

On motion by Commissioner Anderson, seconded by Commissioner Fisher, the following resolution was adopted by a unanimous vote:

WHEREAS, at the direction of the Board of County Commissioners of Brevard County and pursuant to the provisions of Future Land Use Policy 10.3, Brevard County Comprehensive Plan, as adopted on September 8, 1988, et seq., the following proposed changes were submitted for administrative Rezoning.

CURRENT ZONING: GU (General Use)

PROPOSED ZONING: GML(I) (Government Managed Lands – Institutional)

on property owned by State of Florida, ITTF and described as Section 31, Township 23, Range 36, Tax Parcel 260; and Section 36, Township 23, Range 35, Tax Parcel 2, both as recorded in ORB 1065, Page 0449, of the Public Records of Brevard County, Florida. (28.19 acres) Located on the southwest corner of Camp Rd. and the F.E.C. Railroad. (Tax Parcel = No assigned address. In the Cocoa area; Tax Parcel 2 = 555 Camp Rd., Cocoa); and

WHEREAS, a public hearing of the Brevard County Planning & Zoning Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the Brevard County Planning & Zoning Board recommended that the application be approved; and,

WHEREAS, the Board, after considering said application and the Brevard County Planning & Zoning Board's recommendation, and hearing all interested parties, and after due and proper consideration having been given to the matter, find that the application should be Approved; now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested change of classification from GU to GML(I) be APPROVED, and that the zoning classification relating to the above described property be changed to GML(I), and the Planning & Zoning Director, or designee, is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

BE IT FURTHER RESOLVED that this resolution shall become effective as of October 13, 2016.

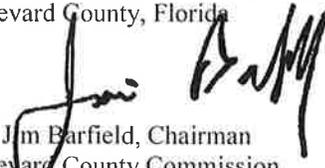


ATTEST:



SCOTT ELLIS, CLERK
(SEAL)

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida



by Jim Barfield, Chairman
Brevard County Commission

As approved by Brevard County Commission on October 13, 2016.

(P&Z Hearing – September 12, 2016)

Please note: A Conditional Use Permit will generally expire on the three year anniversary of its approval if the use is not established prior to that date. Conditional Use Permits for Towers and Antennas shall expire if a site plan for the tower is not submitted within one (1) year of approval or if construction does not commence within two years of approval. A PUD Preliminary Development Plan expires if a final development plan is not filed within three years.

THE GRANTING OF THIS ZONING DOES NOT GUARANTEE PHYSICAL DEVELOPMENT OF THE PROPERTY. AT THE TIME OF DEVELOPMENT, SAID DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CRITERIA OF THE BREVARD COUNTY COMPREHENSIVE PLAN AND OTHER APPLICABLE LAWS AND ORDINANCES.

On motion by Commissioner Fisher, seconded by Commissioner Smith, the following resolution was adopted by a unanimous vote:

WHEREAS, JONATHAN AMICK has requested a change of classification from AU (Agricultural Residential) to SR (Suburban Residential), on property described as: SEE ATTACHED

Section 18, Township 21S, Range 35E, and,

WHEREAS, a public hearing of the Brevard County Planning & Zoning Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the Brevard County Planning & Zoning Board recommended that the application be approved; and,

WHEREAS, the Board, after considering said application and the Brevard County Planning & Zoning Board's recommendation, and hearing all interested parties, and after due and proper consideration having been given to the matter, find that the application should be Approved; now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested change of classification from AU to SR, be APPROVED, and that the zoning classification relating to the above described property be changed to SR, and the Planning & Zoning Director, or designee, is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

BE IT FURTHER RESOLVED that this resolution shall become effective as of October 13, 2016.

ATTEST:

SCOTT ELLIS, CLERK
(SEAL)

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida

by Jim Barfield, Chairman
Brevard County Commission
As approved by Brevard County Commission on October 13, 2016.

(P&Z Hearing – September 12, 2016)

Please note: A Conditional Use Permit will generally expire on the three year anniversary of its approval if the use is not established prior to that date. Conditional Use Permits for Towers and Antennas shall expire if a site plan for the tower is not submitted within one (1) year of approval or if construction does not commence within two years of approval. A PUD Preliminary Development Plan expires if a final development plan is not filed within three years.

THE GRANTING OF THIS ZONING DOES NOT GUARANTEE PHYSICAL DEVELOPMENT OF THE PROPERTY. AT THE TIME OF DEVELOPMENT, SAID DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CRITERIA OF THE BREVARD COUNTY COMPREHENSIVE PLAN AND OTHER APPLICABLE LAWS AND ORDINANCES.

Legal description: Tax Parcel 21, as recorded in ORB 7613, Page 2967, of the Public Records of Brevard County, Florida. **Section 18, Township 21, Range 35.** (0.47 acres); and part of the land described in ORB 300, Page 586, Public Records of Brevard County, Florida, lying in the NE $\frac{1}{4}$ of **Section 18, Township 21S, Range 35E**, being more particularly described as follows: Commence at a railroad spike marking the SE corner of the NE $\frac{1}{4}$ of Section 18, Township 21S, Range 35E, Brevard County, Florida; thence N89deg11'38"W (assumed bearing) along the south line of said NE $\frac{1}{4}$ 1,331.94 ft. to a nail and disc marking the SW corner of the E $\frac{1}{2}$ of said NE $\frac{1}{4}$; thence N0deg14'15"E along the W line of said E $\frac{1}{2}$ of the NE $\frac{1}{4}$ 729 ft. to a 1" iron pip marking the SW corner of said land described in ORB 300, Page 586; thence continue N0deg14'15"E along said W line 357.88 ft. to the NW corner of said land; thence S89deg10'23"E along the north line of said land described in ORB 300, Page 586, 780.15 ft. to the Point of Beginning of this description; thence continue S89deg10'23"E along said N line 26.18 ft. to W line of the land described in ORB 6176, Page 740, as presently marked; thence S2deg03'00"W along said W line 122.66 ft. to the SW corner thereof; thence N10deg03'00"W 124.88 ft. to the Point of Beginning. (0.55 acres) Located on the west side of Folsom Rd., approx. .25 mile south of Kelly Rd. (2612 Folsom Rd., Mims)

On motion by Commissioner Smith, seconded by Commissioner Anderson, the following resolution was adopted by a unanimous vote:

WHEREAS, at the direction of the Board of County Commissioners of Brevard County and pursuant to the provisions of Future Land Use Policy 10.3, Brevard County Comprehensive Plan, as adopted on September 8, 1988, et seq., the following proposed changes were submitted for a Small Scale Plan Amendment and Administrative Rezoning.

CURRENT FUTURE LAND USE AND ZONING: PUBLIC, AND GML(H) (GOVERNMENT MANAGED LANDS – HIGH INTENSITY)

PROPOSED FUTURE LAND USE AND ZONING: CC (COMMUNITY COMMERCIAL) AND BU-1 (GENERAL RETAIL COMMERCIAL)

on property owned by Brevard County, ITTF and described as: SEE ATTACHED

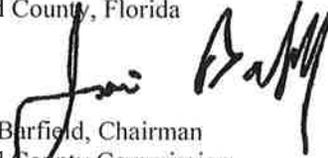
WHEREAS, a public hearing of the Brevard County Planning & Zoning Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the Brevard County Planning & Zoning Board recommended that the application be approved(*); and,

WHEREAS, the Board, after considering said application and the Brevard County Planning & Zoning Board’s recommendation, and hearing all interested parties, and after due and proper consideration having been given to the matter, find that the application should be Approved; now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested Small Scale Plan Amendment to change the Future Land Use from Public to CC, and change of classification from GML(H) to BU-1 be APPROVED, and that the zoning classification relating to the above described property be changed to BU-1, and the Planning & Zoning Director, or designee, is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

BE IT FURTHER RESOLVED that this resolution shall become effective as of October 13, 2016.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida



by Jim Barfield, Chairman
Brevard County Commission

As approved by Brevard County Commission on October 13, 2016.

ATTEST:



SCOTT ELLIS, CLERK
(SEAL)

(P&Z Hearing – September 12, 2016)
(*) LPA Recommendation – Approved Small Scale Plan Amendment

Please note: A Conditional Use Permit will generally expire on the three year anniversary of its approval if the use is not established prior to that date. Conditional Use Permits for Towers and Antennas shall expire if a site plan for the tower is not submitted within one (1) year of approval or if construction does not commence within two years of approval. A PUD Preliminary Development Plan expires if a final development plan is not filed within three years.

THE GRANTING OF THIS ZONING DOES NOT GUARANTEE PHYSICAL DEVELOPMENT OF THE PROPERTY. AT THE TIME OF DEVELOPMENT, SAID DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CRITERIA OF THE BREVARD COUNTY COMPREHENSIVE PLAN AND OTHER APPLICABLE LAWS AND ORDINANCES.

(16PZ00071) Contd.

A parcel of land being a portion of those lands described in ORB 5060, Page 2654 of the Public Records of Brevard County, Florida, and lying within the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 19, Township 26 South, Range 37 East, Brevard County, Florida, and being more particularly described as follows: Commence at the SW corner of said Section 19, thence S86deg46'24"E along the south line of said Section 19 for a distance of 655.88 ft.; thence N00deg53'41"W along the east line of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 19 for a distance of 8 ft. to the SW corner of those lands described in ORB 5768, Page 7712; thence N70deg33'22"E along the south line of said lands for a distance of 288.34 ft. to the SE corner of said described lands, said point also being the point of beginning of the herein described parcel; thence N18deg49'24"W along the east line of said described lands for a distance of 132.51 ft.; thence N49deg31'59"W along said east line for a distance of 115.92 ft. to a point of curvature of a non-tangential curve concave to the NW having a radius of 1,588 ft., an included angle of 08deg00'05", and whose long chord bears N36deg41'45"E; thence along said south ROW and along the arc of said curve for a distance of 221.76 ft.; thence N32deg41'43"E along said south ROW line for a distance of 19.60 ft. to a point on the west line of those lands described in ORB 3946, Page 1762; thence south 18deg49'24"E along said west line for a distance of 368.32 ft. to a point on the north line of said described lands; thence S70deg33'22"W along said north line for a distance of 138.80 ft. to the point of beginning, containing 1.10 acres, more or less. (1.10 acres) Located on the southwest corner of Holy Trinity Dr. and Pineda Cswy. (No assigned address. In the Melbourne area.)

On motion by Commissioner Anderson, seconded by Commissioner Infantini, the following resolution was adopted by a unanimous vote:

WHEREAS, EARL & STEPHANIE CANNON have requested a change of classification from GU (General Use) to AU(L) (Agricultural Residential, Low-Intensity), on property described as Lot 22, Block 16, Canaveral Groves Unrecorded Subdivision, as recorded in ORB 7599, Pages 1944 – 1945, of the Public Records of Brevard County. (1 acre) Located on the north side of Burning Tree Ave., approx. 0.16 mile east of Satellite Blvd. (6736 Burning Tree Ave., Cocoa)

Section 20, Township 24S, Range 35E, and,

WHEREAS, a public hearing of the Brevard County Planning & Zoning Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the Brevard County Planning & Zoning Board recommended that the application be approved; and,

WHEREAS, the Board, after considering said application and the Brevard County Planning & Zoning Board’s recommendation, and hearing all interested parties, and after due and proper consideration having been given to the matter, find that the application should be Approved; now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested change of classification from GU to AU(L), be APPROVED, and that the zoning classification relating to the above described property be changed to AU(L), and the Planning & Zoning Director, or designee, is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

BE IT FURTHER RESOLVED that this resolution shall become effective as of October 13, 2016.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida



by Jim Barfield, Chairman
Brevard County Commission

As approved by Brevard County Commission on October 13, 2016.

ATTEST:



SCOTT ELLIS, CLERK
(SEAL)

(P&Z Hearing – September 12, 2016)

Please note: A Conditional Use Permit will generally expire on the three year anniversary of its approval if the use is not established prior to that date. Conditional Use Permits for Towers and Antennas shall expire if a site plan for the tower is not submitted within one (1) year of approval or if construction does not commence within two years of approval. A PUD Preliminary Development Plan expires if a final development plan is not filed within three years.

THE GRANTING OF THIS ZONING DOES NOT GUARANTEE PHYSICAL DEVELOPMENT OF THE PROPERTY. AT THE TIME OF DEVELOPMENT, SAID DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CRITERIA OF THE BREVARD COUNTY COMPREHENSIVE PLAN AND OTHER APPLICABLE LAWS AND ORDINANCES.

Corrected

On motion by Commissioner Infantini, seconded by Commissioner Smith, the following resolution was adopted by a unanimous vote:

WHEREAS, MIKE ERDMAN MOTORS, INC. has requested a change of classification from PIP (Planned Industrial Park) and PBP (Planned Business Park) to BU-2 (Retail, Warehousing, and Wholesale Commercial), on property described as Tax Parcel 789, as recorded in ORB 7204, Pages 1882 – 1884, of the Public Records of Brevard County, Florida. (4.13 acres) Located on the north side of Viera Blvd., approx. 100 ft. west of U.S.1 (No assigned address. In the Viera area.)

Section 35,

Township 25 S,

Range 36 E, and,

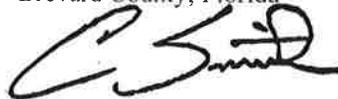
WHEREAS, a public hearing of the Brevard County Planning & Zoning Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the Brevard County Planning & Zoning Board/Local Planning Agency recommended that the application be approved with a BDP (Binding Development Plan) limiting ingress and egress to one (1) access at Viera Blvd.; limiting maximum building height to 45 ft.; and maintaining a minimum 15-ft. side setback, a minimum 40-ft. rear setback, and a minimum 40-ft. front setback for all building structures; and,

WHEREAS, the Board, after considering said application and the Brevard County Planning & Zoning Board's recommendation, and hearing all interested parties, and after due and proper consideration having been given to the matter, find that the application should be Approved with a BDP limiting ingress and egress to one (1) access at Viera Blvd.; limiting maximum building height to 45 ft.; and maintaining a minimum 15-ft. side setback, a minimum 40-ft. rear setback, and a minimum 40-ft. front setback for all building structures; now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested change of classification from PIP & PBP to BU-2, be APPROVED with a BDP, recorded in ORB 7772, Pages 1079 – 1084, dated December 8, 2016, limiting ingress and egress to one (1) access at Viera Blvd.; limiting maximum building height to 45 ft.; and maintaining a minimum 15-ft. side setback, a minimum 40-ft. rear setback, and a minimum 40-ft. front setback for all building structures, and that the zoning classification relating to the above described property be changed, and the Planning & Zoning Director, or designee, is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

BE IT FURTHER RESOLVED that this resolution shall become effective as of December 8, 2016.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida



by Curt Smith, Chairman
Brevard County Commission

As approved by Brevard County Commission on October 13, 2016.



ATTEST:

Scott Ellis
SCOTT ELLIS, CLERK
(SEAL)

(P&Z Hearing – September 12, 2016)

Please note: A Conditional Use Permit will generally expire on the three year anniversary of its approval if the use is not established prior to that date. Conditional Use Permits for Towers and Antennas shall expire if a site plan for the tower is not submitted within one (1) year of approval or if construction does not commence within two years of approval. A PUD Preliminary Development Plan expires if a final development plan is not filed within three years.

THE GRANTING OF THIS ZONING DOES NOT GUARANTEE PHYSICAL DEVELOPMENT OF THE PROPERTY. AT THE TIME OF DEVELOPMENT, SAID DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CRITERIA OF THE BREVARD COUNTY COMPREHENSIVE PLAN AND OTHER APPLICABLE LAWS AND ORDINANCES.

Deborah Thomas

From: Jones, Jennifer <jennifer.jones@brevardfl.gov>
Sent: Monday, December 19, 2016 12:38 PM
To: Deborah Thomas
Subject: Corrected Zoning Resolution
Attachments: 16PZ00073 Resolution.docx

Attached is another corrected zoning resolution. As always, thank you in advance. ;)
"Under Florida Law, email addresses are Public Records. If you do not want your e-mail address released in response to public record requests, do not send electronic mail to this entity. Instead, contact this office by phone or in writing."

RESOLUTION NO. 16PZ00073

On motion by Commissioner Infantini, seconded by Commissioner Smith, the following resolution was adopted by a unanimous vote:

WHEREAS, MIKE ERDMAN MOTORS, INC. has requested a change of classification from PIP (Planned Industrial Park) and PBP (Planned Business Park) to BU-2 (Retail, Warehousing, and Wholesale Commercial), on property described as Tax Parcel 789, as recorded in ORB 7204, Pages 1882 – 1884, of the Public Records of Brevard County, Florida. (4.13 acres) Located on the north side of Viera Blvd., approx. 100 ft. west of U.S.1 (No assigned address. In the Viera area.)

Section 35,

Township 25 S,

Range 36 E, and,

WHEREAS, a public hearing of the Brevard County Planning & Zoning Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the Brevard County Planning & Zoning Board/Local Planning Agency recommended that the application be approved with a BDP (Binding Development Plan) limiting ingress and egress to one (1) access at Viera Blvd.; limiting maximum building height to 45 ft.; and maintaining a minimum 15-ft. side setback, a minimum 40-ft. rear setback, and a minimum 40-ft. front setback for all building structures; and,

WHEREAS, the Board, after considering said application and the Brevard County Planning & Zoning Board’s recommendation, and hearing all interested parties, and after due and proper consideration having been given to the matter, find that the application should be Approved with a BDP (Binding Development Plan) limiting ingress and egress to one (1) access at Viera Blvd.; limiting maximum building height to 45 ft.; and maintaining a minimum 15-ft. side setback, a minimum 40-ft. rear setback, and a minimum 40-ft. front setback for all building structures; now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested change of classification from PIP & PBP to BU-2, be APPROVED with a BDP (Binding Development Plan) limiting ingress and egress to one (1) access at Viera Blvd.; limiting maximum building height to 45 ft.; and maintaining a minimum 15-ft. side setback, a minimum 40-ft. rear setback, and a minimum 40-ft. front setback for all building structures, and that the zoning classification relating to the above described property be changed, and the Planning & Zoning Director, or designee, is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

BE IT FURTHER RESOLVED that this resolution shall become effective as of December 8, 2016.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida



by Curt Smith, Chairman
Brevard County Commission

As approved by Brevard County Commission on October 13, 2016.

ATTEST:



SCOTT ELLIS, CLERK
(SEAL)

(P&Z Hearing – September 12, 2016)

Please note: A Conditional Use Permit will generally expire on the three year anniversary of its approval if the use is not established prior to that date. Conditional Use Permits for Towers and Antennas shall expire if a site plan for the tower is not submitted within one (1) year of approval or if construction does not commence within two years of approval. A PUD Preliminary Development Plan expires if a final development plan is not filed within three years.

THE GRANTING OF THIS ZONING DOES NOT GUARANTEE PHYSICAL DEVELOPMENT OF THE PROPERTY. AT THE TIME OF DEVELOPMENT, SAID DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CRITERIA OF THE BREVARD COUNTY COMPREHENSIVE PLAN AND OTHER APPLICABLE LAWS AND ORDINANCES.

On motion by Commissioner Fisher, seconded by Commissioner Anderson, the following resolution was adopted by a unanimous vote:

WHEREAS, K&T ENTERPRISES OF BREVARD COUNTY, LLC have requested a CUP (Conditional Use Permit) for Alcoholic Beverages (beer & wine only) for On-Premises Consumption in Conjunction with a Pub, in a BU-1 (General Retail Commercial) zoning classification, on property described as Tax Parcel 100, as recorded in ORB 6814, Pages 2904-2906, of the Public Records of Brevard County. (0.79 acres), located on the southeast corner of U.S. 1 and Brockett Rd. (3121 N. U.S. 1, Mims)
Section 07, Township 21S, Range 35E, and,

WHEREAS, a public hearing of the Brevard County Planning & Zoning Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the Brevard County Planning & Zoning Board recommended that the application be approved with conditions that the lighting is restricted, fencing and landscaping be installed as a buffer for the grassy area east of the property, the parking lot be striped, and the hours of operation be limited to 10:00 a.m. to midnight, with the exception of a couple of holidays per year; and,

WHEREAS, the Board, after considering said application and the Brevard County Planning & Zoning Board's recommendation, and hearing all interested parties, and after due and proper consideration having been given to the matter, find that the application should be Approved with conditions recommended by the Planning and Zoning Board, with the stipulation to allow establishment to stay open until 1:30 a.m. on County holidays as listed in the Florida Statutes; now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested CUP for Alcoholic Beverages (beer & wine only) for On-Premises Consumption in Conjunction with a Pub be APPROVED with conditions recommended by the Planning and Zoning Board, with the stipulation to allow establishment to stay open until 1:30 a.m. on County holidays as listed in the Florida Statute, and that the zoning classification relating to the above described property remain unchanged, and the Planning & Zoning Director, or designee, is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

BE IT FURTHER RESOLVED that this resolution shall become effective as of October 13, 2016.

ATTEST:

SCOTT ELLIS, CLERK
(SEAL)

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida


By Jim Barfield, Chairman
Brevard County Commission

As approved by Brevard County Commission on October 13, 2016.

(P&Z Hearing – September 12, 2016)

Please note: A Conditional Use Permit will generally expire on the three year anniversary of its approval if the use is not established prior to that date. Conditional Use Permits for Towers and Antennas shall expire if a site plan for the tower is not submitted within one (1) year of approval or if construction does not commence within two years of approval. A PUD Preliminary Development Plan expires if a final development plan is not filed within three years. THE GRANTING OF THIS ZONING DOES NOT GUARANTEE PHYSICAL DEVELOPMENT OF THE PROPERTY. AT THE TIME OF DEVELOPMENT, SAID DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CRITERIA OF THE BREVARD COUNTY COMPREHENSIVE PLAN AND OTHER APPLICABLE LAWS AND ORDINANCES.