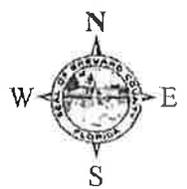
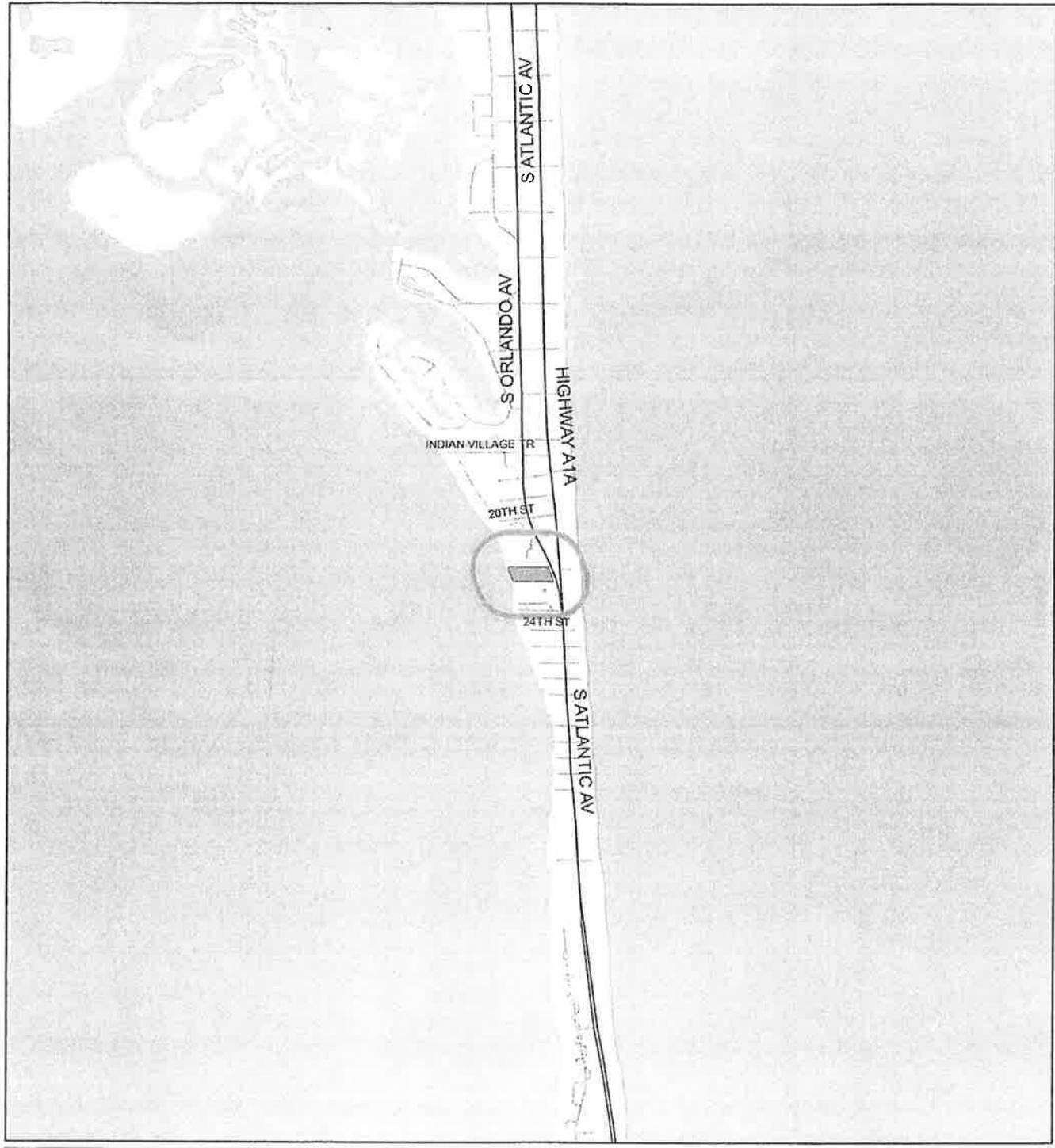


LOCATION MAP
BANANA RIVERFRONT LLC
16PZ00055 and Small Scale Amendment 16S.05



1:24,000 or 1 inch = 2,000 feet
 Buffer Distance: 500 feet

— Buffer
 ■ Subject Property

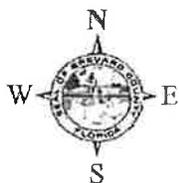
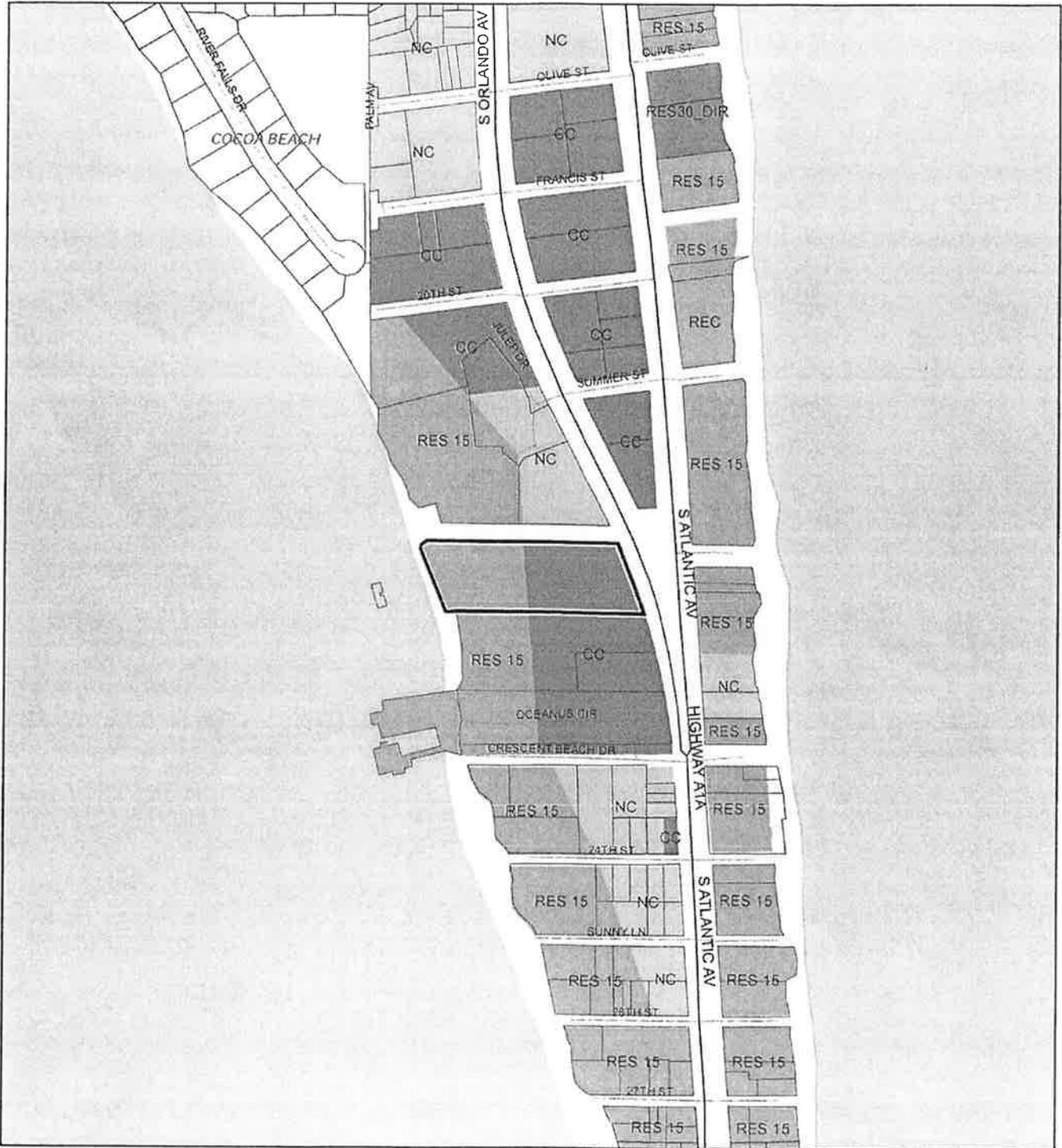
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by the Brevard County Planning and Zoning Office - GIS Section Date: 5/19/2016

FUTURE LAND USE MAP

BANANA RIVERFRONT LLC

16PZ00055 and Small Scale Amendment 16S.05



1:4,800 or 1 inch = 400 feet

-  Subject Property
-  Parcels

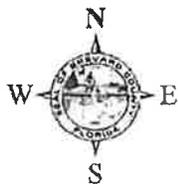
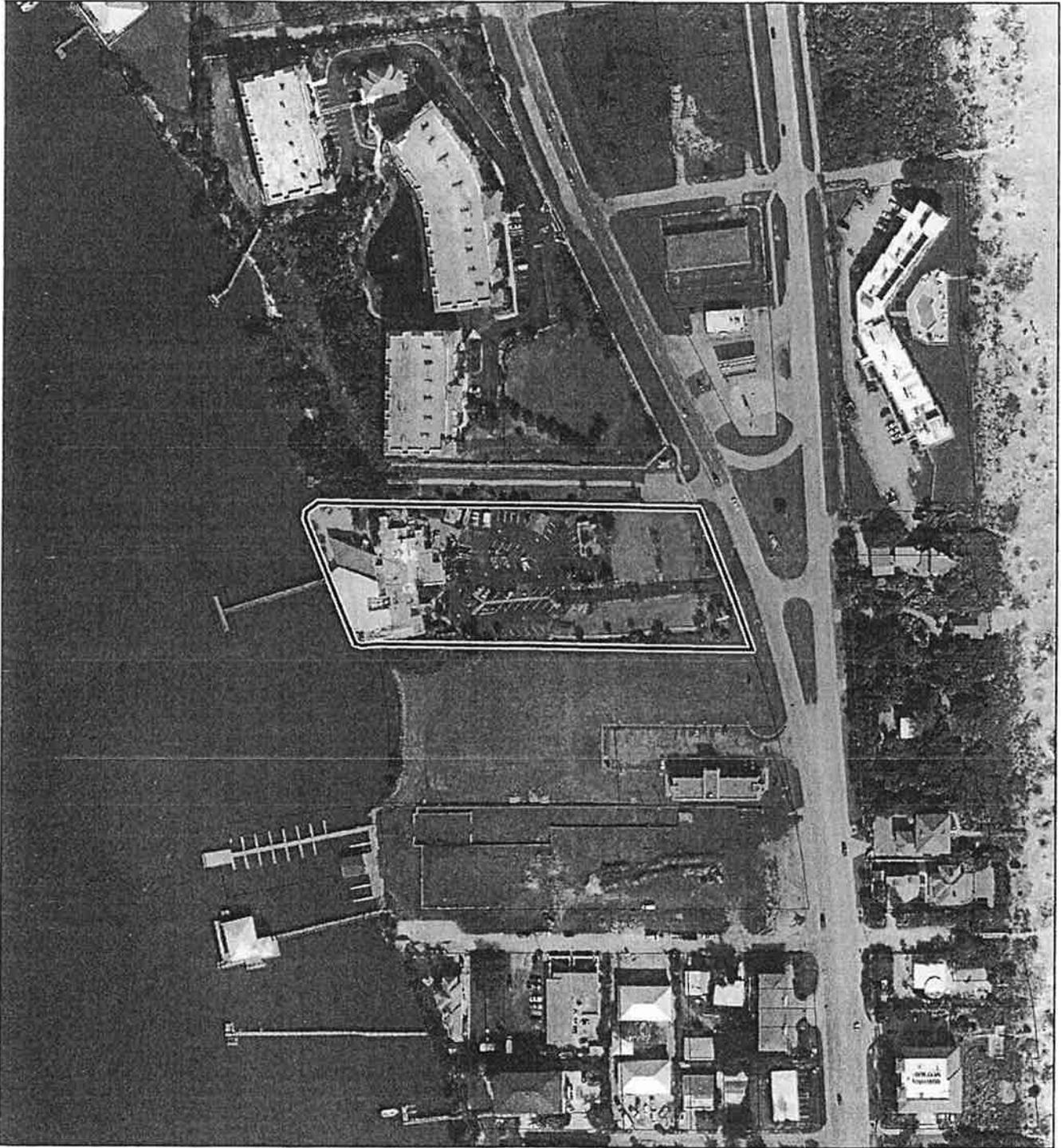
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by the Brevard County Planning and Zoning Office - GIS Section Date: 5/19/2016

AERIAL MAP

BANANA RIVERFRONT LLC

16PZ00055 and Small Scale Amendment 16S.05



1:2,400 or 1 inch = 200 feet

PHOTO YEAR: 2016

— Subject Property

□ Parcels

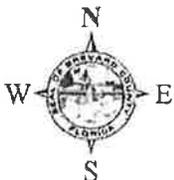
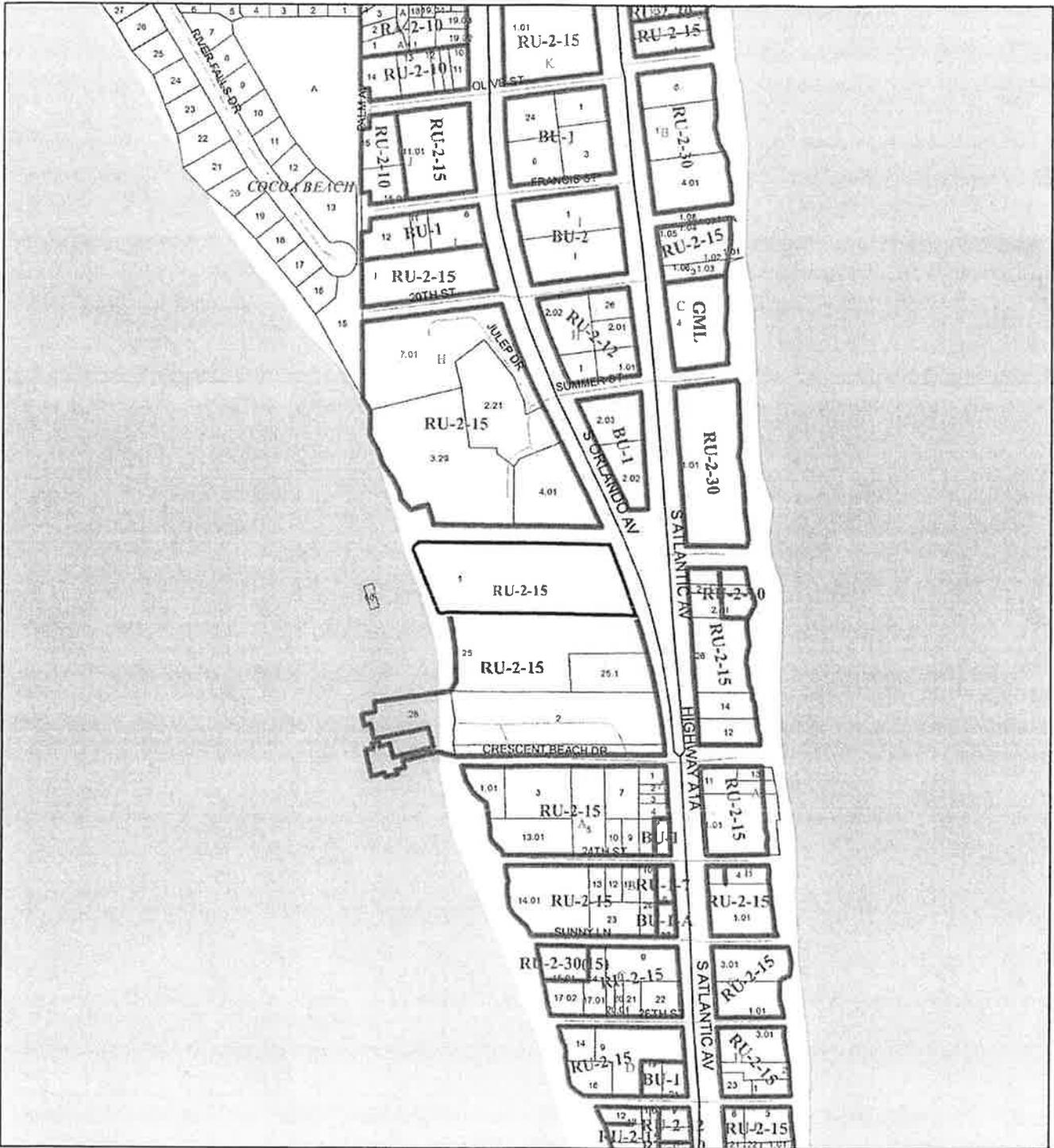
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by the Brevard County Planning and Zoning Office - GIS Section Date: 5/19/2016

ZONING MAP

BANANA RIVERFRONT LLC

16PZ00055 and Small Scale Amendment 16S.05



1:4,800 or 1 inch = 400 feet

-  Subject Property
-  Parcels
-  Zoning

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by the Brevard County Planning and Zoning Office - GIS Section Date: 5/19/2016

CERTIFICATION

This is to certify that this is a true and correct copy as maintained in the Brevard County Planning and Zoning Office.

Robin M. DiFabio

Robin M. DiFabio, AICP, Director, Planning & Development Department, Brevard County, Florida

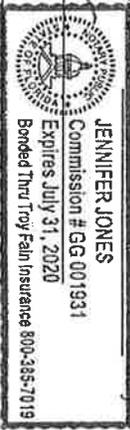
Sworn to and subscribed before me this _____ day of _____

7th

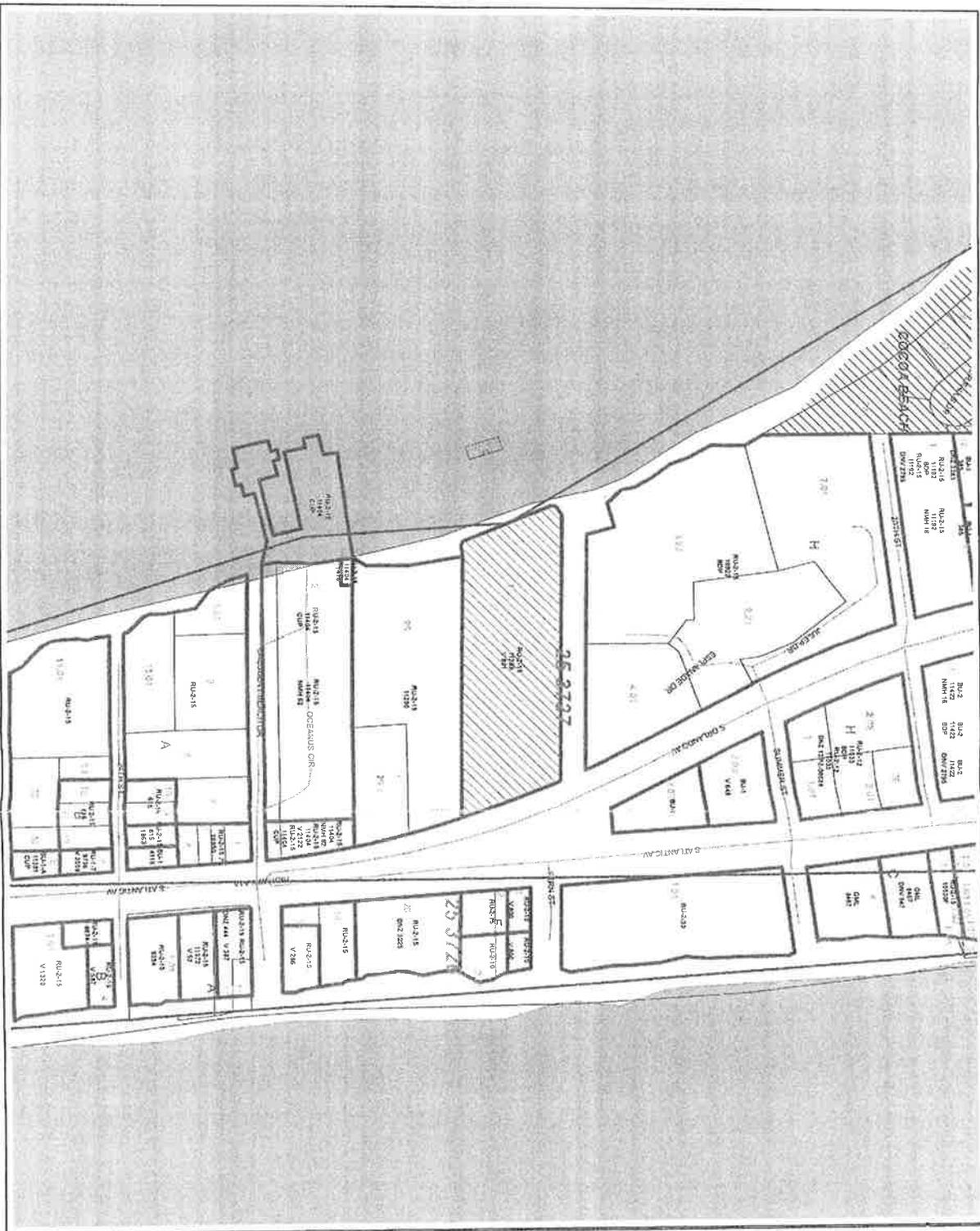
November, 20*16*

Personally known to me _____

My Commission Expires: _____



Jennifer Jones
Notary Public, State of Florida at Large



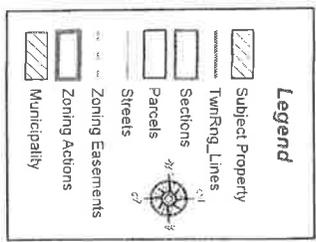
16P200055 - PHANANA RIVER PLANT, LLC

TOWNSHIP 25, RANGE 37, SECTION 26

16P200055 and SSA 16S.05

Residential to all CC and RU-215 to CU-1

QSP for Alcoholic Beverages (Full liquor for On-Premises Consumption in conjunction with a Restaurant)



For Brevard County Planning & Zoning Office Use Only



0 50 100 200 Feet
1 Inch = 200 Feet

Date: 5/19/2016

165.05 - Full Liquor



BREVARD COUNTY PLANNING AND DEVELOPMENT
APPLICATION FOR ZONING ACTION, COMPREHENSIVE PLAN AMENDMENT OR VARIANCE

All applications with fees must be submitted in person. Call 321-633-2070 for an appointment at least 24 hours in advance. DO NOT MAIL THE APPLICATION. An approval does not entitle the owner to a development permit.

Existing FLURES15&CC Existing Zoning RU-2-15
Proposed FLU CC Proposed Zoning RU-1

APPLICATION NAME

- COMBINATION - COMPREHENSIVE PLAN AND REZONING (COCPR)
- COMPREHENSIVE PLAN (CP)
 - Large Scale Amendment Small Scale Amendment
 - Text Amendment - Element _____
 - Other _____
- REZONING (Without CUP) (RWOC)
- COMBINATION - ZONING AND CUP (CORC)
- CUP (Without zoning) (CUP)
- VARIANCE(S) (V)
- AA (AA)
 - AA Type: _____
- OTHER (O): _____

Tax Parcel: T 25 R 37 S 26 370 Avon Blk/Par _____ Lot _____
Acreage of Request: 2.44
Reason for Request: Nonconforming use of property as restaurant

(COUNTY PLANNER USE ONLY)
ACCELA# 6P20055 Fee \$ 2,401.00
Date filed 5-12-16 Planner PBS
District# 2 Tax Account ID# 25-20754

Notification radius (feet) 500 (initial parcels) _____ Sign Issued PBS
Meeting(s) _____ Date _____ Time _____
NMI _____
PSJ Board _____
P&Z/LPA Aug. 8, 2016 3:00pm
BCC Sept. 1, 2016 5:00pm
BOA _____

JPA/MIRA/500' of Palm Bay Extension: Yes or No
If Yes, list which: _____
Location: West side of Orlando Ave 415 feet North of Crescent Beach Drive
Detailed Description: Rezone from RU-2-15 to BU-1 change FLU From Res 15 to CC & CUP
in premises consumption in conjunction w/ restaurant

PROPERTY OWNER:

Name: Banana Riverfront, LLC Company: _____
Address: 2200 S. Orlando Avenue E-Mail: buz@underhill.com
City: Cocoa Beach State FL Zip 32931
Phone: (321) 242-2224 Fax: () _____ Cell: (321) 258-5840

APPLICANT IF OTHER THAN OWNER (check): Attorney Agent _____ Contract Purchaser _____
Name: Kimberly B. Rezanka Company: Dean Mead
Address: 7380 Murrell Road, Suite 200 E-Mail: krezanka@cfl.rr.com
City: Viera State FL Zip 32940
Phone: () _____ Fax: () _____ Cell: (321) 543-3982

The undersigned understands that this application must be complete and accurate prior to advertising a public hearing:
State of Florida County of Brevard I, _____ being first duly sworn, depose and say that I hereby certify that the information in this application and all sketches and data attached to and made a part hereof are true and accurate to the best of my knowledge, and:

I am the owner of the subject property, or if corporation, I am the officer of the corporation authorized to act on this request.
 I am the legal representative of the owner of the subject property of this application. (Notarized statement attached)

[Signature] _____ Date 5-12-16
Signature of Property Owner/Authorized Representative

The foregoing instrument was acknowledged before me this 12th day of MAY, 2016 by H. UNDERHILL, III who is Personally Known by me OR Produced Identification Type of Identification Produced _____

[Signature]
Notary Public Signature

(NOTARY SEAL)



Brevard County
Supplement to Comprehensive Plan Amendment Application
Planning and Zoning Office, 2725 Judge Fran Jamieson Way, Viera, FL 32940
(321) 633-2069



1. Type of Application:

- Small-scale Comprehensive Plan Future Land Use Map Amendment
- Large-scale Future Land Use Map Amendment
- Comprehensive Plan Text Amendment
Plan Element(s) of Text Amendment request: _____

2. Applicant: Banana Riverfront, LLC/Kimberly Rezanka **Staff Planner :** _____

3. Comprehensive Plan Amendment Information:

Adopted Future Land Use Designation: RES15 & CC
Requested Future Land Use Designation: CC
Existing Zoning: RU-2-15

Proposed Text Amendment (if applicable): Attach the proposed text amendment in a strike-thru/underlined format along with one copy on a CD in Microsoft Word, rtf or text format.

4. Description of Request/Justification: Must include a written statement explaining the rational and the appropriate data and analysis necessary to support the proposed change.

Text amendment supplemental information shall include any goal, objective, policy, implementation strategy, directive and any supporting data and analysis, including maps, figures and tables, and; (1) Identification of the particular element of the plan on which the request is based; and, (2) Citation of the existing language which is proposed to be changed; and, (3) Proposed rewording of the existing language or the wording of proposed new text.

The existing use of the Property is a restaurant. In 2006, the zoning was changed from RU-1 to RU-2-15. The use is a non-conforming use as a restaurant is not permitted in RU-2-15. In order to make the use

consistent with zoning, the FLUM along the river must be changed from RES15 to CC. This Restaurant

is a water-enhanced use that exist along the Indian River Lagoon System, as referenced in Objective 5 of the Coastal Management Element of the Comprehensive Plan. Per Policy 5.15, a Comprehensive Plan

Amendment is a "shoreline use priority". Objective 13, Recreational and Commercial Working

Waterfronts, also provides support for the maintenance of this public, recreational Restaurant.

(use additional sheets if necessary)

1A

ACCELA # 16P20055

DOCUMENT SUBMITTAL REQUIREMENTS

Application type	Application	Authorization to Act Form ¹	Recorded Property Deeds	Legal Description of Request ²	Survey 11" x 17" (max. size)	Property Appraisers Map	Concurrency	School Concurrency ³	Wetland Survey ⁴	CUP Worksheet & Sketch ⁵	Comp Plan Information ⁶	Notice to Applicants	Neighbors Affidavit ⁷	Letter to Zoning Official	Variance Hardship Worksheet ⁸	*Additional Documentation	Fees	
	NUMBER OF COPIES REQUIRED																	
Staff to check Indicating receipt	✓	✓	✓															
Comprehensive Plan Amendment ⁵	1	1	1	2	2	1					1					*	Y	
Zoning request	1	1	1	1	1 ⁶	1	1	1	1			1				*	Y	
Conditional Use Permit (CUP)	1	1	1	1	1 ⁶	1				1		1					Y	
AA – Waiver	1	1			1	1							1	1			Y	
AA – Easement	1	1	1	1	4	1											Y	
Variance	1	1	1	1	1	1									1	*	Y	

¹Authorization to Act form is required, if other than the owner of record is making the application. If the property is not owned in entirety, by the applicant, either a Form "A", or a notarized letter must accompany the application giving written consent by all property owners of the subject property.

²Legal Description must be typed on a separate sheet, if not easily described on the deed.

³School Board Concurrency application is required if the request represents an increase of more than one residential unit.

⁴Wetland Survey required on Commercial or Industrial property.

⁵CUP applications require a completed worksheet and a sketch plan with the application signed by a planner.

⁶Must include Comprehensive Plan Amendment supplemental form reviewed by a planner prior to submitting formal application. The supplement must include a written statement explaining the rationale and the appropriate data and analysis necessary to support the proposed change.

⁷Administrative waivers requiring a signed affidavit from all abutting property owners indicating no objection to the requested waiver of lot size, width or depth requirement. The affidavit must state the specific request.

⁸Survey must be submitted if requested by staff.

⁹Variance Hardship Worksheet must be filled out completely, addressing the six criteria for a hardship.

*Additional information may be requested by staff dependent upon the requested action. These include but are not limited to impact analysis studies:

Traffic Impact Analysis (TIA): TIA must be submitted if required by the County Traffic Engineer. Analysis methodology must be coordinated with the Traffic Engineering Office.

Environmental Impact Analysis: The analysis must be conducted by a qualified environmental professional and dated less than one year old. The analysis must document the types of habitat found on site; identify vegetation types, soils types, wetlands, floodplain; and any other environmental concerns.

Water and Sewer Demand: Identify the potable water and sanitary sewer demand for the amendment based on the current and proposed future land use designations using the per capita water and wastewater standards of the applicable service provider.

CALCULATION OF PUBLIC HEARING APPLICATION FEES - ZONING OFFICE

PUBLIC HEARING APPLICATION FEES **BASE FEE** **ACREAGE FEE** **UNIT FEE** **SUB-TOTAL**

REZONING	BASE FEE	ACREAGE FEE	UNIT FEE	SUB-TOTAL
Environmental Area	511.00			
Residential Professional	560.00			
General Use and Agricultural Use	849.00 *	() x 24 **		
Single-Family Residential	849.00 *	() x 24 **		
Single-Family Mobile Home	849.00 *	() x 24 **		
Commercial/Planned Commercial	1,184.00	(2) x 24 \$40 -		1,232
Tourist Commercial	1,855.00	() x 45		
Industrial/Planned Industrial	1,855.00	() x 45		
Planned Unit Development	5,661.00	() x 45		
Single-Family Attached Residential	960.00		() x 24	
Multiple-Family Residential	960.00		() x 24	
Recreational Vehicle Park	1,408.00		() x 24	
Mobile Home Park/Mobile Home Co-op	1,408.00		() x 24	
CUP's or ROU APPLICATIONS				
Fee per request (with rezoning)	447.00			
Fee per request (without rezoning)	849.00			
OTHER APPLICATION FEES				
Consultant Fee Retainer per Tower Application	6,934.00			
Transfer of Development Rights	1,520.00			
Comprehensive Plan Appeals (Vested Rights)				
One (5.0 acres or less) Single family residential	433.00			
All other appeals	1,733.00			
Variance/Appeals of Administrative Interpretation				
Base fee	598.00			
Fee for each additional request	182.00			
Special Hearing Fee for P&Z / LPA	3,682.00			
Special Hearing Fee for BOA	1,572.00			
All Other Unlisted Zoning Applications	849.00			
Miscellaneous <i>Small Scale coop plan amendment from 15 to CC</i>	\$919 -			
Office of Natural Resources review fee (if applicable)				
(\$250.00 for rezoning review, \$300.00 for flag lot & easement review)				
Address Assignment review of flag lot & easement	50.00			
Land Development PUD Review Fee (\$100.00)				
SUB-TOTAL				\$ 2,440

BASE FEE ADJUSTMENTS

* If area for these requests have the potential for only one more lot, fee is.....288.00
 ** Maximum acreage fees for these requests shall be.....2,240.00
 *** Maximum Planned Unit Development Fee shall be.....
 **** Maximum fee for all other zoning requests shall be.....

ACCELA FEE SHEET

Fee Schedule: Zoning

Version: Version 1

Payment period	Priority	Subgroup	Fee Code	Fee Item	Quantity (Amount)
FINAL			PZ300	Zoning /Variance	1,232
FINAL			PZ310	Comprehensive plan	919
FINAL			PZ320	Waiver/Easement	
FINAL			PZ330	Address Assignment	
FINAL			PZ340	NRMO	
FINAL			PZ350	Miscellaneous	250
FINAL			PZ360	Tower Application/ Consultant Fee	
FINAL			PZ370	Land Development PUD Review	

RECEIPT

BREVARD COUNTY
2725 JUDGE FRAN JAMIESON WAY
VIERA, FL 32940



Application: 16PZ00055
Application Type: Development/Miscellaneous/Planning Zoning/NA
Address: 2200 S Orlando AVE, FL

Receipt No.: 412823

Payment Method	Ref Number	Amount Paid	Payment Date	Cashier ID	Comments
Check	5015	\$2,401.00	05/12/2016	NAOMI.ADKIN S	

Owner Info.: Banana Riverfront LLC
490 N. Harbor City Blvd.
Melbourne, FL

Work Description: Rezone from RU-2-15 to AU and change FLU from Res 15 to CC

Invoice#	Invoice Date	Period	Fee Item	Fee
433922	12-May-16	FINAL	Comprehensive Plan	\$919.00
		FINAL	NRMO	\$250.00
		FINAL	Zoning/Variance	\$1,232.00
Subtotal:				\$2,401.00
Total Fee:				\$2,401.00

***Note: Additional Fees may apply to obtain a Certificate of Completion, a Certificate of Occupancy, or a Final Building Inspection. Please call the Central Cashier to verify.**

Contact Numbers

Building Dept. - 633-2072, Central Cashier - 633-2088, Code Enforcement - 633-2086,
Land Development - 633-2085, Licensing, Regulation, and Enforcement - 633-2058

Zoning Information Worksheet

Owner(s): Banana Riverfront LLC
(Does this match the warranty deed?)

Applicant(s): Kimberly B. Rezanka
(Does this person have authorization from everyone listed on the warranty deed?)

Parcel ID#: 25-37-26-28-* - 1
(If more than one parcel, they must share a property line to be on the same application.)

PRESENT ZONING: RU-2-15
• Is there a BDP or a CUP on the property? Yes/No: Z-3712
• Is this a non-conforming lot of record? Yes/No: Why? _____
• Is this a substandard lot? Yes/No: Why? _____

REQUESTED ZONING/CUP: BU-1-CUP/On-premises construction of Restaurant

What is the FLU Designation of the property?: CC / Res 15
• Is the requested zoning consistent with the FLU? Yes/No (see compatibility table)
• If no, what is the requested small scale plan amendment? (MUST BE 10.00 ACRES OR LESS.)

Change Res 15 to CC

BDP Requested? Yes/No: No

If CUP Request, do you have a CUP worksheet filled out by the applicant? Yes/No

PREVIOUSLY APPROVED ZONING ACTIONS: Z-11289, Z-3712

Most recent zoning change in same section? Z# Z-11033, 12PZ00036

If this is a CUP request, list all CUP's on adjacent properties: NA

Abutting property zoning classifications: N Road S RU-2-15 E Road W River

JPA/Special Board/Special Section? Yes/No (Circle one and make a note on the application) PSJ, NMI, MIRA, ROCKLEDGE, MELBOURNE, PALM SHORES, TITUSVILLE, PALM BAY or within 500' of PALM BAY EXTENSION

REASON FOR REZONING REQUEST: To site plan existing restaurant expansion
• If proposing single-family or multi-family how many units? NA
• If proposing a CUP for alcohol, how many seats? NA Bar or Restaurant? NA
o Do you have a certified survey indicating there are no churches or schools within 400'? Yes/No
o Do you have a site plan showing the layout and parking configuration? Yes/No
o Do you have a CUP worksheet filled out by the applicant? Yes/No
• If the request is for commercial zoning, do you have a wetland survey that includes a legal description of the wetland? Yes/No (If no, NR must have checked no on the front of the application)

Existing structures/uses on the property? Existing Restaurant

Describe the character of the area: Multi-family with Commercial to North across Street

Did you print out the Property Appraiser's Map for this property?
Did you mark the map?
Did you stamp the deed(s)?

Planner: PB
Checked by: PB (6)

Notice to Applicants for Change of Land Use

The Planning and Zoning Office staff will be preparing a package of written comments concerning your request. These comments will be provided to the Planning and Zoning Board and Board of County Commissioners. The comments will address the following:

The current zoning of the property along with its current development potential and consistency with the Brevard County Comprehensive Plan use and density restrictions.

The proposed zoning of the property along with its development potential and consistency with the Board County Comprehensive Plan use and density restrictions.

The proposal's impact on services, such as roads and schools.

The proposal's impact upon hurricane evacuation, if applicable.

Environmental factors.

Compatibility with surrounding land uses.

Consistency with the character of the area.

You may place your own written comments regarding these items into the record. Up to two typewritten pages can be included in the package if received 10 working days prior to the Planning and Zoning Board hearing. You are not required to provide written comments. *An Applicant presentation to the Planning and Zoning Board is required regardless of written submittals.* The board may approve the requested classification or a classification which is more intensive than the existing classification, but less intensive than the requested classification.

Staff comments will be available approximately one week prior to the Planning and Zoning Board hearing. These comments will be made available to you at that time. In order to expedite receipt of staff's comments, please provide an e-mail address or fax number below. Alternatively, a copy of staff's comments will be mailed via the U.S. Postal Service.

NOTES:

- If your application generates public opposition, as may be expressed in letters, petitions, phone calls, testimony, etc., you are advised to meet with concerned parties in an effort to resolve differences prior to the BCC taking final action on the request; therefore, you are encouraged to meet with affected property owners prior to the public hearing by the Planning & Zoning Board/Local Planning Agency (P&Z/LPA). During the course of conducting the public hearing, if the P&Z/LPA finds the application is controversial, and the applicant has not met with affected property owners, the item shall be tabled to the next agenda to allow such a meeting to take place. If the item is controversial, despite the applicant's efforts to meet with affected property owners, the P&Z/LPA may include, in their motion, a requirement to meet with interested parties again prior to the BCC public hearing. The BCC may also table your request in order for you to meet with interested parties, if this has not occurred prior to the public hearing before the BCC. If you need assistance to identify these parties, please contact the Planning & Zoning Office.
- BCC approval of a zoning application does not vest a project nor ensure issuance of a permit. At the time of permit application, land development regulations and concurrency-related level of service standards must be met.

Please transmit staff's comments via:

krezanka@cfl.cr.com or () _____ or U.S. Mail _____
e-mail address fax number

Yes/No

I have received a copy of this notice:

Kimberly B. Penanksa
(APPLICANT SIGNATURE)

Conditional Use Permit (CUP) Application Worksheet

- 1) Owner(s): Banana Riverfront, LLC
Applicant(s): Kimberly B. Rezanka
- 2) Property Location: 2200 S. Orlando Avenue, Cocoa Beach, FL 32931
- 3) Type of CUP requested: Alcoholic Beverages for On-Premises Consumption (RENEWAL)
- 4) If CUP is for Alcoholic Beverages for On-Premises Consumption, is it in conjunction with a restaurant? Yes
- 5) Type of Plan Required by Section 62-1901[b] (refer to attached CUP Checklist):
 Reproducible Site Plan signed by a registered engineer, land surveyor or architect
(See Exhibit "A")
 Scaled Dimensional Sketch Plan

NOTE: IF FULL SIZE DRAWINGS ARE SUBMITTED, PLEASE SUBMIT ONE COPY OF A REDUCED SIZE VERSION OF THE PLANS (8 1/2" X 11", 8 1/2" X 14" OR 11" X 17").

Section 62-1901 provides that the following approval procedure and general standards of review are to be applied to all CUP requests, as applicable: An application for a specific conditional use within the applicable zoning classification shall be submitted and considered in the same manner and according to the same procedure as an amendment to the official zoning map as specified in Section 62-1151. The approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. **The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved.** Prepare responses to address how the requested CUP will meet these standards and submit this completed worksheet along with your application for public hearing for a CUP. You may attach additional pages or documentation, if needed.

General Standards of Review

Section 62-1901(c)(1)(a) The proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties due to: (1) the number of persons anticipated to be using, residing or working under the conditional use; (2) noise, odor, particulates, smoke, fumes and other emissions, or other nuisance activities generated by the conditional use; or (3) the increase of traffic within the vicinity caused by the proposed conditional use.

Sec Attached

ID # _____

Section 62-1901(c)(1)(b) The proposed use will be compatible with the character of adjacent and nearby properties with regard to use, function, operation, hours of operation, type and amount of traffic generated, building size and setback, and parking availability.

See Attached

Section 62-1901(c)(1)(c) The proposed use will not cause a substantial diminution in value of abutting residential property.

Note: A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15% reduction in value as a result of the proposed conditional use. A reduction of 10% of the value of abutting property shall create a rebuttable presumption that a substantial diminution has occurred.

See Attached

Specific Standards

Section 62-1901(c)(2)(a) Ingress and egress to the property and proposed structures (including vehicular and pedestrian safety and convenience, traffic flow and control, and emergency response access) shall be: (1) adequate to serve the proposed use without burdening adjacent and nearby uses, and (2) built to applicable county standards, if any.

Note: Burdening adjacent and nearby uses is defined as increasing existing traffic on the closest collector or arterial road by more than 20%, or 10% if the new traffic is primarily comprised of heavy vehicles, except where the affected road is at Level of Service A or B. New traffic generated by the proposed use shall not cause the adopted level of service for transportation on applicable roadways to be exceeded. Where the design of a public road to be used by the proposed use is physically inadequate to handle the numbers, types or weights of vehicles expected to be generated by the proposed use without damage to the road, the conditional use permit cannot be approved without a commitment to improve the road to a standard adequate to handle the proposed traffic, or to maintain the road through a maintenance bond or other means as required by the Board of County Commissioners.

See Attached



ID # _____

Section 62-1901(c)(2)(b) The noise, glare, odor, particulates, smoke, fumes or other emissions from the conditional use shall not substantially interfere with the use or enjoyment of the adjacent and nearby property.

See Attached

Section 62-1901(c)(2)(c) Noise levels for a conditional use shall comply with Section 62-2271 of the Code, which includes the following:

Maximum Permissible Time Averaged (Leq)
A-Weighted Sound Pressure Limits for Receiving Uses

Type of Use	Time Period	Maximum Allowable Sound Pressure Level
Residential	7:00 a.m. to 10:00 p.m.	60 dB(A)
	10:00 p.m. to 7:00 a.m.	55 dB(A)
Commercial	7:00 a.m. to 10:00 p.m.	65 dB(A)
	10:00 p.m. to 7:00 a.m.	55 dB(A)
Industrial	7:00 a.m. to 10:00 p.m.	75 dB(A)
	10:00 p.m. to 7:00 a.m.	65 dB(A)

Note: Additional requirements may apply. Refer to Section 62-2271 for full noise specifications.

See Attached

Section 62-1901(c)(2)(d) The proposed conditional use shall not cause the adopted level of service for solid waste disposal for the property or area covered by such level of service, to be exceeded.

See Attached

Section 62-1901(c)(2)(e) The proposed conditional use shall not cause the adopted level of service for potable water or wastewater for the property or the area covered by such level of service, to be exceeded by the proposed use.

See Attached

Section 62-1901(c)(2)(f) The proposed conditional use must have existing or proposed screening or buffering, in terms of type, dimensions and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.

See Attached

ID # _____

Section 62-1901(c)(2)(g) Proposed signs and exterior lighting shall not cause unreasonable glare or hazard to traffic safety, or interference with the use or enjoyment of adjacent and nearby properties.

See Attached

Section 62-1901(c)(2)(h) Hours of operation of the proposed use shall be consistent with the use and enjoyment of the properties in the surrounding residential community, if any. For commercial and industrial uses adjacent to or near residential uses, the hours of operation shall not adversely affect the use and enjoyment of the residential character of the area.

See Attached

Section 62-1901(c)(2)(i) The height of the proposed use shall be compatible with the character of the area, and the maximum height of any habitable structure shall be not more than thirty-five (35) feet higher than the highest residence within 1000 feet of the property line.

Note: A survey of building heights within 1000 feet of the property lines should be furnished for applications requesting a CUP for additional building height.

See Attached

Section 62-1901(c)(2)(j) Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties.

Note: For existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

See Attached

Note to Applicant: Per Section 62-1901(f), *Expiration*, Conditional use permits approved after the effective date of Ordinance No. 99-43 (8/3/99) shall expire within three years from the date of approval if the approved use is not constructed or under substantial and continuous construction.

I HAVE READ THE ABOVE NOTE TO APPLICANT. ALL THE ANSWERS TO THE STANDARDS ADDRESSED BY THIS WORKSHEET AND ALL ACCOMPANYING PLANS AND DOCUMENTS ARE TRUE TO THE BEST OF MY KNOWLEDGE.

Kimberly B. Renarka 7/7/16
Applicant Signature Date

Submittal checked by: _____

CUP Application for Alcoholic Beverages for on-site Consumption, Sec.62-1906

Banana Riverfront, LLC
2200 S. Orlando Avenue, Cocoa Beach, FL 32931

Sec. 62-1901(c)(1)(a): The requested "renewal" of the conditional use for on-premises consumption of alcoholic beverages will not result in a substantial or adverse impact on adjacent or nearby properties as the restaurant is only expanding its outside seating that faces the Indian River Lagoon. The Property has been used as a restaurant since 1952. Outdoor seating has been a part of the Property for at least 30 years. The anticipated expansion of outdoor seating is 50 seats. *Exhibit "A"* reveals the expanded elevated deck and walkway; *Exhibit "B"* shows the extent of the deck and walkway before expansion. The hours of operation and outdoor entertainment will remain the same as the historical use, with closing hours of 10:00 p.m. Sunday through Thursday, and 11:00 p.m. on Friday and Saturday. The restaurant will meet all performance standards as it has for nearly 65 years.

Sec. 62-1901(c)(1)(b): The renewal of the conditional use will be compatible with the character of the adjacent and nearby properties as it has since the Property operated as a restaurant in 1952. The Conditional Use of Consumption on Premises of Liquor, Beer & Wine was approved by the County Commission on July 11, 1974. *See Exhibit "C"*.

Furthermore, the County acknowledged on January 15, 2016, that the Property complied with the County zoning requirements for the sale of alcoholic beverages on the Property. *See Exhibit "D"*.

Sec. 62-1901(c)(1)(c): The renewal of the conditional use will not cause any diminution in value of the multi-family property to the north as the restaurant (and 1974 CUP) is not expanding its hours and will meet all performance standards.

Sec. 62-1901(c)(2)(a): There will be no change to the ingress and egress to the Property or the restaurant due to the renewed conditional use.

Sec. 62-1901(c)(2)(b): The renewal of the conditional use will not create any additional noise, glare, odor, particulates, smoke, fumes or other emissions.

Sec. 62-1901(c)(2)(c): The restaurant will continue to comply with County noise standards.

Sec. 62-1901(c)(2)(d): There will be no additional need for solid waste disposal due to the renewed conditional use.

Sec. 62-1901(c)(2)(e): There will be no additional need for potable water or wastewater due to the renewed conditional use.

Sec. 62-1901(c)(2)(f): There will be no additional screening or buffering due to the renewed conditional use.

Sec. 62-1901(c)(1)(g): There will be no additional signage or due to the renewed conditional use. There will be additional lighting on the expanded deck and walkway that will be directed into the seating area or shielded so it does not cause spillage on adjoining properties.

Sec. 62-1901(c)(1)(h): The hours of operation will remain the same as the current restaurant hours and will not adversely affect the multi-family residents to the north.

Sec. 62-1901(c)(2)(i): The building already exists and meets County height limitations.

Sec. 62-1901(c)(2)(j): The parking and loading areas have existed in the same configuration since 1955, when the smaller building was constructed. This requested CUP will not increase the need for parking spaces or loading zones as the interior seating has been reduced to accommodate the additional exterior seating. Additionally, Banana Riverfront, LLC has entered into an agreement with Living Bread Christian Fellowship, Inc, to provide additional parking of approximately 45 spaces for use by the Property's employees and customers. *See Exhibit "E".*

CUP CHECKLIST

A. Conditional Use Permits requiring scaled dimensional sketch plan only

_____ Any CUP for an existing structure not to be altered more than 50% of the original floor area or seating capacity.

_____ Or CUP is listed below.

_____	Sec. 62-1904	Agricultural Pursuits.
_____	Sec. 62-1913	Boarding of horses and horses for hire.
_____	Sec. 62-1917.5	Change of nonconforming agricultural use.
_____	Sec. 62-1924	Crematoriums.
_____	Sec. 62-1925	Development rights receipt and transfer.
_____	Sec. 62-1927	Farm animals and fowl.
_____	Sec. 62-1932	Guesthouses or servants' quarters.
_____	Sec. 62-1935	Horses and barns.
_____	Sec. 62-1943	Recreational facilities.
_____	Sec. 62-1945.5	Roadside stands.
_____	Sec. 62-1946	Security mobile homes.
_____	Sec. 62-1947	Single-family residential second kitchen facility.
_____	Sec. 62-1951	Temporary medical hardship mobile homes.
_____	Sec. 62-1956	Veterinary hospitals or clinics; pet kennels.
_____	Sec. 62-1958	Wild animals and poisonous reptiles.
_____	Sec. 62-1959	Zero lot line subdivisions.

_____ Site plan shows: parking, landscaping, external structural changes, and ingress/egress.

B. Conditional Use Permits requiring a reproducible site plan signed by a registered engineer, land surveyor or architect.

_____ CUP is listed below and is for a site which is either undeveloped or which is to be altered by 50% or greater of the original floor area or seating capacity of an existing structure.

_____	Sec. 62-1905	Airplane runways.
<u>X</u>	Sec. 62-1906	Alcoholic beverages for on-prems consumption.
_____	Sec. 62-1907	Arsenals and explosives.
_____	Sec. 62-1912	Bed and breakfast inns and boardinghouses.
_____	Sec. 62-1916	Cement, concrete and concrete building products.
_____	Sec. 62-1918	Child care centers.
_____	Sec. 62-1920	Cluster development of mobile homes.
_____	Sec. 62-1921	Commercial entertainment and amusement enterprises.
_____	Sec. 62-1921.5	Composting facility.
_____	Sec. 62-1923	Convenience store in BU-1-A zoning classification.
_____	Sec. 62-1929	Farmer's markets.
_____	Sec. 62-1930	Flea markets.
_____	Sec. 62-1933	Hazardous waste facility.
_____	Sec. 62-1934	Hog farms.
_____	Sec. 62-1936	Land alterations.
_____	Sec. 62-1937	Marinas.
_____	Sec. 62-1938	Metal salvage yards and junkyards.
_____	Sec. 62-1939	Mining and smelting operations.
_____	Sec. 62-1940	Motorcross.
_____	Sec. 62-1941	Mulching facility.
_____	Sec. 62-1942	Plant nurseries (with outside bulk storage of mulch, topsoil, etc.).
_____	Sec. 62-1943	Prison camp correctional facilities.
_____	Sec. 62-1943.5	Private heliports.
_____	Sec. 62-1949	Solid waste management facilities.
_____	Sec. 62-1949.7	Substantial expansion of a pre-existing use.
_____	Sec. 62-1953	Towers and antennas.
_____	Sec. 62-1954	Trailer and truck rental.
_____	Sec. 62-1955	Truss manufacturing plants.
_____	Sec. 62-1960	Zoological parks.

_____ Site Plan shows: the structure, parking, ingress/egress, landscaping, refuse, screening or buffering, height and stormwater retention areas.

On motion of Commissioner Murdie, seconded by
Commissioner Roberts, the following resolution
was unanimously adopted:

WHEREAS, Theodore Wiech
has/have applied for a change of zoning from RB-2-15
to B1-1 with a Conditional Use Permit for Consumption On Premises of
Liquor, Beer & Wine
on property described as Avon Court Vacated PD 10/51 ex. Hwy R/W

Section 26/27 Township 25 S Range 37 E. and,

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

and,

WHEREAS, the Board, after considering said application and the Planning
and Zoning Board's recommendation and hearing all interested parties and after
due and proper consideration having been given to the matter, finds 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 zoning be approved and,
that the zone classification relating to the above described property be
changed from RB-2-15

to B1-1 with Conditional Use Permit for Consumption On Premises
of Liquor, Beer & Wine

and the Planning and Zoning Director 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
July 11, 1974

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida

ATTEST:

CURTIS R. BARNES, Clerk

by Lida Kanner
Chairman

by D.C.

(SEAL)

(Hearing - June 24, 1974)

Z-3712

DBPR ABT-6001 - Division of Alcoholic Beverages and Tobacco
Application for New Alcoholic Beverage License

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

DBPR Form
ABT-6001
Revised 08/2013

If you have any questions or need assistance in completing this application, please contact the Division of Alcoholic Beverages & Tobacco's (AB&T) local district office. Please submit your completed application and required fee(s) to your local district office. This application may be submitted by mail, through appointment, or it can be dropped off. A District Office Address and Contact Information Sheet can be found on AB&T's web site at the link provided below:

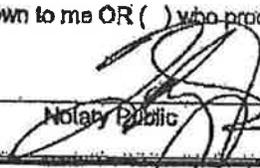
http://www.myflorida.com/dbpr/abt/district_offices/licensing.html

SECTION 1 - CHECK LICENSE CATEGORY			
License Series Requested 4 COP	Type/Class Requested SRX	Do you wish to purchase a Temporary License? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Child License Requested	Number of Child Licenses Requested		
<input type="checkbox"/> Retail Alcoholic Beverages	<input type="checkbox"/> Alcoholic Beverage Manufacturer		
<input type="checkbox"/> Beer/Wine/Liquor Wholesaler	<input type="checkbox"/> Passenger Waiting Lounge		
<input type="checkbox"/> Retail Tobacco Products Dealer Permit (must check one or more of the below)			
<input type="checkbox"/> Pops <input type="checkbox"/> Over the Counter <input type="checkbox"/> Vending Machine			
SECTION 2 - LICENSE INFORMATION			
If the applicant is a corporation or other legal entity, enter the name and the document number as registered with the Florida Department of State Division of Corporations on the line below.			
FEIN Number 47-5204432	Business Telephone Number 321-242-2224	E-Mail Address (Optional) larko@squidlipsgrill.com	
Full Name of Applicant(s): (This is the name the license will be issued in) CB RIVERFRONT, LLC			Department of State Document #
Business Name (D/B/A) SQUID LIPS OVERWATER GRILL			
Location Address (Street and Number) 2200 S ORLANDO AVENUE			
City COCONA BEACH	County BROWARD	State FL	Zip Code 32931
Mailing Address (Street or P.O. Box) 490 N Harbor City Blvd			
City Melbourne, E		State FL	Zip Code 32935
Contact Person - This section is optional, see application instructions for details			
Contact Person H J Underhill III		Telephone Number 321-242-2224 ext. 112	
E-Mail Address (Optional) huz@underhill.com			
Mailing Address (Street or P.O. Box) 490 N. Harbor City Blvd			
City Melbourne		State FL	Zip Code 32935

ABT District Office Received Date Stamp

SECTION 3 - RELATED PARTY PERSONAL INFORMATION						
This section must be completed for each person directly connected with the business, unless they are a current licensee.						
1.	Business Name (D/B/A)					
2.	Full Name of Individual HARRY JASON UNDERHILL III					
	Social Security Number*		Home Telephone Number		Date of Birth	
	263-86-1955				9-18-49	
	Race	Sex	Height	Weight	Eye Color	Hair Color
	W	M	5-10"	172	BRN	BRN
3.	Are you a U.S. citizen? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, immigration card number or passport number:					
4.	Home Address (Street and Number) 2485 GRASS MERE DR					
	City			State	Zip Code	
	WEST MELBOURNE			FL	32904	
5.	Do you currently own or have an interest in any business selling alcoholic beverages, wholesale cigarette or tobacco products, or a bottle club? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide the information requested below. The location address should include the city and state.					
	Business Name (D/B/A)				License Number	
	SQUID LIPS OVERWATER GRILL					
	Location Address TWO LOCATIONS - COE BLDG					
6.	Have you had any type of alcoholic beverage, or bottle club license, or cigarette, or tobacco permit refused, revoked or suspended anywhere in the past 15 years? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the information requested below. The location address should include the city and state.					
	Business Name (D/B/A)				Date	
	Location Address					
7.	Have you been convicted of a felony within the past 15 years? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the information requested below and provide a Copy of the Arrest Disposition, as requested in the Application Requirements checklist.					
	Date		Location			
	Type of Offense					
8.	Have you been convicted of an offense involving alcoholic beverages or tobacco products anywhere within the past 5 years? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the information requested below and provide a Copy of the Arrest Disposition, as requested in the Application Requirements checklist.					
	Date		Location			
	Type of Offense					

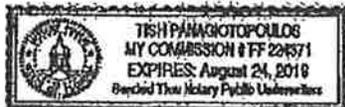
- ① 1660 INDIAN RIVER DALE
SEBASTIAN, FL 32958 License # BEV 4101431
- ② 1477 PINEAPPLE AVE
MELBOURNE, FL 32955 License # BEV 1506207

8.	Have you been arrested or issued a notice to appear in any state of the United States or its territories within the past 15 years? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the information requested below and a Copy of the Arrest Disposition. Attach additional sheet if necessary.
	Date _____ Location _____
	Type of Offense _____
10.	Do you meet the standards of the moral character rule? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
11.	Are you an officer or employee of the Division of Alcoholic Beverages and Tobacco; are you a sheriff or other state, county, or municipal officer, including reserve or auxiliary officers, certified by the state as such, with arrest powers, whose certification is current and active? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
NOTARIZATION STATEMENT	
"I swear under oath or affirmation under penalty of perjury as provided for in Sections 659.791, 662.45 and 637.06, Florida Statutes, that I have fully disclosed any and all parties financially and or contractually interested in this business and that the parties are disclosed in the Disclosure of Interested Parties of this application. I further swear or affirm that the foregoing information is true and correct."	
STATE OF <u>FLORIDA</u>	
COUNTY OF <u>BREVARD</u>	
 _____ APPLICANT SIGNATURE	
The foregoing was () Sworn to and Subscribed OR (<input checked="" type="checkbox"/>) Acknowledged before me this <u>7th</u> Day of <u>December</u> , 20 <u>15</u> , By <u>H. J. Underhill, III</u> who is (<input checked="" type="checkbox"/>) personally (print name of person making statement)	
known to me OR () who produced _____ as identification.	
 _____ Notary Public	Commission Expires: <u>August 24, 2019</u>

(ATTACH ADDITIONAL COPIES AS NECESSARY)

***Social Security Number**

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless a Federal statute specifically requires it or allows states to collect the number. In this instance, disclosure of social security numbers is mandatory pursuant to Title 42 United States Code, Sections 653 and 654; and sections 409.2577, 409.2588, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all professional and occupational license applications and are used for licensee identification pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317. The State of Florida is authorized to collect the social security number of licensees pursuant to the Social Security Act, 42 U.S.C. 405(c)(2)(C)(i). This information is used to identify licensees for tax administration purposes. This information is used to identify licensees for tax administration purposes, and the division will redact the information from any public records request.

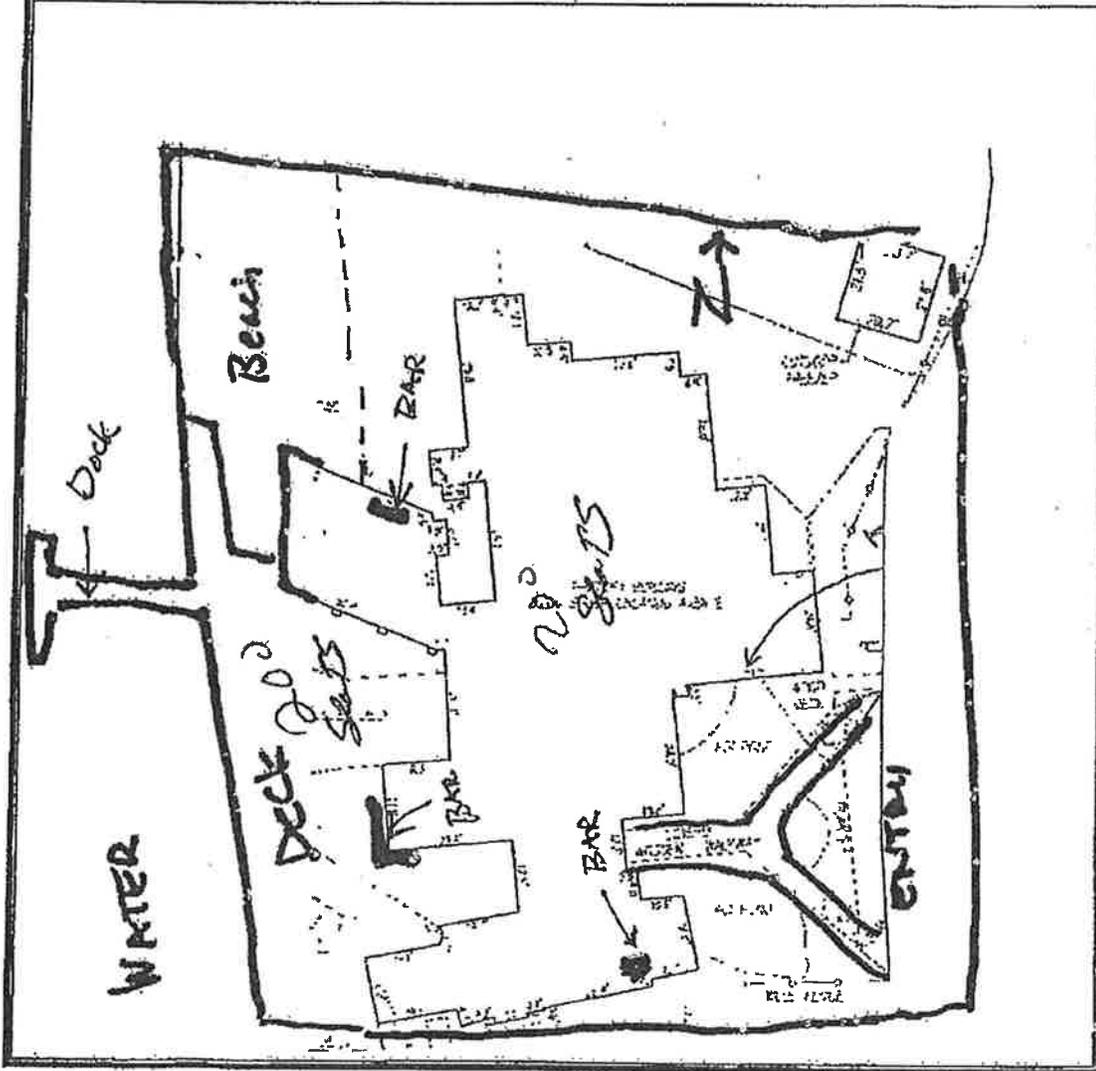


**SECTION 7 - DESCRIPTION OF PREMISES TO BE LICENSED
TO BE COMPLETED BY THE APPLICANT**

Business Name (D/B/A)

- | | | | |
|----|------------------------------|--|--|
| 1. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Is the proposed premises movable or able to be moved? |
| 2. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Is there any access through the premises to any area over which you do not have dominion and control? |
| 3. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Is the business located within a Specialty Center? If yes, check the applicable statute:
<input type="checkbox"/> 561.20(2)(b)1, F.S. or <input type="checkbox"/> 561.20(2)(b)2, F.S. |
| 4. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Are there any mobile vehicles used to sell or serve alcoholic beverages? |
| 5. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Are there more than 3 separate rooms or enclosures with permanent bars or counters? |

Neatly draw a floor plan of the premises in ink, including sidewalks and other outside areas which are contiguous to the premises, walls, doors, counters, sales areas, storage areas, restrooms, bar locations and any other specific areas which are part of the premises sought to be licensed. A multi-story building where the entire building is to be licensed must show the details of each floor.



Permit 10-11 25/12/2011
 CUP 3712 approved
 (signature) Date 4-12-12
 zoning RH-2-15

SECTION 5 - APPLICATION APPROVAL

Full Name of Applicant: (This is the name the license will be issued in)
CBS RIVERFRONT, LLC

Business Name (D/B/A)
SQUID LIPS OORWATER GRILL

Street Address
2200 S. ORLANDO AVE

City COCOA BEACH County BREVARD State FL Zip Code 32931

TO BE COMPLETED BY THE ZONING AUTHORITY GOVERNING YOUR BUSINESS LOCATION

A. The location complies with zoning requirements for the sale of alcoholic beverages or wholesale tobacco products pursuant to this application for a Series: ALOP Type: SEX license.

B. This approval includes outside areas which are contiguous to the premises which are to be part of the premises sought to be licensed and are identified on the sketch? Yes No

Check either: Please do not skip, this is important for license fee sharing
 Location is within the city limits or Location is in the unincorporated county

Signed [Signature] Date 11/15/16

Title Permittee II This approval is valid for days.

SALES TAX

TO BE COMPLETED BY THE DEPARTMENT OF REVENUE

The named applicant for a license/permit has complied with the Florida Statutes concerning registration for Sales and Use Tax.

1. This is to verify that the current owner as named in this application has filed all returns and that all outstanding billings and returns appear to have been paid through the period ending 2016 or the liability has been acknowledged and agreed to be paid by the applicant. This verification does not constitute a certificate as contained in Section 213.758 (4), F.S. (Not applicable if no transfer involved)

2. Furthermore, the named applicant for an Alcoholic Beverage License has complied with Florida Statutes concerning registration for Sales and Use Tax, and has paid any applicable taxes due.

Signed Michelle Elkin Date 11/15/16
 Title Tax Specialist

DEPARTMENT OF REVENUE
 6300 N. Wickham Rd.
 Suite 133A
 Melbourne FL 32940

This approval is valid for 30 days.

HEALTH

TO BE COMPLETED BY THE DIVISION OF FOODS AND RESTAURANTS
 OR COUNTY HEALTH AUTHORITY
 OR DEPARTMENT OF HEALTH
 OR DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES

The above establishment complies with the requirements of the Florida Sanitary Code.

Signed Diane Maynard Date 1/15/2016
 Title SP 503 ATTORNEY Agency DOBAR

This approval is valid for 60 days.

SECTION 6 - APPLICANT ENTITY FELONY CONVICTION

Business Name (D/B/A) SQUID Lips OVERWATER GRILL

Has the applicant entity been convicted of a felony in this state, any other state, or by the United States in the last 15 years?
 Yes No

If the answer is "Yes," please list all details including the date of conviction, the crime for which the entity was convicted, and the city, county, state and court where the conviction took place.

(Attach additional sheets if necessary)

**SECTION 7 - SPECIAL LICENSE REQUIREMENTS
(DOES NOT APPLY TO BEER AND WINE LICENSES)**

Please check the appropriate box of the license for which you are applying. Fill in the corresponding requirements for the license type sought.

Quota Alcoholic Beverage License Specialty Alcoholic Beverage License (e.g. SRX, S, etc)
 Club Alcoholic Beverage License

This license is issued pursuant to _____, Florida Statutes or Special Act, and as such we acknowledge the following requirements must be met and maintained:

Please initial and date:
 Applicant's initials _____ Date _____

SECTION 3 - DISCLOSURE OF INTERESTED PARTIES

Note: Failure to disclose an interest, direct or indirect, could result in denial, suspension and/or revocation of your license. You MUST list all persons and entities in the entire ownership structure. To determine which of those persons must submit fingerprints and a Related Party Personal Information sheet, see the fingerprint section in the application instructions.

Business Name (D/B/A) HJU Holdings, LLC

1. When applicable, complete the appropriate section below. Attach extra sheets if necessary.

Title/Position	Name	Stock %
CORPORATION - List all officers, directors, and stockholders		
GENERAL PARTNERSHIP - List all general partners		
LIMITED LIABILITY COMPANY - List all managers (member & non-member), directors, officers, and members		
LIMITED PARTNERSHIP - List all general and limited partners.		
LIMITED LIABILITY PARTNERSHIP - List all partners		
	<u>HJ Underhill III</u>	<u>80%</u>
	<u>Sharon S Underhill</u>	<u>20%</u>

Bar Manager (Fraternal Organizations of National Scope only):

OTHER INTERESTS

These questions must be answered about this business for every person or entity listed as the applicant

- Are there any persons or entities not disclosed who have loaned money to the business? Yes No
- Are there any persons or entities not disclosed that derive revenue from the license solely through a contractual relationship with the licensee, the substance of which is not related to the control of the sale of alcoholic beverages, or is exempt by statute or rule? Yes No
- Are there any persons or entities not disclosed that have the right to receive revenue based on a contractual relationship related to the control of the sale of alcoholic beverages? Yes No
- Are there any persons or entities not disclosed who have a right to a percentage payment from the proceeds of the business pursuant to the lease? Yes No
- Are there any persons or entities not disclosed who have guaranteed the lease or loan? Yes No
- Are there any persons or entities not disclosed who have co-signed the lease or loan? Yes No
- Is there a management contract, franchise agreement, or concession agreement in connection with this business? Yes No
- Have you or anyone listed on this application, accepted money, equipment or anything of value in connection with this business from any industry member as described in 61A-1.010, Florida Administrative Code? Yes No

If you answered yes to any of the above questions, a copy of the agreement must be submitted with this application. The terms of the agreement may require the interested persons or parties related to an entity to submit fingerprints and a related party personal information sheet.

SECTION 19 AFFIDAVIT OF APPLICANT
NOTARIZATION REQUIRED

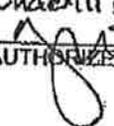
Business Name (D/B/A) C B RIVERFRONT, LLC

"I, the undersigned individually, or on behalf of a legal entity, hereby swear or affirm that I am duly authorized to make the above and foregoing application and, as such, I hereby swear or affirm that the attached sketch is a true and correct representation of the entire area and premises to be licensed and agree that the place of business, if licensed, may be inspected and searched during business hours or at any time business is being conducted on the premises without a search warrant by officers of the Division of Alcoholic Beverages and Tobacco, the Sheriff, his Deputies, and Police Officers for the purposes of determining compliance with the beverage and retail tobacco laws."

"I swear under oath or affirmation under penalty of perjury as provided for in Sections 559.791, 562.45 and 837.06, Florida Statutes, that the foregoing information is true and that no other person or entity except as indicated herein has an interest in the alcoholic beverage license and/or tobacco permit, and all of the above listed persons or entities meet the qualifications necessary to hold an interest in the alcoholic beverage license and/or tobacco permit."

STATE OF FLORIDA

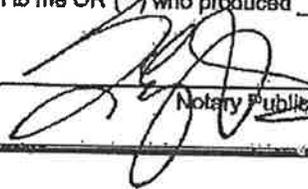
COUNTY OF BREVARD
HJU Holdings LLC, member manager
by HJU Investments, general partner
by H J Underhill III, member, manager

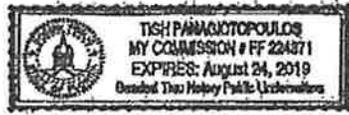
APPLICANT/ AUTHORIZED REPRESENTATIVE NAME


APPLICANT/ AUTHORIZED REPRESENTATIVE SIGNATURE

The foregoing was () Sworn to and Subscribed OR () Acknowledged before me this 7th Day of December, 2015, By H J Underhill, III who is () personally (print name(s) of person(s) making statement)

known to me OR () who produced _____ as identification.

 Commission Expires: August 24, 2019
 Notary Public



SECTION 10 - CURRENT LICENSE BURDEN DATA SHEET

This section is to be completed for all current alcoholic beverage and/or tobacco license holders listed on the application to ensure the most up to date information is captured.

Business Name (D/B/A) SQUID LIPS OVERWATER GRILL

Last Name UNDERHILL TH First Harvey M.I. J

Current Alcohol Beverage and/or Tobacco License Permit/Number(s) BEV 4101481

Date of Birth 9/18/49 Social Security Number* 263-86-1956

Street Address 490 N. Harbor City Blvd

City Melbourne State FL Zip Code 32935

Last Name UNDERHILL TH First Harvey M.I. J

Current Alcohol Beverage and/or Tobacco License Permit/Number(s) BEV 1506207

Date of Birth 9/18/49 Social Security Number* 263-86-1956

Street Address 490 N. Harbor City Blvd

City Melbourne State FL Zip Code 32935

Last Name _____ First _____ M.I. _____

Current Alcohol Beverage and/or Tobacco License Permit/Number(s) _____

Date of Birth _____ Social Security Number* _____

Street Address _____

City _____ State _____ Zip Code _____

Last Name _____ First _____ M.I. _____

Current Alcohol Beverage and/or Tobacco License Permit/Number(s) _____

Date of Birth _____ Social Security Number* _____

Street Address _____

City _____ State _____ Zip Code _____

Last Name _____ First _____ M.I. _____

Current Alcohol Beverage and/or Tobacco License Permit/Number(s) _____

Date of Birth _____ Social Security Number* _____

Street Address _____

City _____ State _____ Zip Code _____

June 20, 2016

Hamilton Diggs, Pastor and President
Living Bread Christian Fellowship Church, Inc.
1801 S. Orlando Avenue
Cocoa Beach, FL 32931

Dear Pastor Diggs:

This will confirm the parking agreement between Banana Riverfront, LLC, the owner of the Squid Lips Restaurant at 2200 S. Orlando Drive, Cocoa Beach, FL 32931 ("Restaurant") and Living Bread Christian Fellowship Church, Inc., located at 1801 and 1811 S. Orlando Drive, Cocoa Beach, FL 32931 ("Church"), on the following terms.

In consideration of the sum of \$10,00 and the mutual premises contained herein:

1. The employees and customers of the Restaurant may utilize the Church's parking lot for offsite parking on an as-needed, non-exclusive basis during times when the Church is not holding services or some other Church-sponsored event.
2. The Restaurant agrees to indemnify and hold the Church harmless from and against any and all liability for damage to any person or property that may arise from or as a result of this agreement. The Restaurant shall further cause the Church to be named as a loss co-payee on the Restaurant's casualty and liability insurance policies.
3. In the event that the Church intends to hold an event on its premises other than the usual services or weekly fellowship meetings and requires the use of the parking lot for the Church's own purposes, the parking lot shall be closed and unavailable to the customers or employees of the Restaurant. The Church will provide reasonable advance notice to the Restaurant of any such intended event so that the Restaurant may plan accordingly.
4. This agreement may be canceled by either party upon 30 days' written notice.

If you are in agreement, please sign and date this letter where noted below and return it to me.

Thank you,
H. J. Underhill, Managing Member

AGREED:
Living Bread Christian Fellowship Church, Inc.

By Hamilton Diggs By
Hamilton Diggs, President
Date: 6/27/2016

(CORPORATE SEAL)

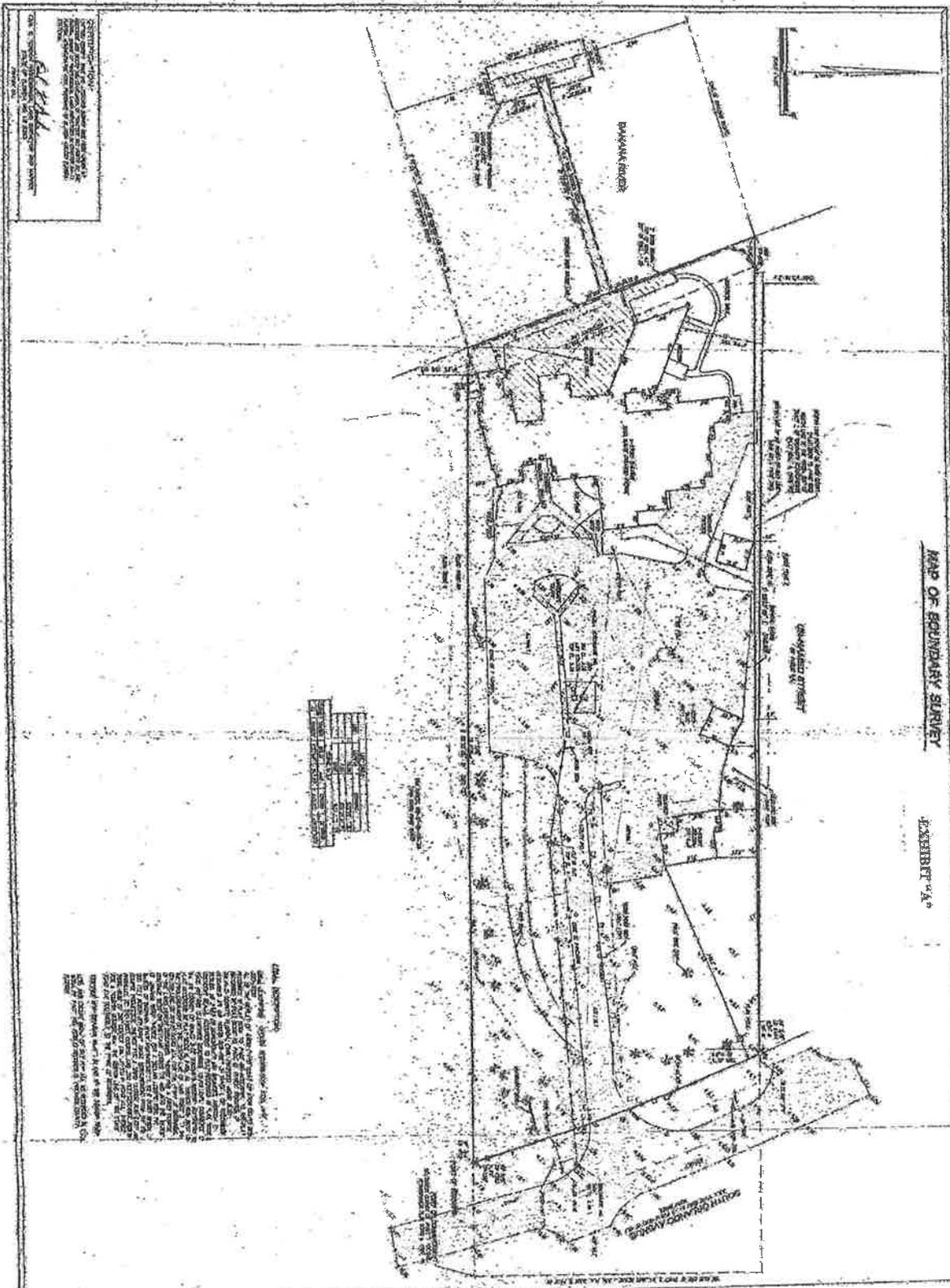
AGREED:
Banana Riverfront, LLC

By H. J. Underhill III
H. J. Underhill III, Managing Member
Date: 6/20/16

(SEAL)

MAP OF BOUNDARY SURVEY

EXHIBIT "A"



THIS SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES UP TO THE TRUE AND ACCURATE BOUNDARIES OF THE PROPERTY DESCRIBED HEREIN.

[Signature]
 DATE: 10/15/11

1. The survey was made by me or under my close personal supervision and to the best of my knowledge and belief it comes up to the true and accurate boundaries of the property described herein.

2. I have caused to be shown on this map the location of all monuments, markers, and other physical evidence of the boundaries of the property described herein.

3. I have caused to be shown on this map the location of all lines, curves, and other mathematical data necessary to define the boundaries of the property described herein.

4. I have caused to be shown on this map the location of all easements, rights-of-way, and other interests in the property described herein.

5. I have caused to be shown on this map the location of all other matters which may be necessary to define the boundaries of the property described herein.

GAUT SURVEYING
 1100 W. 10th St.
 Lawton, Oklahoma 73505
 Phone: (405) 924-1100
 Fax: (405) 924-1101
 Website: www.gautsurveying.com

4000 Avenue A, Lawton, Oklahoma 73505
 (405) 924-1100

DATE: 10/15/11

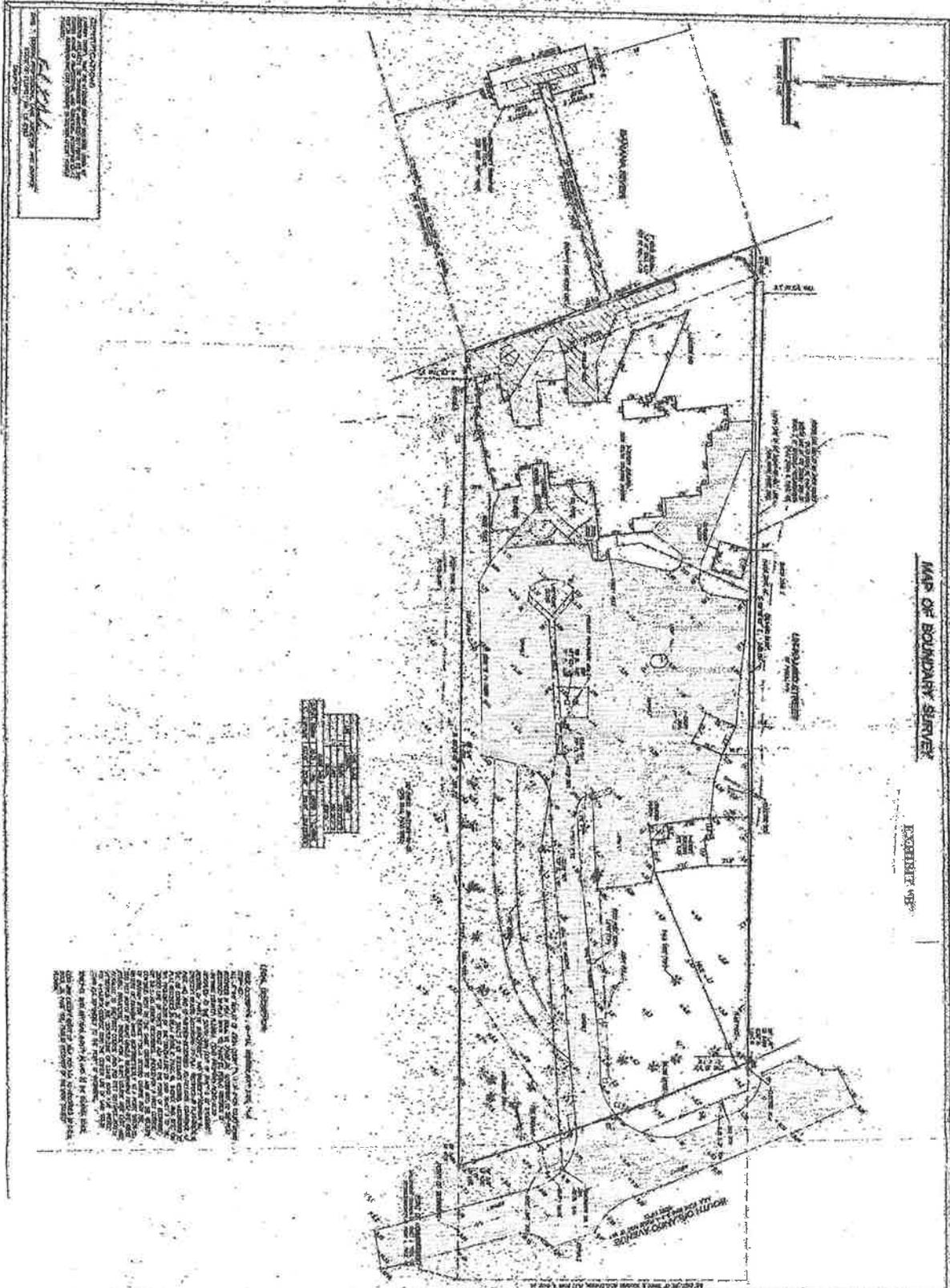
BY: *[Signature]*

THIS SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES UP TO THE TRUE AND ACCURATE BOUNDARIES OF THE PROPERTY DESCRIBED HEREIN.

(2)

MAP OF BOUNDARY SURVEY

EXHIBIT 98



FILED
 This map was filed for record in the office of the County Clerk of the County of ... on the ... day of ... 19... at ... o'clock ... M.
 Witness my hand and the seal of said County at ... this ... day of ... 19...
 County Clerk

NOTE:
 This map was prepared by ... and is a true and correct copy of the original map as shown to the undersigned on the ... day of ... 19...
 Surveyor

DEED:
 This deed is made this ... day of ... 19... between ... of the County of ... State of ... and ... of the County of ... State of ...
 WHEREAS ...
 NOW KNOW ALL MEN BY THESE PRESENTS that the above named ... do hereby certify that the above described premises are the property of ... and that the same are being conveyed to ...
 IN WITNESS WHEREOF, the said ... have hereunto set their hands and seals at ... this ... day of ... 19...
 ...
CHART DESCRIPTION:
 A ... of ...
 ...
 ...
 ...

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THIS INSTRUMENT CONTAINS THE OFFICIAL RECORD BOOK AND PAGE NUMBERS DESCRIBING THE PARCELS TO BE ADVERTISED.

3

[Handwritten Signature]
SIGNATURE

↓

THIS INSTRUMENT PREPARED BY AND RECORD AND RETURN TO:

Recording 27.00
Doc Stamps 16,100.00
Total 16,127.00

CHRISTOPHER H MARINE, ESQ
Gould Cooksey Fennell, P A
979 Beachland Boulevard
Vero Beach, FL 32963
(772) 231-1100

Property Appraiser's Parcel
Identification No 25-37-26-28-00000 0-0001 00

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED Made the 16 day of October, 2015 by CHEFS INTERNATIONAL, INC., a Delaware corporation, whose address is Post Office Box 1332, Point Pleasant Beach, New Jersey 08742, hereinafter called the GRANTOR, to BANANA RIVERFRONT, LLC, a Florida limited liability company, whose address is 490 N Harbor City Boulevard, Melbourne, Florida 32935, hereinafter called the GRANTEE

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the GRANTOR, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the GRANTEE, all that certain land situate in Brevard County, Florida, to-wit

SEE SCHEDULE "A" ATTACHED HERETO BY THIS REFERENCE MADE A PART HEREOF.

SUBJECT TO easements, restrictions, reservations and rights of way of record, if any, but this provision shall not operate to reimpose the same

GRANTOR COVENANTS with GRANTEE that GRANTOR has good right and lawful authority to sell and convey the property and GRANTOR warrants title to the property for any acts of GRANTOR and will defend the title against lawful claims of all persons claiming by, through or under GRANTOR

TOGETHER WITH all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining

IN WITNESS WHEREOF, the GRANTOR has signed and sealed these presents the day and year first above

25 September 2015
written
S. Kremp

Signed, sealed and delivered in the presence of
② *[Signature]*
Printed Name S. KREMP

② *[Signature]*

CHEFS INTERNATIONAL, INC., a Delaware corporation

By *[Signature]*
ROBERT COOPER, President
(Corporate Seal)

R-035

Printed Name MARTIN FLETCHER

STATE OF NEW JERSEY
COUNTY OF Ocean

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared **ROBERT COOPER**, well known to me to be the President of **CHEFS INTERNATIONAL, INC.**, a Delaware corporation, named as Grantor in the foregoing deed and that he severally acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in him by said corporation and that the seal affixed thereto is the true corporate seal of said corporation and who did take an oath

WITNESS my hand and official seal in the County and State last (aforesaid) this 16 day of October, A D 2015

Nancyann Dickson
Notary Public

Printed Name Nancyann Dickson

Commission No 2119

My Commission Expires Feb 18, 2019
(Notary Seal)

NANCYANN DICKSON
Notary Public of New Jersey
My Commission Expires Feb 18, 2019



SCHEDULE 'A'

All of the Replat of Avon Court (Plat of Avon Court being recorded in Plat Book 10, Page 39) according to Plat Recorded in Plat Book 10, Page 61, Public Records of Brevard County, Florida, (said property being also described as the South 200 feet of Tract 2 of Titcomb's resubd. of part of Burchfiel's and Bruner's Addition to Crescent Beach, according to plat recorded in Plat Book 8, Page 46) and is further described as follows.

Commence at the Southwest corner of Tract 3 of Titcomb's resubd. according to plat recorded in Plat Book 8, Page 46, thence run West on the prolongation of the South line of said Tract 3 to the center line of State Road A1A for the point of beginning of the land herein described, thence for a first course Continue West on the same course to and into the waters of Banana River thence for a second course run the waters of Banana River Northwesterly to a point which is 200 feet North by right angle measurement from the first course projected; thence for a third course run East and parallel to the first course and 200 feet distant North therefrom to the center line of State Road A1A, thence for a fourth course run the center line of said State Road A1A Southerly to the point of beginning, together with riparian rights in and to the Banana River. Less and Except right of way for A1A as recorded in C.C.M Book 29, Page 100, Public Records of Brevard County, Florida.



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2016 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L15000158792

Entity Name: BANANA RIVERFRONT, LLC

Current Principal Place of Business:

490 N. HARBOR CITY BLVD.
MELBOURNE, FL 32935

Current Mailing Address:

490 N. HARBOR CITY BLVD.
MELBOURNE, FL 32935

FEI Number: 47-5193465

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

UNDERILL, H J III
490 N. HARBOR CITY BLVD.
MELBOURNE, FL 32935 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent

Date

Authorized Person(s) Detail :

Title MGR
Name UNDERILL, H J III
Address 490 N. HARBOR CITY BLVD.
City-State-Zip: MELBOURNE FL 32935

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other files empowered.

SIGNATURE: H J UNDERILL III

MGRM

03/25/2016

Electronic Signature of Signing Authorized Person(s) Detail

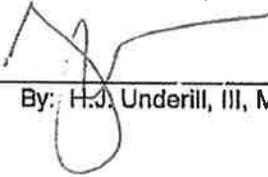
Date

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FORM "A"
AUTHORIZATION TO ACT AS APPLICANT

I, Banana Riverfront, LLC authorize Kimberly B. Rezanka

to act as applicant, representing me in Public Hearings before Brevard County pertaining to Land Use.

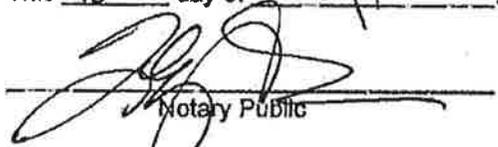


By: H.J. Underhill, III, Manager

State of Florida, County of Brevard
Sworn and subscribed to before me

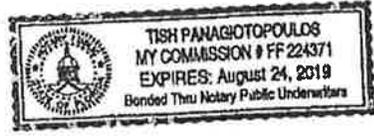
This 12th day of May, 2016

Personally Known
Form of Identification



Notary Public

My Commission Expires:



Rev. 5/27/99

23

Dana Blickley, CFA
 Property Appraiser
 Brevard County, FL



Property
 Details

General Parcel Information

Parcel ID:	25-37-26-28-00000.0-0001.00	Millage Code:	3600	Exemption:		Use Code:	2100
Site Address:	2200 S ORLANDO AVE, COCOA BEACH 32931					Tax ID:	2520254

Site Address is assigned by Brevard County Address Assignment for E-911 purposes and may not reflect the postal community name.

Owner Information

Owner Name:	BANANA RIVERFRONT LLC
Second Name:	
Mailing Address:	490 N HARBOR CITY BLVD
City, State, Zipcode:	MELBOURNE, FL 32935-6858

Abbreviated Description

Plat Book/Page:	0010/0061	Sub Name:	AVON COURT SUBD	ALL SUBD
-----------------	-----------	-----------	-----------------	----------

Value Summary

Roll Year:	2013	2014	2015
Market Value Total: ¹	\$918,050	\$972,800	\$972,800
Agricultural Market Value:	\$0	\$0	\$0
Assessed Value Non-School:	\$918,050	\$972,800	\$972,800
Assessed Value School:	\$918,050	\$972,800	\$972,800
Homestead Exemption: ²	\$0	\$0	\$0
Additional Homestead: ²	\$0	\$0	\$0
Other Exemptions: ²	\$0	\$0	\$0
Taxable Value Non-School: ³	\$918,050	\$972,800	\$972,800
Taxable Value School: ³	\$918,050	\$972,800	\$972,800

Land Information

Acres:	2.44
Site Code:	107

1: Market value is established for ad valorem purposes in accordance with s.193.011(1) and (8), Florida Statutes. This value does not represent anticipated selling price for the property.

2: Exemptions are applicable for the year shown and may or may not be applicable if an owner change has occurred.

3: The Additional Homestead exemption does not apply when calculating taxable value for school districts pursuant to Amendment 1.

Sale Information

Official Records Book/Page	Sale Date	Sale Amount	Deed Type	Vacant/Improved
7480/0302	10/16/2015	\$2,300,000	WD	I
2330/0221	10/1/1981	\$664,000	WD	V
1806/0220	10/1/1977	\$350,000		V
1465/0580	8/1/1974	\$1,600,000		V

Sale screening and sale screening source codes are for assessment purposes only and have no bearing on potential marketability of the property

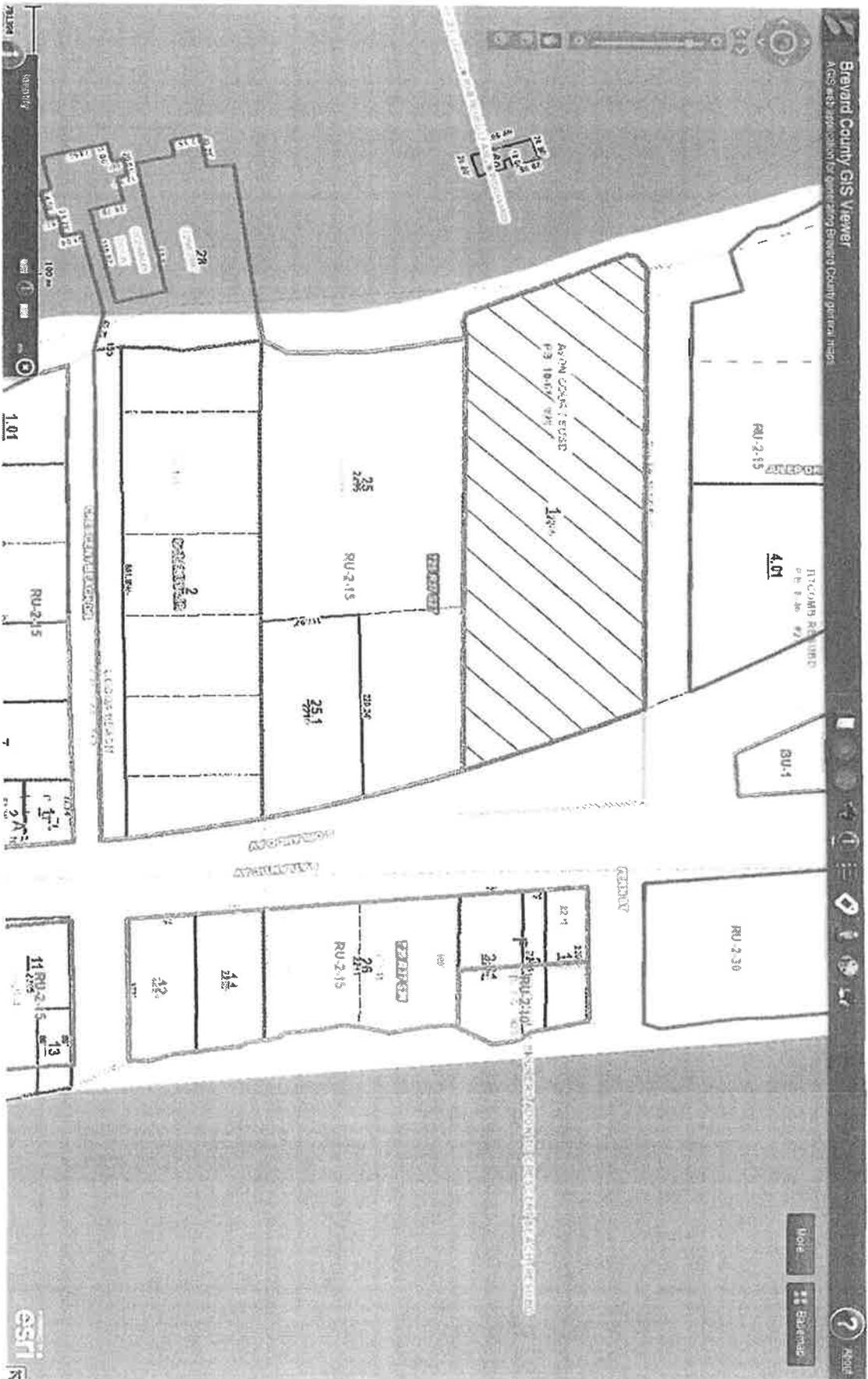
Building Information

PDC #	Use Code	Year Built	Story Height	Frame Code	Exterior Code	Interior Code	Roof Type	Roof Material	Floors Code	Ceiling Code
1	2100	1952	12	03, 04	03, 09	03	09	04	03	03
3	1700	1955	10	03	05	03	09	03	03	03

Building Area Information

PDC #	Base Area	Garage Area	Open Porches	Car Port	Screened Porches	Utility Rooms	Enclosed Porch	Basements	Attics	Bonus Rooms	RV Carport	RV Garage

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http://mjs.wgispubv01.brevardco.net/county_map/index_brevard_county.html?config=config_brevard_county.xml

5/12/2016



BOARD OF COUNTY COMMISSIONERS

Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

June 24, 2016

Dear Applicant: BANANA RIVERFRONT, LLC

Your request for zoning action will be considered by the Brevard County Planning and Zoning Board (Local Planning Agency) at the public hearing scheduled for **MONDAY, JULY 11, 2016**, as Item **10**. This hearing will be held at the Brevard County Government Center, 2725 Judge Fran Jamieson Way, Building C, Viera, Florida, beginning at **3:00 p.m.**, or as soon thereafter as possible.

A public hearing will be held by the Board of County Commissioners on **THURSDAY, AUGUST 4, 2016**, at **5:00 p.m.** This hearing will also be held at the Brevard County Government Center, 2725 Judge Fran Jamieson Way, Building C, Viera, Florida. You, as applicant, or your representative, must be present at **both** of these public hearings. If your request is postponed until the following month as a result of **your** request, error, or failure to appear, or to be represented, you will be required to pay a reprocessing fee of 80 percent of the original fee before your request can be heard at a subsequent meeting.

The needs of hearing or visually impaired persons shall be met, if the Planning and Development Department is contacted at least five (5) days prior to the public hearing by any person wishing assistance.

Sincerely,

Robin M. DiFabio, AICP, Director
Planning & Development Department

RMS/lj

cc: Kim Rezanka

Dear Property Owner:

ID# 16PZ00055

This COURTESY NOTICE is being sent to inform you that your property is within 500 ft. of property owned by BANANA RIVERFRONT, LLC, who is requesting a Small Scale Plan Amendment and a change of classification on 2.44 acres. The property is located on the west side of Orlando Ave., approx. 415 ft. north of Crescent Beach Dr. (2200 S. Orlando Ave., Cocoa Beach)

Current Future Land Use and Zoning: Residential 15 & CC (Community Commercial) and RU-2-15 (Medium-Density Multi-Family Residential)

Request: All CC & and BU-1 (General Retail Commercial)

A public hearing will be held by the Planning & Zoning Board (LPA) at the Brevard County Government Center, 2725 Judge Fran Jamieson Way, Bldg. C, Viera, Florida, 32940, on Monday, July 11, 2016, beginning at 3:00 p.m. The final public hearing will be held by the Board of County Commissioners on Thursday, August 4, 2016, beginning at 5:00 p.m., at the same location.

You are invited to attend these public hearings to voice any comments you may have, or you may also write to the address shown on the front of this card. For the complete agenda, you may visit our internet site at www.brevardcounty.us/PlanningDev/Boards/PZBoard, or call the Planning & Development Department at (321) 633-2069. Your correspondence or inquiry should refer to the ID# located in the upper right-hand corner of the card. The needs of hearing or visually impaired persons shall be met if the Planning & Development Department is contacted at least five (5) days prior to the public hearing.

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BOARD OF COUNTY COMMISSIONERS

Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

July 22, 2016

Dear Applicant: BANANA RIVERFRONT, LLC

Your request for zoning action will be considered by the Brevard County Planning and Zoning Board (Local Planning Agency) at the public hearing scheduled for **MONDAY, AUGUST 8, 2016**, as Item **2**. This hearing will be held at the Brevard County Government Center, 2725 Judge Fran Jamieson Way, Building C, Viera, Florida, beginning at **3:00 p.m.**, or as soon thereafter as possible.

A public hearing will be held by the Board of County Commissioners on **THURSDAY, SEPTEMBER 1, 2016**, at **5:00 p.m.** This hearing will also be held at the Brevard County Government Center, 2725 Judge Fran Jamieson Way, Building C, Viera, Florida. You, as applicant, or your representative, must be present at **both** of these public hearings. If your request is postponed until the following month as a result of **your** request, error, or failure to appear, or to be represented, you will be required to pay a reprocessing fee of 80 percent of the original fee before your request can be heard at a subsequent meeting.

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Sincerely,

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RMS/jj

cc: Kim Rezanka

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Current Future Land Use and Zoning: Residential 15 & CC (Community Commercial) and RU-2-15 (Medium-Density Multi-Family Residential)
Request: All CC & and BU-1 (General Retail Commercial); and CUP (Conditional Use Permit) for Alcoholic Beverages (full liquor) for On-Premises Consumption in Conjunction with a Restaurant

A public hearing will be held by the Planning & Zoning Board (LPA) at the Brevard County Government Center, 2725 Judge Fran Jamieson Way, Bldg. C, Viera, Florida, 32940, on **Monday, August 8, 2016**, beginning at 3:00 p.m. The final public hearing will be held by the Board of County Commissioners on **Thursday, September 1, 2016**, beginning at 5:00 p.m., at the same location.

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Request: All CC & and BU-1 (General Retail Commercial); and CUP (Conditional Use Permit) for Alcoholic Beverages (full liquor) for On-Premises Consumption in Conjunction with a Restaurant

A public hearing will be held by the Planning & Zoning Board (LPA) at the Brevard County Government Center, 2725 Judge Fran Jamieson Way, Bldg. C, Viera, Florida, 32940, on **Monday, August 8, 2016**, beginning at 3:00 p.m. The final public hearing will be held by the Board of County Commissioners on **Thursday, September 1, 2016**, beginning at 5:00 p.m., at the same location.

You are invited to attend these public hearings to voice any comments you may have, or you may also write to the address shown on the front of this card. For the complete agenda, you may visit our internet site at www.brevardcounty.us/PlanningDev/Boards/PZBoard, or call the Planning & Development Department at (321) 633-2069. Your correspondence or inquiry should refer to the ID# located in the upper right-hand corner of the card. The needs of hearing or visually impaired persons shall be met if the Planning & Development Department is contacted at least five (5) days prior to the public hearing.

Dear Property Owner:

ID# 16PZ00055

This **REVISED COURTESY NOTICE** is being sent to inform you that your property is within 500 ft. of property owned by **BANANA RIVERFRONT, LLC**, who is requesting a Small Scale Plan Amendment and a change of classification on 2.44 acres. The property is located on the west side of Orlando Ave., approx. 415 ft. north of Crescent Beach Dr. (2200 S. Orlando Ave., Cocoa Beach)

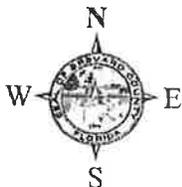
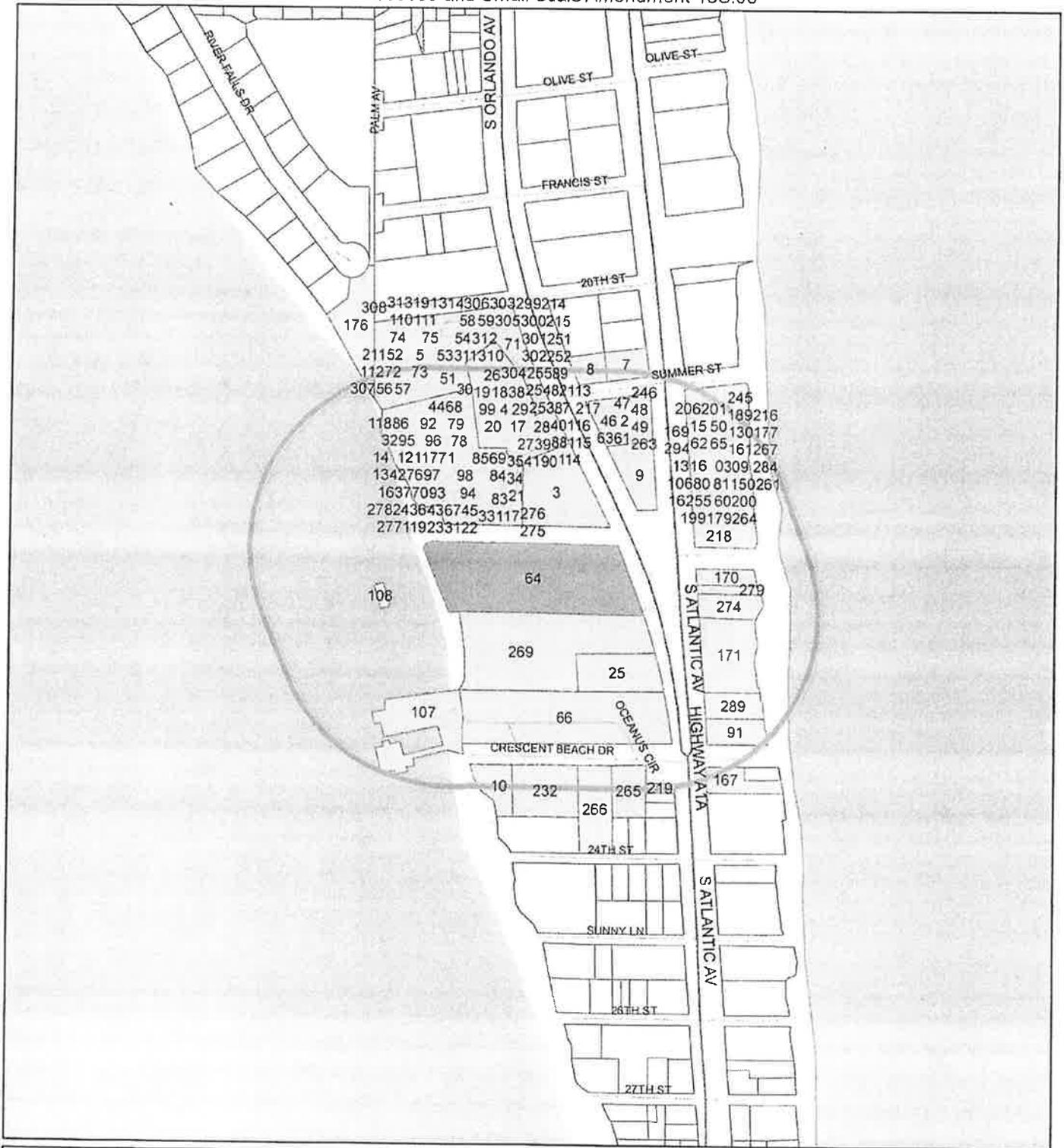
Current Future Land Use and Zoning: Residential 15 & CC (Community Commercial) and RU-2-15 (Medium-Density Multi-Family Residential)
Request: All CC & and BU-1 (General Retail Commercial); and CUP for Alcoholic Beverages (full liquor) for On-Premises Consumption in Conjunction with a Restaurant

A public hearing will be held by the Planning & Zoning Board (LPA) at the Brevard County Government Center, 2725 Judge Fran Jamieson Way, Bldg. C, Viera, Florida, 32940, on **Monday, August 8, 2016**, beginning at 3:00 p.m. The final public hearing will be held by the Board of County Commissioners on **Thursday, September 1, 2016**, beginning at 5:00 p.m., at the same location. You are invited to attend these public hearings to voice any comments you may have, or you may also write to the address shown on the front of this card. For the complete agenda, you may visit our internet site at www.brevardcounty.us/PlanningDev/Boards/PZBoard, or call the Planning & Development Department at (321) 633-2069. Your correspondence or inquiry should refer to the ID# located in the upper right-hand corner of the card. The needs of hearing or visually impaired persons shall be met if the Planning & Development Department is contacted at least five (5) days prior to the public hearing.

RADIUS MAP

BANANA RIVERFRONT LLC

16PZ00055 and Small Scale Amendment 16S.05



1:4,800 or 1 inch = 400 feet

Buffer Distance: 500 feet

-  Buffer
-  Subject Property
-  Notify Property
-  Parcels

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

16PZ00055
Page1

REZANKA, Kimberly B.
Dean Mead
7380 Murrell Road, Suite 200
Viera, FL 32940

1067198 ONTARIO INC
RR 2
ASHTON ON K0A 1B0
CANADA 00000-0000

ACA CONSTRUCTION FLORIDA LLC
1812 WINDSONG TRAIL
MERRITT ISLAND FL 32952-0000

AHSAN, SOHEL M
2100 S ORLANDO AVE
COCOA BCH FL 32931-0000

ALVAREZ, EDUARDO
ALVAREZ, LEONOR H/W
160 CRESCENT BEACH DRIVE
COCOA BCH FL 32931-0000

AMARO, WILLIAM M
AMARO, PATRICIA A H/W
1040 ROLLING RIDGE
NEW WINDSOR NY 12553-0000

AMARO, WILLIAM M
AMARO, PATRICIA A H/W
2022 JULEP DR #303
COCOA BCH FL 32931-0000

AMARO, WILLIAM M
AMARO, PATRICIA A H/W
2022 JULEP DR QPT 303
COCOA BCH FL 32931-4938

BADALI, JOHN F
BADALI, EKATRINI H/W
2101 S ATLANTIC AVE UNIT 205
COCOA BCH FL 32931-0000

BAKER, NAN L
2022 JULEP DRIVE UNIT NO 106
COCOA BCH FL 32931-0000

BARTLAM, KATHERINE J LIFE ESTATE
2012 JULEP DR 2011
COCOA BCH FL 32931-0000

BARTLAM, KATHERINE J LIFE ESTATE
2012 JULEP DR #201
COCOA BCH FL 32931-0000

BARTON, LAURENCE
ALDEN, ELIZA S H/W
2022 JULEP DRIVE #304
COCOA BCH FL 32931-0000

BAUGHER, ROBERT A TRUSTEE
2210 S ATLANTIC AVE
COCOA BCH FL 32931-0000

BERNER, RANDALL P TRUSTEE
BERNER, SHERYLA TRUSTEE
2012 JULEP DR UNIT 208
COCOA BCH FL 32931-0000

BLUME, J STEPHEN
413 COVINGTON RD
HAVERTOWN PA 19083-0000

BOCHETTE, DAVID E
BOCHETTE, BERNARDINE A H/W
2022 JULEP DRIVE #201
COCOA BCH FL 32931-0000

BONES INVESTMENT GROUP LLC
101 EAST PINE STREET
FITZGERALD GA 31750-0000

BROGNA, ROBERT P
RAMSEY, PHILIP F
2022 JULEP DR #302
COCOA BCH FL 32931-0000

BRUECKER, ACHIM
2101 ATLANTIC AVENUE S UNIT 205
COCOA BCH FL 32931-0000

BUTT, JEFFERY JAY
BUTT, ANA MARIA H/W
29281 SW 181 AVENUE
HOMESTEAD FL 33030-0000

BUTT, JEFFERY JAY
BUTT, ANA MARIA H/W LIFE ESTATE
29281 SW 181 AVE
HOMESTEAD FL 33030-0000

BUTT, JEFFERY JAY
BUTT, ANA MARIA LIFE ESTATE
29281 SW 181ST AVE
HOMESTEAD FL 33030-0000

BUTT, JEFFREY J
BUTT, ANA M H/W LIFE ESTATE
29281 SW 181ST AVE
HOMESTEAD FL 33030-0000

BYERS, JAMES A
BYERS, NORMA V H/W
2001 JULEP DR UNIT #103
COCOA BCH FL 32931-0000

CAREY, PHYLLIS L TRUSTEE
P O BOX 9307
DAYTONA BCH FL 32120-0000

CARTER, EDWARD A
CARTER, BETTY B H/W
2001 JULEP DR UNIT #102
COCOA BCH FL 32931-0000

CAVANAGH, CYNTHIA
RR 2
ASHTON ON K0A 1B0
CANADA 00000-0000

CAVANAGH, THOMAS
CAVANAGH, KATHLEEN H/W
RR 2
ASHTON ON K0A 1B0
CANADA 00000-0000

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Page2

CHAPIN, WILLIAM D
CHAPIN, JULIA H/W
343 MAPLE STREET
HOPKINTON NH 03229-0000

CHAPIN, WILLIAM D
CHAPIN, JULIE H/W
343 MAPLE ST
CONTOOCOOK NH 03229-0000

CHEFS INTERN'TL INC
P O BOX 1332
POINT PLEASANT BCH NJ 08742-1332

CHRISTENSEN, DOUGLAS J
1125 SETTLERS ROAD
HAMEL MN 55340-0000

COCOA BEACH CLUB & MARINA LLC
1555 INDIAN RIVER BLVD
VERO BEACH FL 32960-0000

COOK, TONY L
COOK, JEANNE F H/W
2022 JULEP DR #205
COCOA BCH FL 32931-0000

CORSA, KEJEN
CORSA, JEN Y H/W
432 YORK DR
BENICIA CA 94510-0000

COUCH, DAVID R
COUCH, HEATHER A TRUSTEES
2022 JULEP DRIVE #102
COCOA BCH FL 32931-0000

DELMORE, PAUL
DELMORE, FRANCES KASSLER H/W
118 MATTHEW STREET
FARMINGTON NY 11735-0000

DEWEY, JAMES W
DEWEY, CHARLES J SR
2101 S ATLANTIC AVE #106
COCOA BCH FL 32931-0000

EISENMENGER, GREGORY W
EISENMENGER, CYNTHIA H H/W
2012 JULEP DR #107
COCOA BCH FL 32931-0000

ELLIS, REBECKAH M
953 QUINN ST SE
PALM BAY FL 32909-0000

ENDELICATO, ANTONIO SAMUEL
ENDELICATO, DEBBIE JO H/W
2012 JULEP DR #304
COCOA BCH FL 32931-0000

ENGELGAU, LORI ROC LIFE ESTATE
2299 S ATLANTIC AV
COCOA BCH FL 32931-0000

FBC OF BREVARD INC
8870 NORTH PORT WASHINGTON RD
MILWAUKEE WI 53217-0000

FLICKINGER, DAVID
FLICKINGER, KAREN H/W
2101 ATLANTIC AVE S #211
COCOA BCH FL 32931-0000

FLORIDA, STATE OF
21 ROYAL PALM POINTE
VERO BEACH FL 32960-0000

FLORIDA, STATE OF (IITF)
62 BROADWAY
LA CREPE RESTAURANT
POINT PLEASANT BCH NJ 08742-0000

FRANCO, MANUEL R
FRANCO, KAREN K H/W
2001 JULEP DR APT 206
COCOA BCH FL 32931-4927

FRANCO, MANUEL R
FRANCO, KAREN K H/W
2001 JULEP DR #206
COCOA BCH FL 32931-0000

FREEMAN, JOHN L TRUSTEE
FREEMAN, ANNETTE V TRUSTEE
2012 JULEP DR #109
COCOA BCH FL 32931-0000

FRIEDMAN, SAMUEL B
FRIEDMAN, JOAN H H/W
2022 JULEP DRIVE #301
COCOA BCH FL 32931-0000

FRUSTACI, MARCELLO T
FRUSTACI, KAREN
2012 JULEP DR UNIT 309
COCOA BCH FL 32931-0000

FULLER, GARRY W
FULLER, HEIDI E H/W
2012 JULEP DR 303
COCOA BCH FL 32931-0000

FULLER, GARRY W
FULLER, HEIDI E H/W
2012 JULEP DR #303
COCOA BCH FL 32931-0000

GEIGER, BARBARA G TRUSTEE
1455 ARUNDEL WAY
MELBOURNE FL 32940-0000

GLAZER, MARCUS JOEL TRUSTEE
1920 ADMIRALTY BLVD
ROCKLEDGE FL 32955-0000

GUY, MICHAEL
GUY, THERESA H/W
2012 JULEP DR #308
COCOA BCH FL 32931-0000

HASH, DENISE M
47 CHESTNUT HILLS
NEW HARTFORD NY 13413-2909

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Page3

HENDERSON, DAVID ALLEN
HENDERSON, MAXINE E H/W
2022 JULEP DRIVE #202
COCOA BCH FL 32931-0000

HOBGOOD, CHARLES DAVID
HOBGOOD, BEVERLY JEAN LIFE ESTATE
2012 JULEP DR UNIT 209
COCOA BCH FL 32931-0000

HOLLOWAY, MARK S
2012 JULEP DR #204
COCOA BCH FL 32931-0000

HOLMES, DAVID C II
P O BOX 146
FAYETTEVILLE WV 25840-0146

HUDSON, THOMAS M
HUDSON, NANCY L H/W
2012 JULEP DRIVE #103
COCOA BCH FL 32931-0000

HUSTON, CHRISANN
834 RIVER LANE
ANOIGA MN 55303-0000

HUSTON, RONALD P
HUSTON, CHRISANN H/W
834 RIVER LANE
ANOKA MN 55303-2880

IVERS, MARILYN J
P O BOX 725
INDEPENDENCE WI 54747-0725

JEJJ LLC
9506 W 161ST TERRACE
STILWELL KS 66085-0000

JONES, CAROLE J
2022 JULEP DRIVE #206
COCOA BCH FL 32931-0000

JONES, VERNON ALAN
JONES, CAROLE J H/W
2022 JULEP DRIVE #206
COCOA BCH FL 32931-0000

JOSSELSO, MARY S
2305 S ATLANTIC AVE
COCOA BCH FL 32931-0000

KELLEY, ROBERT W
KELLEY, HELEN S H/W LIFE ESTATE
3337 PENINSULA CIRCLE
MELBOURNE FL 32940-0000

KIRSCHENBAUM, MALCOLM R
KIRSCHENBAUM, JANE S TRUSTEES
1 FERN ST
COCOA BCH FL 32931-0000

KIRSCHENBAUM, MALCOLM R
SUN BANK NA CO-TRUSTEES
516 DELANNOY AVE
COCOA FL 32922-0000

KWONG, FRANK K
KWONG, POLLY A H/W
2012 JULEP DRIVE #301
COCOA BCH FL 32931-0000

LAKSANDHAN LLC
80 RIVER FALLS DRIVE
COCOA BCH FL 32931-0000

LATKANICH, ROCHELLE J
2101 S ATLANTIC AVE #311
COCOA BCH FL 32931-0000

LAWHEAD, LAWRENCE E
LAWHEAD, VIVIAN K H/W
13199 DITCH RD
CARMEL IN 46032-0000

LEFEBVRE, MICHAEL P
LEFEBVRE, MARY JO TRUSTEES
2012 JULEP DR UNIT 206
COCOA BCH FL 32931-0000

LEFEBVRE, MICHAEL P
LEFEBVRE, MARY JO TRUSTEES
2012 JULEP DR UNIT #206
COCOA BCH FL 32931-0000

LIM, THOMAS A
FARY, BREE H/W
2001 JULEP DRIVE #105
COCOA BCH FL 32931-0000

LIM, THOMAS A
FARY, BREE H/W
2001 JULEP DRIVE UNIT #105
COCOA BCH FL 32931-0000

LIVERS, BETTY RACHELL TRUSTEE
5400 W 81ST ST
PRAIRIE VILLAGE KS 66208-4925

LOVE, ROBERT J
LOVE, CAROL H/W
2001 JULEP DR UNIT 101
COCOA BCH FL 32931-0000

LUKIS, MICHAEL TRUSTEE
LUKIS, MARY E TRUSTEE
12740 BRIGHTON CT
MOKENA IL 60448-1695

LUKIS, MICHAEL TRUSTEE
LUKIS, MARY E TRUSTEE
19430 YORKSHIRE DRIVE
MOKENA IL 60448-0000

MAAS, JOHN P
MAAS, MICHELE C H/W LIFE ESTATE
15901 SW 252 STREET
HOMESTEAD FL 33031-0000

MACNAMEE, ROBERT T
MACNAMEE, COLLEEN T H/W
P O BOX 64
CUMMAQUID MA 02637-0000

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MARKO VILLAS CONDOMINIUM
ASSOCIATION INC
2101 S ATLANTIC AVE
COCOA BCH FL 32931-0000

MARTZ, ROBERT R ESTATE
MARTZ, SHIRLEY A
228 HAWTHORNE CT N
READING PA 19610-1064

MARTZ, ROBERT R ESTATE
MARTZ, SHIRLEY A
2012 JULEP DRIVE UNIT 302
COCOA BCH FL 32931-0000

MARTZ, SHIRLEY A
228 HAWTHORNE CT N
READING PA 19610-1064

MC CONAGHY, MAY JOYCE LIFE ESTATE
93 REGENT STREET
RICHMOND HILL ON L4C 9N7
CANADA 00000-0000

MC MORRAN, SCOTT A
MC MORRAN, CAROLYN R H/W
2022 JULEP DR UNIT #104
COCOA BCH FL 32931-0000

MOSLEY, CURTIS R
MOSLEY, CHERYL L H/W
2001 JULEP DR UNIT A201
COCOA BCH FL 32931-0000

MOWATT, SUSAN
FLEMING, BARBARA P LIFE ESTATE
1 GOLDEN BEAR
STOUFFVILLE ON L4A 1N3
CANADA 00000-0000

NORTH, PATRICK W
2101 ATLANTIC AVE S UNIT 308
COCOA BCH FL 32931-0000

NORTH, PATRICK W TRUSTEE
2101 ATLANTIC AVE S UNIT 308
COCOA BCH FL 32931-0000

OJALVO, PHILIP K
307 PARKWOOD STREET
BETHANY BCH DE 19930-0000

ORSINI, JOSEPHA
ORSINI, CAROLA H/W
16 GARNET DRIVE
WOODLAND PARK NJ 07424-0000

ORSINI, JOSEPHA
ORSINI, CAROLA H/W
2012 JULEP DR UNIT 108
COCOA BCH FL 32931-0000

PARDUE, MICHAEL TROY
PARDUE, JULIE H/W
2012 JULEP DRIVE UNIT 106
COCOA BCH FL 32931-0000

PETRIE, LESLIE D
PETRIE, CAROLA H/W
2012 JULEP DRIVE #205
COCOA BCH FL 32931-0000

PHILLIPS, JOYCE TRUSTEE
152 CRESCENT BEACH DR
COCOA BCH FL 32931-0000

POHL-RODRIGUES, KAREN
8131 VINELAND AVE #211
ORLANDO FL 32821-0000

POHL-RODRIGUES, KAREN
8643 SUMMERVILLE PL
ORLANDO FL 32819-0000

RIDINGS, RICHARD
O'LEARY-RIDINGS, MARIA
448 SHADYSIDE RD
RAMSEY NJ 07446-0000

ROSS, KENNETH S
ROSS, KATHRYN K H/W
4019 PALMA CEIA CIRCLE
WINTER HAVEN FL 33884-0000

ROSS, KENNETH S
ROSS, KATHRYN K H/W
4019 PALMA CEIA CIR
WINTER HAVEN FL 33884-0000

RUNYON, THOMAS E
3731 DUNWOODY CLUB DR
DUNWOODY GA 30350-0000

RUNYON, THOMAS E
RUNYON, GERRI L
3731 DUNWOODY CLUB DR
ATLANTA GA 30350-0000

SALEJEE, IBRAHIM
DAWOODJEE, MARIAM H/W
2012 JULEP DRIVE #306
COCOA BCH FL 32931-0000

SALEJEE, ISMAIL
KLOS, LENA J H/W
2001 JULEP DR UNIT #104
COCOA BCH FL 32931-0000

SCHLURAFF, BARBARA J
2022 JULEP DRIVE #203
COCOA BCH FL 32931-0000

SCHLURAFF, BARBARA J
2022 JULEP DRIVE #E203
COCOA BCH FL 32931-0000

SCHRADER, RICHARD A
1709 JAKE ANDREW AVE
N LAS VEGAS NV 89086-0000

SEED, MICHAEL
SEED, SHEILA LIFE ESTATE
31 EILEEN CRES
STITTSVILLE ON K2S 1X2
CANADA 00000-0000

16PZ00055
Page5

SHAKE, SAMUEL D
SHAKE, CAROLA H/W
2022 JULEP DRIVE UNIT 105
COCOA BCH FL 32931-0000

SHEA, JEREMY C
SHEA, ANN D H/W
7304 CEDAR CREEK TRL
MADISON WI 53717-0000

SHEPHERD, MARGARET ANNE
116 CRESCENT BEACH DR
COCOA BCH FL 32931-2207

SIBERT, DONALD E
612 PINE TREE DR
INDIALANTIC FL 32903-0000

SILVERMAN, DAVID
4655 LAKE WASHINGTON RD
MELBOURNE FL 32934-7660

SILVERMAN, LOUIS L ESTATE
4655 LAKE WASHINGTON RD
MELBOURNE FL 32934-7660

SOUTH BEACH COVE DEVELOPMENT CORP
2210 ATLANTIC AVE S
COCOA BCH FL 32931-0000

SPRINGER, DIANE C
2012 JULEP DR #207
COCOA BCH FL 32931-0000

SULLIVAN, ROBERT MARX
2205 ATLANTIC AVENUE S
COCOA BCH FL 32931-0000

SUPLEE, JAMES F
SUPLEE, SUSAN B H/W
40 VICTORIA SQUARE
MEDIA PA 19063-0000

SUPLEE, JAMES F
SUPLEE, SUSAN B H/W
2022 JULEP DR UNIT 306
COCOA BCH FL 32931-0000

SUPLEE, JAMES F
SUPLEE, SUSAN B H/W
40 VICTORIA SQUARE
NEDUA PA 19063-0000

SWANN, JIM
516 DELANNOY AVE
COCOA FL 32922-0000

SZYMANSKI, JAMES G
SZYMANSKI, KATHLEEN A H/W
2012 JULEP DRIVE #307
COCOA BCH FL 32931-0000

TAL, ORI
150 COCOA ISLES BLVD STE 202
COCOA BCH FL 32931-3093

TALMAGE, RICHARD F
TALMAGE, SALLY ANN H/W
2012 JULEP DRIVE #105
COCOA BCH FL 32931-0000

TOLENTINO, FELIPE I
TOLENTINO, FLORA L
1443 HOLLINGSWORTH OAKS DR
LAKELAND FL 33803-0000

VAN DEN BROM, HEINTJE V D TRUSTEE
P O BOX 320998
COCOA BCH FL 32932-0998

WALKER, HAROLD E
WALKER, SONIA O H/W LIFE ESTATE
77 ROOSEVELT ROAD
TORONTO ON M4J 4T8
CANADA 00000-0000

WEINSTEIN, JEFFREY B
2012 JULEP DR UNIT #102
COCOA BCH FL 32931-0000

WILEY, ROSE MARIE TRUSTEE
2001 JULEP DR UNIT A-205
COCOA BCH FL 32931-0000

WILLIAMS, GARY N
WILLIAMS, MARGARET A H/W
P O BOX 372547
SATELLITE BCH FL 32937-0547

WILLIAMS, GARY N
WILLIAMS, MARGARET A H/W
2001 JULEP DR UNIT#106
COCOA BCH FL 32931-4927

YAWN, JOSEPH B
2101 S ATLANTIC AVE UNIT 109
COCOA BCH FL 32931-0000

YELLE, A COURTNEY
YELLE, ELOISE H LIFE ESTATE
2001 JULEP DR #204
COCOA BCH FL 32931-0000

FRIEDMAN, SAMUEL B | FRIEDMAN, JOAN H | H/W | 2022 | JULEP DRIVE #301 | COCOA BCH FL 32931-0000
 FRIEDMAN, SAMUEL B | FRIEDMAN, JOAN H | H/W | 2022 | JULEP DRIVE #301 | COCOA BCH FL 32931-0000
 FRUSTACI, MARCELLO T | FRUSTACI, KAREN | 2012 | JULEP DR UNIT 309 | COCOA BCH FL 32931-0000
 FRUSTACI, MARCELLO T | FRUSTACI, KAREN | 2012 | JULEP DR UNIT 309 | COCOA BCH FL 32931-0000
 FRUSTACI, MARCELLO T | FRUSTACI, KAREN | 2012 | JULEP DR UNIT 309 | COCOA BCH FL 32931-0000
 FRUSTACI, MARCELLO T | FRUSTACI, KAREN | 2012 | JULEP DR UNIT 309 | COCOA BCH FL 32931-0000
 FULLER, GARRY W | FULLER, HEIDI E | H/W | 2012 | JULEP DR #303 | COCOA BCH FL 32931-0000
 FULLER, GARRY W | FULLER, HEIDI E | H/W | 2012 | JULEP DR #303 | COCOA BCH FL 32931-0000
 FULLER, GARRY W | FULLER, HEIDI E | H/W | 2012 | JULEP DR #303 | COCOA BCH FL 32931-0000
 FULLER, GARRY W | FULLER, HEIDI E | H/W | 2012 | JULEP DR #303 | COCOA BCH FL 32931-0000
 GEIGER, BARBARA G | TRUSTEE | 1455 ARUNDEL WAY | MELBOURNE FL 32940-0000
 GEIGER, BARBARA G | TRUSTEE | 1455 ARUNDEL WAY | MELBOURNE FL 32940-0000
 GLAZER, MARCUS JOEL | TRUSTEE | 1920 ADMIRALTY BLVD | ROCKLEDGE FL 32955-0000
 GLAZER, MARCUS JOEL | TRUSTEE | 1920 ADMIRALTY BLVD | ROCKLEDGE FL 32955-0000
 GUY, MICHAEL GUY, THERESA H/W | 2012 | JULEP DR #308 | COCOA BCH FL 32931-0000
 GUY, MICHAEL GUY, THERESA H/W | 2012 | JULEP DR #308 | COCOA BCH FL 32931-0000
 GUY, MICHAEL GUY, THERESA H/W | 2012 | JULEP DR #308 | COCOA BCH FL 32931-0000
 GUY, MICHAEL GUY, THERESA H/W | 2012 | JULEP DR #308 | COCOA BCH FL 32931-0000
 HASH, DENISE M | 147 CHESTNUT HILLS | NEW HARTFORD NY 13413-2909
 HENDERSON, DAVID ALLEN | HENDERSON, MAXINE E | H/W | 2022 | JULEP DRIVE #202 | COCOA BCH FL 32931-0000
 HENDERSON, DAVID ALLEN | HENDERSON, MAXINE E | H/W | 2022 | JULEP DRIVE #202 | COCOA BCH FL 32931-0000
 HENDERSON, DAVID ALLEN | HENDERSON, MAXINE E | H/W | 2022 | JULEP DRIVE #202 | COCOA BCH FL 32931-0000
 HOBGOOD, CHARLES DAVID | HOBGOOD, BEVERLY JEAN | LIFE ESTATE | 2012 | JULEP DR UNIT 209 | COCOA BCH FL 32931-0000
 HOBGOOD, CHARLES DAVID | HOBGOOD, BEVERLY JEAN | LIFE ESTATE | 2012 | JULEP DR UNIT 209 | COCOA BCH FL 32931-0000
 HOBGOOD, CHARLES DAVID | HOBGOOD, BEVERLY JEAN | LIFE ESTATE | 2012 | JULEP DR UNIT 209 | COCOA BCH FL 32931-0000
 HOBGOOD, CHARLES DAVID | HOBGOOD, BEVERLY JEAN | LIFE ESTATE | 2012 | JULEP DR UNIT 209 | COCOA BCH FL 32931-0000
 HOLLOWAY, MARK S | 2012 | JULEP DR #204 | COCOA BCH FL 32931-0000
 HOLLOWAY, MARK S | 2012 | JULEP DR #204 | COCOA BCH FL 32931-0000
 HOLLOWAY, MARK S | 2012 | JULEP DR #204 | COCOA BCH FL 32931-0000
 HOLMES, DAVID C II | P O BOX 146 | FAYETTEVILLE WV 25840-0146
 HOLMES, DAVID C II | P O BOX 146 | FAYETTEVILLE WV 25840-0146
 HUDSON, THOMAS M | HUDSON, NANCY L | H/W | 2012 | JULEP DRIVE #103 | COCOA BCH FL 32931-0000
 HUDSON, THOMAS M | HUDSON, NANCY L | H/W | 2012 | JULEP DRIVE #103 | COCOA BCH FL 32931-0000
 HUDSON, THOMAS M | HUDSON, NANCY L | H/W | 2012 | JULEP DRIVE #103 | COCOA BCH FL 32931-0000
 HUDSON, THOMAS M | HUDSON, NANCY L | H/W | 2012 | JULEP DRIVE #103 | COCOA BCH FL 32931-0000
 HUDSON, THOMAS M | HUDSON, NANCY L | H/W | 2012 | JULEP DRIVE #103 | COCOA BCH FL 32931-0000
 HUSTON, RONALD P | 1834 RIVER LANE | ANOKA MN 55303-2880
 HUSTON, RONALD P | 1834 RIVER LANE | ANOKA MN 55303-2880
 HUSTON, RONALD P | 1834 RIVER LANE | ANOKA MN 55303-2880
 HUSTON, RONALD P | 1834 RIVER LANE | ANOKA MN 55303-2880
 IVERS, MARILYN J | P O BOX 725 | INDEPENDENCE WI 54747-0725
 IVERS, MARILYN J | P O BOX 725 | INDEPENDENCE WI 54747-0725
 JEJ LLC | 19506 W 161ST TERRACE | STILLWELL KS 66085-0000
 JONES, CAROLE J | 2022 JULEP DRIVE #206 | COCOA BCH FL 32931-0000
 JONES, CAROLE J | 2022 JULEP DRIVE #206 | COCOA BCH FL 32931-0000
 JONES, CAROLE J | 2022 JULEP DRIVE #206 | COCOA BCH FL 32931-0000
 JONES, VERNON ALAN | JONES, CAROLE J | H/W | 2022 | JULEP DRIVE #206 | COCOA BCH FL 32931-0000
 JOSSELSOHN, MARY S | 2305 S ATLANTIC AVE | COCOA BCH FL 32931-0000
 KELLEY, ROBERT W | KELLEY, HELEN S | H/W | LIFE ESTATE | 3337 PENINSULA CIRCLE | MELBOURNE FL 32940-0000
 KELLEY, ROBERT W | KELLEY, HELEN S | H/W | LIFE ESTATE | 3337 PENINSULA CIRCLE | MELBOURNE FL 32940-0000
 KIRSCHENBAUM, MALCOLM R | KIRSCHENBAUM, JANE S | TRUSTEES | 11 FERN ST | COCOA BCH FL 32931-0000
 KIRSCHENBAUM, MALCOLM R | SUN BANK NA CO-TRUSTEES | 1516 DELANNOY AVE | COCOA FL 32922-0000
 KWONG, FRANK K | KWONG, POLLY A | H/W | 2012 | JULEP DRIVE #301 | COCOA BCH FL 32931-0000
 KWONG, FRANK K | KWONG, POLLY A | H/W | 2012 | JULEP DRIVE #301 | COCOA BCH FL 32931-0000
 KWONG, FRANK K | KWONG, POLLY A | H/W | 2012 | JULEP DRIVE #301 | COCOA BCH FL 32931-0000
 KWONG, FRANK K | KWONG, POLLY A | H/W | 2012 | JULEP DRIVE #301 | COCOA BCH FL 32931-0000
 LAKSANDHAN LLC | 180 RIVER FALLS DRIVE | COCOA BCH FL 32931-0000
 LATKANICH, ROCHELLE J | 12101 S ATLANTIC AVE #311 | COCOA BCH FL 32931-0000
 LAWHEAD, LAWRENCE E | LAWHEAD, VIVIAN K | H/W | 13199 DITCH RD | CARMEL IN 46032-0000
 LAWHEAD, LAWRENCE E | LAWHEAD, VIVIAN K | H/W | 13199 DITCH RD | CARMEL IN 46032-0000

ROSS, KENNETH S | ROSS, KATHRYN K | H/W | 4019 PALMA CEIA CIRCLE | WINTER HAVEN FL | 33884-0000
ROSS, KENNETH S | ROSS, KATHRYN K | H/W | 4019 PALMA CEIA CIRCLE | WINTER HAVEN FL | 33884-0000
ROSS, KENNETH S | ROSS, KATHRYN K | H/W | 4019 PALMA CEIA CIRCLE | WINTER HAVEN FL | 33884-0000
ROSS, KENNETH S | ROSS, KATHRYN K | H/W | 4019 PALMA CEIA CIRCLE | WINTER HAVEN FL | 33884-0000
RUNYON, THOMAS E | 13731 DUNWOODY CLUB DR | DUNWOODY GA | 30350-0000
RUNYON, THOMAS E | RUNYON, GERRI L | 13731 DUNWOODY CLUB DR | ATLANTA GA | 30350-0000
SALEJEE, IBRAHIM DAWOODJEE, MARIAM H/W | 2012 JULEP DRIVE #306 | COCOA BCH FL | 32931-0000
SALEJEE, IBRAHIM DAWOODJEE, MARIAM H/W | 2012 JULEP DRIVE #306 | COCOA BCH FL | 32931-0000
SALEJEE, IBRAHIM DAWOODJEE, MARIAM H/W | 2012 JULEP DRIVE #306 | COCOA BCH FL | 32931-0000
SALEJEE, IBRAHIM DAWOODJEE, MARIAM H/W | 2012 JULEP DRIVE #306 | COCOA BCH FL | 32931-0000
SALEJEE, ISMAIL KLOS, LENA J | H/W | 2001 JULEP DR UNIT #104 | COCOA BCH FL | 32931-0000
SALEJEE, ISMAIL KLOS, LENA J | H/W | 2001 JULEP DR UNIT #104 | COCOA BCH FL | 32931-0000
SALEJEE, ISMAIL KLOS, LENA J | H/W | 2001 JULEP DR UNIT #104 | COCOA BCH FL | 32931-0000
SALEJEE, ISMAIL KLOS, LENA J | H/W | 2001 JULEP DR UNIT #104 | COCOA BCH FL | 32931-0000
SALEJEE, ISMAIL KLOS, LENA J | H/W | 2001 JULEP DR UNIT #104 | COCOA BCH FL | 32931-0000
SCHLURAFF, BARBARA J | 2022 JULEP DRIVE #203 | COCOA BCH FL | 32931-0000
SCHLURAFF, BARBARA J | 2022 JULEP DRIVE #203 | COCOA BCH FL | 32931-0000
SCHLURAFF, BARBARA J | 2022 JULEP DRIVE #203 | COCOA BCH FL | 32931-0000
SCHLURAFF, BARBARA J | 2022 JULEP DRIVE #203 | COCOA BCH FL | 32931-0000
SCHRADER, RICHARD A | 11709 JAKE ANDREW AVE | IN LAS VEGAS NV | 89086-0000
SEED, MICHAEL | SEED, SHEILA | LIFE ESTATE | 31 EILEEN CRES | STITTSVILLE ON | K2S 1X2 | CANADA | 00000-0000
SHAKE, SAMUEL D | SHAKE, CAROL A | H/W | 2022 JULEP DRIVE UNIT 105 | COCOA BCH FL | 32931-0000
SHEA, JEREMY C | SHEA, ANN D | H/W | 7304 CEDAR CREEK TRL | MADISON WI | 53717-0000
SHEA, JEREMY C | SHEA, ANN D | H/W | 7304 CEDAR CREEK TRL | MADISON WI | 53717-0000
SHEPHERD, MARGARET ANNE | 1116 CRESCENT BEACH DR | COCOA BCH FL | 32931-2207
SIBERT, DONALD E | 612 PINE TREE DR | INDIAN LANTIC FL | 32903-0000
SILVERMAN, DAVID | 4655 LAKE WASHINGTON RD | MELBOURNE FL | 32934-7660
SILVERMAN, LOUIS L | ESTATE | 4655 LAKE WASHINGTON RD | MELBOURNE FL | 32934-7660
SOUTH BEACH COVE DEVELOPMENT CORP | 12210 ATLANTIC AVE S | COCOA BCH FL | 32931-0000
SPRINGER, DIANE C | 2012 JULEP DR #207 | COCOA BCH FL | 32931-0000
SPRINGER, DIANE C | 2012 JULEP DR #207 | COCOA BCH FL | 32931-0000
SPRINGER, DIANE C | 2012 JULEP DR #207 | COCOA BCH FL | 32931-0000
SPRINGER, DIANE C | 2012 JULEP DR #207 | COCOA BCH FL | 32931-0000
SULLIVAN, ROBERT MARX | 2205 ATLANTIC AVENUE S | COCOA BCH FL | 32931-0000
SUPLEE, JAMES F | SUPLEE, SUSAN B | H/W | 40 VICTORIA SQUARE | MEDIA PA | 19063-0000
SUPLEE, JAMES F | SUPLEE, SUSAN B | H/W | 40 VICTORIA SQUARE | MEDIA PA | 19063-0000
SUPLEE, JAMES F | SUPLEE, SUSAN B | H/W | 2022 JULEP DR UNIT 306 | COCOA BCH FL | 32931-0000
SUPLEE, JAMES F | SUPLEE, SUSAN B | H/W | 40 VICTORIA SQUARE | MEDIA PA | 19063-0000
SWANN, JIM | 1516 DELANNOY AVE | COCOA FL | 32922-0000
SZYMANSKI, JAMES G | SZYMANSKI, KATHLEEN A | H/W | 2012 JULEP DRIVE #307 | COCOA BCH FL | 32931-0000
SZYMANSKI, JAMES G | SZYMANSKI, KATHLEEN A | H/W | 2012 JULEP DRIVE #307 | COCOA BCH FL | 32931-0000
SZYMANSKI, JAMES G | SZYMANSKI, KATHLEEN A | H/W | 2012 JULEP DRIVE #307 | COCOA BCH FL | 32931-0000
SZYMANSKI, JAMES G | SZYMANSKI, KATHLEEN A | H/W | 2012 JULEP DRIVE #307 | COCOA BCH FL | 32931-0000
TAL, ORII | 1150 COCOA ISLES BLVD STE 202 | COCOA BCH FL | 32931-3093
TALMAGE, RICHARD F | TALMAGE, SALLY ANN | H/W | 2012 JULEP DRIVE #105 | COCOA BCH FL | 32931-0000
TALMAGE, RICHARD F | TALMAGE, SALLY ANN | H/W | 2012 JULEP DRIVE #105 | COCOA BCH FL | 32931-0000
TALMAGE, RICHARD F | TALMAGE, SALLY ANN | H/W | 2012 JULEP DRIVE #105 | COCOA BCH FL | 32931-0000
TALMAGE, RICHARD F | TALMAGE, SALLY ANN | H/W | 2012 JULEP DRIVE #105 | COCOA BCH FL | 32931-0000
TALMAGE, RICHARD F | TALMAGE, SALLY ANN | H/W | 2012 JULEP DRIVE #105 | COCOA BCH FL | 32931-0000
TOLENTINO, FELIPE I | TOLENTINO, FLORA L | 1443 HOLLINGSWORTH OAKS DR | LAKE LAND FL | 33803-0000
VAN DEN BROM, HEINTJE V D | TRUSTEE | P O BOX 320998 | COCOA BCH FL | 32932-0998
VAN DEN BROM, HEINTJE V D | TRUSTEE | P O BOX 320998 | COCOA BCH FL | 32932-0998
VAN DEN BROM, HEINTJE V D | TRUSTEE | P O BOX 320998 | COCOA BCH FL | 32932-0998
VAN DEN BROM, HEINTJE V D | TRUSTEE | P O BOX 320998 | COCOA BCH FL | 32932-0998
WALKER, HAROLD E | WALKER, SONIA O | H/W | LIFE ESTATE | 77 ROOSEVELT ROAD | TORONTO ON M4J 4T8 | CANADA | 00000-0000
WEINSTEIN, JEFFREY B | 2012 JULEP DR UNIT #102 | COCOA BCH FL | 32931-0000
WEINSTEIN, JEFFREY B | 2012 JULEP DR UNIT #102 | COCOA BCH FL | 32931-0000
WEINSTEIN, JEFFREY B | 2012 JULEP DR UNIT #102 | COCOA BCH FL | 32931-0000
WEINSTEIN, JEFFREY B | 2012 JULEP DR UNIT #102 | COCOA BCH FL | 32931-0000
WILEY, ROSE MARIE | TRUSTEE | 2001 JULEP DR UNIT A-205 | COCOA BCH FL | 32931-0000
WILEY, ROSE MARIE | TRUSTEE | 2001 JULEP DR UNIT A-205 | COCOA BCH FL | 32931-0000
WILEY, ROSE MARIE | TRUSTEE | 2001 JULEP DR UNIT A-205 | COCOA BCH FL | 32931-0000

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WILEY, ROSE MARIE TRUSTEE		2001 JULEP DR	DR	UNIT A-205		COCOA BCH FL	32931-0000
WILEY, ROSE MARIE TRUSTEE		2001 JULEP DR	DR	UNIT A-205		COCOA BCH FL	32931-0000
WILLIAMS, GARY N WILLIAMS,	MARGARET A H/W	P	O BOX 372547		SATELLITE BCH FL	32937-0547	
WILLIAMS, GARY N WILLIAMS,	MARGARET A H/W	P	O BOX 372547		SATELLITE BCH FL	32937-0547	
WILLIAMS, GARY N WILLIAMS,	MARGARET A H/W	2001 JULEP DR	DR	UNIT#106		COCOA BCH FL	32931-4927
WILLIAMS, GARY N WILLIAMS,	MARGARET A H/W	P	O BOX 372547		SATELLITE BCH FL	32937-0547	
WILLIAMS, GARY N WILLIAMS,	MARGARET A H/W	P	O BOX 372547		SATELLITE BCH FL	32937-0547	
YAWN, JOSEPH BJ		2101 S ATLANTIC AVE	UNIT 109		COCOA BCH FL	32931-0000	
YELLE, A COURTNEY YELLE,	ELOISE H LIFE ESTATE	2001 JULEP DR	DR	#204		COCOA BCH FL	32931-0000
YELLE, A COURTNEY YELLE,	ELOISE H LIFE ESTATE	2001 JULEP DR	DR	#204		COCOA BCH FL	32931-0000
YELLE, A COURTNEY YELLE,	ELOISE H LIFE ESTATE	2001 JULEP DR	DR	#204		COCOA BCH FL	32931-0000
YELLE, A COURTNEY YELLE,	ELOISE H LIFE ESTATE	2001 JULEP DR	DR	#204		COCOA BCH FL	32931-0000

BUFF_ID	TAXID	PARCELID	OWNER1	OWNER2	MAIL1	MAIL2	CITY	STATE	ZIP5	ZIP4
0	2526443	25 372627								
1	2538769	25 372627								
2	2527739	25 372627								
3	2539269	25 372627								
4	2538324	25 372627								
5	2538345	25 372625								
6	2520204	25 372627								
7	2521132	25 372625								
8	2520101	25 372625								
9	2520235	25 372627								
10	2520256	25 372629								
11	2538765	25 372627								
12	2536711	25 372627								
13	2538748	25 372627								
14	2536747	25 372627								
15	2520216	25 372627								
16	2536702	25 372627								
17	2538225	25 372627								
18	2538253	25 372627								
19	2538308	25 372627								
20	2538280	25 372627								
21	2538759	25 372627								
22	2538742	25 372627								
23	2538743	25 372627								
24	2538712	25 372627								
25	2520070	25 372600								
26	2538232	25 372627								
27	2538292	25 372627								
28	2538291	25 372627								
29	2538318	25 372627								
30	2538706	25 372627								
31	2538736	25 372627								
32	2538753	25 372627								
33	2538737	25 372627								
34	2538723	25 372627								
35	2538724	25 372627								
36	2538703	25 372627								
37	2538758	25 372627								
38	2538277	25 372627								
39	2538278	25 372627								
40	2538204	25 372627								
41	2538219	25 372627								
42	2538719	25 372627								
43	2538752	25 372627								
44	2538718	25 372627								
45	2538710	25 372627								
46	2520243	25 372627								
47	2520252	25 372627								
48	2520253	25 372627								
49	2520221	25 372627								
50	2520223	25 372627								
51	2538136	25 372625								
52	2538089	25 372625								
53	2538129	25 372625								
54	2538128	25 372625								
55	2520224	25 372627								

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56	2538142	25	372625	H.	7.56	CARTER, EDWARD A	CARTER, BETTY B	H/W	2001	JULEP DR UNIT #102	COCOA BCH FL 32931	0		
57	2538088	25	372625	H.	7.02	CARTER, EDWARD A	CARTER, BETTY B	H/W	2001	JULEP DR UNIT #102	COCOA BCH FL 32931	0		
58	2538113	25	372625	H.	7.27	CARTER, EDWARD A	CARTER, BETTY B	H/W	2001	JULEP DR UNIT #102	COCOA BCH FL 32931	0		
59	2538112	25	372625	H.	7.26	CARTER, EDWARD A	CARTER, BETTY B	H/W	2001	JULEP DR UNIT #102	COCOA BCH FL 32931	0		
60	2520208	25	372627	.	1.08	CAVANAGH, CYNTHIA J	RR 2	ASHTON ON KOA	180	CANADA 0	COCOA BCH FL 32931	0		
61	2520242	25	372627	.	1.09	CAVANAGH, THOMAS	CAVANAGH, KATHLEEN	H/W	1992	2	ASHTON ON KOA	180	CANADA 0	0
62	2520210	25	372627	.	1.10	CHAPIN, WILLIAM D	CHAPIN, JULIA	H/W	1992	343	MAPLE STREET	HOPKINTON NH	3229	0
63	2520245	25	372627	.	1.12	CHAPIN, WILLIAM D	CHAPIN, JULIE	H/W	1992	343	MAPLE ST	CONTOCOOK NH	3229	0
64	2520254	25	372628	.	1	CHEFS INTERN TL INC	P O BOX 1332	POINT PLEASANT BCH NJ	8742	1332				
65	2520219	25	372627	.	1.19	CHRISTENSEN, DOUGLAS J	1125	SETTLERS ROAD	HAMEL MN	55340	0			
66	2520257	25	372629	.	2	COCOA BEACH CLUB & MARINA LLC	1555	INDIAN RIVER BLVD	VERO BEACH FL	32960	0			
67	2538756	25	372627	.	3.88	COOK, TONY L	COOK, JEANNE F	H/W	2022	JULEP DR #205	COCOA BCH FL 32931	0		
68	2538741	25	372627	.	3.73	COOK, TONY L	COOK, JEANNE F	H/W	2022	JULEP DR #205	COCOA BCH FL 32931	0		
69	2538707	25	372627	.	3.39	COOK, TONY L	COOK, JEANNE F	H/W	2022	JULEP DR #205	COCOA BCH FL 32931	0		
70	2538722	25	372627	.	3.54	COOK, TONY L	COOK, JEANNE F	H/W	2022	JULEP DR #205	COCOA BCH FL 32931	0		
71	2538105	25	372625	H.	7.19	CORSA, KEJEN	CORSA, JEN Y	H/W	432	YORK DR	BENICIA CA	94510	0	
72	2538095	25	372625	H.	7.09	CORSA, KEJEN	CORSA, JEN Y	H/W	432	YORK DR	BENICIA CA	94510	0	
73	2538138	25	372625	H.	7.52	CORSA, KEJEN	CORSA, JEN Y	H/W	432	YORK DR	BENICIA CA	94510	0	
74	2538107	25	372625	H.	7.21	CORSA, KEJEN	CORSA, JEN Y	H/W	432	YORK DR	BENICIA CA	94510	0	
75	2538106	25	372625	H.	7.20	CORSA, KEJEN	CORSA, JEN Y	H/W	432	YORK DR	BENICIA CA	94510	0	
76	2538762	25	372627	.	3.94	COUCH, DAVID R	COUCH, HEATHER A	TRUSTEES	2022	JULEP DRIVE #102	COCOA BCH FL 32931	0		
77	2538698	25	372627	.	3.30	COUCH, DAVID R	COUCH, HEATHER A	TRUSTEES	2022	JULEP DRIVE #102	COCOA BCH FL 32931	0		
78	2538727	25	372627	.	3.59	COUCH, DAVID R	COUCH, HEATHER A	TRUSTEES	2022	JULEP DRIVE #102	COCOA BCH FL 32931	0		
79	2538745	25	372627	.	3.77	COUCH, DAVID R	COUCH, HEATHER A	TRUSTEES	2022	JULEP DRIVE #102	COCOA BCH FL 32931	0		
80	2520227	25	372627	.	1.27	DELMORE, PAUL	DELMORE, FRANCES KASSLER	H/W	1118	MATTHEW STREET	FARMINGTON NY	11735	0	
81	2520206	25	372627	.	1.06	DEWEY, JAMES W	DEWEY, CHARLES J	SR	2101	S ATLANTIC AVE #106	COCOA BCH FL 32931	0		
82	2538222	25	372627	.	2.27	EISENMENGER, GREGORY W	EISENMENGER, CYNTHIA H	H/W	2012	JULEP DR #107	COCOA BCH FL 32931	0		
83	2538760	25	372627	.	3.92	ELLIS, REBEKAH M	953	QUINN ST SE	PALM BAY FL	32909	0			
84	2538725	25	372627	.	3.57	ELLIS, REBEKAH M	953	QUINN ST SE	PALM BAY FL	32909	0			
85	2538726	25	372627	.	3.58	ELLIS, REBEKAH M	953	QUINN ST SE	PALM BAY FL	32909	0			
86	2538713	25	372627	.	3.45	ELLIS, REBEKAH M	953	QUINN ST SE	PALM BAY FL	32909	0			
87	2538289	25	372627	.	2.94	ENDELICATO, ANTONIO	SAMUEL ENDELICATO, DEBBIE JO	H/W	2012	JULEP DR #304	COCOA BCH FL 32931	0		
88	2538316	25	372627	.	3.21	ENDELICATO, ANTONIO	SAMUEL ENDELICATO, DEBBIE JO	H/W	2012	JULEP DR #304	COCOA BCH FL 32931	0		
89	2538237	25	372627	.	2.42	ENDELICATO, ANTONIO	SAMUEL ENDELICATO, DEBBIE JO	H/W	2012	JULEP DR #304	COCOA BCH FL 32931	0		
90	2538290	25	372627	.	2.95	ENDELICATO, ANTONIO	SAMUEL ENDELICATO, DEBBIE JO	H/W	2012	JULEP DR #304	COCOA BCH FL 32931	0		
91	2520266	25	372629	.	12	ENGELGAU, LORI ROC LIFE ESTATE	12299	S ATLANTIC AVI	COCOA BCH FL 32931	0				
92	2538761	25	372627	.	3.93	FBC OF BREVARD INC	8870	NORTH PORT WASHINGTON RD	MILWAUKEE WI	53217	0			
93	2538768	25	372627	.	4	FBC OF BREVARD INC	8870	NORTH PORT WASHINGTON RD	MILWAUKEE WI	53217	0			
94	2538751	25	372627	.	3.83	FBC OF BREVARD INC	8870	NORTH PORT WASHINGTON RD	MILWAUKEE WI	53217	0			
95	2538767	25	372627	.	3.99	FBC OF BREVARD INC	8870	NORTH PORT WASHINGTON RD	MILWAUKEE WI	53217	0			
96	2538764	25	372627	.	3.96	FBC OF BREVARD INC	8870	NORTH PORT WASHINGTON RD	MILWAUKEE WI	53217	0			
97	2538717	25	372627	.	3.49	FBC OF BREVARD INC	8870	NORTH PORT WASHINGTON RD	MILWAUKEE WI	53217	0			
98	2538735	25	372627	.	3.67	FBC OF BREVARD INC	8870	NORTH PORT WASHINGTON RD	MILWAUKEE WI	53217	0			
99	2538320	25	372627	.	3.25	FBC OF BREVARD INC	8870	NORTH PORT WASHINGTON RD	MILWAUKEE WI	53217	0			
100	2538715	25	372627	.	3.47	FBC OF BREVARD INC	8870	NORTH PORT WASHINGTON RD	MILWAUKEE WI	53217	0			
101	2538730	25	372627	.	3.62	FBC OF BREVARD INC	8870	NORTH PORT WASHINGTON RD	MILWAUKEE WI	53217	0			
102	2538294	25	372627	.	2.99	FBC OF BREVARD INC	8870	NORTH PORT WASHINGTON RD	MILWAUKEE WI	53217	0			
103	2538132	25	372625	H.	7.46	FBC OF BREVARD INC	8870	NORTH PORT WASHINGTON RD	MILWAUKEE WI	53217	0			
104	2538293	25	372627	.	2.98	FBC OF BREVARD INC	8870	NORTH PORT WASHINGTON RD	MILWAUKEE WI	53217	0			
105	2538746	25	372627	.	3.78	FBC OF BREVARD INC	8870	NORTH PORT WASHINGTON RD	MILWAUKEE WI	53217	0			
106	2520222	25	372627	.	1.22	Flickinger, David	Flickinger, Karen H/W	2101	ATLANTIC AVE S #211	COCOA BCH FL 32931	0			
107	252164	25	372600	.	.	FLORIDA, STATE OF	21	ROYAL PALM POINTE	VERO BEACH FL	32960	0			
108	2539084	25	372625	H.	60	FRANCO, MANUEL R	FRANCO, KAREN K	H/W	2001	JULEP DR APT 206	COCOA BCH FL 32931	0		
109	2538144	25	372625	H.	7.58	FRANCO, MANUEL R	FRANCO, KAREN K	H/W	2001	JULEP DR APT 206	COCOA BCH FL 32931	0		
110	2538098	25	372625	H.	7.12	FRANCO, MANUEL R	FRANCO, KAREN K	H/W	2001	JULEP DR APT 206	COCOA BCH FL 32931	0		
111	2538331	25	372625	H.	7.45	FRANCO, MANUEL R	FRANCO, KAREN K	H/W	2001	JULEP DR APT 206	COCOA BCH FL 32931	4927		
112	2538130	25	372625	H.	7.44	FRANCO, MANUEL R	FRANCO, KAREN K	H/W	2001	JULEP DR APT 206	COCOA BCH FL 32931	4927		

113	2538295	25	372627	3.	FREEMAN, JOHN L	TRUSTEE	FREEMAN, ANNETTE V	TRUSTEE	2012	JULEP DR #109	COCOA BCH FL 32931 0
114	2538296	25	372627	3.01	FREEMAN, JOHN L	TRUSTEE	FREEMAN, ANNETTE V	TRUSTEE	2012	JULEP DR #109	COCOA BCH FL 32931 0
115	2538322	25	372627	3.27	FREEMAN, JOHN L	TRUSTEE	FREEMAN, ANNETTE V	TRUSTEE	2012	JULEP DR #109	COCOA BCH FL 32931 0
116	2538324	25	372627	3.29	FREEMAN, JOHN L	TRUSTEE	FREEMAN, ANNETTE V	TRUSTEE	2012	JULEP DR #109	COCOA BCH FL 32931 0
117	2538709	25	372627	3.41	FRIEDMAN, SAMUEL B	FRIEDMAN, JOAN H	H/W/2022	JULEP DRIVE #301	COCOA BCH FL 32931 0		
118	2538731	25	372627	3.63	FRIEDMAN, SAMUEL B	FRIEDMAN, JOAN H	H/W/2022	JULEP DRIVE #301	COCOA BCH FL 32931 0		
119	2538732	25	372627	3.64	FRIEDMAN, SAMUEL B	FRIEDMAN, JOAN H	H/W/2022	JULEP DRIVE #301	COCOA BCH FL 32931 0		
120	2538766	25	372627	3.98	FRIEDMAN, SAMUEL B	FRIEDMAN, JOAN H	H/W/2022	JULEP DRIVE #301	COCOA BCH FL 32931 0		
121	2538263	25	372627	3.68	FRUSTACI, MARCELLO T	FRUSTACI, KAREN	2012	JULEP DR UNIT 309	COCOA BCH FL 32931 0		
122	2538317	25	372627	3.22	FRUSTACI, MARCELLO T	FRUSTACI, KAREN	2012	JULEP DR UNIT 309	COCOA BCH FL 32931 0		
123	2538262	25	372627	2.67	FRUSTACI, MARCELLO T	FRUSTACI, KAREN	2012	JULEP DR UNIT 309	COCOA BCH FL 32931 0		
124	2538242	25	372627	2.47	FRUSTACI, MARCELLO T	FRUSTACI, KAREN	2012	JULEP DR UNIT 309	COCOA BCH FL 32931 0		
125	2538268	25	372627	2.73	FULLER, GARRY W	FULLER, HEIDI E	H/W/2012	JULEP DR #303	COCOA BCH FL 32931 0		
126	2538267	25	372627	2.72	FULLER, GARRY W	FULLER, HEIDI E	H/W/2012	JULEP DR #303	COCOA BCH FL 32931 0		
127	2538236	25	372627	2.41	FULLER, GARRY W	FULLER, HEIDI E	H/W/2012	JULEP DR #303	COCOA BCH FL 32931 0		
128	2538321	25	372627	2.26	FULLER, GARRY W	FULLER, HEIDI E	H/W/2012	JULEP DR #303	COCOA BCH FL 32931 0		
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130	2520225	25	372627	1.25	GEIGER, BARBARA G	TRUSTEE	1455 ARUNDEL WAY	MELBOURNE FL 32940 0			
131	2520211	25	372627	1.11	GLAZER, MARCUS JOEL	TRUSTEE	1920 ADMIRALITY BLVD	ROCKLEDGE FL 32955 0			
132	2520238	25	372627	2.05	GLAZER, MARCUS JOEL	TRUSTEE	1920 ADMIRALITY BLVD	ROCKLEDGE FL 32955 0			
133	2538314	25	372627	3.19	GUY, MICHAEL GUY	THERESA H/W/2012	JULEP DR #308	COCOA BCH FL 32931 0			
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135	2538239	25	372627	2.64	GUY, MICHAEL GUY	THERESA H/W/2012	JULEP DR #308	COCOA BCH FL 32931 0			
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138	2538749	25	372627	3.81	HENDERSON, DAVID ALLEN	HENDERSON, MAXINE E	H/W/2022	JULEP DRIVE #202	COCOA BCH FL 32931 0		
139	2538704	25	372627	3.36	HENDERSON, DAVID ALLEN	HENDERSON, MAXINE E	H/W/2022	JULEP DRIVE #202	COCOA BCH FL 32931 0		
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142	2538233	25	372627	2.38	HOBGOOD, CHARLES DAVID	HOBGOOD, BEVERLY JEAN	LIFE ESTATE	2012 JULEP DR UNIT 209	COCOA BCH FL 32931 0		
143	2538239	25	372627	2.54	HOBGOOD, CHARLES DAVID	HOBGOOD, BEVERLY JEAN	LIFE ESTATE	2012 JULEP DR UNIT 209	COCOA BCH FL 32931 0		
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148	2538228	25	372627	2.33	HOLLOWAY, MARK S	2012 JULEP DR #204	COCOA BCH FL 32931 0				
149	2520246	25	372627	2.13	HOLMES, DAVID C II	P O BOX 1461	FAYETTEVILLE WV 25840 146				
150	2520233	25	372627	1.13	HOLMES, DAVID C II	P O BOX 1461	FAYETTEVILLE WV 25840 146				
151	2538273	25	372627	2.78	HUDSON, THOMAS M	HUDSON, NANCY L	H/W/2012	JULEP DRIVE #103	COCOA BCH FL 32931 0		
152	2538218	25	372627	2.23	HUDSON, THOMAS M	HUDSON, NANCY L	H/W/2012	JULEP DRIVE #103	COCOA BCH FL 32931 0		
153	2538272	25	372627	2.77	HUDSON, THOMAS M	HUDSON, NANCY L	H/W/2012	JULEP DRIVE #103	COCOA BCH FL 32931 0		
154	2538299	25	372627	3.04	HUDSON, THOMAS M	HUDSON, NANCY L	H/W/2012	JULEP DRIVE #103	COCOA BCH FL 32931 0		
155	2538094	25	372625	H.	HUSTON, RONALD P	HUSTON, CHRISANN	H/W/834 RIVER LANE	ANOKA MN 55303 2880			
156	2538143	25	372625	H.	HUSTON, RONALD P	HUSTON, CHRISANN	H/W/834 RIVER LANE	ANOKA MN 55303 2880			
157	2538114	25	372625	H.	HUSTON, RONALD P	HUSTON, CHRISANN	H/W/834 RIVER LANE	ANOKA MN 55303 2880			
158	2538115	25	372625	H.	HUSTON, RONALD P	HUSTON, CHRISANN	H/W/834 RIVER LANE	ANOKA MN 55303 2880			
159	2538116	25	372625	H.	HUSTON, RONALD P	HUSTON, CHRISANN	H/W/834 RIVER LANE	ANOKA MN 55303 2880			
160	2520239	25	372627	2.06	IVERS, MARILYN J	P O BOX 725	INDEPENDENCE WI 54747 725				
161	2520218	25	372627	1.18	IVERS, MARILYN J	P O BOX 725	INDEPENDENCE WI 54747 725				
162	2520229	25	372627	1.29	JEJ LLC	19506 W 161ST TERRACE	ISTILWELL KS 66085 0				
163	2538738	25	372627	3.70	JONES, CAROLE J	2022 JULEP DRIVE #206	COCOA BCH FL 32931 0				
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165	2538754	25	372627	3.86	JONES, CAROLE J	2022 JULEP DRIVE #206	COCOA BCH FL 32931 0				
166	2538708	25	372627	3.40	JONES, VERNON ALAN	JONES, CAROLE J	H/W/2022	JULEP DRIVE #206	COCOA BCH FL 32931 0		
167	2520264	25	372629	11.	JOSSELS, MARY S	12305 S ATLANTIC AVE	COCOA BCH FL 32931 0				
168	2520240	25	372627	2.07	KELLEY, ROBERT W	KELLEY, HELEN S	H/W LIFE ESTATE	3337 PENINSULA CIRCLE	MELBOURNE FL 32940 0		
169	2520214	25	372627	1.14	KELLEY, ROBERT W	KELLEY, HELEN S	H/W LIFE ESTATE	3337 PENINSULA CIRCLE	MELBOURNE FL 32940 0		

16PZ00055-0..txt

2.81 | PARDUE, MICHAEL TROY | PARDUE, JULIE H/W | 2012 JULEP DRIVE UNIT 106 | COCOA BCH FL 32931 0
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3. | PHILLIPS, JOYCE TRUSTEE | 152 CRESCENT BEACH DR | COCOA BCH FL 32931 0
2.60 | POHL-RODRIGUES, KAREN | 8131 VINELAND AVE #211 | ORLANDO FL 32821 0
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3.48 | RIDINGS, RICHARD O | LEARY-RIDINGS, MARIA | 448 SHADYSIDE RD | RAMSEY NJ 7446 0
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3.05 | ROSS, KENNETH S | ROSS, KATHRYN K H/W | 4019 PALMA CEIA CIRCLE | WINTER HAVEN FL 33884 0
1.05 | RUNYON, THOMAS E | 13731 DUNWOODY CLUB DR | DUNWOODY GA 30350 0
2.03 | RUNYON, THOMAS E | 13731 DUNWOODY CLUB DR | ATLANTA GA 30350 0
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3.14 | SHEA, SAMUEL | DISHAKE, CAROL A H/W | 2022 JULEP DRIVE UNIT 105 | COCOA BCH FL 32931 0
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7. | SHEPHERD, MARGARET ANNE | 116 CRESCENT BEACH DR | COCOA BCH FL 32931 2207
5. | SIBERT, DONALD E | 612 PINE TREE DR | INDIAN LANTIC FL 32903 0
1.31 | SILVERMAN, DAVID | 14655 LAKE WASHINGTON RD | MELBOURNE FL 32934 7660
2.11 | SILVERMAN, LOUIS L ESTATE | 14655 LAKE WASHINGTON RD | MELBOURNE FL 32934 7660
. | SOUTH BEACH COVE DEVELOPMENT CORP | 12210 ATLANTIC AVE S | COCOA BCH FL 32931 0
2.62 | SPRINGER, DIANE C | 2012 JULEP DR #207 | COCOA BCH FL 32931 0
2.36 | SPRINGER, DIANE C | 2012 JULEP DR #207 | COCOA BCH FL 32931 0
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3.16 | SPRINGER, DIANE C | 2012 JULEP DR #207 | COCOA BCH FL 32931 0
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3.95 | SUPLEE, JAMES F | SUPLEE, SUSAN B H/W | 40 VICTORIA SQUARE | MEDIA PA 19063 0
3.61 | SUPLEE, JAMES F | SUPLEE, SUSAN B H/W | 40 VICTORIA SQUARE | MEDIA PA 19063 0
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2. | SWANN, JIM | 1516 DELANNOY AVE | COCOA FL 32922 0
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Existing Zoning of Subject Property(ies) at Time of Application: **16PZ00055 and SSA 16S.05**

Identify

Identify from: Zoning Actions

Zoning Actions

RU-2-15

Location: 782,023.881 1,436,346.587 Feet

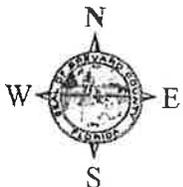
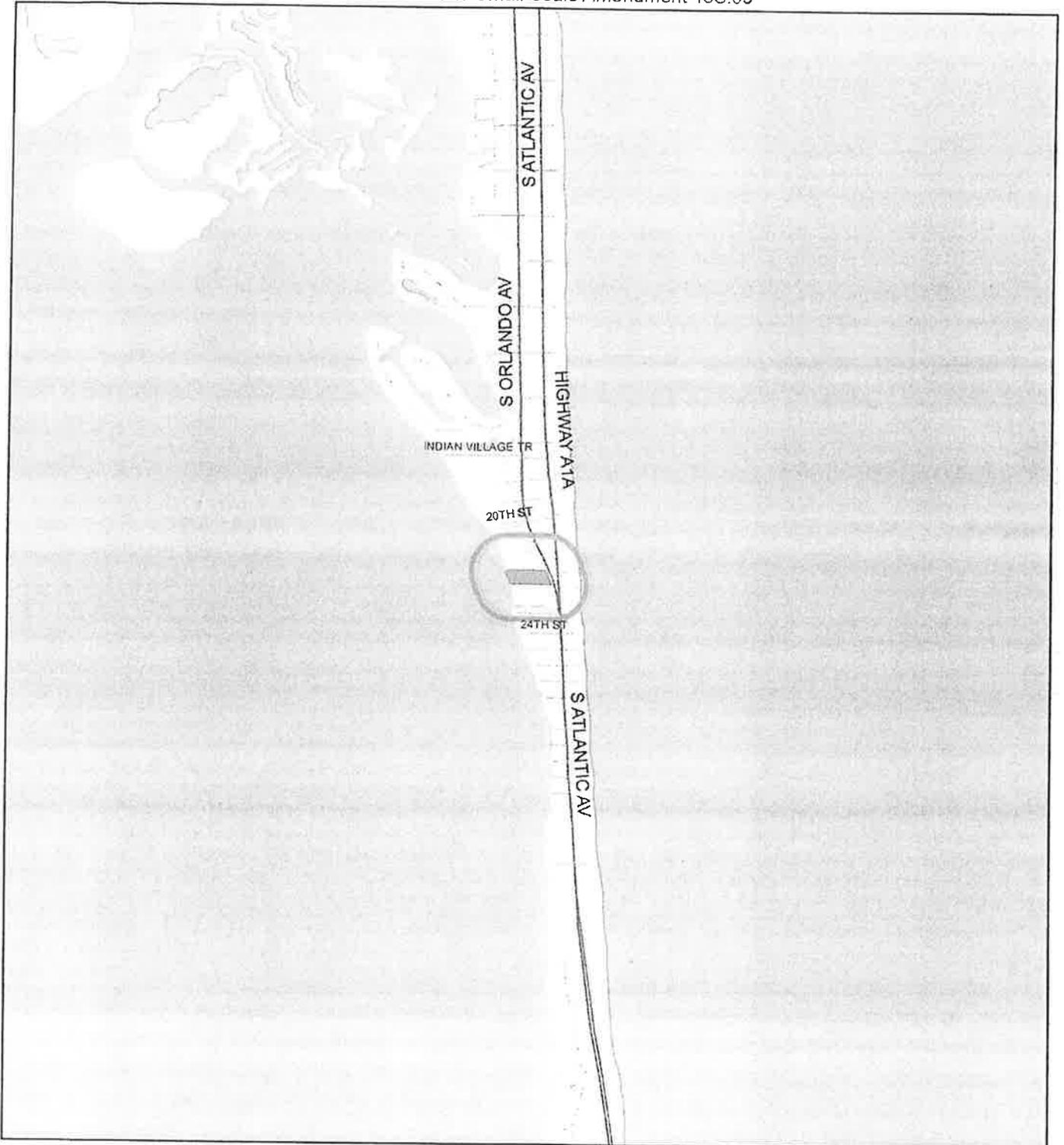
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Identified 1 feature

LOCATION MAP

BANANA RIVERFRONT LLC

16PZ00055 and Small Scale Amendment 16S.05



1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 500 feet

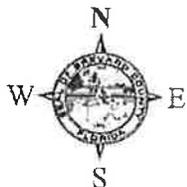
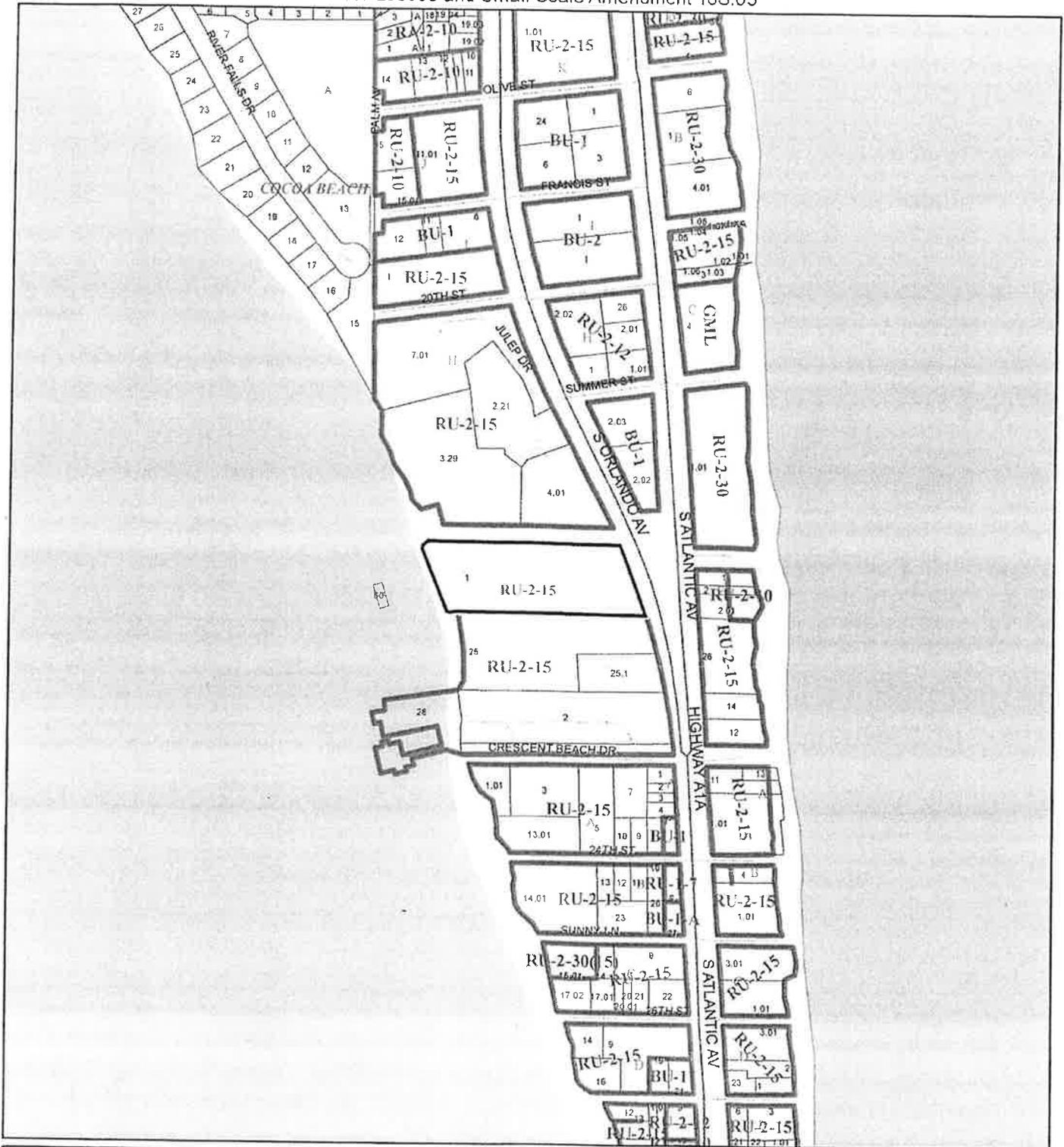
-  Buffer
-  Subject Property

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

ZONING MAP

BANANA RIVERFRONT LLC

16PZ00055 and Small Scale Amendment 16S.05



1:4,800 or 1 inch = 400 feet

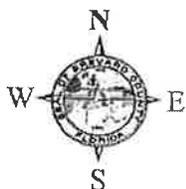
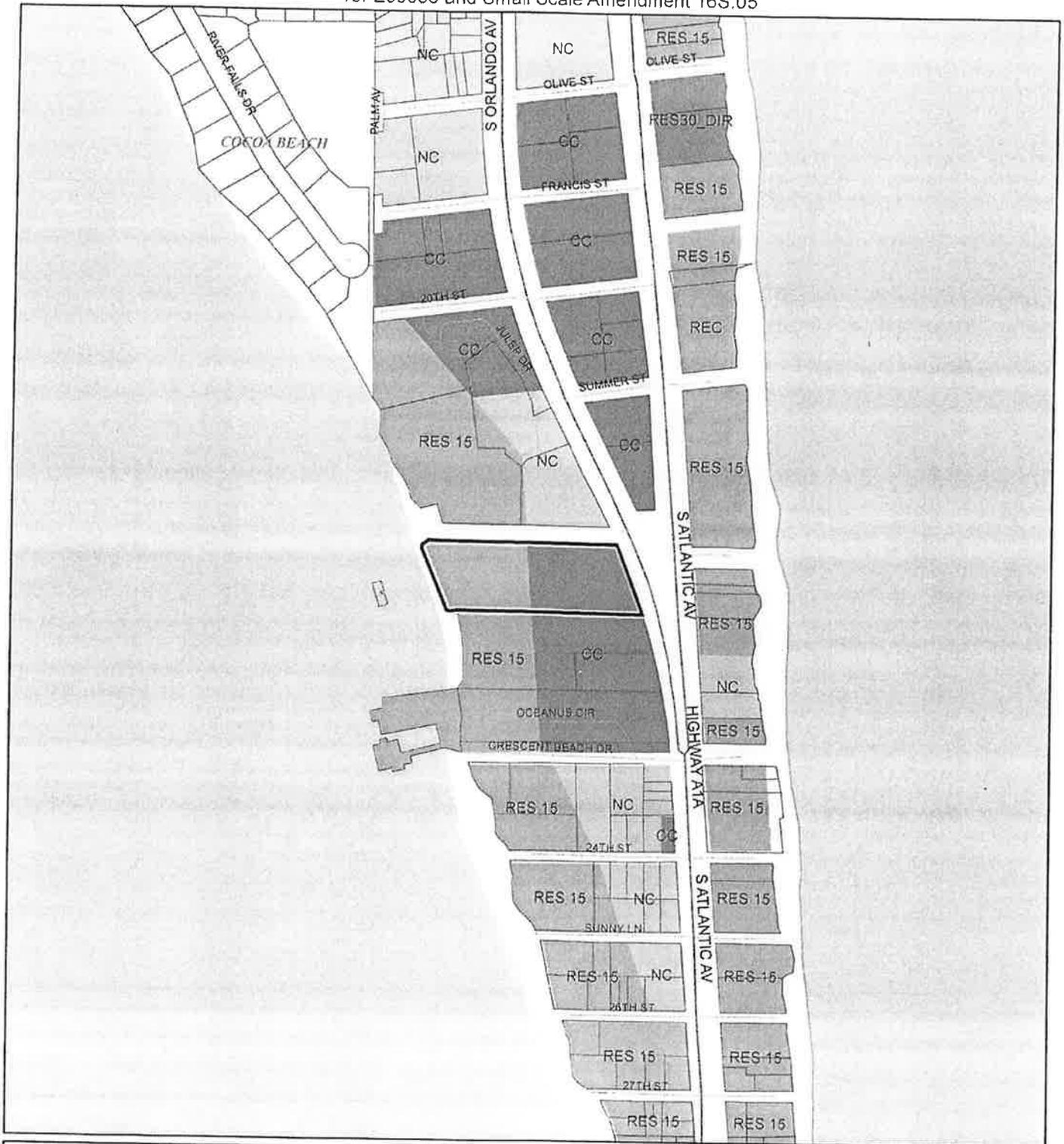
-  Subject Property
-  Parcels
-  Zoning

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

FUTURE LAND USE MAP

BANANA RIVERFRONT LLC

16PZ00055 and Small Scale Amendment 16S.05



1:4,800 or 1 inch = 400 feet

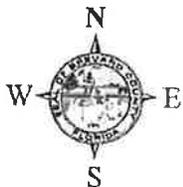
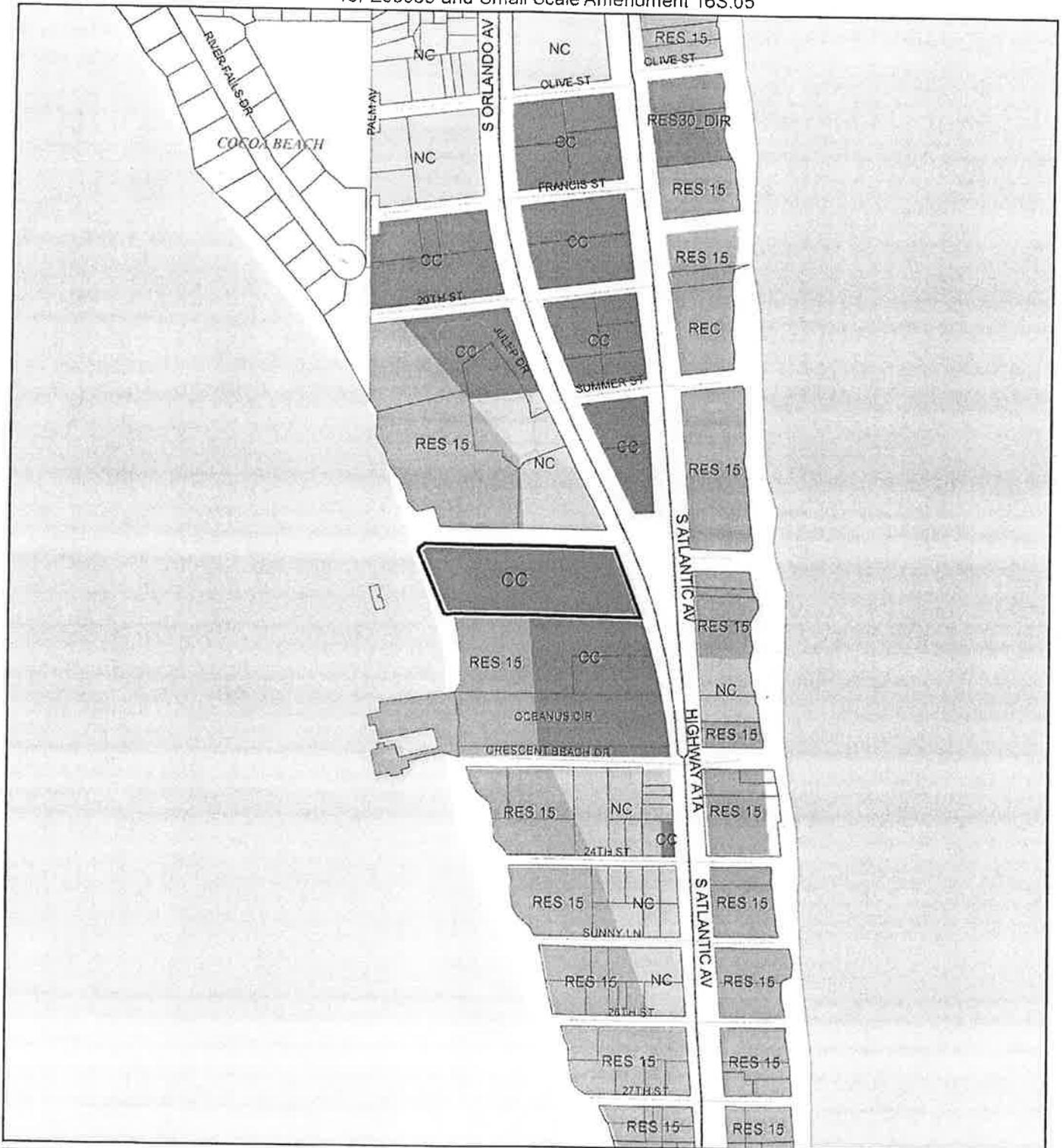
 Subject Property
 Parcels

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions herein.

PROPOSED FUTURE LAND USE MAP

BANANA RIVERFRONT LLC

16PZ00055 and Small Scale Amendment 16S.05



1:4,800 or 1 inch = 400 feet

— Subject Property
□ Parcels

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

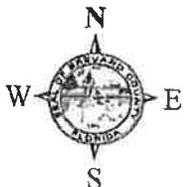
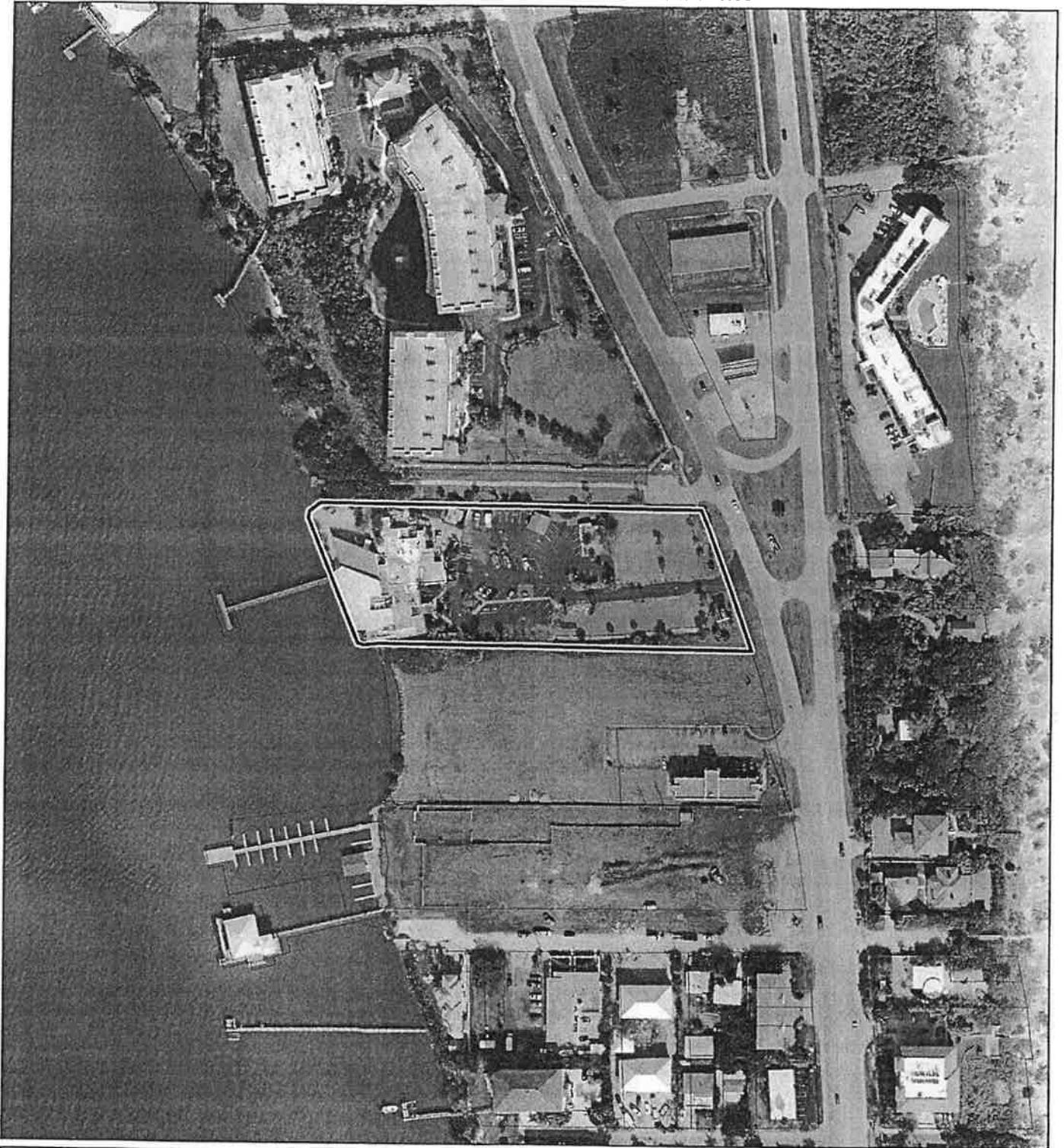
Produced by the Brevard County Planning and Zoning Office - GIS Section Date: 5/19/2016

R - 068

AERIAL MAP

BANANA RIVERFRONT LLC

16PZ00055 and Small Scale Amendment 16S.05



1:2,400 or 1 inch = 200 feet

PHOTO YEAR: 2016

 Subject Property

 Parcels

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by the Brevard County Planning and Zoning Office - GIS Section Date: 5/19/2016

R - 069

IV.B.9.

**FUTURE LAND USE MAP SERIES
PLAN AMENDMENT**

FINDINGS OF FACT (EXHIBIT B)

*Small Scale Plan Amendment 16S.05
Township 25, Range 36, Section 26*

Property Information

Owner / Applicant: Banana Riverfront, LLC

Adopted Future Land Use Map Designation: RES 15 & CC

Requested Future Land Use Map Designation: CC

Acreage: 1.26 +/- acres Tax Account #: 2520254

Site Location: West side of S. Orlando Ave., approximately 415 feet north of Crescent Beach Dr.

Current Zoning: RU-2-15

Requested Zoning: BU-1

Surrounding Land Use Analysis

	Existing Land Use	Zoning	Future Land Use
North	Road	N/A	N/A
South	Multi-family Residential	RU-2-15	RES 15/CC
East	Road	N/A	N/A
West	River	N/A	N/A

General Analysis

The subject property has an existing restaurant, with a RES 15 Future Land Use designation on the western portion of the property. This request will amend the RES 15 Future Land Use designation and provide for a Community Commercial (CC) designation for approximately 1.26 acres of the 2.44 acre parent parcel located on the west side of S. Orlando Avenue. The proposed CC small scale amendment and companion rezoning will allow for commercial uses on the entire property in conformity with the Comprehensive Plan.

The aforementioned parcel abuts an unnamed street to the north, vacant multi-family residential zoned property to the south, S. Orlando Avenue to the east and the Banana River to the west. The character of the area is mixture of multi-family residential and

neighborhood/community commercial land uses. The applicant seeks to legalize an expansion of the restaurant.

Environmental Resources

Note: The Natural Resources Management Office will provide a detailed analysis at the time of a the future request for rezoning for of the following environmental factors: Wetlands, Floodplains, Aquifer Recharge, and Endangered or Threatened Species. Applicants are encouraged to contact the Brevard County Natural Resources Management Department concerning environmental considerations prior to planning and development. Any future development will be subject to Brevard County's land development regulations.

Historic Resources

There are no recorded historic or archaeological sites on the project site according to the Master Site File from the Florida Division of Historic Resources.

Comprehensive Plan Policies/Comprehensive Plan Analysis

Comprehensive Plan Policies are shown in plain text; Staff Findings of Fact are shown in *italics*

Notice: The Comprehensive Plan establishes the broadest framework for reviewing development applications and provides the initial level of review in a three layer screening process. The second level of review entails assessment of the development application's consistency with Brevard County's zoning regulations. The third layer of review assesses whether the development application conforms to site planning/land development standards of the Brevard County Land Development Code. While each of these layers individually affords its own evaluative value, all three layers must be cumulatively considered when assessing the appropriateness of a specific development proposal.

Role of the Comprehensive Plan in the Designation of Commercial Lands Policy 2.1

The Comprehensive Plan takes into consideration broad criteria for evaluating requests for commercial land use designations within Brevard County. At a minimum, these criteria address the following:

Criteria:

- A. Overall accessibility to the site;

The subject parcel has direct access to South Orlando Avenue and SR A1A, an Urban Principal Arterial roadway.

- B. Compatibility and inter-connectivity with adjacent adopted Future Land Use designations and land uses;

This request represents approximately 1.26 acres of the 2.44 acre parent parcel, which has both RES 15 and CC Future Land Use designation.

- C. Existing commercial development trend in the area;

There is an existing node of community commercial developments within the area.

- D. Fundamental changes in the character of an area prompted by infrastructure improvements undertaken by the County;

There are no fundamental changes in the character of the area as a result of infrastructure improvements.

- E. Availability of required infrastructure at/above adopted levels of service;

The SR A1A is a state facility. The preliminary concurrency analysis did not indicate that the proposed development may cause a deficiency of adopted levels of service.

- F. Spacing from other commercial activities;

The subject parcel abuts a multi-family residential project to the north and a vacant multi-family zoned property to the south. There are limited commercial uses in this area of South Cocoa Beach.

- G. Size of proposed commercial designation compared with current need for commercial lands;

This request represents approximately 1.26 acres of parent parcel.

- H. Adherence to the objectives/policies of the Conservation Element and minimization of impacts upon natural resources and systems;

An environmental analysis will be required by NRMCO at the site plan review stage.

- I. Integration of open space; and

This will be evaluated during site plan review.

- J. Impacts upon strip commercial development.

This request would not impact strip commercial development.

**Activities Permitted in Community Commercial (CC) Future Land Use Designations
Policy 2.7**

Community Commercial (CC) development activities are intended to serve several neighborhoods, sub-regional and regional areas and provide an array of retail, personal and professional uses. Development activities which may be considered within the Community Commercial (CC) Future Land Use designation, provided that the guidelines listed in Table 2.2 are met, include the following:

- a) Existing strip commercial;
- b) Transient commercial uses;
- c) Tourist commercial uses;
- d) Professional offices;
- e) Personal service establishments;
- f) Retail establishments;
- g) Non-retail commercial uses;
- h) Residential uses;
- i) Institutional uses;
- j) Recreational uses;
- k) Public facilities;
- l) Transitional uses pursuant to Policy 2.12; and
- m) Planned Industrial Park development (as permitted by PIP zoning).

The applicant indicated that the proposed use will be an expansion of the existing restaurant use.

Locational and Development Criteria for Community Commercial Uses

Policy 2.8

Locational and development criteria for community commercial land uses are as follows:

Criteria:

- A. Community Commercial clusters of up to ten (10) acres in size should be located at arterial/arterial intersections. Collector/arterial intersections are acceptable for clusters of up to ten (10) acres in size, however, the collector roadways must serve multiple residential areas. Intrusion of these land uses into the surrounding residential areas shall be limited. For Community Commercial clusters greater than ten (10) acres in size, they must be located at principal arterial/principal arterial intersections.

The subject parcel is less than 10 acres.

- B. Community commercial complexes should not exceed 40 acres at an intersection.

The subject parcel is approximately 1.26 acres and is not located at an intersection.

- C. Community commercial clusters up to 10 acres in size should be spaced at least 2 miles apart and community commercial clusters up to 40 acres in size should be spaced at least five (5) miles apart.

The subject parcel is less than 10 acres.

- D. The gross floor area of community commercial complexes should not exceed 150,000 square feet for commercial clusters up to 10 acres in size and shall not exceed 400,000 square feet for commercial clusters greater than 10 acres but less than 40 acres in size.

The gross floor area is regulated through the land development regulations at the time of site plan review.

- E. Floor Area Ratio (FAR) of up to 1.00 will be permitted for Community Commercial sites.

The FAR is regulated through the land development regulations at the time of site plan review.

Summary

The proposed change in Future Land Use on 1.26 acres of the parent parcel from RES 15 to CC is located on the east side of S. Orlando Avenue. There is existing multifamily residential development to the north that is designated Residential 15 and Neighborhood Commercial. To the south is a vacant multi-family residential property that is designated Residential 15 and Community Commercial. The applicant intends to expand commercial uses associated with the existing restaurant.

The companion rezoning to BU-1 will allow for expansion of the existing restaurant.

STAFF IS REQUESTING TABLING OF THIS ITEM FOR READVERTISING

IV.B.9.

Commission District # 2 (16PZ00055)
Initial Hearing Dates: P&Z 07/11/16 BCC 08/04/16

REZONING REVIEW WORKSHEET

Applicant Name: BANANA RIVERFRONT, LLC

Request: Small Scale Plan Amendment (16S.05) from Res 15 & CC to all CC; and a change from RU-2-15 to BU-1

Subject Property:

Parcel ID#: 25-37-26-28-00-1

Tax Acct#: 2520254

Location: West side of Orlando Ave., approx. 415 ft. north of Crescent Beach Dr.

Address: 2200 S. Orlando Ave., Cocoa Beach

Acreage: 2.44 acres

THIS ITEM WAS TABLED FROM THE 7/11/16 P&Z MEETING
**FUTURE LAND USE MAP SERIES
PLAN AMENDMENT**

IV.B.3.

FINDINGS OF FACT (EXHIBIT B)

*Small Scale Plan Amendment 16S.05
Township 25, Range 36, Section 26*

Property Information

Owner / Applicant: Banana Riverfront, LLC

Adopted Future Land Use Map Designation: RES 15 & CC

Requested Future Land Use Map Designation: CC

Acreage: 1.26 +/- acres Tax Account #: 2520254

Site Location: West tside of S. Orlando Ave., approximately 415 Ft north of Crescent Beach Dr.

Current Zoning: RU-2-15

Requested Zoning: BU-1

Surrounding Land Use Analysis

	Existing Land Use	Zoning	Future Land Use
North	Road	N/A	N/A
South	Multifamily Residential	RU-2-15	RES 15/CC
East	Road	N/A	N/A
West	River	N/A	N/A

General Analysis

The subject property has an existing restaurant, with a RES 15 Future Land Use designation. This request will amend the RES 15 Future Land Use designation and provide for a Community Commercial (CC) designation for approximately 1.26 acres of parent parcel located on the eastside of S. Orlando Avenue. The proposed CC small scale amendment and companion rezoning will allow for commercial uses on the property and conformity with the Comprehensive Plan.

The aforementioned parcel abuts an unnamed street to the north, multifamily residential development to the south, S. Orlando Avenue to the east which has a NC future land use designation, vacant land to the south and east and Banana River to the west. The character

of the area is mixture of multifamily residential and commercial land uses. The existing restaurant can continue to operate as a nonconforming use in the footprint that existed prior to 2016. The applicant, however, seeks to legalize an expansion of the restaurant and therefore, requires a Community Commercial land use designation along with a rezoning to BU-1.

Environmental Resources

Note: The Natural Resources Management Office will provide a detailed analysis at the time of a the future request for rezoning for of the following environmental factors: Wetlands, Floodplains, Aquifer Recharge, and Endangered or Threatened Species. Applicants are encouraged to contact the Brevard County Natural Resources Management Office concerning environmental considerations prior to planning and development. Any future development will be subject to Brevard County's land development regulations.

Historic Resources

There are no recorded historic or archaeological sites on the project site according to the Master Site File from the Florida Division of Historic Resources.

Comprehensive Plan Policies/Comprehensive Plan Analysis

Comprehensive Plan Policies are shown in plain text; Staff Findings of Fact are shown in *italics*

Notice: The Comprehensive Plan establishes the broadest framework for reviewing development applications and provides the initial level of review in a three layer screening process. The second level of review entails assessment of the development application's consistency with Brevard County's zoning regulations. The third layer of review assesses whether the development application conforms to site planning/land development standards of the Brevard County Land Development Code. While each of these layers individually affords its own evaluative value, all three layers must be cumulatively considered when assessing the appropriateness of a specific development proposal.

Role of the Comprehensive Plan in the Designation of Commercial Lands

Policy 2.1

The Comprehensive Plan takes into consideration broad criteria for evaluating requests for commercial land use designations within Brevard County. At a minimum, these criteria address the following:

Criteria:

- A. Overall accessibility to the site;

The subject parcel has direct access to 2200 Orlando Avenue and SR A1A, an Urban Principal Arterial roadway.

- B. Compatibility and inter-connectivity with adjacent adopted Future Land Use designations and land uses;

This request represents approximately 1.26 acres of parent parcel, which has both RES 15 and CC Future Land Use designation.

- C. Existing commercial development trend in the area;

There is an existing node of community commercial development within the area.

- D. Fundamental changes in the character of an area prompted by infrastructure improvements undertaken by the County;

There have not been fundamental changes in the character of the area as a result of infrastructure improvements.

- E. Availability of required infrastructure at/above adopted levels of service;

The SR A1A is a state facility. The preliminary concurrency analysis did not indicate that the proposed development may cause a deficiency of adopted levels of service.

- F. Spacing from other commercial activities;

The subject parcel is adjacent to other developed commercial land uses.

- G. Size of proposed commercial designation compared with current need for commercial lands;

This request represents approximately 1.26 acres of parent parcel.

- H. Adherence to the objectives/policies of the Conservation Element and minimization of impacts upon natural resources and systems;

The Board should note NRMO's analyses included in the zoning staff comments. A 50 Feet surface water protection buffer is required from Class II waters of the Indian River lagoon. The addition that the applicant seek to legalize through this comprehensive plan amendment encroaches in the buffer area.

- I. Integration of open space; and

This will be evaluated during site plan review.

- J. Impacts upon strip commercial development.

There is no other existing commercial development adjacent to this property.

Activities Permitted in Community Commercial (CC) Future Land Use Designations Policy 2.7

Community Commercial (CC) development activities are intended to serve several neighborhoods, sub-regional and regional areas and provide an array of retail, personal and professional uses. Development activities which may be considered within the Community Commercial (CC) Future Land Use designation, provided that the guidelines listed in Table 2.2 are met, include the following:

- a) Existing strip commercial;
- b) Transient commercial uses;
- c) Tourist commercial uses;
- d) Professional offices;
- e) Personal service establishments;
- f) Retail establishments;
- g) Non-retail commercial uses;
- h) Residential uses;
- i) Institutional uses;
- j) Recreational uses;
- k) Public facilities;
- l) Transitional uses pursuant to Policy 2.12; and
- m) Planned Industrial Park development (as permitted by PIP zoning).

The applicant indicated that the proposed use will be an expansion of the existing restaurant use.

Locational and Development Criteria for Community Commercial Uses Policy 2.8

Locational and development criteria for community commercial land uses are as follows:

Criteria:

- A. Community Commercial clusters of up to ten (10) acres in size should be located at arterial/arterial intersections. Collector/arterial intersections are acceptable for clusters of up to ten (10) acres in size, however, the collector roadways must serve multiple residential areas. Intrusion of these land uses into the surrounding residential areas shall be limited. For Community Commercial clusters greater than ten (10) acres in size, they must be located at principal arterial/principal arterial intersections.

The subject parcel is less than 10 acres.

- B. Community commercial complexes should not exceed 40 acres at an intersection.

The subject parcel is approximately 1.26 acres and is not located at an intersection.

- C. Community commercial clusters up to 10 acres in size should be spaced at least 2 miles apart and community commercial clusters up to 40 acres in size should be spaced at least five (5) miles apart.

The subject parcel is less than 10 acres.

- D. The gross floor area of community commercial complexes should not exceed 150,000 square feet for commercial clusters up to 10 acres in size and shall not exceed 400,000 square feet for commercial clusters greater than 10 acres but less than 40 acres in size.

The gross floor area is regulated through the land development regulations at the time of site plan review.

- E. Floor Area Ratio (FAR) of up to 1.00 will be permitted for Community Commercial sites.

The FAR is regulated through the land development regulations at the time of site plan review.

Summary

The proposed change in Future Land Use on 1.26 acres of parent parcel from RES 15 to CC located is located on the east side of S. Orlando Avenue. There are existing commercial and multifamily residential development on the west and east side of said road. The applicant seeks this comprehensive plan amendment in order to expand commercial uses associated with the existing restaurant. A 50 feet surface water protection buffer is required from Class II waters, per Policy 3.3 (a) of the Conservation Element.

The companion rezoning to BU-1 will allow for expansion the existing restaurant. The applicant is advised that should the Comprehensive Plan amendment and rezoning application be approved, it does not vest the owner from meeting all requisite Comprehensive Plan policies and Land Development regulations. Furthermore, it does not guarantee that the illegal expansion of the use can remain.

THIS ITEM WAS TABLED FROM THE 7/11/16 MEETING
Commission District # 2 (16PZ00055)
Initial Hearing Dates: P&Z 08/08/16 BCC 09/01/16

IV.B.3.

REZONING REVIEW WORKSHEET

Applicant Name: BANANA RIVERFRONT, LLC

Request: Small Scale Plan Amendment (16S.05) from Res 15 & CC to all CC; and a change from RU-2-15 to BU-1 with a CUP for alcohol

Subject Property:

Parcel ID#: 25-37-26-28-00-1
Tax Acct#: 2520254
Location: West side of Orlando Ave., approx. 415 ft. north of Crescent Beach Dr.
Address: 2200 S. Orlando Ave., Cocoa Beach
Acreage: 2.44 acres

Consistency with Land Use Regulations

YES Current zoning can be considered under the Future Land Use Designation. Sec. 62-1255
NO** Proposal can be considered under the Future Land Use Designation. Sec. 62-1255
YES Would proposal maintain acceptable Levels of Service (LOS) (XIII 1.6.C)

	CURRENT	PROPOSED
Zoning	RU-2-15	BU-1
Potential*	6 Residential Units	20,038 s.f
Can be Considered under FLU MAP	YES RESIDENTIAL 15	NO**

*Zoning potential for concurrency analysis purposes only, subject to applicable land development regulations.

**Requires a Small Scale Plan Amendment from Residential 15 to all Community Commercial

Trips from Existing Zoning	40	4	Segment Number	335G
Trips from Proposed Zoning	1,799	150	Segment Name	SR A1A
Maximum Acceptable Volume (MAV)	19,440	1,750	Acceptable LOS	D
Current Volume	9,900	891	Directional Split	1
Volume With Proposed Development	11,699	1,041	ITE CODE 931	
Current Volume / MAV	50.93%	50.93%		
Volume / MAV with Proposal	60.18%	60.18%		
Current LOS	D	D		
LOS With Proposal	D	D		

Land Use Compatibility

FLUE Policy 1.1 requires consideration of land use compatibility and character of the area.

The request is for the BU-1 zoning classification. The BU-1 classification allows retail commercial land uses on minimum 7,500 square foot lots. The BU-1 classification does not permit warehousing or wholesaling. The surrounding properties are zoned RU-2-15 to the north, south and west. The RU-2-15 classification permits multiple-family residential uses or single-family residences at a density of up to 15 units per acre on 7,500 square foot lots. The subject property is located on the west side of A1A, south of the City of Cocoa Beach along the Banana River. This area of Cocoa Beach is characterized by a mixture of single-family, multi-family and commercial uses. The Board should evaluate the compatibility of this application within the context of Administrative Policies 2 - 8 of the Future Land Use Element, as outlined on pages 2 through 5 of these staff comments.

Environmental Constraints

_____ * Does the project appear to meet county use or density restrictions based upon:
 * Refer to NRM's comments following these staff comments.

The following environmental factors may affect development potential (Policies 1.1.A, II.2.E, and 3.1.F, of the Future Land Use Element):

Environmental Factor	Preliminary Assessment of Factor	Environmental Factor	Preliminary Assessment of Factor
Hydric Soils	Mapped	Coastal Protection	NA
Aquifer Recharge Soils	Mapped	Surface Water Protection	Class II, Aquatic Preserve
Floodplains	Mapped	Habitat for Protected Species	Potential

Note: This is a preliminary review based upon environmental maps available to the Natural Resources Management (NRM) at the time of this review and does not include a site inspection to verify the accuracy of this information. This review does not ensure whether a proposed use or development of the property can be permitted under current federal, state or local regulations. Hydric Soils may be associated with wetlands. If applicable, the full text of NRM's comments follow these staff comments.

Other Considerations: This request represents the applicant's desire to re-establish the existing restaurant, "Squid Lips", also known previously as the "Lobster Shanty". In 2006, the subject property was rezoned to RU-2-15 and the Future Land Use designation was changed to Residential 15, for the development of a multi-family project (Z-11289). However it appears that there is no longer a desire to develop the property as multi-family. Historically, the property was zoned BU-1 for the restaurant use with a CUP for alcohol in 1974 (Z-3712).

As the restaurant continued to operate and the use was never abandoned, the restaurant has been able to continue as a "non-conforming" use, as defined in Section 62-1181. Without seeking County approval, the current owner has expanded the restaurant footprint to provide additional seating space including an outside covered patio, enclosed previously open areas and added asphalt in areas of the parking lot that were previously serving as heat islands and landscaping. Since non-conforming structures cannot be expanded pursuant to Section 62-1182, it is necessary for the property to be rezoned to commercial (BU-1) in order for the restaurant use to be continued and expanded as the applicant desires. Additionally, the CUP for alcoholic beverages needs to be re-established pursuant to section 62-1901 (e).

The Land Development Regulations require one parking space for every 100 square feet of the establishment including any outside seating areas. Until the appropriate permits and site plan revisions are made to the subject property showing the improvements, it is not clear how many seats or outside seating areas will be required/provided. However, the subject property as a stand-alone restaurant has designated parking available on the east side of the property.

The Board should consider the compatibility of the proposed CUP pursuant to Section 62-1151(c) and to Section 62-1901, as outlined on pages 6-9 of these comments. Section 62-1901 provides that the approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. **The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved.** Section 62-1151(c) directs the Board to consider the character of the land use of the property and its surroundings; changes in the conditions of the land use being considered; impact upon infrastructure; compatibility with land use plans for the area; and appropriateness of the CUP based upon consideration of applicable regulations relating to zoning and land use within the context of public health, safety and welfare. The applicant has submitted documentation in order to demonstrate consistency with the standards set forth in Section 62-1901 and Section 62-1906, on-premises consumption of alcohol. The applicant's responses are indicated in **bold** and staff observations are provided in *italics*.

Section 62-1901(c)(1)(a) Impact upon adjacent and nearby properties from the proposed use:

Number of persons using property;
Noise, odor, particulates, smoke, fumes and other emissions; and
Increase in traffic within the vicinity.

The requested "renewal" of the conditional use for on-premises consumption of alcoholic beverages will not result in a substantial or adverse impact on adjacent or nearby properties as the restaurant is only expanding its outside seating that faces the Indian River Lagoon. The property has been used as a restaurant since 1952. Outdoor seating has been a part of the property for at least 30 years. The anticipated expansion of outdoor seating is 50 seats. "Exhibit A" reveals the expanded elevated dock and walkway; Exhibit B shows the extent of the deck and walkway before expansion. The hours of operation and outdoor entertainment will remain the same as the historical use, with closing hours of 10 p.m. Sunday through Thursday, and 11:00 p.m. on Friday and Saturday. The restaurant will meet all performance standards.

Section 62-1901(c)(1)(b) Compatibility with the character of adjacent and nearby properties with regard to use:

Adjacent properties;
Operating hours;
Amount of traffic generated;
Building size and setbacks; and
Parking availability.

The renewal of the conditional use will be compatible with the character of the adjacent and nearby properties as it has since the Property operated as a restaurant in 1952. The Conditional Use Consumption of Liquor, Beer & Wine was approved by the County Commission on July 11, 1974. See "Exhibit C".

Furthermore, the County acknowledged on January 15, 2016, that the property complied with the County zoning requirements for the sale of alcoholic beverages on the property. See "Exhibit D".

Staff has received complaints from neighboring residential property owners regarding the overflow of restaurant parking onto their properties.

Section 62-1901(c)(1)(c) Impact upon property values of abutting residential properties:

The renewal of the conditional use will not cause any diminution in value of the multi-family property to the north as the restaurant (and 1974 CUP) is not expanding its hours and will meet all performance standards.

Section 62-1901(c)(2)(a) Adequacy of ingress and egress to serve the use without burdening adjacent and nearby uses:

There will be no change to the ingress and egress to the property or the restaurant due to the renewed conditional use.

Section 62-1901(c)(2)(b) Noise, glare, odor, particulates, smoke, fumes, etc.:

The renewal of the conditional use will not create any additional noise, glare, odor, particulates, smoke, fumes or other emissions.

Section 62-1901(c)(2)(c) Actual Noise Levels:

The restaurant will continue to comply with the County noise standards.

The applicant has expressed an intent to have outside music, which may impact adjacent residential properties.

Section 62-1901(c)(2)(d) Impact upon solid waste disposal level of service:

There will be no need for additional solid waste disposal due to the renewed conditional use.

Section 62-1901(c)(2)(e) Impact upon potable water and waste water levels of service:

There will be no additional need for potable water or wastewater-due to the renewed conditional use.

Section 62-1901(c)(2)(f) Screening and buffering:

There will be no additional screening or buffering due to the renewed conditional use.

Section 62-1901(c)(2)(g) Signage and glare from lighting:

There will be no additional signage or due to the renewed conditional use. There will be additional lighting on the expanded deck and walkway that will be directed into the seating area or shielded so it does not cause spillage on adjoining properties.

Section 62-1901(c)(2)(h) Hours of operation:

The hours of operation will remain the same as the current restaurant hours and will not adversely affect the multi-family residents to the north.

Section 62-1901(c)(2)(i) Height of proposed use:

The building already exists and meets County height limitations.

The existing building is one story.

Section 62-1901(c)(2)(j) Impact of off-street parking and loading areas upon adjacent properties:

The parking and loading areas have existed in the same configuration since 1955, when the smaller building was constructed. This requested CUP will not increase the need for parking spaces or loading zones as the interior seating has been reduced to accommodate the additional exterior seating. Additionally, Banana Riverfront has entered into an agreement with Living Bread Christian Fellowship, Inc., to provide additional parking of approximately 45 spaces for use by the property's employees and customers. See "Exhibit E"

From historical aerial photos it appears that the parking lot has removed previously existing landscaped heat islands and other non-asphalted areas to add parking spaces. Staff has received complaints from neighboring residential property owners regarding the overflow of restaurant parking onto their properties.

This request should be evaluated in the context of **Section 62-1906** which governs alcoholic beverages for the on-premises consumption of alcohol which states in, specifically 62-1906 (3) and (5)

- 3) Except for restaurants with more than 50 seats, no alcoholic beverages shall be sold or served for consumption on the premises from any building that is within 300 feet from the lot line of a school or church if the use of the property as a school or church was established prior to the commencement of the sale of such alcoholic beverages. For the purposes of this subsection, a school shall include only grades kindergarten through 12. For the purpose of establishing the distance between the proposed alcoholic beverage use and churches and schools, a certified survey shall be furnished from a registered engineer or surveyor. Such survey shall indicate the distance between the front door of the proposed place of business and all property lines of any church or school within 400 feet. Each survey shall indicate all such distances and routes.

The existing restaurant has more than 50 seats and is not subject to this requirement.

- 5) Imposition of additional operational requirements. When deemed appropriate, as based upon circumstances revealed through the general and specific standards of review set forth in this division, the Board shall have the option of imposing operational requirements upon an establishment approved for a conditional use for on-premises consumption of alcoholic beverages. Requirements may include, but are not limited to, the following: maximum number of patrons; hours of operation; limitations upon outdoor seating and service of alcoholic beverages; limitations upon outside music and/or public address systems; additional buffering requirements; additional parking requirements; internal floor plan arrangement; or other specific restrictions based upon special neighborhood considerations. Additional requirements shall not exceed the limits of regulatory authority granted to local governments in the State Beverage Law, F.S. § 562.45.

The Board may wish to impose operating hour limitations on outside music given the proximity of residential uses.

Summary: In 2006 the subject property, home of the existing "Squid Lips" restaurant, was rezoned to RU-2-15 for the purposes of developing a multi-family project. The property was not redeveloped as a multi-family project, and the restaurant remained open. The property owner was therefore able to keep the restaurant as a non-conforming use. However, the applicant desires to legalize the expanded seating space and the enclosed areas that have recently been added without permits. The code prohibits non-conforming uses from expanding pursuant to Section 62-1182 and it is therefore necessary to change the zoning back to BU-1 for the restaurant use and re-establish the Conditional Use Permit for on-premises consumption of alcohol.

A Small Scale Comprehensive Plan Amendment accompanies this request to change the existing Future Land Use from Residential 15 to Community Commercial.

These comments address only the zoning and land use regulations. Other code provisions (such as environmental regulations) may apply but are not addressed in these comments. The applicant should note that the Comprehensive Plan Amendment and rezoning applications, if approved, do not vest the owner from meeting all requisite land development regulations and does not guarantee that the illegal additions can remain.

**NATURAL RESOURCES MANAGEMENT DEPARTMENT
 Rezoning Review
 SUMMARY**

Item #: 16PZ00055	Applicant: Banana Riverfront, LLC
Zoning Request: Res 15/CC to CC and RU-2-15 to BU-1	BCC Hearing Date: 08/04/16
P&Z: 07/11/16	

This is a preliminary review based on environmental maps available to the Natural Resources Management Department (NRM) at the time of this review and does not include a site inspection to verify the accuracy of this information. This review does not ensure whether or not a proposed use, specific site design, or development of the property can be permitted under current Federal, State, or County Regulations. In that this process is not the appropriate venue for site plan review, specific site designs that may be submitted with the rezoning will be deemed conceptual and any comments or omissions relative to specific site design do not provide vested rights or waivers from these regulations, unless specifically requested by the owner and approved by the Board of County Commissioners. If the owner has any questions regarding this information, he/she is encouraged to contact NRM prior to submittal of any development or construction plans.

Natural Resource	Preliminary Assessment	Natural Resource	Preliminary Assessment
Wetlands Potential/Hydric Soils	Mapped	Coastal Protection	N/A
Aquifer Recharge Soils	Mapped	Surface Waters	Class II, Aquatic Preserve, OFW
Floodplains	Mapped	Wildlife	Potential

Comments:

This review relates to the following property: Twp. 25, Rng. 37, Sec. 26; Tax ID No. 2520254

The subject parcel contains mapped hydric soils (Canaveral-Anclote Complex, gently undulating) and SJRWMD wetlands, an indicator that wetlands may be present on the property. Section 62-3694(c)(3)b has allowances for wetland impacts for commercial uses along "Mitigation Qualified Roadways" (MQRs). Orlando Avenue is an MQR. The applicant would be required to complete High Function and Landscape Level wetlands assessments prior to the allowance of any impacts. Board approval may be required for impacts. Any permitted wetland impacts must meet the requirements of Sections 62-3694(e) and 62-3696. The applicant is encouraged to contact NRM at 321-633-2016 prior to performing any activities, plan, or permit submittal.

The subject parcel contains mapped aquifer recharge soils (Canaveral-Palm Beach-Urban Land Complex and Canaveral-Anclote Complex, gently undulating (also hydric)). The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance.

The western portion of the property is located on surfaces waters classified as Aquatic Preserve, Class II, and Outstanding Florida Water. A 50-foot surface water protection buffer is required. The applicant is hereby notified of development restrictions within Policy 3.3 of the Conservation Element. Accessory structures within the buffer are permissible with conditions (e.g., stormwater management provided, avoidance/minimization of impacts, maximum 30% impervious). The applicant is encouraged to contact NRM at 321-633-2016 prior to any activities, sit plan or permit submittal.

The property is mapped as being within the estuarine floodplain as identified by the Federal Emergency Management Agency and is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance.

Per Section 62-3666(13) of the Surface Water Protection ordinance; redevelopment or expansion of existing or development of new residential/recreational, commercial/recreational and commercial/industrial marinas shall not be located in Aquatic Preserves or Outstanding Florida Waters so as to substantially and materially have a negative impact on these waters. All marinas shall affirmatively demonstrate compliance with Policy 9.9 of the Conservation element and Objective 5 and subsequent policies of the Coastal Management element of the Brevard County Comprehensive Plan, as amended. The affirmation shall include, but not be limited to, siting, habitat, and water quality criteria.

Information available to NRM indicates that federally and/or state protected species may be present on the property. Prior to any plan, permit submittal, or development activity, including land clearing, the applicant should obtain any necessary permits or clearance letters from the Florida Fish and Wildlife Conservation Commission and/or U.S. Fish and Wildlife Service, as applicable.

The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for preservation and canopy coverage requirements. Applicant should contact NRM prior to performing any land clearing activities.

There are recent unpermitted site development activities on subject property. Staff has not had the opportunity to assess these activities. Potential non-compliance issues include impacts related to surface water protection, wetlands protection, floodplain protection, and land clearing. A meeting with the applicant's engineer of record is scheduled. A detailed assessment will be performed at that time.

THIS ITEM WAS TABLED FROM THE 7/11/16 & 8/8/16 P&Z MEETING
FUTURE LAND USE MAP SERIES
PLAN AMENDMENT
(REVISED 8/29/2016)
FINDINGS OF FACT (EXHIBIT B)

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

Small Scale Plan Amendment 16S.05
Township 25, Range 36, Section 26

Property Information

Owner / Applicant: Banana Riverfront, LLC

Adopted Future Land Use Map Designation: RES 15 & CC

Requested Future Land Use Map Designation: CC

Acreage: 1.26 +/- acres Tax Account #: 2520254

Site Location: West side of S. Orlando Ave., approximately 415 Ft north of Crescent Beach Dr.

Current Zoning: RU-2-15

Requested Zoning: BU-1

Surrounding Land Use Analysis

	Existing Land Use	Zoning	Future Land Use
North	Road	N/A	N/A
South	Non-conforming Office Building (built prior to RU-2-15 zoning)	RU-2-15	RES 15/CC
East	Road	N/A	N/A
West	River	N/A	N/A

General Analysis

The subject property has an existing restaurant, with a RES 15 Future Land Use designation. This request will amend the RES 15 Future Land Use designation and provide for a Community Commercial (CC) designation for approximately 1.26 acres of parent parcel located on the west side of S. Orlando Avenue. The proposed CC small scale amendment and companion rezoning will allow for commercial uses on the property.

The aforementioned parcel abuts a substandard unnamed right of way to the north, an unimproved multifamily residential development to the south, S. Orlando Avenue to the east which has a NC future land use designation, and Banana River to the west. The character of

the area is primarily multifamily residential with scattered commercial land uses. The existing restaurant can continue to operate as a nonconforming use in the footprint that existed prior to 2016. The applicant, however, seeks to legalize an expansion of the restaurant and therefore, requires a Community Commercial land use designation along with a rezoning to BU-1.

Environmental Resources

Note: The Natural Resources Management Office will provide a detailed analysis at the time of a the future request for rezoning for of the following environmental factors: Wetlands, Floodplains, Aquifer Recharge, and Endangered or Threatened Species. Applicants are encouraged to contact the Brevard County Natural Resources Management Office concerning environmental considerations prior to planning and development. Any future development will be subject to Brevard County's land development regulations.

Historic Resources

There are no recorded historic or archaeological sites on the project site according to the Master Site File from the Florida Division of Historic Resources.

Comprehensive Plan Policies/Comprehensive Plan Analysis

Comprehensive Plan Policies are shown in plain text; Staff Findings of Fact are shown in *italics*

Notice: The Comprehensive Plan establishes the broadest framework for reviewing development applications and provides the initial level of review in a three layer screening process. The second level of review entails assessment of the development application's consistency with Brevard County's zoning regulations. The third layer of review assesses whether the development application conforms to site planning/land development standards of the Brevard County Land Development Code. While each of these layers individually affords its own evaluative value, all three layers must be cumulatively considered when assessing the appropriateness of a specific development proposal.

Role of the Comprehensive Plan in the Designation of Commercial Lands

Policy 2.1

The Comprehensive Plan takes into consideration broad criteria for evaluating requests for commercial land use designations within Brevard County. At a minimum, these criteria address the following:

Criteria:

- A. Overall accessibility to the site;

The subject parcel has direct access to 2200 Orlando Avenue and SR A1A, an Urban Principal Arterial roadway.

- B. Compatibility and inter-connectivity with adjacent adopted Future Land Use designations and land uses;

This request represents approximately 1.26 acres of parent parcel, which has both RES 15 and CC Future Land Use designation.

- C. Existing commercial development trend in the area;

There is an existing node of community commercial development within the area.

- D. Fundamental changes in the character of an area prompted by infrastructure improvements undertaken by the County;

There have not been fundamental changes in the character of the area as a result of infrastructure improvements. This area, however, has been developing its multi-family residential character since the early 2000's, as evidenced by the rezoning to RU-2-15 in 2006.

- E. Availability of required infrastructure at/above adopted levels of service;

The SR A1A is a state facility. The preliminary concurrency analysis did not indicate that the proposed development may cause a deficiency of adopted levels of service.

- F. Spacing from other commercial activities;

The subject parcel is adjacent to other properties designated NC or CC, many of which are developed or zoned as multi-family residential.

- G. Size of proposed commercial designation compared with current need for commercial lands;

This request represents approximately 1.26 acres of parent parcel.

- H. Adherence to the objectives/policies of the Conservation Element and minimization of impacts upon natural resources and systems;

The Board should note NRMCO's analyses included in the zoning staff comments. A 50 foot surface water protection buffer is required from Class II waters of the Indian River lagoon. The addition that the applicant seeks to legalize through this comprehensive plan amendment encroaches in the buffer area.

- I. Integration of open space; and

This will be evaluated during site plan review.

- J. Impacts upon strip commercial development.

There is no other existing commercial development adjacent to this property.

**Activities Permitted in Community Commercial (CC) Future Land Use Designations
Policy 2.7**

Community Commercial (CC) development activities are intended to serve several neighborhoods, sub-regional and regional areas and provide an array of retail, personal and professional uses. Development activities which may be considered within the Community Commercial (CC) Future Land Use designation, provided that the guidelines listed in Table 2.2 are met, include the following:

- a) Existing strip commercial;
- b) Transient commercial uses;
- c) Tourist commercial uses;
- d) Professional offices;
- e) Personal service establishments;
- f) Retail establishments;
- g) Non-retail commercial uses;
- h) Residential uses;
- i) Institutional uses;
- j) Recreational uses;
- k) Public facilities;
- l) Transitional uses pursuant to Policy 2.12; and
- m) Planned Industrial Park development (as permitted by PIP zoning).

The applicant indicated that the proposed use will be an expansion of the existing restaurant use.

**Locational and Development Criteria for Community Commercial Uses
Policy 2.8**

Locational and development criteria for community commercial land uses are as follows:

Criteria:

- A. Community Commercial clusters of up to ten (10) acres in size should be located at arterial/arterial intersections. Collector/arterial intersections are acceptable for clusters of up to ten (10) acres in size, however, the collector roadways must serve multiple residential areas. Intrusion of these land uses into the surrounding residential areas shall be limited. For Community Commercial clusters greater than ten (10) acres in size, they must be located at principal arterial/principal arterial intersections.

The subject parcel is less than 10 acres.

- B Community commercial complexes should not exceed 40 acres at an intersection.

The subject parcel is approximately 1.26 acres and is not located at an intersection.

- C Community commercial clusters up to 10 acres in size should be spaced at least 2 miles apart and community commercial clusters up to 40 acres in size should be spaced at least five (5) miles apart.

The subject parcel is less than 10 acres.

- D The gross floor area of community commercial complexes should not exceed 150,000 square feet for commercial clusters up to 10 acres in size and shall not exceed 400,000 square feet for commercial clusters greater than 10 acres but less than 40 acres in size.

The gross floor area is regulated through the land development regulations at the time of site plan review.

- E Floor Area Ratio (FAR) of up to 1.00 will be permitted for Community Commercial sites.

The FAR is regulated through the land development regulations at the time of site plan review.

Summary

The proposed change in Future Land Use on 1.26 acres of parent parcel from RES 15 to CC located is located on the west side of S. Orlando Avenue. There are primarily multi-family existing commercial and multifamily residential development on the west and east side of said road with scattered commercial uses. The applicant seeks this comprehensive plan amendment in order to expand commercial uses associated with the existing restaurant. A 50 foot surface water protection buffer is required from Class II waters, per Policy 3.3 (a) of the Conservation Element.

The companion rezoning to BU-1 will allow for expansion the existing restaurant. The applicant is advised that should the Comprehensive Plan amendment and rezoning application be approved, it does not vest the owner from meeting all requisite Comprehensive Plan policies and Land Development regulations. Furthermore, it does not guarantee that the illegal expansion of the use can remain.

THIS ITEM WAS TABLED FROM THE 7/11/16 & 8/4/16 MEETING

IV.B.7.

Commission District # 2 (16PZ00055)
Initial Hearing Dates: P&Z 09/12/16 BCC 10/06/16
 (REVISED 8/29/2016)
REZONING REVIEW WORKSHEET

Applicant Name: BANANA RIVERFRONT, LLC

Request: Small Scale Plan Amendment (16S.05) from Res 15 & CC to all CC; and a change from RU-2-15 to BU-1 with a CUP for alcohol

Subject Property:

Parcel ID#: 25-37-26-28-00-1
Tax Acct#: 2520254
Location: West side of Orlando Ave., approx. 415 ft. north of Crescent Beach Dr.
Address: 2200 S. Orlando Ave., Cocoa Beach
Acreage: 2.44 acres

Consistency with Land Use Regulations

YES Current zoning can be considered under the Future Land Use Designation. Sec. 62-1255
NO** Proposal can be considered under the Future Land Use Designation. Sec. 62-1255
YES Would proposal maintain acceptable Levels of Service (LOS) (XIII 1.6.C)

	CURRENT	PROPOSED
Zoning	RU-2-15	BU-1
Potential*	6 Residential Units	20,038 s.f
Can be Considered under FLU MAP	YES RESIDENTIAL 15	NO**

*Zoning potential for concurrency analysis purposes only, subject to applicable land development regulations.
 **Requires a Small Scale Plan Amendment from Residential 15 to all Community Commercial

Trips from Existing Zoning	40	4	Segment Number	335G
Trips from Proposed Zoning	1,799	150	Segment Name	SR A1A
Maximum Acceptable Volume (MAV)	19,440	1,750	Acceptable LOS	D
Current Volume	9,900	891	Directional Split	1
Volume With Proposed Development	11,699	1,041	ITE CODE 931	
Current Volume / MAV	50.93%	50.93%		
Volume / MAV with Proposal	60.18%	60.18%		
Current LOS	D	D		
LOS With Proposal	D	D		

Land Use Compatibility

FLUE Policy 1.1 requires consideration of land use compatibility and character of the area.

The request is for the BU-1 zoning classification. The BU-1 classification allows retail commercial land uses on minimum 7,500 square foot lots. The BU-1 classification does not permit warehousing or wholesaling. The surrounding properties are zoned RU-2-15 to the north, south and west. The RU-2-15 classification permits multiple-family residential uses or single-family residences at a density of up to 15 units per acre on 7,500 square foot lots. The subject property is located on the west side of A1A, south of the City of Cocoa Beach along the Banana River. This area of Cocoa Beach is characterized by a mixture of single-family, multi-family and commercial uses. The Board should evaluate the compatibility of this application within the context of Administrative Policies 2 - 8 of the Future Land Use Element, as outlined on pages 2 through 5 of these staff comments.

Environmental Constraints

* Does the project appear to meet county use or density restrictions based upon:
 * Refer to NRM's comments following these staff comments.

The following environmental factors may affect development potential (Policies 1.1.A, II.2.E, and 3.1.F, of the Future Land Use Element):

Environmental Factor	Preliminary Assessment of Factor	Environmental Factor	Preliminary Assessment of Factor
Hydric Soils	Mapped	Coastal Protection	NA
Aquifer Recharge Soils	Mapped	Surface Water Protection	Class II, Aquatic Preserve
Floodplains	Mapped	Habitat for Protected Species	Potential

Note: This is a preliminary review based upon environmental maps available to the Natural Resources Management (NRM) at the time of this review and does not include a site inspection to verify the accuracy of this information. This review does not ensure whether a proposed use or development of the property can be permitted under current federal, state or local regulations. Hydric Soils may be associated with wetlands. If applicable, the full text of NRM's comments follow these staff comments.

Other Considerations: This request represents the applicant's desire to re-establish the existing restaurant, "Squid Lips", also known previously as the "Lobster Shanty". In 2006, the subject property was rezoned to RU-2-15 and the Future Land Use designation was changed to Residential 15, for the development of a multi-family project (Z-11289). However it appears that there is no longer a desire to develop the property as multi-family and the property has been sold to another restaurateur.. Historically, the property has been previously zoned BU-1 for the restaurant use with a CUP for alcohol in 1974 (Z-3712).

As the restaurant continued to operate and the use was never abandoned, the restaurant has been able to continue as a "non-conforming" use, as defined in Section 62-1181 and could continue to do so now. Without seeking County approval, however, the current owner has expanded the restaurant footprint to provide additional seating space including an outside covered patio, enclosed previously open areas and added asphalt in areas of the parking lot that were previously serving as heat islands and landscaping. Since non-conforming structures cannot be expanded pursuant to Section 62-1182, it is necessary for the property to be rezoned to commercial (BU-1) in order for the restaurant use to be continued and expanded as the applicant desires. Additionally, the CUP for alcoholic beverages needs to be re-established pursuant to section 62-1901 (e).

The Land Development Regulations require one parking space for every 100 square feet of the establishment including any outside seating areas. Until the appropriate permits and site plan revisions are made to the subject property showing the improvements, it is not clear how many seats or outside seating areas will be required/provided. However, the subject property as a stand-alone restaurant has designated parking available on the east side of the property. Staff notes, however, that complaints regarding overflow of parking onto nearby residential properties have been received since the operation was illegally expanded beyond its nonconforming footprint.

The Board should consider the compatibility of the proposed CUP pursuant to Section 62-1151(c) and to Section 62-1901, as outlined on pages 6-9 of these comments. Section 62-1901 provides that the approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. **The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved.** Section 62-1151(c) directs the Board to consider the character of the land use of the property and its surroundings; changes in the conditions of the land use being considered; impact upon infrastructure; compatibility with land use plans for the area; and appropriateness of the CUP based upon consideration of applicable regulations relating to zoning and land use within the context of public health, safety and welfare. The applicant has submitted documentation in order to demonstrate consistency with the standards set forth in Section 62-1901 and Section 62-1906, on-premises consumption of alcohol. The applicant's responses are indicated in **bold** and staff observations are provided in *italics*.

Section 62-1901(c)(1)(a) Impact upon adjacent and nearby properties from the proposed use:

Number of persons using property;
Noise, odor, particulates, smoke, fumes and other emissions; and
Increase in traffic within the vicinity.

The requested "renewal" of the conditional use for on-premises consumption of alcoholic beverages will not result in a substantial or adverse impact on adjacent or nearby properties as the restaurant is only expanding its outside seating that faces the Indian River Lagoon. The property has been used as a restaurant since 1952. Outdoor seating has been a part of the property for at least 30 years. The anticipated expansion of outdoor seating is 50 seats. "Exhibit A" reveals the expanded elevated dock and walkway; Exhibit B shows the extent of the deck and walkway before expansion. The hours of operation and outdoor entertainment will remain the same as the historical use, with closing hours of 10 p.m. Sunday through Thursday, and 11:00 p.m. on Friday and Saturday. The restaurant will meet all performance standards.

Section 62-1901(c)(1)(b) Compatibility with the character of adjacent and nearby properties with regard to use:

Adjacent properties;
Operating hours;
Amount of traffic generated;
Building size and setbacks; and
Parking availability.

The renewal of the conditional use will be compatible with the character of the adjacent and nearby properties as it has since the Property operated as a restaurant in 1952. The Conditional Use Consumption on Premises of Liquor, Beer & Wine was approved by the County Commission on July 11, 1974. See "Exhibit C".

Furthermore, the County acknowledged on January 15, 2016, that the property complied with the County zoning requirements for the sale of alcoholic beverages on the property. See "Exhibit D".

Staff has received complaints from neighboring residential property owners regarding the overflow of restaurant parking onto their properties.

Section 62-1901(c)(1)(c) Impact upon property values of abutting residential properties:

The renewal of the conditional use will not cause any diminution in value of the multi-family property to the north as the restaurant (and 1974 CUP) is not expanding its hours and will meet all performance standards.

Section 62-1901(c)(2)(a) Adequacy of ingress and egress to serve the use without burdening adjacent and nearby uses:

There will be no change to the ingress and egress to the property or the restaurant due to the renewed conditional use.

Section 62-1901(c)(2)(b) Noise, glare, odor, particulates, smoke, fumes, etc.:

The renewal of the conditional use will not create any additional noise, glare, odor, particulates, smoke, fumes or other emissions.

Section 62-1901(c)(2)(c) Actual Noise Levels:

The restaurant will continue to comply with the County noise standards.

The applicant has expressed an intent to have outside music, which based upon complaints to the county have impacted adjacent residential properties.

Section 62-1901(c)(2)(d) Impact upon solid waste disposal level of service:

There will be no need for additional solid waste disposal due to the renewed conditional use.

Section 62-1901(c)(2)(e) Impact upon potable water and waste water levels of service:

There will be no additional need for potable water or wastewater-due to the renewed conditional use.

Section 62-1901(c)(2)(f) Screening and buffering:

There will be no additional screening or buffering due to the renewed conditional use.

Section 62-1901(c)(2)(g) Signage and glare from lighting:

There will be no additional signage or due to the renewed conditional use. There will be additional lighting on the expanded deck and walkway that will be directed into the seating area or shielded so it does not cause spillage on adjoining properties.

Section 62-1901(c)(2)(h) Hours of operation:

The hours of operation will remain the same as the current restaurant hours and will not adversely affect the multi-family residents to the north.

Section 62-1901(c)(2)(l) Height of proposed use:

The building already exists and meets County height limitations.

The existing building is one story.

Section 62-1901(c)(2)(J) Impact of off-street parking and loading areas upon adjacent properties:

The parking and loading areas have existed in the same configuration since 1955, when the smaller building was constructed. This requested CUP will not increase the need for parking spaces or loading zones as the interior seating has been reduced to accommodate the additional exterior seating. Additionally, Banana Riverfront has entered into an agreement with Living Bread Christian Fellowship, Inc., to provide additional parking of approximately 45 spaces for use by the property's employees and customers. See "Exhibit E"

From historical aerial photos it appears that the parking lot has removed previously existing landscaped heat islands and other non-asphalted areas to add parking spaces. Staff has received complaints from neighboring residential property owners regarding the overflow of restaurant parking onto their properties.

This request should be evaluated in the context of **Section 62-1906** which governs alcoholic beverages for the on-premises consumption of alcohol which states in, specifically 62-1906 (3) and (5)

- 3) Except for restaurants with more than 50 seats, no alcoholic beverages shall be sold or served for consumption on the premises from any building that is within 300 feet from the lot line of a school or church if the use of the property as a school or church was established prior to the commencement of the sale of such alcoholic beverages. For the purposes of this subsection, a school shall include only grades kindergarten through 12. For the purpose of establishing the distance between the proposed alcoholic beverage use and churches and schools, a certified survey shall be furnished from a registered engineer or surveyor. Such survey shall indicate the distance between the front door of the proposed place of business and all property lines of any church or school within 400 feet. Each survey shall indicate all such distances and routes.

The existing restaurant has more than 50 seats and is not subject to this requirement.

- 5) Imposition of additional operational requirements. When deemed appropriate, as based upon circumstances revealed through the general and specific standards of review set forth in this division, the Board shall have the option of imposing operational requirements upon an establishment approved for a conditional use for on-premises consumption of alcoholic beverages. Requirements may include, but are not limited to, the following: maximum number of patrons; hours of operation; limitations upon outdoor seating and service of alcoholic beverages; limitations upon outside music and/or public address systems; additional buffering requirements; additional parking requirements; internal floor plan arrangement; or other specific restrictions based upon special neighborhood considerations. Additional requirements shall not exceed the limits of regulatory authority granted to local governments in the State Beverage Law, F.S. § 562.45.

The Board may wish to impose operational limitations on outside music given the proximity of residential uses.

Summary: In 2006 the subject property, home of the existing "Squid Lips" restaurant, was rezoned to RU-2-15 for the purposes of developing a multi-family project. The property was not redeveloped as a multi-family project, and the restaurant remained open. The property owner was therefore able to keep the restaurant as a non-conforming use and could continue to do so now. However, the applicant desires to legalize an expanded seating space and the enclosed areas that have recently been added without permits. The code prohibits non-conforming uses from expanding pursuant to Section 62-1182 and it is therefore necessary to change the zoning back to BU-1 for the restaurant use and re-establish the Conditional Use Permit for on-premises consumption of alcohol.

A Small Scale Comprehensive Plan Amendment accompanies this request to change the existing Future Land Use from Residential 15 to Community Commercial.

These comments address only the zoning and land use regulations. Other code provisions (such as environmental regulations) may apply but are not addressed in these comments. The applicant should note that the Comprehensive Plan Amendment and rezoning applications, if approved, do not vest the owner from meeting all requisite land development regulations and does not guarantee that the illegal additions can remain.

NATURAL RESOURCES MANAGEMENT DEPARTMENT
Rezoning Review
SUMMARY

Item #: 16PZ00055	Applicant: Banana Riverfront, LLC
Zoning Request: Res 15/CC to CC and RU-2-15 to BU-1	BCC Hearing Date: 08/04/16
P&Z: 07/11/16	

This is a preliminary review based on environmental maps available to the Natural Resources Management Department (NRM) at the time of this review and does not include a site inspection to verify the accuracy of this information. This review does not ensure whether or not a proposed use, specific site design, or development of the property can be permitted under current Federal, State, or County Regulations. In that this process is not the appropriate venue for site plan review, specific site designs that may be submitted with the rezoning will be deemed conceptual and any comments or omissions relative to specific site design do not provide vested rights or waivers from these regulations, unless specifically requested by the owner and approved by the Board of County Commissioners. If the owner has any questions regarding this information, he/she is encouraged to contact NRM prior to submittal of any development or construction plans.

Natural Resource	Preliminary Assessment	Natural Resource	Preliminary Assessment
Wetlands Potential/Hydric Soils	Mapped	Coastal Protection	N/A
Aquifer Recharge Soils	Mapped	Surface Waters	Class II, Aquatic Preserve, OFW
Floodplains	Mapped	Wildlife	Potential

Comments:

This review relates to the following property: Twp. 25, Rng. 37, Sec. 26; Tax ID No. 2520254

The subject parcel contains mapped hydric soils (Canaveral-Anclote Complex, gently undulating) and SJRWMD wetlands, an indicator that wetlands may be present on the property. Section 62-3694(c)(3)b has allowances for wetland impacts for commercial uses along "Mitigation Qualified Roadways" (MQRs). Orlando Avenue is an MQR. The applicant would be required to complete High Function and Landscape Level wetlands assessments prior to the allowance of any impacts. Board approval may be required for impacts. Any permitted wetland impacts must meet the requirements of Sections 62-3694(e) and 62-3696. The applicant is encouraged to contact NRM at 321-633-2016 prior to performing any activities, plan, or permit submittal.

The subject parcel contains mapped aquifer recharge soils (Canaveral-Palm Beach-Urban Land Complex and Canaveral-Anclote Complex, gently undulating (also hydric)). The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance.

The western portion of the property is located on surfaces waters classified as Aquatic Preserve, Class II, and Outstanding Florida Water. A 50-foot surface water protection buffer is required. The applicant is hereby notified of development restrictions within Policy 3.3 of the Conservation Element. Accessory structures within the buffer are permissible with conditions (e.g., stormwater management provided, avoidance/minimization of impacts, maximum 30% impervious). The applicant is encouraged to contact NRM at 321-633-2016 prior to any activities, sit plan or permit submittal.

The property is mapped as being within the estuarine floodplain as identified by the Federal Emergency Management Agency and is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance.

Per Section 62-3666(13) of the Surface Water Protection ordinance; redevelopment or expansion of existing or development of new residential/recreational, commercial/recreational and commercial/industrial marinas shall not be located in Aquatic Preserves or Outstanding Florida Waters so as to substantially and materially have a negative impact on these waters. All marinas shall affirmatively demonstrate compliance with Policy 9.9 of the Conservation element and Objective 5 and subsequent policies of the Coastal Management element of the Brevard County Comprehensive Plan, as amended. The affirmation shall include, but not be limited to, siting, habitat, and water quality criteria.

Information available to NRM indicates that federally and/or state protected species may be present on the property. Prior to any plan, permit submittal, or development activity, including land clearing, the applicant should obtain any necessary permits or clearance letters from the Florida Fish and Wildlife Conservation Commission and/or U.S. Fish and Wildlife Service, as applicable.

The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for preservation and canopy coverage requirements. Applicant should contact NRM prior to performing any land clearing activities.

There are recent unpermitted site development activities on subject property. Staff has not had the opportunity to assess these activities. Potential non-compliance issues include impacts related to surface water protection, wetlands protection, floodplain protection, and land clearing. A meeting with the applicant's engineer of record is scheduled. A detailed assessment will be performed at that time.

Conditional Use Permit (CUP) Application Worksheet

- 1) Owner(s): Banana Riverfront, LLC
Applicant(s): Kimberly B. Rezanke
- 2) Property Location: 2200 S. Orlando Avenue, Cocoa Beach, FL 32931
- 3) Type of CUP requested: Alcoholic Beverages for On-Premises Consumption (RENEWAL)
- 4) If CUP is for Alcoholic Beverages for On-Premises Consumption, is it in conjunction with a restaurant? Yes
- 5) Type of Plan Required by Section 62-1901[b] (refer to attached CUP Checklist):
 Reproducible Site Plan signed by a registered engineer, land surveyor or architect
(See Exhibit "A")
 Scaled Dimensional Sketch Plan

NOTE: IF FULL SIZE DRAWINGS ARE SUBMITTED, PLEASE SUBMIT ONE COPY OF A REDUCED SIZE VERSION OF THE PLANS (8 1/2" X 11", 8 1/2" X 14" OR 11" X 17").

Section 62-1901 provides that the following approval procedure and general standards of review are to be applied to all CUP requests, as applicable: An application for a specific conditional use within the applicable zoning classification shall be submitted and considered in the same manner and according to the same procedure as an amendment to the official zoning map as specified in Section 62-1151. The approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. **The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved.** Prepare responses to address how the requested CUP will meet these standards and submit this completed worksheet along with your application for public hearing for a CUP. You may attach additional pages or documentation, if needed.

General Standards of Review

Section 62-1901(c)(1)(a) The proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties due to: (1) the number of persons anticipated to be using, residing or working under the conditional use; (2) noise, odor, particulates, smoke, fumes and other emissions, or other nuisance activities generated by the conditional use; or (3) the increase of traffic within the vicinity caused by the proposed conditional use.

See Attached

ID # _____

Section 62-1901(c)(1)(b) The proposed use will be compatible with the character of adjacent and nearby properties with regard to use, function, operation, hours of operation, type and amount of traffic generated, building size and setback, and parking availability.

See Attached

Section 62-1901(c)(1)(c) The proposed use will not cause a substantial diminution in value of abutting residential property.

Note: A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15% reduction in value as a result of the proposed conditional use. A reduction of 10% of the value of abutting property shall create a rebuttable presumption that a substantial diminution has occurred.

See Attached

Specific Standards

Section 62-1901(c)(2)(a) Ingress and egress to the property and proposed structures (including vehicular and pedestrian safety and convenience, traffic flow and control, and emergency response access) shall be: (1) adequate to serve the proposed use without burdening adjacent and nearby uses, and (2) built to applicable county standards, if any.

Note: Burdening adjacent and nearby uses is defined as increasing existing traffic on the closest collector or arterial road by more than 20%, or 10% if the new traffic is primarily comprised of heavy vehicles, except where the affected road is at Level of Service A or B. New traffic generated by the proposed use shall not cause the adopted level of service for transportation on applicable roadways to be exceeded. Where the design of a public road to be used by the proposed use is physically inadequate to handle the numbers, types or weights of vehicles expected to be generated by the proposed use without damage to the road, the conditional use permit cannot be approved without a commitment to improve the road to a standard adequate to handle the proposed traffic, or to maintain the road through a maintenance bond or other means as required by the Board of County Commissioners.

See Attached

ID # _____

Section 62-1901(c)(2)(b) The noise, glare, odor, particulates, smoke, fumes or other emissions from the conditional use shall not substantially interfere with the use or enjoyment of the adjacent and nearby property.

See Attached

Section 62-1901(c)(2)(c) Noise levels for a conditional use shall comply with Section 62-2271 of the Code, which includes the following:

Maximum Permissible Time Averaged (Leq)
A-Weighted Sound Pressure Limits for Receiving Uses

Type of Use	Time Period	Maximum Allowable Sound Pressure Level
Residential	7:00 a.m. to 10:00 p.m.	60 dB(A)
	10:00 p.m. to 7:00 a.m.	55 dB(A)
Commercial	7:00 a.m. to 10:00 p.m.	65 dB(A)
	10:00 p.m. to 7:00 a.m.	55 dB(A)
Industrial	7:00 a.m. to 10:00 p.m.	75 dB(A)
	10:00 p.m. to 7:00 a.m.	65 dB(A)

Note: Additional requirements may apply. Refer to Section 62-2271 for full noise specifications.

See Attached

Section 62-1901(c)(2)(d) The proposed conditional use shall not cause the adopted level of service for solid waste disposal for the property or area covered by such level of service, to be exceeded.

See Attached

Section 62-1901(c)(2)(e) The proposed conditional use shall not cause the adopted level of service for potable water or wastewater for the property or the area covered by such level of service, to be exceeded by the proposed use.

See Attached

Section 62-1901(c)(2)(f) The proposed conditional use must have existing or proposed screening or buffering, in terms of type, dimensions and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.

See Attached

ID # _____

Section 62-1901(c)(2)(g) Proposed signs and exterior lighting shall not cause unreasonable glare or hazard to traffic safety, or interference with the use or enjoyment of adjacent and nearby properties.

See Attached

Section 62-1901(c)(2)(h) Hours of operation of the proposed use shall be consistent with the use and enjoyment of the properties in the surrounding residential community, if any. For commercial and industrial uses adjacent to or near residential uses, the hours of operation shall not adversely affect the use and enjoyment of the residential character of the area.

See Attached

Section 62-1901(c)(2)(i) The height of the proposed use shall be compatible with the character of the area, and the maximum height of any habitable structure shall be not more than thirty-five (35) feet higher than the highest residence within 1000 feet of the property line.

Note: A survey of building heights within 1000 feet of the property lines should be furnished for applications requesting a CUP for additional building height.

See Attached

Section 62-1901(c)(2)(j) Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties.

Note: For existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

See Attached

Note to Applicant: Per Section 62-1901(f), *Expiration*, Conditional use permits approved after the effective date of Ordinance No. 99-43 (8/3/99) shall expire within three years from the date of approval if the approved use is not constructed or under substantial and continuous construction.

I HAVE READ THE ABOVE NOTE TO APPLICANT. ALL THE ANSWERS TO THE STANDARDS ADDRESSED BY THIS WORKSHEET AND ALL ACCOMPANYING PLANS AND DOCUMENTS ARE TRUE TO THE BEST OF MY KNOWLEDGE.

Kimberly B. Rayanka 7/7/16
Applicant Signature Date

Submittal checked by: _____

CUP Application for Alcoholic Beverages for on-site Consumption, Sec.62-1906

Banana Riverfront, LLC
2200 S. Orlando Avenue, Cocoa Beach, FL 32931

Sec. 62-1901(c)(1)(a): The requested "renewal" of the conditional use for on-premises consumption of alcoholic beverages will not result in a substantial or adverse impact on adjacent or nearby properties as the restaurant is only expanding its outside seating that faces the Indian River Lagoon. The Property has been used as a restaurant since 1952. Outdoor seating has been a part of the Property for at least 30 years. The anticipated expansion of outdoor seating is 50 seats. *Exhibit "A"* reveals the expanded elevated deck and walkway; *Exhibit "B"* shows the extent of the deck and walkway before expansion. The hours of operation and outdoor entertainment will remain the same as the historical use, with closing hours of 10:00 p.m. Sunday through Thursday, and 11:00 p.m. on Friday and Saturday. The restaurant will meet all performance standards as it has for nearly 65 years.

Sec. 62-1901(c)(1)(b): The renewal of the conditional use will be compatible with the character of the adjacent and nearby properties as it has since the Property operated as a restaurant in 1952. The Conditional Use of Consumption on Premises of Liquor, Beer & Wine was approved by the County Commission on July 11, 1974. *See Exhibit "C"*.

Furthermore, the County acknowledged on January 15, 2016, that the Property complied with the County zoning requirements for the sale of alcoholic beverages on the Property. *See Exhibit "D"*.

Sec. 62-1901(c)(1)(c): The renewal of the conditional use will not cause any diminution in value of the multi-family property to the north as the restaurant (and 1974 CUP) is not expanding its hours and will meet all performance standards.

Sec. 62-1901(c)(2)(a): There will be no change to the ingress and egress to the Property or the restaurant due to the renewed conditional use.

Sec. 62-1901(c)(2)(b): The renewal of the conditional use will not create any additional noise, glare, odor, particulates, smoke, fumes or other emissions.

Sec. 62-1901(c)(2)(c): The restaurant will continue to comply with County noise standards.

Sec. 62-1901(c)(2)(d): There will be no additional need for solid waste disposal due to the renewed conditional use.

Sec. 62-1901(c)(2)(e): There will be no additional need for potable water or wastewater due to the renewed conditional use.

Sec. 62-1901(c)(2)(f): There will be no additional screening or buffering due to the renewed conditional use.

Sec. 62-1901(c)(1)(g): There will be no additional signage or due to the renewed conditional use. There will be additional lighting on the expanded deck and walkway that will be directed into the seating area or shielded so it does not cause spillage on adjoining properties.

Sec. 62-1901(c)(1)(h): The hours of operation will remain the same as the current restaurant hours and will not adversely affect the multi-family residents to the north.

Sec. 62-1901(c)(2)(i): The building already exists and meets County height limitations.

Sec. 62-1901(c)(2)(j): The parking and loading areas have existed in the same configuration since 1955, when the smaller building was constructed. This requested CUP will not increase the need for parking spaces or loading zones as the interior seating has been reduced to accommodate the additional exterior seating. Additionally, Banana Riverfront, LLC has entered into an agreement with Living Bread Christian Fellowship, Inc, to provide additional parking of approximately 45 spaces for use by the Property's employees and customers. *See Exhibit "E"*.

CUP CHECKLIST

A. Conditional Use Permits requiring scaled dimensional sketch plan only

_____ Any CUP for an existing structure not to be altered more than 50% of the original floor area or seating capacity.

_____ Or CUP is listed below.

_____	Sec. 62-1904	Agricultural Pursuits.
_____	Sec. 62-1913	Boarding of horses and horses for hire.
_____	Sec. 62-1917.5	Change of nonconforming agricultural use.
_____	Sec. 62-1924	Crematoriums.
_____	Sec. 62-1925	Development rights receipt and transfer.
_____	Sec. 62-1927	Farm animals and fowl.
_____	Sec. 62-1932	Guesthouses or servants' quarters.
_____	Sec. 62-1935	Horses and barns.
_____	Sec. 62-1945	Recreational facilities.
_____	Sec. 62-1945.5	Roadside stands.
_____	Sec. 62-1946	Security mobile homes.
_____	Sec. 62-1947	Single-family residential second kitchen facility.
_____	Sec. 62-1951	Temporary medical hardship mobile homes.
_____	Sec. 62-1956	Veterinary hospitals or clinics; pet kennels.
_____	Sec. 62-1958	Wild animals and poisonous reptiles.
_____	Sec. 62-1959	Zero lot line subdivisions.

_____ Site plan shows: parking, landscaping, external structural changes, and ingress/egress.

B. Conditional Use Permits requiring a reproducible site plan signed by a registered engineer, land surveyor or architect.

_____ CUP is listed below and is for a site which is either undeveloped or which is to be altered by 50% or greater of the original floor area or seating capacity of an existing structure.

_____	Sec. 62-1905	Airplane runways.
<u>X</u>	Sec. 62-1906	Alcoholic beverages for on-prems consumption.
_____	Sec. 62-1907	Arsenals and explosives.
_____	Sec. 62-1912	Bed and breakfast inns and boardinghouses.
_____	Sec. 62-1916	Cement, concrete and concrete building products.
_____	Sec. 62-1918	Child care centers.
_____	Sec. 62-1920	Cluster development of mobile homes.
_____	Sec. 62-1921	Commercial entertainment and amusement enterprises.
_____	Sec. 62-1921.5	Composting facility.
_____	Sec. 62-1923	Convenience store in BU-1-A zoning classification.
_____	Sec. 62-1929	Farmer's markets.
_____	Sec. 62-1930	Flea markets.
_____	Sec. 62-1933	Hazardous waste facility.
_____	Sec. 62-1934	Hog farms.
_____	Sec. 62-1936	Land alterations.
_____	Sec. 62-1937	Maimas.
_____	Sec. 62-1938	Metal salvage yards and junkyards.
_____	Sec. 62-1939	Mining and smelting operations.
_____	Sec. 62-1940	Motorcros.
_____	Sec. 62-1941	Mulching facility.
_____	Sec. 62-1942	Plant nurseries (with outside bulk storage of mulch, topsoil, etc.).
_____	Sec. 62-1943	Prison camp correctional facilities.
_____	Sec. 62-1943.5	Private heliports.
_____	Sec. 62-1949	Solid waste management facilities.
_____	Sec. 62-1949.7	Substantial expansion of a pre-existing use.
_____	Sec. 62-1953	Towers and antennas.
_____	Sec. 62-1954	Trailer and truck rental.
_____	Sec. 62-1955	Truss manufacturing plants.
_____	Sec. 62-1960	Zoological parks.

_____ Site Plan shows: the structure, parking, ingress/egress, landscaping, refuse, screening or buffering, height and stormwater retention areas.

EXHIBIT "A"

MAP OF BOUNDARY SURVEY

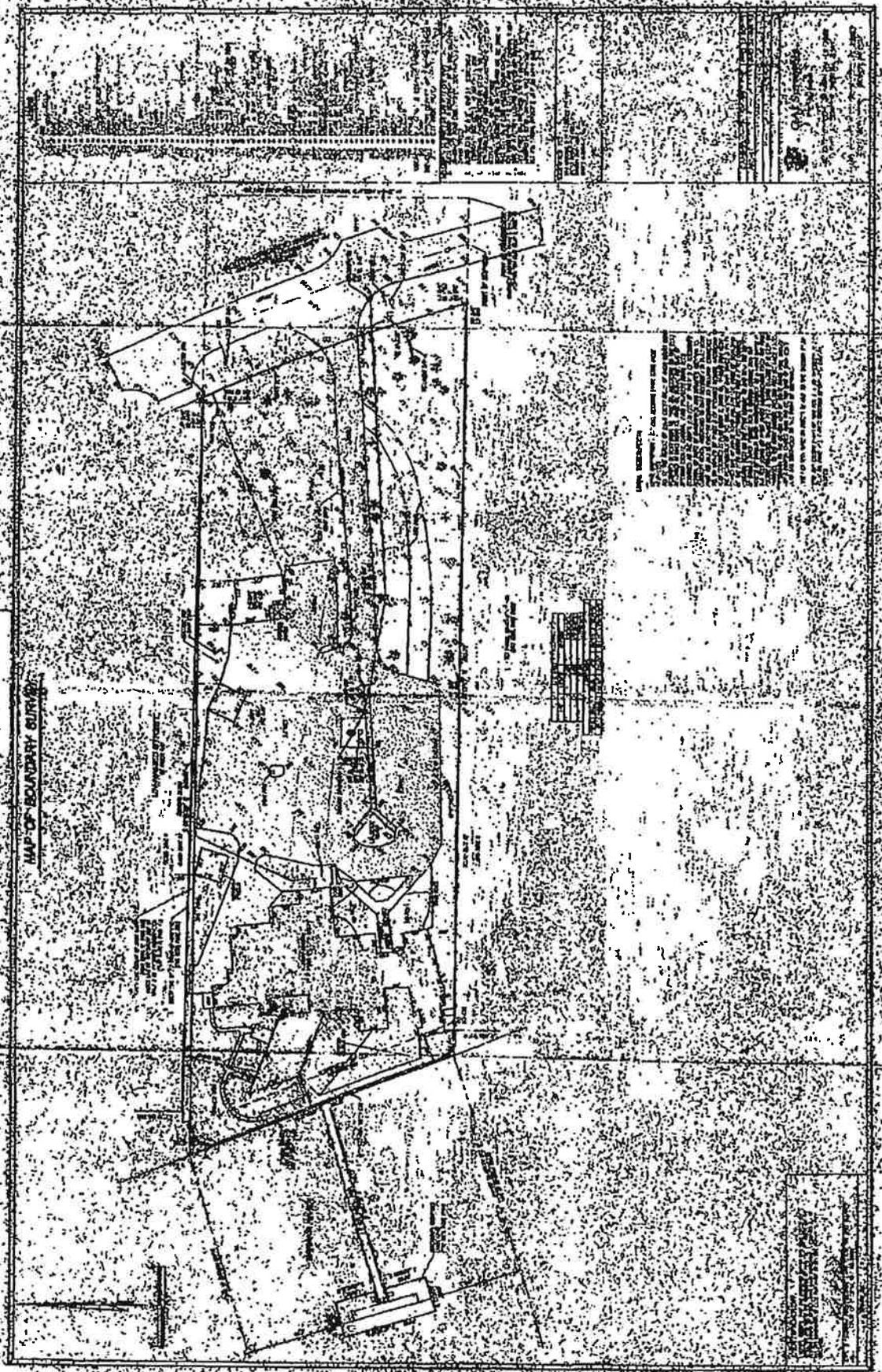
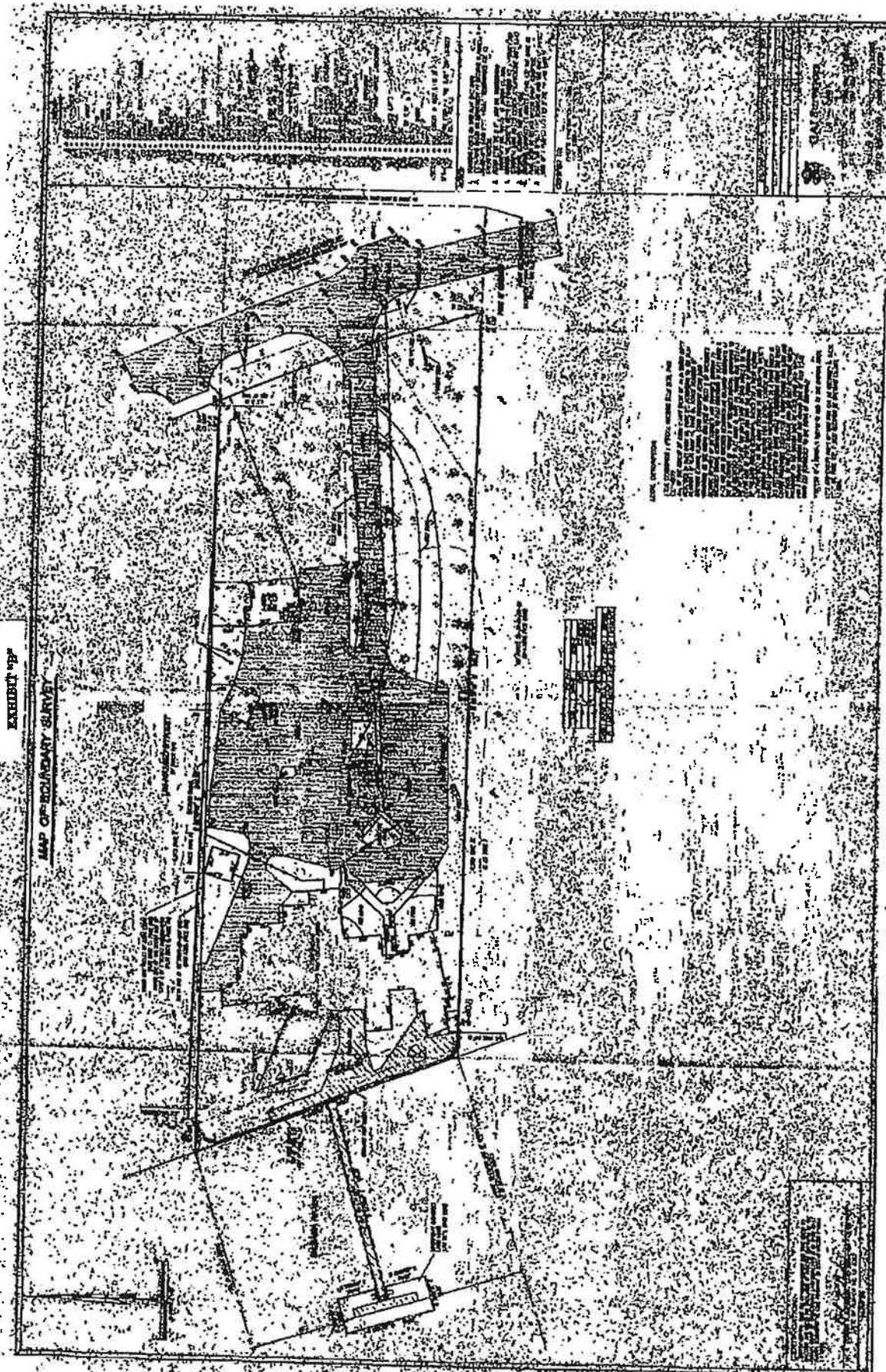


EXHIBIT 'B'
MAP OF BOUNDARY SURVEY



ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 08-14-2013 BY 60322 UCBAW/SJS/STP

10/10/13

On motion of Commissioner Murdin, seconded by
Commissioner Roberts, the following resolution
was unanimously adopted:

WHEREAS, Theodore Hluch
has/have applied for a change of zoning from RS-2-15
to BU-1 with a Conditional Use Permit for Consumption On Premises of
Liquor, Beer & Wine
on property described as Aven Court Vacated Pt II/61 sec. 1/4 N/4

Section 25/27 Township 25 S Range 17 E, and,

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

and,

WHEREAS, the Board, after considering said application and the Planning
and Zoning Board's recommendation and hearing all interested parties and after
due and proper consideration having been given to the matter, finds 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 zoning be approved and,
that the zone classification relating to the above described property be
changed from RS-2-15

to BU-1 with Conditional Use Permit for Consumption On Premises
of Liquor, Beer & Wine
and the Planning and Zoning Director 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
July 11, 1974

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida

ATTEST:
CURTIS R. BARNES, Clerk

by Lee Nornber
Chairman

by D.C.

(SEAL)
(Hearing - June 24, 1974)

Z-3712

EXHIBIT "C"

DBPR ABT-6001 - Division of Alcoholic Beverages and Tobacco
Application for New Alcoholic Beverage License

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

DBPR Form
ABT-6001
Revised 08/2013

If you have any questions or need assistance in completing this application, please contact the Division of Alcoholic Beverages & Tobacco's (AB&T) local district office. Please submit your completed application and required fee(s) to your local district office. This application may be submitted by mail, through appointment, or it can be dropped off. A District Office Address and Contact Information Sheet can be found on AB&T's web site at the link provided below:

http://www.myflorida.com/dbpr/abt/district_offices/licensing.html

SECTION 1 - LICENSE CATEGORY			
License Series Requested 4 COP	Type/Class Requested SRX	Do you wish to purchase a Temporary License? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Child License Requested	Number of Child Licenses Requested		
<input type="checkbox"/> Retail Alcoholic Beverages <input type="checkbox"/> Beer/Wine/Liquor Wholesaler	<input type="checkbox"/> Alcoholic Beverage Manufacturer <input type="checkbox"/> Passenger Waiting Lounge		
<input type="checkbox"/> Retail Tobacco Products Dealer Permit (must check one or more of the below) <input type="checkbox"/> Pipes <input type="checkbox"/> Over the Counter <input type="checkbox"/> Vending Machine			
SECTION 2 - LICENSE INFORMATION			
If the applicant is a corporation or other legal entity, enter the name and the document number as registered with the Florida Department of State Division of Corporations on the line below.			
FEIN Number 47-5204432	Business Telephone Number 321-242-2224	E-Mail Address (Optional) lantz @ Squid Lips Grill.com	
Full Name of Applicant(s): (This is the name the license will be issued in) CB OVERWATER, LLC			Department of State Document #
Business Name (D/B/A) SQUID LIPS OVERWATER GRILL			
Location Address (Street and Number) 2200 S ORLANDO AVENUE			
City COCAH BEACH	County BREVARD	State FL	Zip Code 32931
Mailing Address (Street or P.O. Box) 490 N Harbor City Blvd			
City Melbourne, E		State FL	Zip Code 32935
Contact Person: This section is optional, see application instructions for details.			
Contact Person HJ Underhill III		Telephone Number 321-242-2224 ext. 112	
E-Mail Address (Optional) Duze Underhill.com			
Mailing Address (Street or P.O. Box) 490 N. Harbor City Blvd			
City Melbourne		State FL	Zip Code 32935

ABT District Office Received Date Stamp

SECTION 3 - RELATED PARTY PERSONAL INFORMATION						
This section must be completed for each person directly connected with the business, unless they are a current licensee.						
1.	Business Name (D/B/A)					
2.	Full Name of Individual HARRY JASON UNDERHILL III					
	Social Security Number*		Home Telephone Number		Date of Birth 9-18-49	
	Race W	Sex M	Height 5-11"	Weight 172	Eye Color BRN	Hair Color BRN
3.	Are you a U.S. citizen? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, immigration card number or passport number:					
4.	Home Address (Street and Number) 2485 GRASS MERE DR					
	City WEST MELBOURNE			State FL	Zip Code 32904	
5.	Do you currently own or have an interest in any business selling alcoholic beverages, wholesale cigarette or tobacco products, or a bottle club? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide the information requested below. The location address should include the city and state.					
	Business Name (D/B/A) SQUID LIPS OVERWATER GALL				License Number	
	Location Address TWO LOCATIONS - SEE BELOW					
6.	Have you had any type of <u>alcoholic beverage</u> , or bottle club license, or cigarette, or tobacco permit refused, revoked or suspended anywhere in the past 15 years? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the information requested below. The location address should include the city and state.					
	Business Name (D/B/A)				Date	
	Location Address					
7.	Have you been convicted of a <u>felony</u> within the past 15 years? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the information requested below and provide a Copy of the Arrest Disposition, as requested in the Application Requirements checklist.					
	Date		Location			
	Type of Offense					
8.	Have you been convicted of an offense involving <u>alcoholic beverages or tobacco products</u> anywhere within the past 5 years? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the information requested below and provide a Copy of the Arrest Disposition, as requested in the Application Requirements checklist.					
	Date		Location			
	Type of Offense					

① 1660 INDIAN RIVER DALES
SEBASTIAN, FL 32958

LICENSE # BEV 4101431

② 1477 PINEAPPLE AVE
MELBOURNE, FL 32935

LICENSE # BEV 1506207

9. Have you been arrested or issued a notice to appear in any state of the United States or its territories within the past 15 years? Yes No
 If yes, provide the information requested below and a Copy of the Arrest Disposition. Attach additional sheet if necessary.

Date	Location
Type of Offense	

10. Do you meet the standards of the moral character rule?
 Yes No

11. Are you an officer or employee of the Division of Alcoholic Beverages and Tobacco; are you a sheriff or other state, county, or municipal officer, including reserve or auxiliary officers, certified by the state as such, with arrest powers, whose certification is current and active?
 Yes No

"I swear under oath or affirmation under penalty of perjury as provided for in Sections 559.701, 662.45 and 697.06, Florida Statutes, that I have fully disclosed any and all parties financially and or contractually interested in this business and that the parties are disclosed in the Disclosure of Interested Parties of this application. I further swear or affirm that the foregoing information is true and correct."

STATE OF FLORIDA

COUNTY OF BREVARD

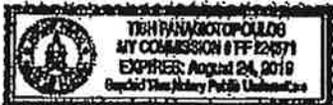
APPLICANT SIGNATURE [Signature]

The foregoing was () Sworn to and Subscribed OR (✓) Acknowledged before me this 24 Day of December, 2015, By H. J. W. [Signature] who is (✓) personally (print name of person making statement) known to me OR () who produced _____ as identification.

Notary Public [Signature] Commission Expires: August 24, 2019

(ATTACH ADDITIONAL COPIES AS NECESSARY)

***Social Security Number**
 Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless a Federal statute specifically requires it or allows states to collect the number. In this instance, disclosure of social security numbers is mandatory pursuant to Title 42 United States Code, Sections 853 and 654; and sections 409.2577, 409.2598, and 559.70, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all professional and occupational license applications and are used for licensee identification pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317. The State of Florida is authorized to collect the social security number of licensees pursuant to the Social Security Act, 42 U.S.C. 405(c)(2)(C)(D). This information is used to identify licensees for tax administration purposes. This information is used to identify licensees for tax administration purposes, and the division will redact the information from any public records request.

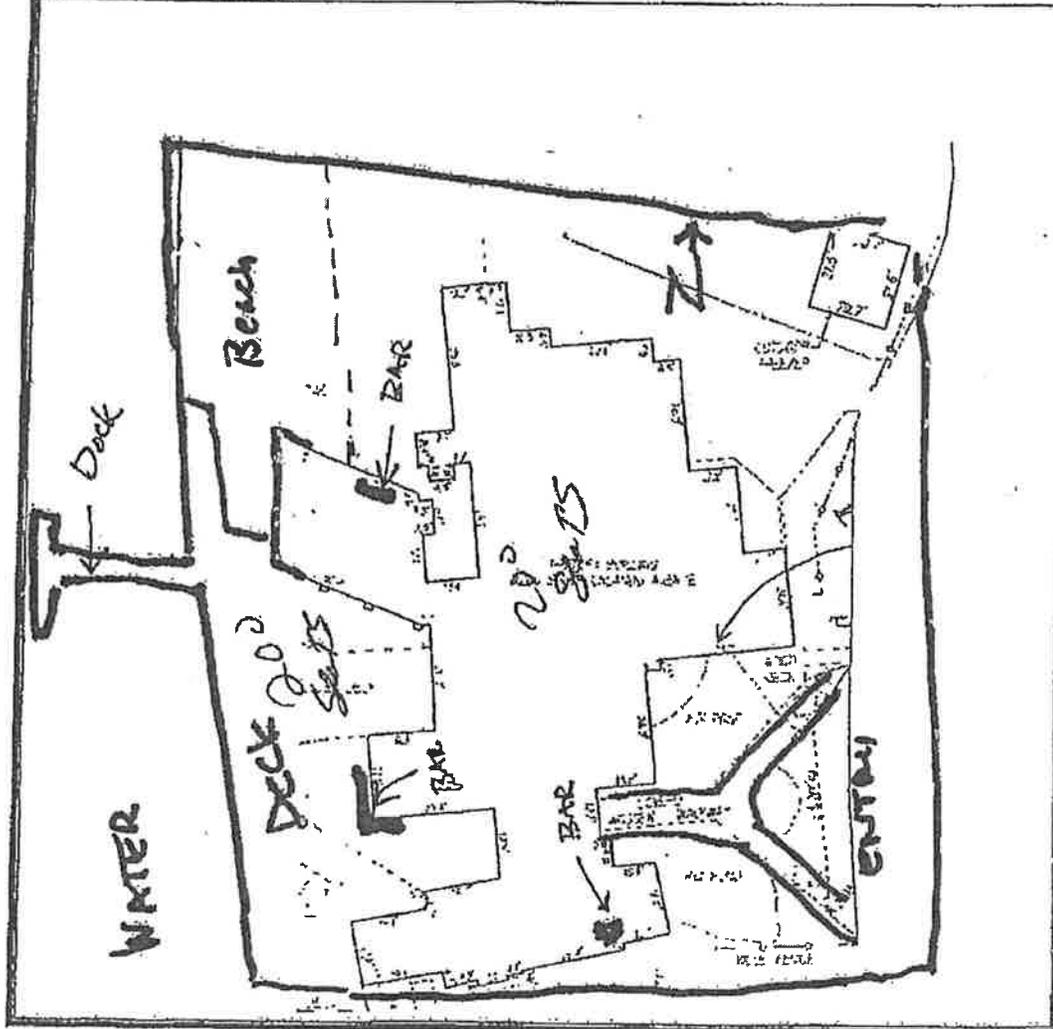


**SECTION 4. DESCRIPTION OF PREMISES TO BE LICENSED
TO BE COMPLETED BY THE APPLICANT**

Business Name (D/B/A)

- | | | | |
|----|------------------------------|--|--|
| 1. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Is the proposed premises movable or able to be moved? |
| 2. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Is there any access through the premises to any area over which you do not have dominion and control? |
| 3. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Is the business located within a Specialty Center? If yes, check the applicable statute:
<input type="checkbox"/> 561.20(2)(b)1, F.S. or <input type="checkbox"/> 561.20(2)(b)2, F.S. |
| 4. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Are there any mobile vehicles used to sell or serve alcoholic beverages? |
| 5. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Are there more than 3 separate rooms or enclosures with permanent bars or counters? |

Neatly draw a floor plan of the premises in ink, including sidewalks and other outside areas which are contiguous to the premises, walls, doors, counters, sales areas, storage areas, restrooms, bar locations and any other specific areas which are part of the premises sought to be licensed. A multi-story building where the entire building is to be licensed must show the details of each floor.



Permit 10-11 25/3/26/28/1
 CUP 3712 approved
 (figures) been 412, inc
 zoning RM-2-15

SECTION 5 - APPLICATION APPROVALS

Full Name of Applicant: (This is the name the license will be issued in)
CBS RIVERFRONT, LLC

Business Name (D/B/A)
SQUID LIPS OCEANWATER GRILL

Street Address
2200 S. ORLANDO AVE

City COCOA BEACH County BREVARD State FL Zip Code 32931

TO BE COMPLETED BY THE COUNTY HEALTH DEPARTMENT

A. The location complies with zoning requirements for the sale of alcoholic beverages or wholesale tobacco products pursuant to this application for a Series: ACOP Type: SEX license.

B. This approval includes outside areas which are contiguous to the premises which are to be part of the premises sought to be licensed and are identified on the sketch? Yes No

Check either: Please do not skip, this is important for license fee sharing
 Location is within the city limits or Location is in the unincorporated county

Signed: [Signature] Date: 11/15/16

Title: Inspector II This approval is valid for days.

TO BE COMPLETED BY THE DEPARTMENT OF REVENUE

The named applicant for a license/permit has complied with the Florida Statutes concerning registration for Sales and Use Tax.

1. This is to verify that the current owner as named in this application has filed all returns and that all outstanding billings and returns appear to have been paid through the period ending 2016 or the liability has been acknowledged and agreed to be paid by the applicant. This verification does not constitute a certificate as contained in Section 213.768 (4), F.S. (Not applicable if no transfer involved)

2. Furthermore, the named applicant for an Alcoholic Beverage License has complied with Florida Statutes concerning registration for Sales and Use Tax, and has paid any applicable taxes due.

Signed: Michelle Eppine DEPARTMENT OF REVENUE
 6300 N. Wickham Rd. Suite 133A
 Melbourne FL 32940
 Date: 11/15/16

Title: Tax Specialist Department of Revenue Stamp

This approval is valid for 30 days.

RECEIVED
 DEPT. OF REVENUE

TO BE COMPLETED BY THE DIVISION OF HOTELS AND RESTAURANTS OR COUNTY HEALTH DEPARTMENT OR DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES

The above establishment complies with the requirements of the Florida Sanitary Code.

Signed: Diane Maynard Date: 11/15/2016

Title: SP 502 AT UConn Agency: DBAR

This approval is valid for 60 days.

San
 City

SECTION 6 - APPLICANT ENTITY FELONY CONVICTION

Business Name (D/B/A) SQUID Lips OVERWATER GRILL

Has the applicant entity been convicted of a felony in this state, any other state, or by the United States in the last 15 years?
 Yes No

If the answer is "Yes," please list all details including the date of conviction, the crime for which the entity was convicted, and the city, county, state and court where the conviction took place.

(Attach additional sheets if necessary)

SECTION 7 - SPECIAL LICENSE REQUIREMENTS (DOES NOT APPLY TO BEER AND WINE LICENSES)

Please check the appropriate box of the license for which you are applying. Fill in the corresponding requirements for the license type sought.

Quota Alcoholic Beverage License Specialty Alcoholic Beverage License (e.g. SRX, S, etc)
 Club Alcoholic Beverage License

This license is issued pursuant to _____, Florida Statutes or Special Act, and as such we acknowledge the following requirements must be met and maintained:

Please initial and date:
 Applicant's Initials _____ Date _____

Note: Failure to disclose an interest, direct or indirect, could result in denial, suspension and/or revocation of your license. You MUST list all persons and entities in the entire ownership structure. To determine which of those persons must submit fingerprints and a Related Party Personal Information sheet, see the fingerprint section in the application instructions.

Business Name (D/B/A) HJU Holdings, LLC

1. When applicable, complete the appropriate section below. Attach extra sheets if necessary.

Title/Position	Name	Stock %
----------------	------	---------

CORPORATION - List all officers, directors, and stockholders

GENERAL PARTNERSHIP - List all general partners

LIMITED LIABILITY COMPANY - List all managers (member & non-member), directors, officers, and members

LIMITED PARTNERSHIP - List all general and limited partners.

LIMITED LIABILITY PARTNERSHIP - List all partners

	<u>H.J. Underhill III</u>	<u>80%</u>
	<u>Sharon S Underhill</u>	<u>20%</u>

Bar Manager (Fraternal Organizations of National Scope only):

OTHER INTERESTS

These questions must be answered about this business for every person or entity listed as the applicant

- Are there any persons or entities not disclosed who have loaned money to the business? Yes No
- Are there any persons or entities not disclosed that derive revenue from the license solely through a contractual relationship with the licensee, the substance of which is not related to the control of the sale of alcoholic beverages, or is exempt by statute or rule? Yes No
- Are there any persons or entities not disclosed that have the right to receive revenue based on a contractual relationship related to the control of the sale of alcoholic beverages? Yes No
- Are there any persons or entities not disclosed who have a right to a percentage payment from the proceeds of the business pursuant to the lease? Yes No
- Are there any persons or entities not disclosed who have guaranteed the lease or loan? Yes No
- Are there any persons or entities not disclosed who have co-signed the lease or loan? Yes No
- Is there a management contract, franchise agreement, or concession agreement in connection with this business? Yes No
- Have you or anyone listed on this application, accepted money, equipment or anything of value in connection with this business from any industry member as described in 61A-1.010, Florida Administrative Code? Yes No

If you answered yes to any of the above questions, a copy of the agreement must be submitted with this application. The terms of the agreement may require the interested persons or parties related to an entity to submit fingerprints and a related party personal information sheet.

SECTION 11A (PARTIAL) OF APPLICANT
NOTARIZATION REQUIRED

Business Name (D/B/A)
C.B. RIVER FRONT, LLC

"I, the undersigned individually, or on behalf of a legal entity, hereby swear or affirm that I am duly authorized to make the above and foregoing application and, as such, I hereby swear or affirm that the attached sketch is a true and correct representation of the entire area and premises to be licensed and agree that the place of business, if licensed, may be inspected and searched during business hours or at any time business is being conducted on the premises without a search warrant by officers of the Division of Alcoholic Beverages and Tobacco, the Sheriff, his Deputies, and Police Officers for the purposes of determining compliance with the beverage and retail tobacco laws."

"I swear under oath or affirmation under penalty of perjury as provided for in Sections 559.791, 562.45 and 837.06, Florida Statutes, that the foregoing information is true and that no other person or entity except as indicated herein has an interest in the alcoholic beverage license and/or tobacco permit, and all of the above listed persons or entities meet the qualifications necessary to hold an interest in the alcoholic beverage license and/or tobacco permit."

STATE OF FLORIDA

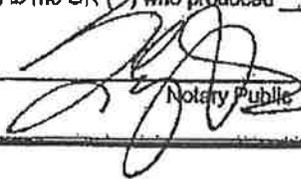
COUNTY OF BROWARD
HJU Holdings LLC, Member manager
by HJU Investments, General Partner
by HJ Underhill III Member, manager

APPLICANT/AUTHORIZED REPRESENTATIVE NAME

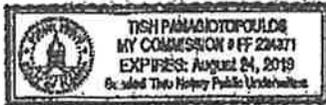
APPLICANT/AUTHORIZED REPRESENTATIVE SIGNATURE

The foregoing was () Sworn to and Subscribed OR () Acknowledged before me this 7th Day
of December, 2015, By HJ Underhill, III who is () personally
(print name(s) of person(s) making statement)

known to me OR () who produced _____ as identification.


Notary Public

Commission Expires: August 24, 2019



SECTION 10 - CURRENT LICENSEE/RATE DATA SHEET

This section is to be completed for all current alcoholic beverage and/or tobacco license holders listed on the application to ensure the most up to date information is captured.

Business Name (D/B/A) SQUID Lips OVERWATER GRILL

Last Name UNDERHILL First TH M.I. J

Current Alcohol Beverage and/or Tobacco License Permit/Number(s) BEV 4101481

Date of Birth 9/18/49 Social Security Number* [REDACTED]

Street Address 490 N. Harbor City Blvd

City Melbourne State FL Zip Code 32935

Last Name UNDERHILL First TH M.I. J

Current Alcohol Beverage and/or Tobacco License Permit/Number(s) BEV 1506207

Date of Birth 9/18/49 Social Security Number* [REDACTED]

Street Address 490 N. Harbor City Blvd

City Melbourne State FL Zip Code 32935

Last Name _____ First _____ M.I. _____

Current Alcohol Beverage and/or Tobacco License Permit/Number(s) _____

Date of Birth _____ Social Security Number* _____

Street Address _____

City _____ State _____ Zip Code _____

Last Name _____ First _____ M.I. _____

Current Alcohol Beverage and/or Tobacco License Permit/Number(s) _____

Date of Birth _____ Social Security Number* _____

Street Address _____

City _____ State _____ Zip Code _____

Last Name _____ First _____ M.I. _____

Current Alcohol Beverage and/or Tobacco License Permit/Number(s) _____

Date of Birth _____ Social Security Number* _____

Street Address _____

City _____ State _____ Zip Code _____

June 20, 2016

Hamilton Diggs, Pastor and President
Living Bread Christian Fellowship Church, Inc.
1801 S. Orlando Avenue
Cocoa Beach, FL 32931

Dear Pastor Diggs:

This will confirm the parking agreement between Banana Riverfront, LLC, the owner of the Squid Lips Restaurant at 2200 S. Orlando Drive, Cocoa Beach, FL 32931 ("Restaurant") and Living Bread Christian Fellowship Church, Inc., located at 1801 and 1811 S. Orlando Drive, Cocoa Beach, FL 32931 ("Church"), on the following terms.

In consideration of the sum of \$10.00 and the mutual premises contained herein:

1. The employees and customers of the Restaurant may utilize the Church's parking lot for offsite parking on an as-needed, non-exclusive basis during times when the Church is not holding services or some other Church-sponsored event.
2. The Restaurant agrees to indemnify and hold the Church harmless from and against any and all liability for damage to any person or property that may arise from or as a result of this agreement. The Restaurant shall further cause the Church to be named as a loss co-payee on the Restaurant's casualty and liability insurance policies.
3. In the event that the Church intends to hold an event on its premises other than the usual services or weekly fellowship meetings and requires the use of the parking lot for the Church's own purposes, the parking lot shall be closed and unavailable to the customers or employees of the Restaurant. The Church will provide reasonable advance notice to the Restaurant of any such intended event so that the Restaurant may plan accordingly.
4. This agreement may be canceled by either party upon 30 days' written notice.

If you are in agreement, please sign and date this letter where noted below and return it to me.

Thank you,
H. J. Underhill, Managing Member

AGREED:
Living Bread Christian Fellowship Church, Inc.

By: Hamilton Diggs By
Hamilton Diggs, President
Date: 6/27/2016

(CORPORATE SEAL)

AGREED:
Banana Riverfront, LLC

By: H. J. Underhill III
H. J. Underhill III, Managing Member
Date: 6/20/16

(SEAL)

Owner's Name: Banana Riverfront, LLC

Hearing Date: July 11, 2016

THIS AFFIDAVIT IS TO BE PRESENTED AT THE PUBLIC HEARING

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF BREVARD

Before me, this undersigned authority, personally appeared, H J Underhill III,
to me well known and known to me to be the person described in and who executed the foregoing
affidavit, after being first duly sworn, says:

1. That the affiant posted the notice provided by the Brevard County Planning & Zoning Office, which contains the time(s) and date(s) of the Public Hearing(s) involved.
2. Said posted notice contains the name of the applicant, the total acreage of the property in question, the existing land use classification, special use classification or conditional use designation, and the requested amendment to the official zoning maps. Said notice also contains the time and place of the public hearing on the consideration of said application by the Board of County Commissioners of Brevard County, if applicable.
3. The said notice has been posted in a conspicuous place on the subject property not more than twenty-five (25) days, nor less than fifteen (15) days prior to the first public hearing before the applicable board (as indicated on notice). If the property abuts a public road right-of-way, the notice has been posted within ten (10) feet of the road right-of-way in such a manner as to be visible from the road right-of-way.
4. The affiant understands that this affidavit is intended to be submitted as a requirement for a public hearing, and as such, will be officially filed with the Government of Brevard County, Florida.

[Signature]
Signature

Sworn and Subscribed before me, this 23rd day of June 2016



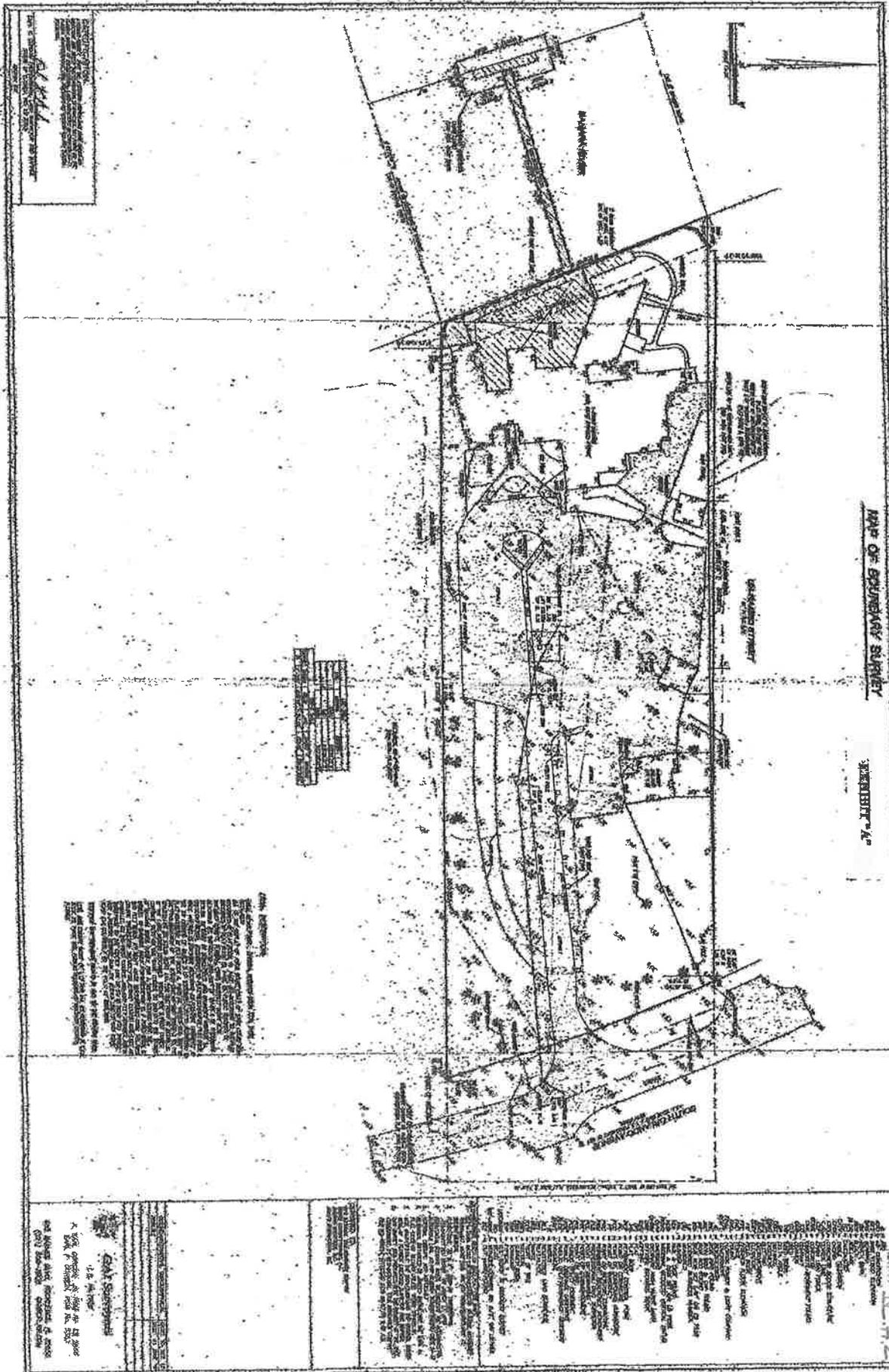
(Print, Type, or Stamp Commissioner's Name of Notary Public)

[Signature]
Notary Public, State of Florida

Personally known OR Produced Identification

Type of I.D. Produced: _____

THIS AFFIDAVIT IS TO BE PRESENTED AT THE PUBLIC HEARING R - 120



MAP OF BUNDESBANK SQUARE

SCALE 1/4"

DATE OF DESIGN: 10/1/50
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 APPROVED BY: [Signature]

NOTES:
 1. ALL DIMENSIONS ARE IN FEET AND INCHES.
 2. ALL WALLS ARE 12" THICK UNLESS OTHERWISE NOTED.
 3. ALL FLOORS ARE CONCRETE ON GRADE UNLESS OTHERWISE NOTED.
 4. ALL ROOFS ARE FLAT UNLESS OTHERWISE NOTED.
 5. ALL DOORS ARE 36" WIDE UNLESS OTHERWISE NOTED.
 6. ALL WINDOWS ARE 48" WIDE UNLESS OTHERWISE NOTED.
 7. ALL STAIRS ARE 36" WIDE UNLESS OTHERWISE NOTED.
 8. ALL ELEVATIONS ARE IN FEET AND INCHES.
 9. ALL FINISHES ARE AS NOTED.
 10. ALL MATERIALS ARE AS NOTED.

GENERAL NOTES:
 1. ALL DIMENSIONS ARE IN FEET AND INCHES.
 2. ALL WALLS ARE 12" THICK UNLESS OTHERWISE NOTED.
 3. ALL FLOORS ARE CONCRETE ON GRADE UNLESS OTHERWISE NOTED.
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 8. ALL ELEVATIONS ARE IN FEET AND INCHES.
 9. ALL FINISHES ARE AS NOTED.
 10. ALL MATERIALS ARE AS NOTED.

NO.	DESCRIPTION	QUANTITY	UNIT
1	CONCRETE ON GRADE	1000	SQ. FT.
2	CONCRETE FLOOR	1000	SQ. FT.
3	CONCRETE ROOF	1000	SQ. FT.
4	BRICK WALL	1000	SQ. FT.
5	WOOD STUD WALL	1000	SQ. FT.
6	WOOD STUD CEILING	1000	SQ. FT.
7	WOOD STUD FLOOR	1000	SQ. FT.
8	WOOD STUD ROOF	1000	SQ. FT.
9	WOOD STUD STAIR	1000	SQ. FT.
10	WOOD STUD WINDOW	1000	SQ. FT.
11	WOOD STUD DOOR	1000	SQ. FT.
12	WOOD STUD STAIR	1000	SQ. FT.
13	WOOD STUD WINDOW	1000	SQ. FT.
14	WOOD STUD DOOR	1000	SQ. FT.
15	WOOD STUD STAIR	1000	SQ. FT.
16	WOOD STUD WINDOW	1000	SQ. FT.
17	WOOD STUD DOOR	1000	SQ. FT.
18	WOOD STUD STAIR	1000	SQ. FT.
19	WOOD STUD WINDOW	1000	SQ. FT.
20	WOOD STUD DOOR	1000	SQ. FT.

DATE: 10/1/50
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 APPROVED BY: [Signature]

This Instrument Prepared By
And To Be Returned To:
Kim Rezanka, Esquire
CANTWELL & GOLDMAN, P.A.

DRAFT
FY1 IIA.2
~~IV B. 27~~

BINDING DEVELOPMENT PLAN

THIS AGREEMENT, entered into this ____ day of _____, 2016,
between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY,
FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County"),
BANANA RIVERFRONT, LLC ("Owner").

RECITALS

WHEREAS, Owner owns property (hereinafter referred to as the "Property") in
Brevard County, Florida, as more particularly described in Exhibit "A" attached hereto and
incorporated herein by this reference; and

WHEREAS, Owner desires to remodel and operate the Property as Squid Lips,
Cocoa Beach, and has requested the BU-1 zoning classification, pursuant to the Brevard County
Code, Section 62-1157; and

WHEREAS, as part of its plan for development of the Property, the Owner wishes
to mitigate negative impact on abutting land owners and affected facilities or services; and

WHEREAS, the County is authorized to regulate development of the Property.

NOW, THEREFORE, the parties agree as follows:

1. The County shall not be required or obligated in any way to construct or maintain or participate in any way in the construction or maintenance of the improvements to the Property. It is the intent of the parties that the Owner, its grantees, successors or assigns in interest or some other association and/or assigns satisfactory to the County shall be responsible for the maintenance of any improvements.
2. The Owner agrees to limit the use of the Property solely to a restaurant use with a Conditional Use for on-premises consumption of alcoholic beverages, which is a conditional use in BU-1 Zoning Classification. No other commercial uses shall be permitted on the Property and Owner agrees not to seek any additional commercial uses for this Property.
3. The Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Owner's agreement to meet additional standards or restrictions in developing the Property. This Agreement provides no vested rights against changes to the comprehensive plan or land development regulations as they may apply to this Property.

4. The Owner, upon execution of this Agreement, shall pay to the County the cost of recording this Agreement in Brevard County, Florida.

5. This Agreement shall be binding and shall inure to the benefit of the successors or assigns of the parties and shall run with the subject Property unless or until rezoned and be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject Property, and be subject to the above referenced conditions as approved by the Board of County Commissioners on _____. In the event the subject Property is annexed into a municipality and rezoned, this Agreement shall be null and void.

6. Violation of this Agreement will also constitute a violation of the Zoning Classification, and this Agreement may be enforced by Sections 1.7 and 62-5, Code of Ordinances of Brevard County, Florida, as may be amended.

7. Conditions precedent. All mandatory conditions set forth in this Agreement mitigate the potential for incompatibility and must be satisfied before Owner may implement the approved use(s), unless stated otherwise. The failure to timely comply with any mandatory condition is a violation of this Agreement, constitutes a violation of the Zoning Classification and is subject to enforcement action as described in Paragraph 6 above.

IN WITNESS THEREOF, the parties hereto have caused these presents to the signed all as of the date and year first written above.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA
2725 Judge Fran Jamieson Way
Viera, Florida 32940

Scott Ellis, Clerk
(SEAL)

James Barfield, Chairperson
As approved by the Board on _____

STATE OF FLORIDA)
COUNTY OF BREVARD)

The foregoing instrument was acknowledged before me this _____ day of _____, 2016, by James Barfield, Chairperson of the Board of County Commissioners of Brevard County, Florida, who is personally known to me or who has produced _____ as identification.

My Commission Expires:

Notary Public

SEAL
Commission No.: _____

(Name typed, printed or stamped)

WITNESSES:

BANANA RIVERFRONT, LCC, Owner

By: _____, Its Manager

(Witness Name typed or printed)

(Witness Name typed or printed)

STATE OF _____)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2016, by _____, Manager of BANANA RIVERFRONT, LLC, who is personally known to me or who has produced _____ as identification.

Notary Public

My Commission Expires:

(Name typed, printed or stamped)

SEAL
Commission No.: _____

JOINDER IN BINDING DEVELOPMENT PLAN

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, being the authorized agent and signatory for the owner and holder of that certain Mortgage and Security Agreement, dated October 20, 2015, and recorded on October 26, 2015, in O.R. Book 7480, Page 315, Public Records of Brevard County, Florida, and encumbering lands described in said Mortgage, does hereby join in the foregoing Binding Development Plan for the purpose of consenting to the change of property use and development requirements as set forth therein.

CHEFS INTERNATIONAL, INC.
P. O. Box 1332
Point Pleasant Beach, NJ 08742

WITNESSES:

By: _____
Its: _____

(Print Name)

(Print Name)

(Print Name)

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2016, by _____ who (check one) is personally known to me, produced a driver's license (issued by a state of the United States within the last five (5) years) as identification, or produced other identification, to wit: _____.

Print Name: _____
Notary Public, State of Florida

FYI
~~IV.A.2~~

Jones, Jennifer

From: Alward, Elizabeth M
Sent: Wednesday, August 17, 2016 9:34 AM
To: Fox, Cynthia C
Subject: FW: Squid Lips rezoning issue

IV.A.2

FYI

From: Alward, Elizabeth M **On Behalf Of** Commissioner, D2
Sent: Wednesday, August 17, 2016 9:08 AM
To: 'Linda Giles'
Cc: Barfield, Jim; Valdengo, Venetta; Whitten, Stockton E; Abbate, Frank B
Subject: RE: Squid Lips rezoning issue

Dear Ms. Giles,

Thank you for your response. The property owner sent out an email that said support the re-zoning so I may reopen my deck. Unfortunately it's not that simple and there will be compliance issues to deal with. Commissioner Barfield and myself have met with the owner and his attorney many times looking for the best remedy to get him up and running soon. If you felt it was one sided, I was only trying to put the facts out to the many emails Commissioner Barfield received regarding the reopening of the deck. We will continue to work with him and the re-zoning is the first step.

Thank you,

Liz

Liz Alward, Senior Legislative Aide

District 2 Commission Office
2575 N. Courtenay Pkwy, Suite 200
Merritt Island, FL 32953
321-454-6601 work
321-213-4807 cell

From: Linda Giles [<mailto:lindagiles.opa@gmail.com>]
Sent: Tuesday, August 16, 2016 5:46 PM
To: Commissioner, D2
Cc: Commissioner, D2; Valdengo, Venetta; Whitten, Stockton E; Abbate, Frank B
Subject: RE: Squid Lips rezoning issue

Ms. Alward,

As a concerned constituent and voter in Brevard County's second district, I have to be honest. Your reply to my email took me aback. There was no thanks for my email – no thoughtful wording acknowledging my interest and input about the Squid Lips rezoning issue. Your reply was as if your finger was wagging at me about the supposed misdeeds or failings with the owners of Squid Lips.

The aim of my interest and email expressing my point of view was to encourage fair and responsible resolution to the rezoning issue by the county government with respect to this viable and tax paying business in Cocoa Beach. Since your reply was pointed at what is deficient, I hope that you will allow the owners of Squid Lips to remedy the situation and work out an ethical and amenable solution so that the businesses plans for the deck may move forward in a safe and responsible fashion in consideration of its residential neighbors.

Instead of pointing fingers at business ownership, I hope that Brevard County government, my government, will work to a satisfactory end that will allow this business to flourish with the outdoor patio.

Linda Giles
Satellite Beach

From: Alward, Elizabeth M [<mailto:Liz.Alward@brevardfl.gov>] **On Behalf Of** Commissioner, D2
Sent: Tuesday, August 16, 2016 4:14 PM
To: Linda Giles
Subject: RE: Squid Lips rezoning Issue

Dear Ms. Giles,

The deck was added/constructed with no site plan, no licensed contractors, no permits and as a result changed the non-conforming use because of the addition. If he had made legal modifications, his zoning would not need to be changed. The zoning change will give him the opportunity to submit site plan, pull permits, and work on the numerous code enforcement and building code violations. This is not the county not wanting his success. Commissioner Barfield has received numerous emails regarding the zoning change. At P & Z it was tabled until the September P & Z meeting. When adding the addition, it came with additional traffic, noise etc. that the original non-conforming restaurant did not experience. His neighbors called in the building code violations, there are fire codes and building in the shore line protection buffer violations as well. The County will work with him but just so you know the re-zoning does not open the deck. It gives him the ability to come into compliance. If the zoning does not get approved he can still have what existed before he added the illegal structure. I hope this gives you a better understanding of the situation.

I hope this helps!

Liz

Liz Alward, Senior Legislative Aide
District 2 Commission Office
2575 N. Courtenay Pkwy, Suite 200
Merritt Island, FL 32953
321-454-6601 work
321-213-4807 cell

From: Linda Giles [<mailto:linda.giles.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

FVI
~~III.B.7.~~
IV.A.2.

From: Alward, Elizabeth M
Sent: Wednesday, August 17, 2016 9:32 AM
To: Fox, Cynthia C
Subject: FW: Squid Lips - Cocoa Beach

FYI

From: Alward, Elizabeth M **On Behalf Of** Commissioner, D2
Sent: Wednesday, August 17, 2016 8:57 AM
To: 'Kiym Gardner'
Cc: Barfield, Jim
Subject: RE: Squid Lips - Cocoa Beach

Dear Kiym,

The property owner sent out an email that said support the re-zoning so I may reopen my deck. Unfortunately it's not that simple and there will be compliance issues to deal with. Commissioner Barfield and myself have met with the owner and his attorney many times looking for the best remedy to get him up and running soon. If you felt it was one sided, I was only trying to put the facts out to the many emails Commissioner Barfield received regarding the reopening of the deck. If being factual is unprofessional I will take the criticism.

Liz

Liz Alward, Senior Legislative Aide
District 2 Commission Office
2575 N. Courtenay Pkwy, Suite 200
Merritt Island, FL 32953
321-454-6601 work
321-213-4807 cell

From: Kiym Gardner [<mailto:kiymgardner@gmail.com>]
Sent: Tuesday, August 16, 2016 4:56 PM
To: Commissioner, D2
Cc: Fox, Cynthia C
Subject: RE: Squid Lips - Cocoa Beach

This deck was shut down when it was the Lobster Shanty. This is not a new situation with the new owners only. While the new ownership may have made modifications that are not up to code or through the proper channels, the deck was in disrepair for months prior to the Lobster Shanty closing. I can't imagine any business owner would knowingly do something that would jeopardize their business.

While I appreciate the response, it seems a bit defensive/favorable of those that have emailed their objections to Squid Lips and the renovations. I am certain that all the new owners of this property want is fairness and the ability to make

the repairs, working with both residents and neighboring businesses to ensure that everyone is pleased with the upgrades. If that means rezoning, it is the hope that our local Commissioner will provide them the ability to comply.

I find your email response a bit unprofessional and one sided. It does not matter to me who did what wrong or incorrectly, what matters to me is that the commissioner's office is fair in finding a suitable resolution to EVERYONE involved. You seem to be attempting to point the finger of blame to the proprietor, essentially saying had he not done this or that he would not be in this position. And I am not sure that is the position that a gov't office should be taking.

Regards,

Kiym Gardner

From: Alward, Elizabeth M [<mailto:Liz.Alward@brevardfl.gov>] **On Behalf Of** Commissioner, D2
Sent: Tuesday, August 16, 2016 4:31 PM
To: Kiym Gardner
Subject: RE: Squid Lips - Cocoa Beach

Dear Kiym,

The deck was added/constructed with no site plan, no licensed contractors, no permits and as a result changed the non-conforming use because of the addition. If he had made legal modifications, his zoning would not need to be changed. The zoning change will give him the opportunity to submit site plan, pull permits, and work on the numerous code enforcement and building code violations. This is not the county not wanting his success. Commissioner Barfield has received numerous emails regarding the zoning change. At P & Z it was tabled until the September P & Z meeting. When adding the addition, it came with additional traffic, noise etc. that the original non-conforming restaurant did not experience. His neighbors called in the building code violations, there are fire codes and building in the shore line protection buffer violations as well. The County will work with him but just so you know the re-zoning does not open the deck. It gives him the ability to come into compliance. If the zoning does not get approved he can still have what existed before he added the illegal structure. I hope this gives you a better understanding of the situation.

I hope this helps!

Liz

Liz Alward, Senior Legislative Aide

District 2 Commission Office
2575 N. Courtenay Pkwy, Suite 200
Merritt Island, FL 32953
321-454-6601 work
321-213-4807 cell

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,

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

FYI
~~IV A.2.~~
IV A.2.

Jones, Jennifer

From: Alward, Elizabeth M
Sent: Wednesday, August 17, 2016 9:32 AM
To: Fox, Cynthia C
Subject: FW: Squid Lips rezoning issue

FYI

From: Alward, Elizabeth M **On Behalf Of** Commissioner, D2
Sent: Wednesday, August 17, 2016 9:08 AM
To: 'Linda Giles'
Cc: Barfield, Jim; Valdengo, Venetta; Whitten, Stockton E; Abbate, Frank B
Subject: RE: Squid Lips rezoning issue

Dear Ms. Giles,

Thank you for your response. The property owner sent out an email that said support the re-zoning so I may reopen my deck. Unfortunately it's not that simple and there will be compliance issues to deal with. Commissioner Barfield and myself have met with the owner and his attorney many times looking for the best remedy to get him up and running soon. If you felt it was one sided, I was only trying to put the facts out to the many emails Commissioner Barfield received regarding the reopening of the deck. We will continue to work with him and the re-zoning is the first step.

Thank you,

Liz

Liz Alward, Senior Legislative Aide

District 2 Commission Office
2575 N. Courtenay Pkwy, Suite 200
Merritt Island, FL 32953
321-454-6601 work
321-213-4807 cell

From: Linda Giles [<mailto:lindagiles.opa@gmail.com>]
Sent: Tuesday, August 16, 2016 5:46 PM
To: Commissioner, D2
Cc: Commssioner, D2; Valdengo, Venetta; Whitten, Stockton E; Abbate, Frank B
Subject: RE: Squid Lips rezoning issue

Ms. Alward,

As a concerned constituent and voter in Brevard County's second district, I have to be honest. Your reply to my email took me aback. There was no thanks for my email – no thoughtful wording acknowledging my interest and input about the Squid Lips rezoning issue. Your reply was as if your finger was wagging at me about the supposed misdeeds or failings with the owners of Squid Lips.

The aim of my interest and email expressing my point of view was to encourage fair and responsible resolution to the rezoning issue by the county government with respect to this viable and tax paying business in Cocoa Beach. Since your reply was pointed at what is deficient, I hope that you will allow the owners of Squid Lips to remedy the situation and work out an ethical and amenable solution so that the businesses plans for the deck may move forward in a safe and responsible fashion in consideration of its residential neighbors.

Instead of pointing fingers at business ownership, I hope that Brevard County government, my government, will work to a satisfactory end that will allow this business to flourish with the outdoor patio.

Linda Giles
Satellite Beach

From: Alward, Elizabeth M [<mailto:Liz.Alward@brevardfl.gov>] **On Behalf Of** Commissioner, D2
Sent: Tuesday, August 16, 2016 4:14 PM
To: Linda Giles
Subject: RE: Squid Lips rezoning issue

Dear Ms. Giles,

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I hope this helps!

Liz

Liz Alward, Senior Legislative Aide
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321-454-6601 work
321-213-4807 cell

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.

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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

FYI
~~III.27.~~
IV.A.2.

From: Alward, Elizabeth M
Sent: Wednesday, August 17, 2016 9:32 AM
To: Fox, Cynthia C
Subject: FW: Squid Lips

From: Alward, Elizabeth M **On Behalf Of** Commissioner, D2
Sent: Wednesday, August 17, 2016 9:13 AM
To: 'Harrison'
Cc: Barfield, Jim
Subject: RE: Squid Lips

Dear Tom and Paula,

Thank you for your reply! The property owner sent out an email that said support the re-zoning so I may reopen my deck. Unfortunately it's not that simple and there will be compliance issues to deal with. Commissioner Barfield and myself have met with the owner and his attorney many times looking for the best remedy to get him up and running soon. I was only trying to put the facts out to the many emails Commissioner Barfield received regarding the reopening of the deck. The Zoning item is a vote of the County Commission not up to Commissioner Barfield. I was only trying to point out that if the re-zoning does not get approved, he still has the option of running the restaurant as it stood the many years before him.

Thank you again!

Liz

Liz Alward, Senior Legislative Aide
District 2 Commission Office
2575 N. Courtenay Pkwy, Suite 200
Merritt Island, FL 32953
321-454-6601 work
321-213-4807 cell

From: Harrison [<mailto:thattomharrison@gmail.com>]
Sent: Tuesday, August 16, 2016 7:02 PM
To: Commissioner, D2
Subject: RE: Squid Lips

Ms. Alward,

It was nice of you to reply and provide so much detail, thank you. We have heard that the property (the deck) was updated without permitting. As we mentioned in my original endorsing email, we read the staff report and wonder

what the issue is, aside from the number of feet the new deck overhangs the river. The fact that Commissioner Barfield has received numerous emails regarding the zoning change, I'm sure with the majority in favor of it, must give you the perspective of the public. Perhaps your reply to our endorsement is another validation of how much this is discussed in Cocoa Beach.

In our view additional noise and traffic would be the residual impact of a successful business, and something if it occurred, that we hope you would encourage, especially for a business in existence since the mid 1950's struggling to not become a riverside condo.

We, two voters new to Florida, are wondering why Cocoa Beach struggles economically.

"If the zoning does not get approved he can still have what existed before he added the illegal structure" seems a smug reply and not an effort to come to a resolution that helps all parties.

Tom & Paula Harrison

From: Alward, Elizabeth M [<mailto:Liz.Alward@brevardfl.gov>] **On Behalf Of** Commissioner, D2
Sent: Tuesday, August 16, 2016 3:34 PM
To: Harrison
Subject: RE: Squid Lips

Dear Tom and Paula,

The deck was added/constructed with no site plan, no licensed contractors, no permits and as a result changed the non-conforming use because of the addition. If he had made legal modifications, his zoning would not need to be changed. The zoning change will give him the opportunity to submit site plan, pull permits, and work on the numerous code enforcement and building code violations. This is not the county not wanting his success. Commissioner Barfield has received numerous emails regarding the zoning change. At P & Z it was tabled until the September P & Z meeting. When adding the addition, it came with additional traffic, noise etc. that the original non-conforming restaurant did not experience. His neighbors called in the building code violations, there are fire codes and building in the shore line protection buffer violations as well. The County will work with him but just so you know the re-zoning does not open the deck. It gives him the ability to come into compliance. If the zoning does not get approved he can still have what existed before he added the illegal structure. I hope this gives you a better understanding of the situation.

I hope this helps!

Liz

Liz Alward, Senior Legislative Aide
District 2 Commission Office
2575 N. Courtenay Pkwy, Suite 200
Merritt Island, FL 32953
321-454-6601 work
321-213-4807 cell

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:thatomharrison@gmail.com>]
Sent: Monday, August 8, 2016 2:22 PM
To: 'cynthia.fox@brevardfl.gov'; 'D2.commlssioner@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

FVI
~~REG.~~
IV.A.2.

From: Alward, Elizabeth M
Sent: Wednesday, August 17, 2016 9:31 AM
To: Fox, Cynthia C
Subject: FW: Squid Lips

From: Alward, Elizabeth M **On Behalf Of** Commissioner, D2
Sent: Wednesday, August 17, 2016 9:13 AM
To: 'Harrison'
Cc: Barfield, Jim
Subject: RE: Squid Lips

Dear Tom and Paula,

Thank you for your reply! The property owner sent out an email that said support the re-zoning so I may reopen my deck. Unfortunately it's not that simple and there will be compliance issues to deal with. Commissioner Barfield and myself have met with the owner and his attorney many times looking for the best remedy to get him up and running soon. I was only trying to put the facts out to the many emails Commissioner Barfield received regarding the reopening of the deck. The Zoning item is a vote of the County Commission not up to Commissioner Barfield. I was only trying to point out that if the re-zoning does not get approved, he still has the option of running the restaurant as it stood the many years before him.

Thank you again!

Liz

Liz Alward, Senior Legislative Aide
District 2 Commission Office
2575 N. Courtenay Pkwy, Suite 200
Merritt Island, FL 32953
321-454-6601 work
321-213-4807 cell

From: Harrison [<mailto:thattomharrison@gmail.com>]
Sent: Tuesday, August 16, 2016 7:02 PM
To: Commissioner, D2
Subject: RE: Squid Lips

Ms. Alward,

It was nice of you to reply and provide so much detail, thank you. We have heard that the property (the deck) was updated without permitting. As we mentioned in my original endorsing email, we read the staff report and wonder

what the issue is, aside from the number of feet the new deck overhangs the river. The fact that Commissioner Barfield has received numerous emails regarding the zoning change, I'm sure with the majority in favor of it, must give you the perspective of the public. Perhaps your reply to our endorsement is another validation of how much this is discussed in Cocoa Beach.

In our view additional noise and traffic would be the residual impact of a successful business, and something if it occurred, that we hope you would encourage, especially for a business in existence since the mid 1950's struggling to not become a riverside condo.

We, two voters new to Florida, are wondering why Cocoa Beach struggles economically.

"If the zoning does not get approved he can still have what existed before he added the illegal structure" seems a smug reply and not an effort to come to a resolution that helps all parties.

Tom & Paula Harrison

From: Alward, Elizabeth M [<mailto:Liz.Alward@brevardfl.gov>] **On Behalf Of** Commissioner, D2
Sent: Tuesday, August 16, 2016 3:34 PM
To: Harrison
Subject: RE: Squid Lips

Dear Tom and Paula,

The deck was added/constructed with no site plan, no licensed contractors, no permits and as a result changed the non-conforming use because of the addition. If he had made legal modifications, his zoning would not need to be changed. The zoning change will give him the opportunity to submit site plan, pull permits, and work on the numerous code enforcement and building code violations. This is not the county not wanting his success. Commissioner Barfield has received numerous emails regarding the zoning change. At P & Z it was tabled until the September P & Z meeting. When adding the addition, it came with additional traffic, noise etc. that the original non-conforming restaurant did not experience. His neighbors called in the building code violations, there are fire codes and building in the shore line protection buffer violations as well. The County will work with him but just so you know the re-zoning does not open the deck. It gives him the ability to come into compliance. If the zoning does not get approved he can still have what existed before he added the illegal structure. I hope this gives you a better understanding of the situation.

I hope this helps!

Liz

Liz Alward, Senior Legislative Aide

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2575 N. Courtenay Pkwy, Suite 200
Merritt Island, FL 32953
321-454-6601 work
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Sent: Monday, August 08, 2016 2:36 PM

To: Fox, Cynthia C; Commissioner, D2
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55 N 4th St
Cocoa Beach FL

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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

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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

PVI
~~IV.A.2~~

Jones, Jennifer

From: Fox, Cynthia C
Sent: Tuesday, August 16, 2016 4:59 PM
To: Jones, Jennifer
Subject: FW: Squid Lips - Cocoa Beach

IV.A.2.

From: KiyM Gardner [mailto:kiymgardner@gmail.com]
Sent: Tuesday, August 16, 2016 4:56 PM
To: Commissioner, D2
Cc: Fox, Cynthia C
Subject: RE: Squid Lips - Cocoa Beach

This deck was shut down when it was the Lobster Shanty. This is not a new situation with the new owners only. While the new ownership may have made modifications that are not up to code or through the proper channels, the deck was in disrepair for months prior to the Lobster Shanty closing. I can't imagine any business owner would knowingly do something that would jeopardize their business.

While I appreciate the response, it seems a bit defensive/favorable of those that have emailed their objections to Squid Lips and the renovations. I am certain that all the new owners of this property want is fairness and the ability to make the repairs, working with both residents and neighboring businesses to ensure that everyone is pleased with the upgrades. If that means rezoning, it is the hope that our local Commissioner will provide them the ability to comply.

I find your email response a bit unprofessional and one sided. It does not matter to me who did what wrong or incorrectly, what matters to me is that the commissioner's office is fair in finding a suitable resolution to EVERYONE involved. You seem to be attempting to point the finger of blame to the proprietor, essentially saying had he not done this or that he would not be in this position. And I am not sure that is the position that a gov't office should be taking.

Regards,

KiyM Gardner

From: Alward, Elizabeth M [mailto:Liz.Alward@brevardfl.gov] **On Behalf Of** Commissioner, D2
Sent: Tuesday, August 16, 2016 4:31 PM
To: KiyM Gardner
Subject: RE: Squid Lips - Cocoa Beach

Dear KiyM,

The deck was added/constructed with no site plan, no licensed contractors, no permits and as a result changed the non-conforming use because of the addition. If he had made legal modifications, his zoning would not need to be changed. The zoning change will give him the opportunity to submit site plan, pull permits, and work on the numerous code enforcement and building code violations. This is not the county not wanting his success. Commissioner Barfield has received numerous emails regarding the zoning change. At P & Z it was tabled until the September P & Z meeting. When adding the addition, it came with additional traffic, noise etc. that the original non-conforming restaurant did not experience. His neighbors called in the building code violations, there are fire codes and building in the shore line protection buffer violations as well. The County will work with him but just so you know the re-zoning does not open the deck. It gives him the ability to come into compliance. If the zoning does not get approved he can

still have what existed before he added the illegal structure. I hope this gives you a better understanding of the situation.

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Liz

Liz Alward, Senior Legislative Aide

District 2 Commission Office
2575 N. Courtenay Pkwy, Suite 200
Merritt Island, FL 32953
321-454-6601 work
321-213-4807 cell

From: Klym Gardner [<mailto:klymgardner@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,

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

Jones, Jennifer

From: Fox, Cynthia C
Sent: Tuesday, August 16, 2016 9:51 AM
To: Jones, Jennifer
Subject: FW: Squid Lips

FVI
~~IV. A. 2.~~

IV. A. 2.

From: Alward, Elizabeth M **On Behalf Of** Commissioner, D2
Sent: Tuesday, August 16, 2016 9:15 AM
To: Kurt Easton
Cc: Fox, Cynthia C; Barfield, Jim
Subject: RE: Squid Lips

Good Morning Kurt,

The deck was added/constructed with no site plan, no licensed contractors, no permits and as a result changed the non-conforming use because of the addition. If he had made legal modifications, his zoning would not need to be changed. The zoning change will give him the opportunity to submit site plan, pull permits, and work on the numerous, code enforcement and building code violations. This is not the county not wanting his success. I have received numerous emails regarding the zoning change. At P & Z it was tabled until the September P & Z meeting. When adding the addition, it came with additional traffic, noise etc. that the original non-conforming restaurant did not experience. His neighbors called in the building code violations, there are fire codes and building in the shore line protection buffer violations as well. The County will work with him but just so you know the re-zoning does not open the deck. It gives him the ability to come into compliance. If the zoning does not get approved he can still have what existed before he added the illegal structure. I hope this gives you a better understanding of the situation.

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Liz

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2575 N. Courtenay Pkwy, Suite 200
Merritt Island, FL 32953
321-454-6601 work
321-213-4807 cell

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

FYI
~~IV.A.2.~~

Jones, Jennifer

From: Kimberly Bonder Rezanka <kim@cflawoffice.com>
Sent: Thursday, September 08, 2016 11:58 AM
To: Fox, Cynthia C; Jones, Jennifer
Cc: Alward, Elizabeth M; 'Buz Underill'
Subject: 16PZ00055 - Proposed Conditions for CUP (Banana Riverfront, LLC d/b/a Squid Lips)
Attachments: 16PZ00055 Proposed Condition for CUP.pdf

IV.A.2.

Cindy and Jennifer,

Attached please find proposed conditions that Banana Riverfront, LLC agrees to include in the CUP for Onsite Consumption of Alcoholic Beverages.

These were based upon the meeting with Magnolia Bay HOA on August 23rd at its Clubhouse.

These have already been sent to the President of the HOA, but we have not yet heard back from the HOA.

Sincerely,

Kimberly Bonder Rezanka, Esq.



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

Kim@cflawoffice.com
www.cflawoffice.com



IMPORTANT: This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are, by this, on notice that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to Cantwell & Goldman, PA., 96 Willard St., Ste. 302, Cocoa, FL. 32922. Thank you.

Banana Riverfront, LLC – Conditional Use - 16PZ00055

Proposed Conditions for Conditional use:

- 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.**
- 2. Limit the outside live music to approximately 10 pm on Fridays and Saturdays, Sundays until 8:30 pm unless Sunday falls on a night prior to a Monday holiday, then until 10 pm. Outside live music on Mondays-Thursdays (weekdays) 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 pm.**
- 3. Pay for and install signage indicating “No Left Turn” onto Orlando Avenue/A1A within 60 days of approval of Conditional Use.**
- 4. Sign contract with Waste Management to install a large trash compactor to handle waste concerns within 15 days of issuance of a permit by Brevard County for pouring a concrete slab on which to locate compactor.**

FYI
~~IV.A.2.~~

Jones, Jennifer

From: Fox, Cynthia C
Sent: Thursday, September 08, 2016 4:13 PM
To: Jones, Jennifer
Subject: FW: Time Line Squid Lips
Attachments: Timeline of Squid Lips Violations.docx

IV.A.2.

From: Alward, Elizabeth M
Sent: Thursday, September 08, 2016 3:15 PM
To: Fox, Cynthia C
Subject: FW: Time Line Squid Lips

From: DiFabio, Robin M
Sent: Friday, May 27, 2016 9:27 AM
To: Alward, Elizabeth M
Subject: FW: Time Line Squid Lips

FYI

From: Castellano, Margaret K
Sent: Friday, May 27, 2016 8:38 AM
To: McCullough-Wham, Lee Ann
Cc: Campagna, Denise M; DiFabio, Robin M
Subject: Time Line Squid Lips

Lee Ann,

Attached is the timeline you requested for my Squid Lips investigation.

Let me know if it is too much or lacking.

Maggie Castellano
Brevard County Investigator
Licensing Regulation & Enforcement
2725 Judge Fran Jamieson Way Bldg A
Viera FL 32940
321-633-2058 ext 56334 Office
321-690-6878 Fax
www.brevardcounty.us/licensing

IV.A.2.

FV1

~~IV.A.2.~~

Submitted at
9/12/16 mtg.

Brevard County P&Z/LPA Meeting

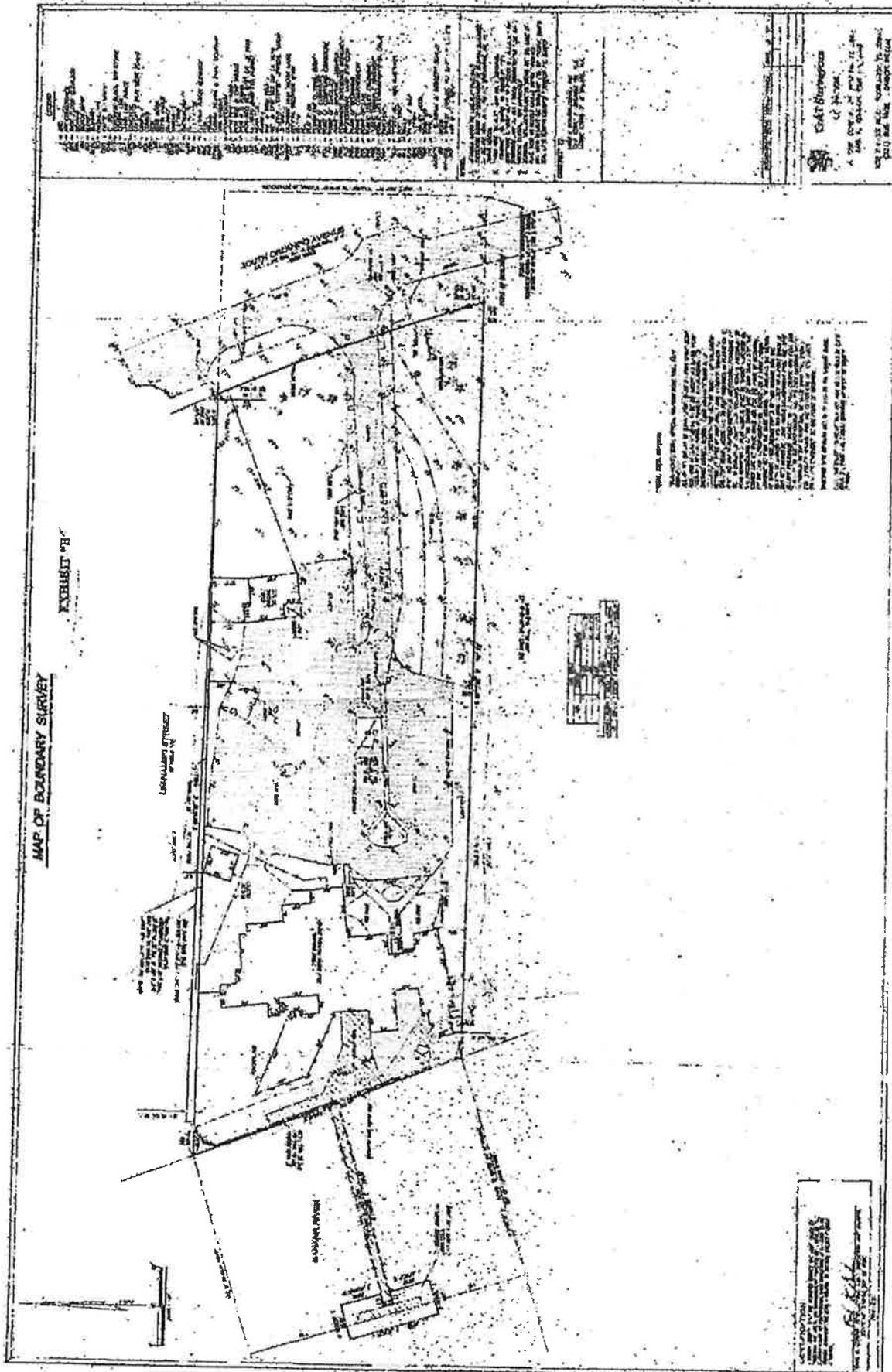
September 12, 2016

- PRESENTED ON BEHALF OF -

Banana Riverfront, LLC

16S.05 - FLUM Amendment on 1.26 acres
Companion to **16PZ-00055**
with CUP Application for Consumption of Alcoholic Beverages

KIMBERLY BONDER REZANKA, ESQ.
Cantwell & Goldman, P.A.
96 Willard Street, Suite 302
Cocoa, FL 32922



MAP OF BOUNDARY SURVEY

EXHIBIT 'B'

The following is a description of the survey shown on the map. The survey was made by G. H. ... on the 15th day of ... 1911. The survey shows the boundaries of the property shown on the map. The bearings and distances of the lines are as follows: ...

DISTANCE	BEARING	POINT
...
...
...

G. H. ...
 Surveyor
 1911

010

Banana Riverfront, LLC – Conditional Use - 16PZ00055

Proposed Conditions for Conditional use:

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 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 the outside live music to ~~approximately~~ 10 pm on Fridays and Saturdays, Sundays until 8:30 pm unless Sunday falls on a night prior to a Monday holiday, then until 10 pm. Outside live music on Mondays-Thursdays (weekdays) 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 pm.
3. ^{Done.} Pay for and install signage indicating “No Left Turn” onto Orlando Avenue/A1A within 60 days of approval of Conditional Use. *(This has already been installed as of 9/9/16.)*
4. Sign contract with Waste Management to install a large trash compactor to handle waste concerns within 15 days of issuance of a permit by Brevard County for pouring a concrete slab on which to locate compactor.

Kimberly Bonder-Rezanka

From: Magnolia Bay [mbcoapres@gmail.com]
Sent: Sunday, September 11, 2016 6:42 PM
To: Kimberly Bonder Rezanka
Cc: clangle4@cfl.rr.com; Mag Bay; Magnolia Bay Treasurer; Marcello Frustaci; Mary Jo andre
Subject: Re: Meeting with Squid Lips' Representatives

Kim,

While I thank you and your client for taking the effort to memorialize your commitments from the August 23rd meeting at the Magnolia Bay Clubhouse, we request a few minor adjustments to bring the document in line with the commitments we heard from you in that meeting:

"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 the permit by Brevard County for the curtain installation."

We have two issues with this paragraph. One, the wording implies if you do not get a permit to put in a sound curtain, you will not be required to do so. We believe Squid Lips should be prohibited from live music on the new deck until a sound curtain or other mitigation is installed. And two, we request additional language that details the action Squid Lips will take if the installed sound curtain does not mitigate the noise to within code requirements and the promised "non-intrusive" levels. Buz commented at the meeting on at least one "next step" he could take if the curtain didn't "do the job."

"2. Limit the outside live music to approximately 10pm on Fridays and Saturdays, Sundays until 8:30pm unless"

We would like to strike the word "approximately" from this item.

We have no issues with, and applaud, items 3 and 4 in your Proposed Conditions.

Thanks again, Kim and hope to see you on September 12

Sam Shake
Magnolia Bay Condominiums

On Thu, Sep 8, 2016 at 11:56 AM, Kimberly Bonder Rezanka <kim@cfglawoffice.com> wrote:

Sam,

Attached are conditions that Banana Riverfront, LLC d/b/a Squid Lips is proposing to attach to the Property, as conditions on the Conditional Use of on-site consumption of Alcoholic Beverages. We are unable to include the conditions in the Binding Development Agreement.

Please let us know if these are acceptable to your residents, or if any changes or additions are requested.