IV. A. 2.

I love squid lips and cant wait for the music and outside dining,plus all the jobs and economy it brings to the area

Sent from Yahoo Mail on Android

IN FAVOR
~~TR B 27~~

Jones, Jennifer

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 9:19 AM
To: Jones, Jennifer
Subject: FW: Squid Lips

IV. A. 2

-----Original Message-----

From: John and Melinda Tribe [mailto:thetribe@cfl.rr.com]
Sent: Monday, August 08, 2016 8:55 AM
To: Fox, Cynthia C
Cc: d2commissioner@brevardcounty.us
Subject: Squid Lips

We support the re-zoning of Squid Lips in Cocoa beach so as to permit them to have an open eating area beside the Banana River. It would be an asset to the area. The Lobster Shanty had an outside eating area and we don't understand why you are making things difficult for the new restaurant.

John and Melinda Tribe

IN FAVOR
~~IV.B.27.~~

IV.A.2.

Jones, Jennifer

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 10:00 AM
To: Jones, Jennifer
Subject: FW: Squid Lips Cocoa Beach

From: John Grimm [<mailto:cpe.grimm@gmail.com>]
Sent: Monday, August 08, 2016 9:55 AM
To: Fox, Cynthia C
Cc: Commissioner, D2
Subject: Squid Lips Cocoa Beach

Good Morning,

I am a resident of Cocoa Beach south. I live about a mile from Squid Lips' new location. I have been in the several times, but always wondered why they didn't have the deck area open. Didn't the previous owners have a deck area open to patrons? I would love to be able to sit on the deck enjoying a meal or a beverage of my choice while watching a lovely Cocoa Beach sunset on the river. We need to make it easier for businesses to attract customers since this will generate tax monies. Please allow Squid Lips to open their deck area.

Sincerely,

John A Grimm

IN FAVOR

IV. A. 2

~~II. B. 17.~~

Jones, Jennifer

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 10:58 AM
To: Jones, Jennifer
Subject: FW: Squid Lips Cocoa Beach

-----Original Message-----

From: parcpa@cfl.rr.com [<mailto:parcpa@cfl.rr.com>]
Sent: Monday, August 08, 2016 10:24 AM
To: Fox, Cynthia C; Commissioner, D2
Subject: Squid Lips Cocoa Beach

I am writing in support of this business to be issued whatever permits are required so they can make the necessary repairs and reopen their establishment. For the brief period of time it was open this business was thriving in a section of the market that is desperate for what they offer. It's costing the county jobs and quality of life the longer it stays closed.

Thank you for your consideration of their application.

Philip Rooney
3219 S. Atlantic Ave., #402
Cocoa Beach, FL 32931

Jones, Jennifer

IN FAVOR
~~IV.B.37.~~
IV.A.2

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 10:59 AM
To: Jones, Jennifer
Subject: FW: Squid Lips

From: Ochoa-Gonzales, Frank E. (KSC-IMCS-900)[Abacus Technology] [<mailto:frank.ochoa-gonzales@nasa.gov>]
Sent: Monday, August 08, 2016 10:52 AM
To: Fox, Cynthia C
Subject: Squid Lips

To who it may concern,

I have been a resident of Cocoa Beach since 1999.

I am a registered voter.

I am an active member of our community. I coached football at Cocoa Beach High from 2004-2015.

I understand there are rules and rules have been broken. Fine them. But we citizen of Cocoa Beach would like to enjoy the sunset from their deck every once in a while.

I would like to show my support of Squid Lips.

Thank you,

Frank

Frank Ochoa-Gonzales
Editor / Spaceport Magazine
(o) 321-867-2814 (c) 321-626-6640
IMCS-440 Press Site
Kennedy Space Center, FL 32899

Jones, Jennifer

IN FAVOR
I.C.A.2. ~~IV.S.17.~~

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 10:59 AM
To: Jones, Jennifer
Subject: FW: Zoning/Squidlips

From: myke125@aol.com [<mailto:myke125@aol.com>]
Sent: Monday, August 08, 2016 10:58 AM
To: Fox, Cynthia C
Cc: Commissioner, D2
Subject: Zoning/Squidlips

Dear Zoning board members,
I am absolutely in favor of the deck being opened once again at the squidlips restaurant. I have been enjoying this site since it was lobster shanty thru the new ownership and I believe this is a nice asset to our community the new management is also improving the experience in many ways for us to enjoy.
Thank you for your consideration,
Michael LaVacca
710 beach park lane
Cape Canaveral Fla. 32920

Sent from my Sprint phone

Jones, Jennifer

IN FAVOR
~~IV.B.7.~~
IV.A.2.

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 11:06 AM
To: Jones, Jennifer
Subject: FW: SQUID LIPS

From: Pam Quirk [<mailto:pam.quirk@arnottinc.com>]
Sent: Monday, August 08, 2016 11:01 AM
To: Fox, Cynthia C
Cc: Commissioner, D2
Subject: SQUID LIPS

GOOD MORNING,

Please do re-zone to accommodate the Squid Lips restaurant. My friends and I enjoy this restaurant very much and are looking forward to spending much time there.

Thank you very much for your consideration in this matter!!!!

Best Regards,

Pam Quirk


Arnott
A Subsidiary of Products
100 Sea Ray Drive
Merritt Island, FL 32953
www.arnottinc.com

Phone: 321-868-3016 ext-133
Fax: 321-868-3703



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Jones, Jennifer

IN FAVOR
~~IV. B. 2.7.~~
IV. A. 2.

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 11:06 AM
To: Jones, Jennifer
Subject: FW: Squid Lips

-----Original Message-----

From: Dawn [mailto:lulablue2@yahoo.com]
Sent: Monday, August 08, 2016 11:01 AM
To: Fox, Cynthia C
Subject: Squid Lips

Please make sure the zoning for Squid Lips' deck goes through. As a resident of Cocoa Beach we have almost nothing in the way of dining on the water. We do not need more residential/condo zoning. We have WAY too many condos as it is.

A concerned resident,

Dawn Thomas
489 Blakey Blvd
Cocoa Beach, FL 32831

Sent from my iPhone

Jones, Jennifer

III.A.2. IN FAVOR
~~IV.G.2.~~

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 11:56 AM
To: Jones, Jennifer
Subject: FW: Squid Lips rezoning issue

From: Linda Giles [<mailto:lindagiles.opa@gmail.com>]
Sent: Monday, August 08, 2016 11:52 AM
To: Fox, Cynthia C
Cc: Commissioner, D2
Subject: Squid Lips rezoning issue

Please allow the rezoning as requested by the owners and developers of the Squid Lips restaurant property located on South Orlando Avenue in Cocoa Beach.

Being able to have full use of the outdoor, riverfront patio for food and beverage service as well as live or recorded music is a key component of the success of this establishment. The owners of Squid Lips took over the building facility from an ages old and outdated restaurant which had served the area and patrons for many, many years. They are working to update and modernize the facility and be a good corporate neighbor to the community and its residents.

When it comes to playing music on the outdoor deck, the owners will and have offered to communicate with the neighboring occupants of the 5-property condo unit nearby. To deny the rezoning authorization on the alleged fear that noise would be burdensome to the occupants of the nearby 5-unit property is inappropriate.

Squid Lips and it's future outdoor patio service will be an asset to the community, not a detriment. I ask that you approve the rezoning request with expediency. \

Linda Giles
Satellite Beach

Jones, Jennifer

IN FAVOR
IV.A.2. ~~III.B.1?~~

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 12:13 PM
To: Jones, Jennifer
Subject: FW: CocoaBeach , Squidlips Location

From: Kathryn Milliken [<mailto:kathryn.milliken@gmail.com>]
Sent: Monday, August 08, 2016 12:01 PM
To: Fox, Cynthia C
Subject: CocoaBeach , Squidlips Location

We are excited to see the new Squidlips. Whatever it is they need to do to make it up to code , make it in Precise , plain , Descriptive Language . Get it moving. It is only fair , Interpretations do interfere because there seems to be no book without them. Time is money. All those chairs collect a good amount of money for the City. Finally a waterway on the River that boaters can go with their families. Thank you for listening. Long time resident sines 1991. Kathryn Milliken

Jones, Jennifer

IV.A.2 IN FAVOR
~~IV.B.1~~

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 12:24 PM
To: Jones, Jennifer
Subject: FW: SquidLips Rezone

From: Byron Evetts [<mailto:Byron@existingstructures.com>]
Sent: Monday, August 08, 2016 12:18 PM
To: Fox, Cynthia C
Subject: SquidLips Rezone

Ms. Fox,

I support the proposed rezoning of QuidLips.

Best regards,

Byron Evetts, PE; SECB, CPS
Registered in FL, GA, AL, MS, LA, NC and SC
NAFE Member 739
Existing Structures Engineering Inc
www.existingstructures.com
321-784-5811
Florida Engineering Society's Grand Award Winner 2007
International Concrete Repair Institute's Award of Excellence 2006

Jones, Jennifer

IN FAVOR
~~IV.B.7.~~
IV.A.2.

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 12:39 PM
To: Jones, Jennifer
Subject: FW: Support the reining for Squid Lips

-----Original Message-----

From: R Sawczyn [<mailto:rsawczyn@yahoo.com>]
Sent: Monday, August 08, 2016 12:36 PM
To: Fox, Cynthia C
Subject: Support the reining for Squid Lips

We support the redo I g for Squid Lips, the LAST thing our community needs is more condos.

We want the Squid Lips deck to open ASAP.

R Sawczyn

Jones, Jennifer

IN FAVOR
IV. A. 2. ~~IV. B. 1.~~

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 1:10 PM
To: Jones, Jennifer
Subject: FW: Squid Lips Re-zoning

-----Original Message-----

From: Adam Ballard [<mailto:ballardg549@gmail.com>]
Sent: Saturday, August 06, 2016 3:47 PM
To: Fox, Cynthia C
Cc: Commissioner@brevardcounty.us
Subject: Squid Lips Re-zoning

Good Day Ms. Fox,

I wanted to impart my favor towards approval for re-zoning of Squid Lips' deck/patio area. We are residents of Cocoa Beach and live near by on 27th st. This restaurant has brought a unique opportunity for both tourists and locals to enjoy dinner and sunsets in a safe, friendly environment. It is my understanding that the restaurant will amend the music schedule to accommodate any concerns with noise pollution. Please consider allowing this establishment to remain a unique river sunset dining experience, which is paralleled by none. Thank you in advance for your consideration.

Regards,
Dr. G. Adam Ballard
Ballardg549@gmail.com
Sent from my iPhone

Jones, Jennifer

IN FAVOR
IV.A.2. ~~IV.B.57.~~

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 1:10 PM
To: Jones, Jennifer
Subject: FW: Squid Lips

-----Original Message-----

From: debrawolfe@aol.com [mailto:debrawolfe@aol.com]
Sent: Friday, August 05, 2016 4:34 PM
To: Fox, Cynthia C
Cc: D2@commissioner@brevardcounty.us
Subject: Squid Lips

I'm writing to support the rezoning of Squid Lips. We are regulars at the restaurant and loved when the back deck was open. Atmosphère, food and entertainment was awesome.

Debra Wolfe
debrawolfe@aol.com
321-795-9854

Jones, Jennifer

IN FAVOR
IV.A.2 ~~IV.B.7~~

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 1:11 PM
To: Jones, Jennifer
Subject: FW: Support to rezone Squidlips restaurant

From: gws@cfl.rr.com [mailto:gws@cfl.rr.com]
Sent: Monday, August 08, 2016 1:10 PM
To: Fox, Cynthia C
Subject: Support to rezone Squidlips restaurant

Ms Fox,

I live very close to Squidlips and would very much like to see them have a chance to fully open and provide services to this area of Cocoa Beach.

They need to follow the county rules but there is a planning and zoning meeting in two hours and I hope that Squidlips gets a chance to fix their problems and serve the community.

Thank you

Greg Sheppard

Sent from my Verizon 4G LTE Smartphone

Sent from my Verizon 4G LTE Smartphone

IN FAVOR

IIA.2. ~~III.B.17.~~

Jones, Jennifer

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 1:12 PM
To: Jones, Jennifer
Subject: FW: Squid Lips re-zone

-----Original Message-----

From: Commissioner Martinez [<mailto:emartinez@cityofcocoabeach.com>]
Sent: Monday, August 08, 2016 1:11 PM
To: Commissioner, D2; Fox, Cynthia C
Subject: Squid Lips re-zone

All,

I am writing to express my support for the re-zone of the Squid Lips property. This family has done a great job of redeveloping the restaurant and the dock is a great addition to the property. I believe this addition will have very little, if any impact on the surrounding area condos due to its location. I visited the restaurant a few times prior to them having to shut it down.

Thanks for your consideration

Ed Martinez
Commissioner City of Cocoa Beach
2 South Orlando Avenue
Post Office Box 322430-2430
Cocoa Beach, FL 32932-2430
emartinez@cityofcocoabeach.com

IN FAVOR

IV.A.2 ~~IV.B.1~~

Jones, Jennifer

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 1:35 PM
To: Jones, Jennifer
Subject: FW: Squid lips Cocoa Beach

-----Original Message-----

From: Barb Callahan [<mailto:bcalla4218@aol.com>]
Sent: Monday, August 08, 2016 1:26 PM
To: Fox, Cynthia C
Cc: Commissioner, D2
Subject: Squid lips Cocoa Beach

As a resident of Cocoa Beach I am in favor of Squid Lips in Cocoa Beach being rezoned a business location so they can reopen their deck. I think this restaurant is an asset to Cocoa Beach.

Thank you,
Barb Callahan
Cocoa Beach Fl

Sent from my iPad

Jones, Jennifer

IV. A. 2 IN FAVOR
~~IV. B. 17.~~

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 1:52 PM
To: Jones, Jennifer
Subject: FW: Squid Lips - Cocoa Beach

From: partkr brighthouse [mailto:partkr@cfl.rr.com]
Sent: Monday, August 08, 2016 1:49 PM
To: Fox, Cynthia C
Subject: Squid Lips - Cocoa Beach

Dear Ms. Fox,

I am a full time South Cocoa Beach resident. We live in the Constellation Condominium which is about a mile south of the new Squid Lips. At present we are surrounded by other condo buildings, houses and very limited local business. Squid Lips opening on the river, with an amazing deck, in walking distance from our home was so wonderful. We have been anxiously awaiting the deck reopening only to read today that there was a possibility we could lose this much needed local restaurant completely.

Considering the amount of water in Brevard Country there are very few restaurants that offer water views or boat access. We can't afford to lose one. The money that the business brought into the community through jobs and taxes will also be a great loss.

I truly hope you will re-zone the property to allow Squid Lips to stay open and reopen the deck.

Sincerely,

Tracy Rooney

Jones, Jennifer

IN FAVOR
IV.A.2 ~~IV.B.5~~

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 3:45 PM
To: Jones, Jennifer
Subject: FW: Squid Lips

-----Original Message-----

From: Donna Butterworth [<mailto:dbutterworth@cfl.rr.com>]
Sent: Monday, August 08, 2016 2:26 PM
To: Fox, Cynthia C
Subject: Squid Lips

Please save Squid Lips, we need Beautiful family friendly place to go in .Cocoa Beach.
Their deck is awesome.
Thanks.

Sent from my iPad

IN FAVOR

IV.A.2

~~III.B.5.~~

Jones, Jennifer

From: Fox, Cynthia C
Sent: Monday, August 08, 2016 3:45 PM
To: Jones, Jennifer
Subject: FW: Squid Lips

From: Harrison [<mailto:thattomharrison@gmail.com>]
Sent: Monday, August 08, 2016 2:36 PM
To: Fox, Cynthia C; Commissioner, D2
Subject: Squid Lips

We have read the entire staff report and support the rezoning from 2006 back to commercial.

We do wonder why this was tabled in July and hope it won't be again.

Tom & Paula Harrison
55 N 4th St
Cocoa Beach FL

From: Harrison [<mailto:thattomharrison@gmail.com>]
Sent: Monday, August 8, 2016 2:22 PM
To: 'cynthia.fox@brevardfl.gov'; 'D2.commissioner@brevardcounty.us'
Subject: re: MARK W. & LESLIE E. HOBBS (Squid Lips)
Importance: High

Hi, sorry we just heard about this.

We are full time residents of Cocoa Beach and would like to show our support for the variance request allowing the Squidlips property to allow a dock to project 5 ft. over the 12.44 ft. maximum projection into the waterway.

Like a lot of folks in town, we have been waiting for the deck to re-open and appreciate your support!

Tom & Paula Harrison
55 N 4th St
Cocoa Beach FL

Jones, Jennifer

IN FAVOR
~~IV. B. 3.~~

Subject: FW: Squidlips

IV. A. 2.

From: Kim Aromando [mailto:aromando6@gmail.com]

Sent: Tuesday, August 09, 2016 9:24 AM

To: Fox, Cynthia C

Subject: Re: Squidlips

On Aug 9, 2016 9:17 AM, "Kim Aromando" <aromando6@gmail.com> wrote:

Hello,

As a resident of Cocoa Beach, I request you grant the zone request for Squidlips. They own a great waterfront property that has been a Cocoa Beach treasure for as long as I remember. They employ many people, and are an asset to our community. The deck was beautifully done, and should remain. Lets not give them a hard time, they deserve better.

Thank you,

Kimbely Aromando

53 Country Club Rd

Cocoa Beach Fl 32931

IN FAVOR

IV.A.2. IV.B.2.

Jones, Jennifer

From: Fox, Cynthia C
Sent: Tuesday, August 09, 2016 12:59 PM
To: Jones, Jennifer
Subject: FW: SQUID LIPS DECK PERMIT

From: tapowell2003 [<mailto:tapowell2003@yahoo.com>]
Sent: Tuesday, August 09, 2016 12:59 PM
To: Fox, Cynthia C
Subject: Fwd: SQUID LIPS DECK PERMIT

Sent from my Verizon 4G LTE smartphone

----- Original message -----

From: tapowell2003 <tapowell2003@yahoo.com>
Date: 8/8/16 2:38 PM (GMT-05:00)
To: cynthiafox@brevardfl.gov
Cc: d2.commissioner@brevardcounty.us
Subject: SQUID LIPS DECK PERMIT

Dear Ms. Fox,

This email correspondence is written in order to express my support for the request to change the zoning for Squid Lips in order to allow the patrons of this establishment to enjoy the outdoor deck.

When space was Lobster Chanty, I often enjoyed outdoor dining while sitting outside. The space is very relaxing and suitable for the young and old.

It would benefit the south Cocoa Beach residents, as there is no outdoor dining on the river for locals to enjoy.

As a previous employee of the South Beach Inn, a beachfront motel which is partially owned by mother, we often sent our guests to the Lobster Shanty, the main draw being the deck.

Also, I feel it is really the most practical solution to allow the permit to occur, as this deck will not be able to be used, unless the permit is granted. Cocoa Beach surely will benefit by having another lovely outdoor space to welcome tourist and to allow the owner the beneficial use of the land. Please feel free to call me if you have further questions about my point of view. Thank you, in advance, for your consideration.

Sincerely,

Teresa A. Powell
14 Westview Lane,
Cocoa Beach, Fl.,
32931
(321) 848-3361

IN FAVOR

IV A. 2. ~~IV B. 2.~~

Jones, Jennifer

From: Fox, Cynthia C
Sent: Wednesday, August 10, 2016 10:18 AM
To: Jones, Jennifer
Subject: FW: Cocoa Beach Squid Lips

From: Carol Schoeman [<mailto:cfschoeman10@gmail.com>]
Sent: Tuesday, August 09, 2016 5:57 PM
To: Fox, Cynthia C; Commissioner, D2
Subject: Cocoa Beach Squid Lips

To Whom It May Concern:

This letter is in support of Squid Lips rezoning to be completed to allow them to reopen their deck bar and restaurant on the river.

We have been coming to this area for years for winters and have recently become Florida residents. This is one of the ONLY venues in which to enjoy the lovely sunsets directly over the river!

When the deck was previously opened (before the rezoning closure), we were weekly patrons. We often met friends from the neighboring condos who expressed how much they enjoyed having the establishment next door or within close walking distance of their condo!

Sincerely,

Carol Ferris Schoeman,
Eben Schoeman,

IN FAVOR

IIA.2.

~~II.B.7.~~

Jones, Jennifer

From: Fox, Cynthia C
Sent: Thursday, August 11, 2016 9:10 AM
To: Jones, Jennifer
Subject: FW: Squid Lips Cocoa Beach

From: Joanna [<mailto:visamclady@aol.com>]
Sent: Thursday, August 11, 2016 7:00 AM
To: Fox, Cynthia C
Cc: d2commissioner@brevardcounty.us
Subject: Squid Lips Cocoa Beach

Please approve the re-zoning for Squid Lips in Cocoa Beach. They are an asset to our community and having their deck operational is paramount to their success.

Thank you!

Joanna Kemp
640 N. Atlantic Ave.
Cocoa Beach
321.223.4003

IN FAVOR
~~IV. A. 2~~

Jones, Jennifer

From: Fox, Cynthia C
Sent: Friday, August 12, 2016 2:12 PM
To: Jones, Jennifer
Subject: FW: Squid lips re zoning

IV. A. 2.

-----Original Message-----

From: Beth Duval [<mailto:bduval2@gmail.com>]
Sent: Friday, August 12, 2016 1:47 PM
To: Fox, Cynthia C
Subject: Squid lips re zoning

To whom it may concern, we have been looking forward to the opening of the "deck" at Squid Lips local restaurant in Cocoa Beach and hope it will be soon. We are in full support of local businesses and have no objection to increased traffic or noise.

Beth Duval
150 Crescent Beach Dr.
Cocoa Beach

Please email me if there is someone else I should write to in support of this business!! Thank you!!!

Sent from Beth's iPhone

IN FAVOR

~~IV. B. 2.~~

Jones, Jennifer

From: Fox, Cynthia C
Sent: Monday, August 15, 2016 9:04 AM
To: Jones, Jennifer
Subject: FW: Squid Lips

IV. A. 2.

-----Original Message-----

From: Nancy DuBois [<mailto:dubi59@aol.com>]
Sent: Saturday, August 13, 2016 9:32 PM
To: Fox, Cynthia C
Cc: Commissioner, D2
Subject: Squid Lips

I support the re-zoning.

Nancy DuBois

Sent from my iPad

Jones, Jennifer

IN FAVOR
IV. A. 2. ~~IV. 6. 7.~~

From: Fox, Cynthia C
Sent: Monday, August 15, 2016 9:05 AM
To: Jones, Jennifer
Subject: FW: Squid Lips Cocoa Beach

From: Tony Sells Brevard [<mailto:tonysellsbrevard@gmail.com>]
Sent: Sunday, August 14, 2016 6:47 PM
To: Fox, Cynthia C; Commissioner, D2
Subject: Squid Lips Cocoa Beach

I'm a local Realtor in the area and my office is right down the street this restaurant. I eat here a lot and have many clients that live in the direct area. They all love coming here as well as its a great place to eat and wind down after a long week. The highlight of the restaurant is the beautiful deck and view of the water. Since the recent issues my family and friends have had to eat inside which we prefer to eat outside on the deck especially when we pull up from a day on the boat. I hope this is addressed quickly and fairly. Thanks for your time and consideration.

Your referrals are my greatest compliment!
BUILDING CLIENTS FOR LIFE

Tony Granato, REALTOR
Multi Million Dollar Producer
Re/Max Solutions
321-501-1480 Cell
321-766-5684 Fax
Website: TonySellsBrevard.com

Thinking About Selling A Property?
www.time2list.com

Jones, Jennifer

IN FAVOR
IV.A.2. ~~IV.B.7.~~

From: Fox, Cynthia C
Sent: Monday, August 15, 2016 12:20 PM
To: Jones, Jennifer
Subject: FW: Squid Lips

From: Kurt Easton [<mailto:kurt.easton@clean-footprint.com>]
Sent: Monday, August 15, 2016 12:18 PM
To: Fox, Cynthia C
Cc: Commissioner, D2
Subject: Squid Lips

I am writing in support of Squid Lips restaurant in the upcoming re-zoning action. I live 4 blocks south of the restaurant at 3031 South Atlantic Ave. Cocoa Beach, FL 32931. This restaurant, as well as the former Lobster Shanty, has provided the public riverfront access and views through a dining experience for many years. Approving the rezoning will enable the restaurant to re-open the rear deck which is crucial to the success of the business. It is important that the business succeeds, failure would cause vacancy of the property and the likely deterioration of an abandoned facility. If the property were to be resold it would likely be used for condominium development, which would increase the population of the barrier island straining public infrastructure while at the same time eliminating public access to the riverfront.

Thank you for your consideration of this request for support.

Kurt Easton

IN FAVOR
~~IV. B. 7.~~
IV. A. 2

Jones, Jennifer

From: Fox, Cynthia C
Sent: Tuesday, August 16, 2016 8:40 AM
To: Jones, Jennifer
Subject: FW: Squid Lips Restaurant - Cocoa Beach, Fl

-----Original Message-----

From: Shelley Alexander [<mailto:travelgirl23@icloud.com>]
Sent: Monday, August 15, 2016 5:17 PM
To: Fox, Cynthia C
Cc: Commissioner, D2
Subject: Squid Lips Restaurant - Cocoa Beach, Fl

Please allow Squid Lips to keep in business and open the outside deck on the Banana River in Cocoa Beach. We live within walking distance and just love to go there for lunch, happy hour & dinner and have done so many times. It is a great place to take visitors and friends and show off this end of Cocoa Beach. There is plenty to do on the North side of Cocoa Beach but this is the only place we have worth going to on the South end!

I have heard that they are having a hearing sometime in August. Will you try to help this go smoothly so that they can reopen their beautiful deck and give us residence a great place to eat and visit!

BTW, we are long time residents (26 years) and Seniors. It is just nice for all of us residents to have some nice place close to home to support!

Please review seriously and let us know if we need to get a lot of people to email you!

Sincerely,

Rochelle & John Alexander
1527 S Atlantic Ave # 401
Cocoa Beach, Fl 32931

IN FAVOR

IV.A.2.

~~IV.B.7.~~

Jones, Jennifer

From: Fox, Cynthia C
Sent: Wednesday, August 24, 2016 8:54 AM
To: Jones, Jennifer
Subject: FW: Squidlips

From: John Work [<mailto:jowork014@gmail.com>]
Sent: Tuesday, August 23, 2016 5:32 PM
To: Fox, Cynthia C
Subject: Squidlips

I hope this restaurant gets to stay an eating establishment. I just moved to crescent beach dr. in July 2016 and I've been enjoying my sunset meals immensely. It is nice to be able to walk over and have a great meal and enjoy the atmosphere. Please allow this to continue so we all can enjoy the best sunset on the Space Coast.
Thanks, John Work

IN FAVOR

~~IV.6.7.~~

IV.A.2.

Jones, Jennifer

From: Fox, Cynthia C
Sent: Thursday, August 25, 2016 3:45 PM
To: Jones, Jennifer
Subject: FW: squid lips cocoa beach

From: Candacee Williams [<mailto:candacee76@yahoo.com>]
Sent: Thursday, August 25, 2016 3:36 PM
To: Fox, Cynthia C
Subject: squid lips cocoa beach

To Whom it May Concern,

It is my belief that the rezoning of the Cocoa Beach Squid Lips will be a great asset to the city. It will generate a livelihood to that portion of town and create much needed employment to many families. I believe in supporting the small businesses and preservation of our beautiful county. My family and I enjoy feeding the Koi fish out front, the catfish on the devastatingly beautiful river and helping support the families who depend on the income generated from this caring establishment. Thank you for listening to the "common man" in your consideration to speedily remedy this mishap. My family is looking forward to the day when we can enjoy our Sunday meal on the deck proudly outlooking the sunset over the river.

Sincerely,

Candacee Scott

IN FAVOR

IV.A.2.

~~IV.B.7.~~

Jones, Jennifer

From: Fox, Cynthia C
Sent: Monday, September 12, 2016 8:42 AM
To: Jones, Jennifer
Cc: Alward, Elizabeth M; DiFabio, Robin M
Subject: FW: Squid Lips

From: Bob Baugher [<mailto:bbaugher@cocoabeachsurf.com>]
Sent: Monday, September 12, 2016 8:09 AM
To: Fox, Cynthia C
Cc: Alward, Elizabeth M
Subject: FW: Squid Lips

Cynthia: See email below, I own the two properties to the south of Squid Lips. Please see my letter of support for Squid Lips request. If you need any additional information please call. Bob Baugher 321-693-0095

*** Please note that my email address has changed. My new email address is bbaugher@cocoabeachsurf.com. Please update your address book and begin using this new email address. ***

Bob Baugher

From: Bob Baugher [<mailto:bbaugher@cocoabeachsurf.com>]
Sent: Monday, September 12, 2016 8:05 AM
To: liz.alward@brevardcounty.us; 'Barfield, Jim'
Cc: Jim Barfield (Jim.Barfield@lukeassoc.com)
Subject: Squid Lips

Jim/Liz: I believe this morning you have a zoning hearing on Squid Lips. I had some problems with them when they first open, parking overflow. I support any zoning change that would allow them to operate a waterfront restaurant with seating on the deck. As you know I'm involved in tourism and the industry needs more waterfront restaurants. I believe between the owner, county, and surrounding property owners we can find a way to allow this restaurant to operate without infringing on the other property owners. If you would like to discuss this please call me at 693-0095

*** Please note that my email address has changed. My new email address is bbaugher@cocoabeachsurf.com. Please update your address book and begin using this new email address. ***

Bob Baugher

IN FAVOR
IV.A.2.

Buz Underill

From: info@squidlipsgrill.com
Sent: Tuesday, November 1, 2016 2:38 PM
To: Buz Underill
Subject: FW: Public hearing for SquidLips Grill 11/03/16

From: Keith Kask [mailto:kkask@advanceins.com]
Sent: Tuesday, November 1, 2016 2:14 PM
To: D2.Commissioner@brevardcounty.us
Cc: info@squidlipsgrill.com
Subject: Public hearing for SquidLips Grill 11/03/16

Dear Sirs:

Please accept this email as my support for the Variance/Conditional Use Permit/Special Use Permit (as applicable to your codes) that is being sought by this applicant.

I am a property owner at 1525 South Atlantic, Unit 503, Cocoa Beach FL 32931 and am pleased to say I enjoy living in Cocoa Beach about 8 months of every year. I feel that SquidLips is to be commended for their rehabilitation of the old Lobster Shanty Restaurant, and I know they have worked hard to bring a modern restaurant to this area of Cocoa Beach. Their use is totally compatible with the area and does not differ materially from what is currently observed in the area, a part of town that includes commercial buildings, restaurants and resorts.

SquidLips request for a covered deck is very similar to what is present at Coconuts on the Beach, Sunsets Grill and across the Causeway at Grills. A practical difficulty or hardship can especially be argued in their west-facing location for a covered deck as the setting sun is beastly hot for much of the year, making most any outdoor dining area unfeasible, a situation they did not create for themselves. Indeed, the predecessor business had an outdoor deck, but it was not popular for this very reason. I was also pleased to notice this feature was essentially undamaged by Hurricane Matthew, a testament to the building codes and construction quality of this building feature

Please know that as a neighbor, I support this request and ask for your favorable consideration of the permit sought.

Sincerely,

Keith Kask
612-296-9385

IN FAVOR
IV.A.2.

Buz Underill

From: info@squidlipsgrill.com
Sent: Tuesday, November 1, 2016 1:07 PM
To: Buz Underill
Subject: FW: Squid Lips Outside Deck

From: Pam Quirk [mailto:pam.quirk@arnottinc.com]
Sent: Tuesday, November 1, 2016 12:53 PM
To: 'D2.Commissioner@brevardcounty.us' <D2.Commissioner@brevardcounty.us>
Cc: 'info@squidlipsgrill.com' <info@squidlipsgrill.com>
Subject: Squid Lips Outside Deck

Good Afternoon,

I do believe that it would be in the public's best interest to allow a roof over the outside deck at Squid Lips. I would like to see this restaurant to succeed as it is a better alternative to some of the other Cocoa Beach restaurants for people of my age. We (as well as many of our friends) plan to frequent the restaurant and would very much like to be able to have the deck to relax on and feel that it would generate additional income for the community. There is such a beautiful view of the river there (something that makes this unique) from most of the places we normally frequent.

Thank you for your consideration in this matter.

Best Regards,

Pam Quirk

203 Freddie Street
Indian Harbour Beach, FL 32937
321-626-1229

IN FAVOR
IV. A.2.

Buz Underill

From: info@squidlipsgrill.com
Sent: Tuesday, November 1, 2016 12:31 PM
To: Buz Underill
Subject: FW: Squid Lips Deck

From: Gloria Marrone [mailto:glomarrone@cfl.rr.com]
Sent: Tuesday, November 1, 2016 10:15 AM
To: d2.commissioner@brevardcounty.us
Cc: info@squidlipsgrill.com; Linda Rivera <billinda1@yahoo.com>; Carol McIntyre <carol.mci301@gmail.com>; Pat Weber <HARBELL1@aol.com>; Joan Dutt <QUEENDUTT@aol.com>; Barbara Ferrell <fid830@aol.com>; Diane Rose <dianelrose57@yahoo.com>
Subject: Squid Lips Deck

To Our County Commissioners,

I understand that there is a meeting to discuss approval for Squid Lip's Deck Roof on November 3 at 5 PM. Since I cannot attend this meeting, I would like to send all of you my thoughts.

The restaurant has been unable to use their deck for many months as you are well aware. This is costing them quite a bit of money. When the deck was opened, the deck was packed with patrons. Diners though did say that it was too hot sitting in the sun during daylight hours. We all need to be aware of skin cancer concerns, also. During the wintertime it was often too cool to enjoy the outside scenery even with heaters without a roof over the deck.

Since the deck closed, I see few diners inside. Everyone wants to sit on the outside deck or at least stroll outside to enjoy the view and fresh air. While I am sure there are issues here that have to be resolved, please understand that any further delay could cost the restaurant to go out of business. The lost of tax money to the county would also be great. Do we really want this to happen? I hope that the Commissioners, therefore, approve the restaurant's deck roof.

We want our county to have the reputation of being business friendly. Please do your utmost to assist them in getting their roof approved. I will be paying careful attention to how the ruling goes.

Gloria Marrone, full time resident/owner
830 N Atlantic Ave B-1501
Cocoa Beach, FL 32931
321-799-2973

IN FAVOR
IV. A. 2.

Buz Underill

From: info@squidlipsgrill.com
Sent: Monday, October 31, 2016 8:19 AM
To: Buz Underill
Subject: FW: Squid Lips Patio Deck Roof

From: Linda Rivera [mailto:billinda1@yahoo.com]
Sent: Sunday, October 30, 2016 8:20 PM
To: info@squidlipsgrill.com
Subject: Fw: Squid Lips Patlo Deck Roof

Begin forwarded message:

On Sunday, October 30, 2016, 8:11 PM, Linda Rivera <billinda1@yahoo.com> wrote:

Commissioners,

My husband & I eat at Squid Lips often. We feel it is a shame that we can't be eating dinner on their lovely deck and can't understand the holdup. Business has been greatly affected as customers like us come to sit outside by the water. Many of our friends have gone elsewhere to eat.

Having a roof over the deck is a no brainer. The roof allows the deck to be used during inclement weather & even on cold days as heaters can be used without the heat dissipating too quickly without a roof to contain it. On warm evenings fans can be installed hanging from the roof. Soft music can be played using sound system speakers attached to the roof increasing Squid Lips business during special events. The roof makes sitting out in the patio bareable during hot sunny days as it provides much needed shade.

Don't you think the Brevard taxpayers have a right to be comfortable while eating out in a restaurant? Squid Lips should be rewarded for caring enough about their customers by putting up a roof that would make their meal more enjoyable.

We don't know the owners or the servers at Squid Lips but feel strongly enough to speak up for them when a wrong needs to be righted. We know you will do the right thing and grant Squid Lips the ability to start using their deck. If you want businesses to prosper here give them the tools they need to succeed. Right now they seem to be floundering. Business has greatly slowed. Both of us and our friends will be anxiously watching what you decide. We hope it will be to help Squid Lips business grow by letting them keep their roof.

Margaret Linda Rivera
William A. Rivera
830 N Atlantic Ave Apt B1107
Cocoa Beach, FL 32931
321 783-1256

IN FAVOR
T.H.A.Z.

Buz Underill

From: info@squidlipsgrill.com
Sent: Monday, October 31, 2016 8:18 AM
To: Buz Underill
Subject: FW: We Love Squid Lips' Deck

From: Mari Frith [mailto:mfa1@bellsouth.net]
Sent: Sunday, October 30, 2016 2:09 PM
To: D2.Commissioner@brevardcounty.us
Cc: Info@squidlipsgrill.com
Subject: RE: We Love Squid Lips' Deck

Dear Commission,

We are hopeful of your support in favor of allowance for the Squid Lips restaurant of Cocoa Beach to reopen its wonderful outdoors venue. It is a tremendous asset to our South Cocoa Beach neighborhood and while open in full throttle it served as a major activity center for our community.

While I hold a license as a design professional, I am fully aware of the considerations we, as design professionals, give to our projects so to serve the public's best interests in terms of life safety, access and sense of place.

We believe that the restaurant has greatly enhanced our neighborhood and for that alone, it should be allowed to share its marvelous setting to the public as is and protected with its roof.

This is a year where it is greatly evident that our nation is restless with the direction our country continues to take with regard to laws that impact the public to the point of oppression. While we do not believe the issue with this project's roof and its shutdown is an act of oppression but one perhaps of punitive decision, we do not believe mandating for the roof to be removed would be to the best of the public's interest.

We optimistically look forward to a great reopening event at Squid Lips very soon, given your support to have the greatest sunset watch deck in Cocoa Beach reopen!

Mari Frith, LEED AP, SEGD, IIDA Mari Frith Associates Inc., 1201 S. Orlando Ave, Ste. 362, Winter Park, FL 32789 FL Lic. IB787 Tel: 4078972160 Cel: 4073998763 Dir: 321.316.4586 Email: MFA1@bellsouth.net

IN FAVOR
IV. A. 2.

Buz Underill

From: info@squidlipsgrill.com
Sent: Monday, October 31, 2016 8:16 AM
To: Buz Underill
Subject: FW: Deck at Squidlips

From: Jeanie Ortiz [mailto:ortizjeanie46@yahoo.com]
Sent: Saturday, October 29, 2016 1:14 PM
To: D2.Commissioner@brevardcounty.us
Cc: info@squidlipsgrill.com
Subject: Deck at Squidlips

I understand that the County Commissioner is holding a hearing on Nov. 3 to decide if it is in the public's interest for Squidlips to have a roof over their outside deck. I cannot attend the hearing, but I wish to ask you to say YES to the roof over. It was damaged during Hurricane Matthew. This deck is so important to their business, and so important to us and many other patrons. It is a place to go and share good food, good service and a beautiful atmosphere while watching the sunset after a busy day and just relaxing.

My husband and I love this restaurant and deck. We have been going there for some time. Please make our deck secure and safe again.

Thank you for your consideration.

Sincerely

Jeanie Ortiz.

IN FAVOR
IV. A. 2.

Buz Underill

From: info@squidlipsgrill.com
Sent: Monday, October 31, 2016 1:59 PM
To: Buz Underill
Subject: FW: Cocoa Beach Squid Lips

From: Cheryl Alyea [mailto:calyeare@aol.com]
Sent: Monday, October 31, 2016 12:27 PM
To: D2.Commissioner@brevardcounty.us
Cc: info@squidlipsgrill.com
Subject: Cocoa Beach Squid Lips

Dear County Commissioners:

The Squid Lips Grill in Cocoa Beach is a wonderful addition to the area! Tourists love sitting in the sun & enjoying the sparkling waters of the Banana River! We don't have enough restaurants available by boat, so this restaurant is really appreciated by the boating community as well. Locals love to gather here to celebrate birthdays & other special occasions while listening the the great bands. It's a super family experience as well as a tourist draw. Commissioners, please help this local business to operate the way it was designed to. Please grant them variances, extensions or whatever they need now, before they are forced out of business. We don't need any more deserted buildings along our awesome riverfront!

Thanks for your consideration!

Cheryl

Cheryl Alyea
President/Broker
Office: 321-777-3060
Fax: 321-777-3089
www.AtlantisRealEstateofBrevard.com

IN FAVOR
I.A.R.

Buz Underill

From: info@squidlipsgrill.com
Sent: Monday, October 31, 2016 8:20 AM
To: Buz Underill
Subject: FW: Squid Lips

-----Original Message-----

From: babswood@comcast.net [mailto:babswood@comcast.net]
Sent: Sunday, October 30, 2016 9:31 PM
To: D2Commissioner@brevardcounty.us
Cc: info@squidlipsgrill.com
Subject: Squid Lips

I am writing in support of Squid Lips receiving approval for their outside deck roof. What a great addition to Cocoa Beach to have another restaurant choice that lets you still be outside and have protection from the sun and rain.

Thank you for your consideration.
Barbara Wood, Cocoa Beach

Sent from my iPhone Barbara K. Wood

IN FAVOR
IIA.2.

Alward, Elizabeth M

From: Laura <ldietrich@cfl.rr.com>
Sent: Monday, October 3, 2016 8:26 PM
To: Commissioner, D2
Subject: Squid lips. Cocoa Beach

Yes, we need roof!! This is Florida!!! We need protection from the elements!! The sun, heat,rain!!! Common sense!!

Sent from my iPad

IN FAVOR
IV.A.2.

Alward, Elizabeth M

From: Soheli Ahsan <sohel.ahsan@gmail.com>
Sent: Tuesday, October 4, 2016 6:32 AM
To: Commissioner, D2
Cc: info@squidlipsgrill.com
Subject: Squid lips outside deck

Dear Commissioner,

I support the roof over outside deck, I have been regular patronage in this place for a long time. I always enjoyed their outside dining. Please allow them to have a roof over the deck.

Sincerely

Sohel ahsan

Cocoa beach resident

Oct 4th 2016

Sent from my iPhone

IN FAVOR
II.A.2

Alward, Elizabeth M

From: Mark Techmanski <marktechmanski@yahoo.com>
Sent: Tuesday, October 4, 2016 6:39 AM
To: Commissioner, D2
Cc: info@squidlipsgrill.com
Subject: Roof over deck/squid lips grill

To the county commission as well as others it may concern. I feel it is necessary to allow for and furthermore authorize with your approval the construction of an outside roof over the deck at the squid lips grill location in cocoa beach Florida. It is furthermore in the best interest of the public to become protected from weather and harmful UV. Thank you for your consideration.

Sent from my iPhone

IN FAVOR
IV. A.2.

Alward, Elizabeth M

From: Joanna Martin <jtomm@cfl.rr.com>
Sent: Tuesday, October 4, 2016 5:46 PM
To: Commissioner, D2
Cc: info@squidlipsgrill.com
Subject: Squidlips Restuarant issue of roof overhang

Regarding the upcoming meeting on Thursday night's agenda item: Squid Lips outside dining area roof.

I am a condo neighbor of the Squid Lips Restaurant and would like to support the Squid Lips Restaurant in their request for approval of their outside dining area roof. This restaurant is a benefit to our community. And I would assume a tax benefit to the county. The first night it opened, you couldn't find a parking space anywhere. We have very few places where people can congregate riverside to dine, listen to music or dance. Noise level methods can be put in place at later hours for the benefit of close by neighbors.

Thanks for voting on their behalf.

Joanna Martin

IN FAVOR

Alward, Elizabeth M

From: Don McHenry <donmchenry3@gmail.com>
Sent: Sunday, October 2, 2016 10:19 PM
To: Commissioner, D2
Cc: info@squidlipsgrill.com
Subject: Tourist's opinion re Squid Lips patio

My wife and I write to express our support for covering the outdoor patio at Squid Lips restaurant. We are frequent visitors from The Villages and were very disappointed to find the patio closed. We have always felt that to be able enjoy the westerly view during dinner added to the specialness of the area. Please consider restoring this valuable asset.
Sincerely, Sharon and Don McHenry
3312 Shelby St., The Villages, FL 32162

Sent from my iPhone
DON MCHENRY CCDC, BRI-II

IN FAVOR
IV. A 2.

Alward, Elizabeth M

From: jeff buthker <jsbsurf@yahoo.com>
Sent: Monday, October 3, 2016 1:07 PM
To: Commissioner, D2
Cc: info@squidlipsgrill.com
Subject: Squid Lips Deck Issue

Commissioner,

Do to my work schedule I cannot attend the hearing on the concerns and closer of the outside deck at the Cocoa Beach Squid Lips. I'd like to show my support in the reopening and letting them get on with the business they've tried to do.

So many places here close up and no one ever keeps the place going, and they just sit empty, CB is full of them.

Here we have one of the gems in our area closing then reopening with a new owner thats trying to make it even better. We've been so grateful for this, til the closing actions out back, so sad. For them as far as the lost business and employees, And for us!

Seems to have drug out an awfully long time, agreed?

Please help in settling this matter and getting things in order there so they can reopen one of the very best places here to see a sunset while enjoying wonderful food and drink,,,

Thank you, Jeffrey `JB` Buthker

a South CB local, that walks there regularly

IN FAVOR
III. A2.

Alward, Elizabeth M

From: Kenneth McClure <gmclure@skidmore.edu>
Sent: Sunday, October 2, 2016 5:22 PM
To: Commissioner, D2
Cc: info@squidlipsgrill.com
Subject: Ref Squid Lips, Cocoa Beach

I am curious as to why the County Commissioners are assumed to be better qualified to determine the "Public Interest" regarding the new outside deck & roof at Squid Lips Restaurant in Cocoa Beach than Brevard County consumers & visitors?

The improvements made by Squid Lips, at their own expense, have been unnecessarily delayed for many months by excessive government interventions. Why? The restaurant has lost revenue & customers have been deprived of an enjoyable riverside experience.

The new deck & roof are substantial improvements over the outside dining area previously available at the former restaurant & will contribute value to Brevard County economic development & employment. Also, these improvements appear to be similar to the outside dining areas offered by other restaurants in the county. You, the commissioners, have the opportunity to properly correct this unnecessary delay.

My wife & I are Brevard County residents & we vote. We will be very interested in how each of you vote at this hearing & we will vote accordingly in the next election for commissioners. Think seriously about your personal vote on this (& similar issues), if you want our support in the future.

Yours,

Dr Kenneth McClure

IN FAVOR
IV.A.2.

Alward, Elizabeth M

From: Juli Diakakis <julia@diakakis.info>
Sent: Sunday, October 2, 2016 4:23 PM
To: Commissioner, D2
Cc: infor@squidlipsgrill.com
Subject: Roof on outside deck

Importance: High

To Whom It May Concern:

Please allow the outside covering for the Cocoa Beach Squid Lips deck.

Thank you!

IN FAVOR
III A.2.

Alward, Elizabeth M

From: terriknight13 <terriknight13@yahoo.com>
Sent: Sunday, October 2, 2016 8:14 AM
To: Commissioner, D2
Cc: Squelch The Smell Remover
Subject: Fwd: Squid Lips Roof

----- Original Message -----

Subject: Squid Lips Roof
From: terriknight13 <terriknight13@yahoo.com>
To: D2.Commissioner@brevardcounty.us
CC: info@squidlipsgrill.com

We want an outdoor roof at Squid Lips Cocoa Beach. Enjoyed the outdoor space.