

Meeting Date
October 4, 2016



AGENDA	
Section	Public Hearing
Item No.	IV E

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	B.S.E. Consultants, Inc. Requests Linear Project Exemption Per Section 62-4334(5) of Landscaping, Land Clearing & Tree Protection Code Addison Drive & Stadium Parkway Roadway and Utility Improvements (16SD00010) - District 4
DEPT/OFFICE:	Natural Resources Management Department (NRM)

Requested Action:

It is requested that the Board of County Commissioners Consider a Linear Project Exemption for the Addison Drive & Stadium Parkway Roadway and Utility Improvements Project (16SD00010).

Summary Explanation & Background:

Hassan Kamal, the engineer of record (EOR) for the Addison Drive & Stadium Parkway Roadway and Utility Improvements Project (16SD00010), requests an exemption on behalf of The Viera Company. The EOR offers that the proposed roadway construction project meets public interest criteria as the proposed roadway will be an arterial road, with right-of-way including sidewalks and bike paths. The road will be maintained by Brevard County. The road will also provide important inter-connection between roads connecting Paragrass to Lake Andrew to the future Pineda Extension and will not be simply an access to a development. Lastly, the proposed road will reduce travel time and traffic volume on adjacent arterial/collector roads and provide alternate routes for the public.

Section 62-4334, Exemptions, of the Landscaping, Land Clearing & Tree Protection Code reads:

*(5) Linear Projects and utility corridors developed or maintained by governmental or investor owned regulated utilities that do not require an active development order are exempt if determined by the Board of County Commissioners to be in the **public interest** as defined in the Brevard County Comprehensive Plan Glossary. Linear projects include federal, state and county roadways, such as arterial and collector roads, sidewalks, trails and paths.*

The Comprehensive Plan Glossary reads:

***Public Interest** means the demonstrable environmental, social and economic benefits which would accrue to the public at large as a result of the proposed action. In determining the public interest in request for use, sale, lease, or transfer of interest in sovereignty lands or severance of materials from sovereignty lands, the board shall consider the ultimate project and purpose to be served by said, sale, lease, or transfer of lands or materials.*

Fiscal Impact: None.

Contact: Virginia Barker (ext. 5-2435) or Jeanne Allen (ext. 5-2425) at 321-633-2016.

Clerk to the Board instruction:

Exhibits Attached: **Attachment A:** Engineer Exemption Request

Contract /Agreement (If attached): Reviewed by County Attorney Yes No PR

County Manager Stockton Whitten	Assistant County Manager	Department Director/Extension Virginia Barker/X52435
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Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

October 5, 2016

M E M O R A N D U M

TO: Virginia Barker, Natural Resources and Management Director

RE: Item IV.E., Approval of B.S.E. Consultants, Inc. Request of a Linear Project Exemption Per Section 62-4334(5) of Landscaping, Land Clearing, and Tree Protection Code – Addison Drive and Stadium Parkway Roadway and Utility Improvements (16SD00010)

The Board of County Commissioners, in regular session on October 4, 2016, approved the B.S.E. Consultants, Inc. request of a Linear Project Exemption per Section 62-4334(5), Exemption of Landscaping, Land Clearing, and Tree Protection Code for the Addison Drive and Stadium Parkway Roadway and Utility Improvements Project (16SD00010).

Your continued cooperation is greatly appreciated.

Sincerely yours,

**BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK**

Tammy Rowe, Deputy Clerk

/ds

cc: Finance
Budget

PUBLIC NOTICE

B.S.E. CONSULTANTS, INC., ON BEHALF OF THE VIERA COMPANY, IS REQUESTING A PUBLIC INTEREST DETERMINATION FOR AN EXEMPTION FROM THE LANDSCAPING, LAND CLEARING & TREE PROTECTION ORDINANCE IN ACCORDANCE WITH CHAPTER 62, ARTICLE XIII, DIVISION 2. THE PROPOSED ROADWAY PROJECT WOULD EXTEND ADDISON DRIVE (TAX ID 2604316) FROM WYNDHAM DRIVE TO THE EAST; AND EXTEND STADIUM PARKWAY (TAX ID 2604323) TO THE SOUTH FROM PROPOSED ADDISON DRIVE TO INTERSECT AT FUTURE PINEDA EXTENSION. THE ITEM WILL BE HEARD AT THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS MEETING ON OCTOBER 4, 2016 AT 9:00 AM LOCATED AT 2725 JUDGE FRAN JAMIESON WAY, BLDG. C, VIERA, FL 32940. FOR MORE INFORMATION PLEASE CONTACT THE NATURAL RESOURCES MANAGEMENT DEPT. AT (321)633-2016. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND SECTION 286.26, FLORIDA STATUTES, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE COUNTY MANAGER'S OFFICE NO LATER THAN 48 HOURS PRIOR TO MEETING AT (321)633-2001 FOR ASSISTANCE.



ATTACHMENT A
B.S.E. CONSULTANTS, INC.
Consulting ~ Engineering ~ Land Surveying

Scott M. Glaubitz, P.E., P.L.S.
President

Hassan Kamal, P.E.
Vice President

September 2, 2016

Hand Delivered

Ms. Darcie McGee
Brevard County Government Center
Natural Resources Management Office
2725 Judge Fran Jamieson Way
Viera, FL 32940

**Re: Addison Drive & Stadium Parkway Roadway & Utility Improvements
#16SD00010
Control #29584
B.S.E. File #11310**

Dear Amanda:

As a follow-up to our recent construction plan submittal, please consider this as our formal request for you to prepare a Board agenda package requesting the Board of Commissioners determination that the Addison Drive & Stadium Parkway Roadway & Utility Improvements project is exempt from landscaping requirements as defined in Section 62-4334, Item # 5.

We have enclosed the required fee of \$800.00 (Check #200502) along with an exhibit detailing the location of the roadway relative to the existing infrastructure.

As supporting information regarding how this project meets the provisions of Item 5 of Section 62-4334, we offer the following:

1. The proposed roadways will function as arterial/collector roads, whose right-of-way will also include sidewalks and bike path facilities.
2. The roads will be owned and maintained by a governmental entity (Brevard County).
3. The roads are being developed to provide an important inter-connection between existing public roadways and not simply as an access road for adjacent development (Connecting Paragrass to Lake Andrew to Future Pineda Extension).
4. Once the interconnection is complete, the proposed roadways will provide a needed public benefit by reducing travel time, providing alternative travel routes and reducing traffic volumes on adjacent collector/arterial roads.

Civil ~ Agricultural ~ Transportation ~ Utility ~ Site Planning ~ Environmental
312 South Harbor City Boulevard, Suite #4, Melbourne, FL 32901
(321) 725-3674 ~ Fax (321) 723-1159
Toll Free ~ 1-800-523-4BSE (4273)
info@bseconsult.com

Ms. Darcie McGee

September 2, 2016

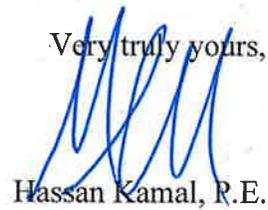
Page 2

5. The proposed roadways will provide additional bike path and sidewalk connections between residential communities to the east and west (Reeling Park, Kerrington, Trasona) and the sidewalk and bicycle facilities located along Stadium Parkway. Bike path and sidewalk connections will eventually be extended to the south with an interconnect to the future Pineda Extension.

We believe that the above facts demonstrate a considerable environmental, social and economic benefit to the public that clearly exceeds all costs of the proposed action.

I trust that the above is adequate for you to complete your package, but if you need anything else, please feel free to call me.

Very truly yours,



Hassan Kamal, R.E.
Vice President
B.S.E. Consultants, Inc.

HK/alm

11310.county.corr.16-hk13351.july

cc: Mary Ellen McKibben, Director of Land Development, The Viera Company (*via E-mail*)
Rebecca Ragain, Brevard County – Land Development (*via E-mail*)

Enclosures

Check 200502

Vendor : 07709, Brevard County Board of County Commissioners

Invoice number	Invoice date	Description	Gross amount	Cash discount	Payment amount
ADDSN/STADWAIVR	5/17/2016	ADDSN/STAD PK RD IMP	-800.00	0.00	800.00
Total				800.00	

COPY

FOR SECURITY PURPOSES, THE FACE OF THIS DOCUMENT CONTAINS A COLORED BACKGROUND AND MICROPRINTING IN THE BORDER

THE VIERA COMPANY

P.O. Box 620257
Oviedo, FL 32762-0257

Wells Fargo Bank, N.A.

May 20 2016

200502

56-382/412

*** Eight Hundred and 00/100 US Dollar

\$ 800.00***

Vendor: 07709

PAY TO THE
ORDER OF

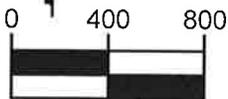
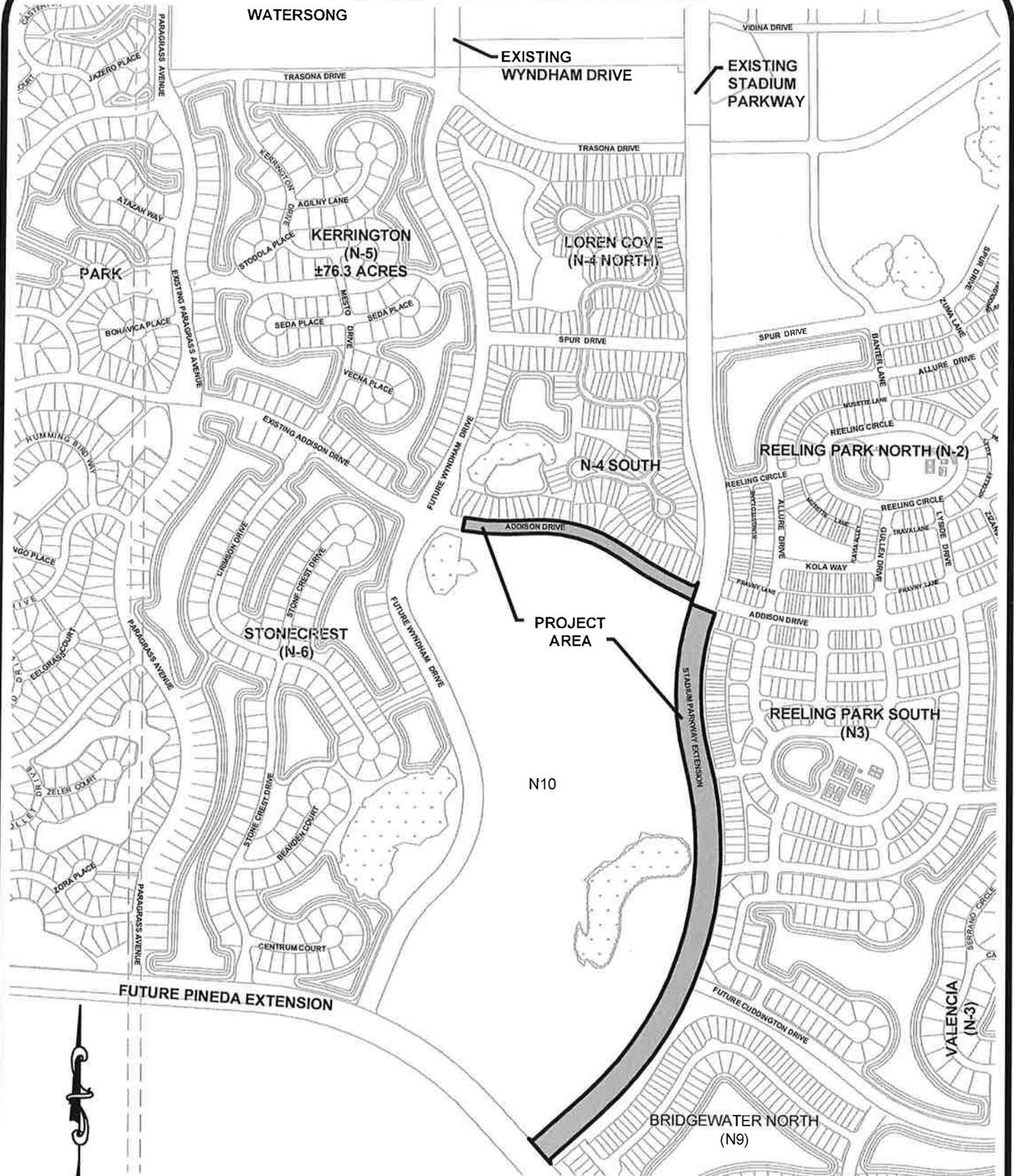
Brevard County Board of County Commissioners
2725 Judge Fran Jamieson Wy.
Viera, FL 32940
USA



Mark Engvall
AUTHORIZED SIGNATURE

⑈ 200502⑈ ⑆041203824⑆ 9659481817⑈

EXISTING INFRASTRUCTURE



1 inch = 800 ft.



B.S.E. CONSULTANTS, INC.
 CONSULTING - ENGINEERING - LAND SURVEYING
 312 SOUTH HARBOR CITY BOULEVARD, SUITE 4 MELBOURNE, FL 32901
 PHONE: (321) 725-3674 FAX: (321) 723-1159
 CERTIFICATE OF BUSINESS AUTHORIZATION: 4905
 CERTIFICATE OF LAND SURVEYING BUSINESS AUTHORIZATION: LB0004905

DATE: 08/29/2016
 DESIGN/DRAWN HAK/TBS
 DRAWING# 11310_200_004
 PROJECT# 11310
 SHEET 1 OF 1



Planning & Development
Central Cashier
2725 Judge Fran Jamieson Way
Building A, Room 114
Melbourne, FL 32940

RECEIPT OF PAYMENT

Payment Date: 9/2/2016
Receipt #: 424250
Transaction Id# 200502

Payment Method	Payment Reference #	Amount Paid	Comments
Check	200502	\$800.00	29584
		\$800.00	Total

POS

Fee	Invoice #	Amount
NR Appeals to the Board	448720	\$800.00

Grand Total \$800.00

Additional Fees may apply to obtain a Certificate of Completion, a Certificate of Occupancy, Pre-Power, or Final Inspection.
To verify fees please visit the Brevard County Planning & Development Search.

www.brevardcounty.us/PlanningDev

P (321) 633-2068 F (321) 633-2052