



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

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H.6.

12/12/2024

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### Subject:

Ross and Dawn Buck request a conditional use permit for a private residential boat dock. (24Z00044) (Tax Accounts 2953085, 2953257) (District 3)

### Fiscal Impact:

None

### Dept/Office:

Planning & Development

### Requested Action:

It is requested that the Board of County Commissioners conduct a public hearing to consider a conditional use permit to allow for a private residential boat dock.

### Summary Explanation and Background:

The applicant is requesting approval of a Conditional Use Permit (CUP) per Section 62-1943.3 for a private residential boat dock accessory to an adjacent single-family residential lot for the purpose of replacing an existing boat dock on the parcel as an accessory use.

Currently, there is an existing dock on the parcel. On May 07, 2009, CUP Z-11487 was approved by the County Commission for a private boat dock accessory to adjacent single-family residential lots for the previous owner of the dock parcel. The dock parcel was sold to the applicants on September 29, 2017, and therefore a new CUP is required to associate the dock parcel with the new owners' parent parcel.

The applicant also owns Lot 12, Block E, located in the same Crystal Lakes subdivision with a single-family home that was built on the parcel in 1996 which is approximately 572 feet southeasterly of the subject waterfront parcel. Both the dock parcel and parent parcel retain the RU-1-13 Zoning classification. Of the nine similar parcels on the north side of Ross Avenue, all but one have existing docks. There have been eleven approved CUP actions for private boat docks accessory to adjacent single-family residential lots within the Crystal Lakes subdivision.

The Board may wish to consider the compatibility of the proposed CUP with surrounding development. The Board may consider additional conditions to those identified in Section 62-1943.3, to help mitigate potential site impacts.

On November 18, 2024, the Planning and Zoning Board heard the request and unanimously recommended approval.

**Clerk to the Board Instructions:**

Upon receipt of resolution, please execute and return a copy to Planning and Development.

**Resolution 24Z00044**

On motion by Commissioner Adkinson, seconded by Commissioner Delaney, the following resolution was adopted by a unanimous vote:

**WHEREAS, Ross A. Buck and Dawn A. Buck** request a CUP (Conditional Use Permit) for a private boat dock accessory to adjacent single family residential lot, and a removal of the existing CUP in a RU-1-13(Single Family Residential) zoning classification, on property described as Tax Parcel 1.05, as recorded in ORB 7992, Pages 1491-1492, of the Public Records of Brevard County, Florida. Section 03, Township 29, Range 38. (0.02 acres) Located on the north side of Ross Ave., 460 ft. west of Seiler St. (372 Ross Ave Unit Dock, Melbourne Beach). 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 Brevard County 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, find that the application should be approved as recommended; now therefore,

**BE IT RESOLVED** by the Board of County Commissioners of Brevard County, Florida, that the requested CUP for a private residential boat dock and a removal of the existing CUP in a RU-1-13 zoning classification, be approved. The Planning and Development Director, or designee, is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

**BE IT FURTHER RESOLVED** that this resolution shall become effective as of December 12, 2024.

BOARD OF COUNTY COMMISSIONERS  
Brevard County, Florida

Rob Feltner, Chair  
Brevard County Commission  
As approved by the Board on December 12, 2024.

ATTEST:

RACHEL SADOFF, CLERK

(SEAL)

P&Z Board Hearing – November 18, 2024

Please note: A CUP (Conditional Use Permit) will generally expire on the three-year anniversary of its approval if the use is not established prior to that date. CUPs for Towers and Antennas shall expire if a site plan for the tower is not submitted within one year of approval or if construction does not commence within two years of approval. A Planned Unit Development Preliminary Development Plan expires if a final development plan is not filed within three years. **The granting of this zoning does not guarantee physical development of the property. At the time of development, said**

development must be in accordance with the criteria of the Brevard County Comprehensive Plan and other applicable laws and ordinances.

## **ADMINISTRATIVE POLICIES OF THE FUTURE LAND USE ELEMENT**

Administrative Policies in the Future Land Use Element establish the expertise of staff with regard to zoning land use issues and set forth criteria when considering a rezoning action or request for Conditional Use Permit, as follows:

### **Administrative Policy 1**

The Brevard County zoning official, planners and the Director of the Planning and Development, however designated, are recognized as expert witnesses for the purposes of Comprehensive Plan amendments as well as zoning, conditional use, special exception, and variance applications.

### **Administrative Policy 2**

Upon Board request, members of the Brevard County planning and zoning staff shall be required to present written analysis and a recommendation, which shall constitute an expert opinion, on all applications for zoning, conditional uses, comprehensive plan amendments, vested rights, or other applications for development approval that come before the Board of County Commissioners for quasi-judicial review and action. The Board may table an item if additional time is required to obtain the analysis requested or to hire an expert witness if the Board deems such action appropriate. Staff input may include the following:

#### **Criteria:**

- A. Staff shall analyze an application for consistency or compliance with comprehensive plan policies, zoning approval criteria and other applicable written standards.
- B. Staff shall conduct site visits of property which are the subject of analysis and recommendation. As part of the site visit, the staff shall take a videotape or photographs where helpful to the analysis and conduct an inventory of surrounding existing uses. Aerial photographs shall also be used where they would aid in an understanding of the issues of the case.
- C. In cases where staff analysis is required, both the applicant and the staff shall present proposed findings of fact for consideration by the Board.
- D. For development applications where a specific use has not been proposed, the worst case adverse impacts of potential uses available under the applicable land use classification shall be evaluated by the staff.

### **Administrative Policy 3**

Compatibility with existing or proposed land uses shall be a factor in determining where a rezoning or any application involving a specific proposed use is being considered. Compatibility shall be evaluated by considering the following factors, at a minimum:

#### **Criteria:**

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foreseeably be affected by the proposed use.

- B. Whether the proposed use(s) would cause a material reduction (five percent or more) in the value of existing abutting lands or approved development.
- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through analysis of:
  - 1. historical land use patterns;
  - 2. actual development over the immediately preceding three years; and
  - 3. development approved within the past three years but not yet constructed.
- D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

#### **Administrative Policy 4**

Character of a neighborhood or area shall be a factor for consideration whenever a rezoning or any application involving a specific proposed use is reviewed. The character of the area must not be materially or adversely affected by the proposed rezoning or land use application. In evaluating the character of an area, the following factors shall be considered:

##### **Criteria:**

- A. The proposed use must not materially and adversely impact an established residential neighborhood by introducing types of intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, et cetera), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.
- B. In determining whether an established residential neighborhood exists, the following factors must be present:
  - 1. The area must have clearly established boundaries, such as roads, open spaces, rivers, lakes, lagoons, or similar features.
  - 2. Sporadic or occasional neighborhood commercial uses shall not preclude the existence of an existing residential neighborhood, particularly if the commercial use is non-conforming or pre-dates the surrounding residential use.
  - 3. An area shall be presumed not to be primarily residential but shall be deemed transitional where multiple commercial, industrial or other non-residential uses have been applied for and approved during the previous five (5) years.

#### **Administrative Policy 5**

In addition to the factors specified in Administrative Policies 2, 3, and 4, in reviewing a rezoning, conditional use permit or other application for development approval, the impact of the proposed use or uses on transportation facilities either serving the site or impacted by the

use(s) shall be considered. In evaluating whether substantial and adverse transportation impacts are likely to result if an application is approved, the staff shall consider the following:

**Criteria:**

- A. Whether adopted levels of services will be compromised;
- B. Whether the physical quality of the existing road system that will serve the proposed use(s) is sufficient to support the use(s) without significant deterioration;
- C. Whether the surrounding existing road system is of sufficient width and construction quality to serve the proposed use(s) without the need for substantial public improvements;
- D. Whether the surrounding existing road system is of such width and construction quality that the proposed use(s) would realistically pose a potential for material danger to public safety in the surrounding area;
- E. Whether the proposed use(s) would be likely to result in such a material and adverse change in traffic capacity of a road or roads in the surrounding area such that either design capacities would be significantly exceeded or a de facto change in functional classification would result;
- F. Whether the proposed use(s) would cause such material and adverse changes in the types of traffic that would be generated on the surrounding road system, that physical deterioration of the surrounding road system would be likely;
- G. Whether projected traffic impacts of the proposed use(s) would materially and adversely impact the safety or welfare of residents in existing residential neighborhoods.

**Administrative Policy 6**

The use(s) proposed under the rezoning, conditional use or other application for development approval must be consistent with, (a), all written land development policies set forth in these administrative policies; and (b), the future land use element, coastal management element, conservation element, potable water element, sanitary sewer element, solid waste management element, capital improvements element, recreation and open space element, surface water element, and transportation elements of the comprehensive plan.

**Administrative Policy 7**

Proposed use(s) shall not cause or substantially aggravate any, (a), substantial drainage problem on surrounding properties; or (b), significant, adverse and unmitigatable impact on significant natural wetlands, water bodies or habitat for listed species.

**Administrative Policy 8**

These policies, the staff analysis based upon these policies, and the applicant's written analysis, if any, shall be incorporated into the record of every quasi-judicial review application for development approval presented to the Board including rezoning, conditional use permits, and vested rights determinations.

Section 62-1151(c) of the Code of Ordinances of Brevard County directs, "The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.
- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.

The minutes of the planning and zoning board shall specify the reasons for the recommendation of approval or denial of each application."

#### **CONDITIONAL USE PERMITS (CUPs)**

In addition to the specific requirements for each Conditional Use Permit (CUP), Section 62-1901 provides that the following approval procedure and general standards of review are to be applied to all CUP requests, as applicable.

- (b) Approval procedure. 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. If the applicant meets its initial burden, then the Board has the burden to show, by substantial and competent evidence, that the applicant has failed to meet such standards and the request is adverse to the public interest. As part of the approval of the conditional use permit, the Board may prescribe appropriate and reasonable conditions and safeguards to reduce the impact of the proposed use on adjacent and nearby properties or the neighborhood. A nearby property, for the purpose of this section, is defined as any property which, because of the character of the proposed use, lies within the area which may be substantially and adversely impacted by such use. In stating grounds in



support of an application for a conditional use permit, it is necessary to show how the request fulfills both the general and specific standards for review. The applicant must show the effect the granting of the conditional use permit will have on adjacent and nearby properties, including, but not limited to traffic and pedestrian flow and safety, curb-cuts, off-street loading and parking, off-street pickup of passengers, odors, glare and noise, particulates, smoke, fumes, and other emissions, refuse and service areas, drainage, screening and buffering for protection of adjacent and nearby properties, and open space and economic impact on nearby properties. The applicant, at his discretion, may choose to present expert testimony where necessary to show the effect of granting the conditional use permit.

(c) General Standards of Review.

- (1) The planning and zoning board and the board of county commissioners shall base the denial or approval of each application for a conditional use based upon a consideration of the factors specified in Section 62-1151(c) plus a determination whether an application meets the intent of this section.
  - 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.
  - 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.
  - c. The proposed use will not cause a substantial diminution in value of abutting residential property. 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. The Board of County Commissioners carries the burden to show, as evidenced by either testimony from or an appraisal conducted by an M A I certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.
- (2) The following specific standards shall be considered, when applicable, in making a determination that the general standards specified in subsection (1) of this section are satisfied:

- a. Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire and catastrophe, shall be: (1), adequate to serve the proposed use without burdening adjacent and nearby uses, and (2), built to applicable county standards, if any. Burdening adjacent and nearby uses means 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, as determined by applicable Brevard County standards, 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.
- 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.
- c. Noise levels for a conditional use are governed by Section 62-2271.
- d. The proposed conditional use shall not cause the adopted level of service for solid waste disposal applicable to the property or area covered by such level of service, to be exceeded.
- e. The proposed conditional use shall not cause the adopted level of service for potable water or wastewater applicable to the property or the area covered by such level of service, to be exceeded by the proposed use.
- f. The proposed conditional use must have existing or proposed screening or buffering, with reference to type, dimensions and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.
- 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.
- 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.
- 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 35 feet higher than the highest residence within 1,000 feet of the property line.

- 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. 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.

#### **FACTORS TO CONSIDER FOR A REZONING REQUEST**

Section 62-1151(c) sets forth factors to consider in connection with a rezoning request, as follows:

"The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.
- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare."

These staff comments contain references to zoning classifications found in the Brevard County Zoning Regulations, Chapter 62, Article VI, Code of Ordinances of Brevard County. These references include brief summaries of some of the characteristics of that zoning classification. Reference to each zoning classification shall be deemed to incorporate the full text of the section or sections defining and regulating that classification into the Zoning file and Public Record for that item.

These staff comments contain references to sections of the Code of Ordinances of Brevard County. Reference to each code section shall be deemed to incorporate this section into the Zoning file and Public Record for that item.

These staff comments contain references to Policies of the Brevard County Comprehensive Plan. Reference to each Policy shall be deemed to incorporate the entire Policy into the Zoning file and Public Record for that item.

These staff comments refer to previous zoning actions which are part of the Public Records of Brevard County, Florida. These records will be referred to by reference to the file number. Reference to zoning files are intended to make the entire contents of the cited file a part of the Zoning file and Public Record for that item.

## DEFINITIONS OF CONCURRENCY TERMS

**Maximum Acceptable Volume (MAV):** Maximum acceptable daily volume that a roadway can carry at the adopted Level of Service (LOS).

**Current Volume:** Building permit related trips added to the latest TPO (Transportation Planning Organization) traffic counts.

**Volume with Development (VOL W/DEV):** Equals Current Volume plus trip generation projected for the proposed development.

**Volume/Maximum Acceptable Volume (VOL/MAV):** Equals the ratio of current traffic volume to the maximum acceptable roadway volume.

**Volume/Maximum Acceptable Volume with Development (VOL/MAV W/DEV):** Ratio of volume with development to the Maximum Acceptable Volume.

**Acceptable Level of Service (CURRENT LOS):** The Level of Service at which a roadway is currently operating.

**Level of Service with Development (LOS W/DEV):** The Level of Service that a proposed development may generate on a roadway.



BOARD OF COUNTY COMMISSIONERS

## Planning and Development Department

2725 Judge Fran Jamieson Way  
Building A, Room 114  
Viera, Florida 32940  
(321)633-2070 Phone / (321)633-2074 Fax  
<https://www.brevardfl.gov/PlanningDev>

### STAFF COMMENTS

24Z00044

**Ross and Dawn Buck (Steve & Penny DeFillps)**

**CUP for a Private Boat Dock Adjacent to a Single-Family Residence in RU-1-13**

Tax Account Number: 2953085 (dock parcel) / 2953257 (single-family residence)  
Parcel I.D.: 29-38-03-HW-\*-1.05 (dock parcel).  
29-38-03-50-E-12 (single-family residence parcel)  
Location: North side of Ross Avenue, approx. 460 feet west of Seiler Street (dock parcel)  
North side of Atlantic Drive approx. 75 feet east of Seiler Street (Single-family residence parcel)  
District 3  
Acreage: 0.02 acres (dock parcel)

Planning & Zoning Board: 11/18/2024

Board of County Commissioners: 12/12/2024

### Consistency with Land Use Regulations

- Current zoning cannot be considered under the Future Land Use Designation, Section 62-1255.
- The proposal can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal would maintain acceptable Levels of Service (LOS) (XIII 1.6.C)

	CURRENT	PROPOSED
<b>Zoning</b>	RU-1-13	RU-1-13 with CUP
<b>Potential*</b>	1 Single-family home	Private boat dock
<b>Can be Considered under the Future Land Use Map</b>	NO** RES 2	NO** RES 2

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

\*\* The RU-1-13 zoning classification is not consistent with the Future Land Use designation of Residential 2.

### Background and Purpose of Request

The applicant is requesting approval of a Conditional Use Permit (CUP) per **Section 62-1943.3** for a private residential boat dock accessory to adjacent single-family residential lot for the purpose of replacing an existing boat dock on the parcel as an accessory use.

The subject dock parcel was subdivided into this configuration on May 01, 1987. Currently, there is an existing dock on the parcel. On May 07, 2009, **CUP Z-11487** was approved by the County Commission per section 62-1943.3 for a Private boat docks accessory to adjacent single-family residential lots for the previous owner of the dock parcel. The dock parcel was sold to the applicants on September 29, 2017, and there for a new CUP is required to associate the dock parcel with the new owners' parent parcel. The applicants reside in the same Crystal Lakes Subdivision and request the new CUP to replace the existing dock with a new dock on the parcel.

The applicant also owns Lot 12, Block E, located in the same Crystal Lakes subdivision with a single-family home that was built on the parcel in 1996 which is approximately 572 feet southeasterly of the subject waterfront parcel. Both the dock parcel and parent parcel retain the RU-1-13 Zoning classification. Of the nine similar parcels on the north side of Ross Avenue, all but one have existing docks. There have been eleven approved CUP actions for private boat docks accessory to adjacent single-family residential lots within the Crystal Lakes subdivision.

### **Section 62-1943.3. Private boat docks accessory to adjacent single-family residential lots.**

A *private boat dock*, for the purposes of this section, is a boat dock that is used in connection with a waterfront lot or parcel which may be undersized for the residential zoning classification in which it is located and is therefore associated with and considered part of an adjacent residential lot. The term *adjacent*, for the purposes of this section, means any lot within the same neighborhood as described below in paragraph (1).

A conditional use for a private boat dock on a waterfront lot or parcel may be considered as an accessory use to an adjacent developed or undeveloped buildable residential lot in any residential zoning classification under the following conditions. Owners of docks established prior to November 17, 2008, as evidenced by a certified survey or other irrefutable evidence, may request a waiver of any of the below conditions as part of the conditional use permit review process.

- (1) The lot or parcel upon which the dock is to be constructed must be owned and used by the owner of a residential lot or parcel (or residential tenant of said lot or parcel) located within either the same platted subdivision or within 1,000 feet of the dock parcel. The owner of the dock lot or parcel and the residential lot shall maintain fee simple ownership to both properties at all times.
- (2) The lot or parcel shall have at least 30 feet of water frontage, except where located on the Indian or Banana River Lagoons, where it shall have river frontage equal to or exceeding the minimum lot width requirement of the parcel's zoning classification.
- (3) The boat dock may contain slips for no more than two boats and shall not be used for commercial purposes.
- (4) No other accessory structures are permitted on the dock lot or parcel.
- (5) The dock lot or parcel shall not be used to store a boat trailer, nor shall it be used to launch a boat.
- (6) The dock shall meet all applicable development standards described in section 62-2118.

## Land Use

The subject dock parcel and the parent property retain the RES 2 (Residential 2) Future Land Use designation. Per section 62-1255 Exhibit "A" the RU-1-13 zoning classification is not consistent with the Residential 2 Future Land Use.

### Applicable Land Use Policies

**FLUE Policy 1.8** –The Residential 2 Future land use designation permits lower density residential development with a maximum density of up to two (2) units per acre, except as otherwise may be provided for within the Future Land Use Element.

The Board should evaluate the compatibility of this application within the context of Administrative Policies 2 – 8 of the Future Land Use Element.

### **Analysis of Administrative Policy #3 - Compatibility between this site and the existing or proposed land uses in the area.**

This dock site is located within a large Residential 2 node. To the east, west and the parcels to the north across Ross Avenue are under the same FLU designation of Residential 2. To the north of the subject parcel lies Lake Devon, a waterway with a canal for the subdivision.

Compatibility shall be evaluated by considering the following factors, at a minimum:

#### Criteria:

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foreseeably be affected by the proposed use;

***The parcel has an existing CUP for a boat dock and is in an area with other parcels with CUPs for boat docks. The request is not anticipated to diminish the enjoyment of safety or quality of life in existing residential area. The proposed CUP will need to comply with Brevard County's Performance Standards defined by Sections 62-2251 through 62-2272.***

- B. Whether the proposed use(s) would cause a material reduction (five per cent or more) in the value of existing abutting lands or approved development.

***Only a certified MAI (Master Appraiser Institute) appraisal can determine if material reduction has or will occur due to the proposed request.***

C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through an analysis of:

1. historical land use patterns;

**The historical land use of the area can be characterized as existing parcels along Ross Avenue with CUPs for docks and size range from approximately 30 feet wide to 78 feet wide with a lot depth of approximately 13 feet to 63 feet.**

2. actual development over the immediately preceding three years; and

**There has been no new development within 0.5 miles.**

3. development approved within the past three years but not yet constructed.

**There has been no new development approved within the past three years.**

D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

**No material violation of relevant policies has been identified.**

#### **Analysis of Administrative Policy #4 - Character of a neighborhood or area.**

Character of a neighborhood or area shall be a factor for consideration whenever a rezoning or any application involving a specific proposed use is reviewed. The character of the area must not be materially or adversely affected by the proposed rezoning or land use application. In evaluating the character of an area, the following factors shall be considered:

##### **Criteria:**

- A. The proposed use must not materially and adversely impact an established residential neighborhood by introducing types or intensity of traffic, parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.

**Staff analysis indicates the request is located in an area mixed of existing single-family homes and parcels with existing dock parcels. Of the nine similar parcels on the north side of Ross Avenue, all but one have existing docks. There have been eleven approved CUP actions for private boat docks accessory to adjacent single-family residential lots within the Crystal Lakes subdivision. The existing dock parcels along Ross Avenue range from approximately 30 feet wide to 78 feet wide with a lot depth of approximately 13 feet to 63 feet.**

- B. In determining whether an established residential neighborhood exists, the following factors must be present:

1. The area must have clearly established boundaries, such as roads, open spaces, rivers, lakes, lagoons, or similar features.



**The area has development of roads, open spaces, lagoons and similar existing features. It is located in a residential platted subdivision.**

2. Sporadic or occasional neighborhood commercial uses shall not preclude the existence of an existing residential neighborhood, particularly if the commercial use is non-conforming or pre-dates the surrounding residential use.

**Staff analysis indicates that the area is residential in character and not commercial uses.**

3. An area shall be presumed not to be primarily residential but shall be deemed transitional where multiple commercial, industrial or other non-residential uses have been applied for and approved during the previous five (5) years.

**The subject parcel is located in a residential platted subdivision.**

#### **Surrounding Area**

	<b>Existing Use</b>	<b>Zoning</b>	<b>Future Land Use</b>
<b>North</b>	Lake	N/A	N/A
<b>South</b>	Across Ross Ave. single-family residence	RU-1-13	RES 2
<b>East</b>	Dock parcels	RU-1-13	RES 2
<b>West</b>	Dock parcels	RU-1-13	RES 2

The abutting parcels, north, south, east and west of the dock parcel and the residential parcels are zoned RU-1-13.

RU-1-13 permits single-family residences on minimum 7,500 square foot lots, with minimum widths and depths of 75 feet. The minimum house size is 1,300 square feet.

There have been four zoning actions within a half-mile radius around this site within the last 6 years.

On May 24, 2018, application **18PZ00016** approved a CUP for a Private Boat Dock Accessory to a Single-Family Residential Lot. This site is located on the south side of Ross Avenue abutting the subject dock parcel to the east.

On October 03, 2019, application **19PZ00046** approved a CUP for a Private Boat Dock Accessory to a Single-Family Residential Lot. This site is located on the south side of Ross Avenue approximately 256 feet west of the subject dock parcel.

On May 06, 2021, application **21PZ00004** approved a CUP for a Private Boat Dock Accessory to a Single-Family Residential Lot. This site is located on the south side of Ross Avenue approximately 134 feet west of the subject dock parcel.

On October 07, 2021, application **21PZ00038** approved a CUP for a Private Boat Dock Accessory to a Single-Family Residential Lot. This site is located on the north side of Ross Avenue approximately 1,285 feet northeast of the subject dock parcel.

### **Special Considerations for CUP (Conditional Use Permit)**

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 – 8 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.** The applicant's responses and staff observations, if any, are indicated below.

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 62-1943.3, Private Boat Dock Accessory to a Single-Family Residential Lot.

This request should be evaluated in the context of Section **62-1943.3**, governing private boat docks accessory to adjacent single family residential lots, as follows:

A private boat dock, for the purposes of this section, is a boat dock that is used in connection with a waterfront lot or parcel which may be undersized for the residential zoning classification in which it is located, and is therefore associated with and considered part of an adjacent residential lot. The term "adjacent", for the purposes of this section, means any lot within the same neighborhood as described below in paragraph (1).

A conditional use for a private boat dock on a waterfront lot or parcel may be considered as an accessory use to an adjacent developed or undeveloped buildable residential lot in any residential zoning classification under the following conditions. Owners of docks established prior to November 17, 2008, as evidenced by a certified survey or other irrefutable evidence, may request a waiver of any of the below conditions as part of the conditional use permit review process.

***Staff analysis: The subject dock parcel was subdivided into this configuration on May 01, 1987. Currently, there is an existing dock on the parcel. On May 07, 2009, CUP Z-11487 was approved by the County Commission for a Private boat docks accessory to adjacent single-***

***family residential lots for a previous owner of the dock parcel. The dock parcel was sold to the applicants on September 29, 2017. The applicants reside in the Crystal Lakes Subdivision and desire the new CUP to rebuild a new dock on the parcel.***

- (1) The lot or parcel upon which the dock is to be constructed must be owned and used by the owner of a residential lot or parcel (or residential tenant of said lot or parcel) located within either the same platted subdivision or within 1000' of the dock parcel. The owner of the dock lot or parcel and the residential lot shall maintain fee simple ownership to both properties at all times.

***Staff analysis: The applicants' residential lot is in the same subdivision, Crystal Lakes, as the dock parcel.***

- (2) The lot or parcel shall have at least 30 feet of water frontage, except where located on the Indian or Banana River Lagoons, where it shall have river frontage equal to or exceeding the minimum lot width requirement of the parcel's zoning classification

***Staff analysis: The parcel meets the minimum 30 feet of water frontage as shown on the boundary survey of subject parcel included with CUP application.***

- (3) The boat dock may contain slips for no more than two boats and shall not be used for commercial purposes.

***Staff analysis: The existing and proposed boat dock will only have two boats as shown on the boundary surveys of subject parcel included with CUP application.***

- (4) No other accessory structures are permitted on the dock lot or parcel.

***Staff analysis: There are no accessory structures other than the existing dock on the parcel.***

- (5) The dock lot or parcel shall not be used to store a boat trailer, nor shall it be used to launch a boat.

***Staff analysis: Owner will only be parking vehicle on parcel only be while boat is in use.***

- (6) The dock shall meet all applicable development standards described in Section 62-2118.

***Staff analysis: The proposed replacement dock appears to meet the requirements of Section 62-2118(d) Residential Boat Docks and Piers as shown on the boundary survey of subject parcel included with CUP application. At the time of issuing a building permit, the applicant will need to demonstrate compliance with section 62-2118.***

***The existing dock parcel and the residential lot appears to meet conditions (1) to (6) above.***

The Board should consider the compatibility of the proposed CUP pursuant to Section 62-1151(c) and to Section 62-1901. 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.

The applicant's responses are indicated in **bold** and staff observations are provided in *italics*.

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.

**Applicant's Response: No additional impact will result. To be used by owner only to dock a boat.**

*Staff analysis: The subject property is one of many dock lots subdivided from a waterfront tract of the Crystal Lake Subdivision. Residential docks are permitted to have no more than two vessels moored and vessels must meet the setback requirement off the projection of the side property lines into the waterway.*

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.

**Applicant's Response: The property will be used for a boat dock, the same as adjacent properties.**

*Staff analysis: The subject property is one of many dock lots subdivided from a waterfront tract of the Crystal Lake Subdivision.*

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.

**Applicant's Response: The proposed boat dock will be in compliance with current building code regulations.**

*Staff analysis: Competent and substantial evidence by a MAI certified appraiser has not been provided by the applicant.*

### **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.

**Applicant's Response: The ingress and egress is adequate. The owner is the only anticipated traffic. Owner to park on lot (daytime only) not in the street.**

*Staff analysis: The dock parcel abuts the County maintain right-of-way of Ross Avenue.*

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.

**Applicant's Response: There will be no substantial disturbance to the neighbors from the boat dock or boat.**

*Staff analysis: Any outdoor lighting and noise standards will need to meet code parameters per Brevard County's Performance Standards defined by Sections 62-2251 through 62-2272 or a violation will be created.*

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:

**Applicant's Response: Noise levels will comply with section 62-2271 for residential use.**

*Staff analysis: Any outdoor noise standards will need to meet code parameters per Brevard County's Performance Standards defined by Sections 62-2251 through 62-2272 or a violation will be created.*

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.

**Applicant's Response: No additional waste will be generated.**

*Staff analysis: the adopted level of service for solid waste disposal not anticipated to be exceeded.*

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.

**Applicant's Response: None will be required.**

*Staff analysis: potable water and wastewater will not be required for a dock permit.*

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.

**Applicant's Response: The property is the same type of property as the neighbors.**

*Staff analysis: The subject property is one of many dock lots subdivided from a waterfront tract of the Crystal Lake Subdivision.*

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.

**Applicant's Response: None will be used.**

*Staff analysis: No sign will be needed. Any Lighting will need to meet Lighting Standards in section 62-2257.*

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.

**Applicant's Response: Hours will be the same as neighboring properties.**

*Staff analysis: There are no restrictions as to the hours of operation. The Board may choose additional restrictions.*

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 1,000 feet of the property line.

Note: A survey of building heights within 1,000 feet of the property lines should be furnished for applications requesting a CUP for additional building height.

**Applicant's Response: The dock height will be compatible with the character and codes of the area.**

*Staff analysis: A new boat dock replacing the existing dock will have to meet the dock height requirements in section 62-2118 Residential boat docks and piers.*

Section 62-1901(c)(2)(i) 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.

**Applicant's Response: None will be required. Any parking will be on the property. Parking will only be while boat is in use.**

*Staff analysis: Owner will only be parking vehicle on parcel only be while boat is in use.*

## **Environmental Constraints**

### **Summary of Mapped Resources and Noteworthy Land Use Issues:**

- Hydric Soils/Wetlands
- Aquifer Recharge Soils
- Coastal High Hazard Area
- Floodplain
- Surface Waters of the State
- Indian River Lagoon Nitrogen Reduction Overlay
- Land Clearing and Landscape Requirements
- Protected Species

Information available to NRM indicates that recent, unpermitted land clearing activities may have occurred in the Surface Water Protection Buffer. The discovery of unpermitted land clearing activities may result in enforcement action.

## **Preliminary Transportation Concurrency**

The subject property is closest to the concurrency management segment of Highway A1A, between Heron Dr. and Mar-Len Dr., which has a Maximum Acceptable Volume (MAV) of 24,200 trips per day, a Level of Service (LOS) of D, and currently operates at 34.43% of capacity daily. The maximum development potential from the proposed CUP does not increase the proposed trip generation on the corridor and will not create a deficiency in LOS which operates at 34.43% of capacity daily.

**For Board Consideration**

The Board may wish to consider the compatibility of the proposed CUP with surrounding development.

Since the request is a CUP, the Board may consider additional conditions to those identified in Section 62-1943.3, to help mitigate potential site impacts.



**Item No. 24Z00044**

**Applicant:** Steve and Penny Defillips (Owners: Ross and Dawn Buck)

**Zoning Request:** CUP for Private Boat dock accessory to adjacent single-family residential lot

**Note:** to build new dock

**Zoning Hearing:** 10/14/2024; **BCC Hearing:** 11/07/2024

**Tax ID No.(s):** 2953085 (dock); 2953257 (house)

- This is a preliminary review based on best available data maps reviewed by the Natural Resources Management Department (NRM) and does not include a site inspection to verify the accuracy of the mapped information.
- In that the rezoning process is not the appropriate venue for site plan review, specific site designs submitted with the rezoning request will be deemed conceptual. Board comments relative to specific site design do not provide vested rights or waivers from Federal, State or County regulations.
- **This review does not guarantee whether or not the proposed use, specific site design, or development of the property can be permitted under current Federal, State, or County Regulations.**

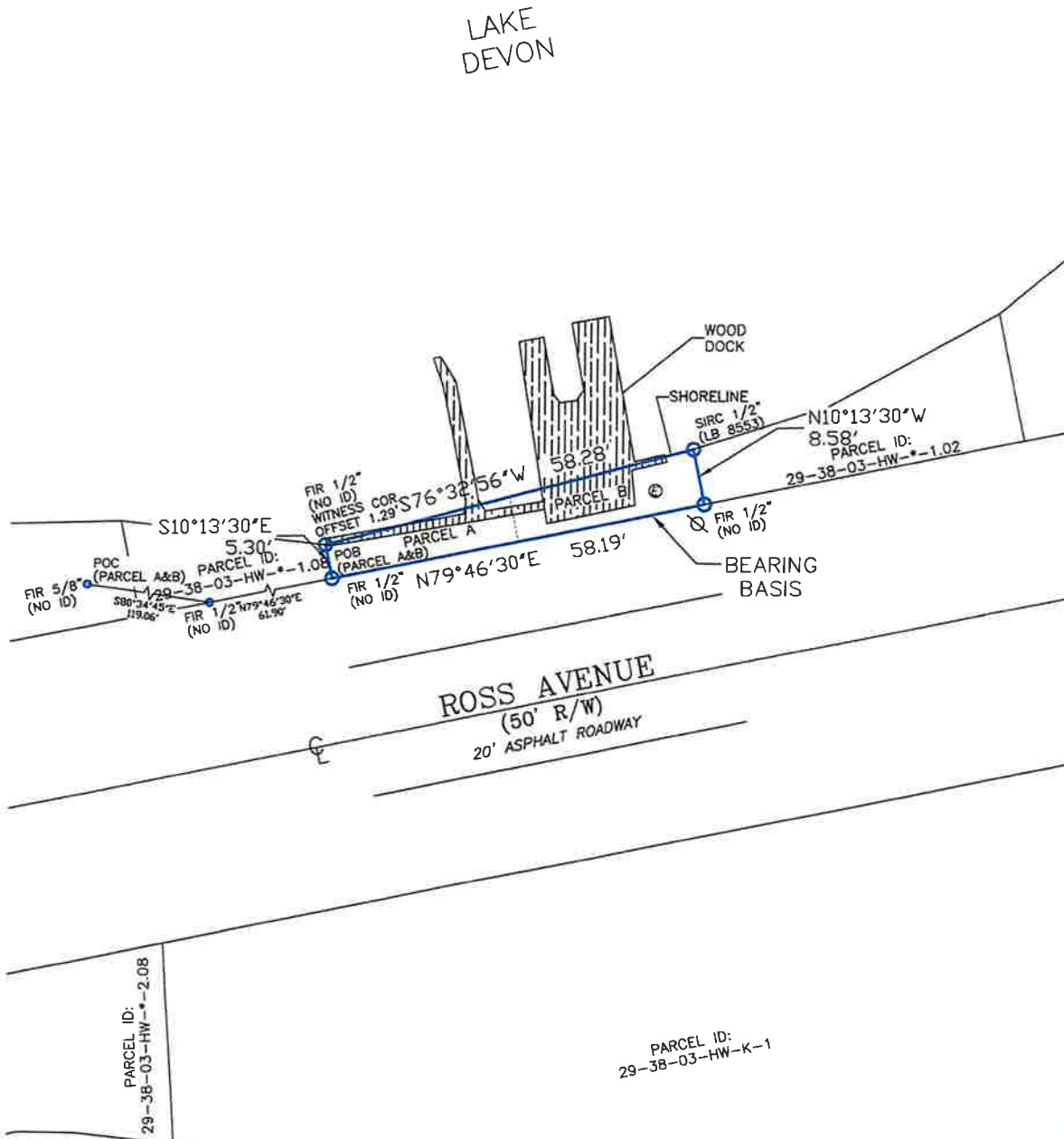
**Summary of Mapped Resources and Noteworthy Land Use Issues:**

- Surface Waters of the State

**Land Use Comments:**

**Surface Waters of the State**

The subject property is located on the Indian River Lagoon, designated as a Class III Water in this location. A 25-foot Surface Water Protection Buffer is required. Primary structures shall be located outside the Buffer. Accessory structures are permissible within the Buffer with conditions (e.g., storm water management is provided, avoidance/minimization of impacts, and maximum 30% impervious). The removal of native vegetation located within the Buffer is prohibited unless approved through an active development order. Temporary impacts to native vegetation require in-kind restoration. The Florida Department of Environmental Protection (FDEP) regulates mangrove trimming and can be reached at 407-897-4101. The applicant is encouraged to contact NRM at 321-633-2016 prior to any activities, plan, or permit submittal.



**NOTABLE CONDITIONS:**  
 PROPERTY APPEARS TO BE SERVED BY PUBLIC UTILITIES.

**NOTES:**  
 ALL BEARINGS AND DISTANCES SHOWN ARE RECORD AND MEASURED, UNLESS OTHERWISE SHOWN.  
 BEARINGS ARE BASED UPON THE RECORD BEARING FOR THE NORTHERLY RIGHT OF WAY LINE OF ROSS AVENUE.



**NORTH ARROW & GRAPHIC SCALE**  
 0' 1" = 20' 20'

JOB # - 2406-094	REVISION -
FIELD DATE - 07/02/2024	REVISION -
DRAWN BY - N.A.	REVISION -
REVISION -	REVISION -
REVISION -	REVISION -
REVISION -	REVISION -



**BILL H. HYATT**  
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FLORIDA BUSINESS CERTIFICATE OF AUTHORIZATION NUMBER LB 8553

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## **PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES**

The Brevard County Planning & Zoning Board met in regular session on **Monday, November 18, 2024**, at **3:00 p.m.**, in the Florida Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

The meeting was called to order at 3:00 p.m.

Board members present were Henry Minneboo, Vice-Chair (D1); Ron Bartcher (D1); Robert Sullivan (D2); Brian Hodgers (D2); Erika Orriss (D3); Mark Wadsworth, Chair (D4); Ana Saunders (D5); Debbie Thomas (D4); Melissa Jackson (D5); and Robert Brothers (D5).

Staff members present were Tad Calkins, Director (Planning and Development); Alex Esseeesse, Deputy County Attorney; Jeffrey Ball, Zoning Manager; Trina Gilliam, Planner; Derrick Hughey, Planner; Sandra Collins, Planner; and Alice Webber, Operations Support Specialist.

Excerpt of complete agenda.

### **Item H.6. Ross and Dawn Buck request a conditional use permit for a private residential boat dock. (24Z00044) (Tax Accounts 2953085, 2953257) (District 3)**

Jeffrey Ball read the application into the record.

Steve DePhillips on behalf of the applicants spoke to this item. He stated that he's the owner of East Coast Docks. We've been hired by Ross and Dawn to build a dock for them on this little canal property. These properties are kind of unique because they're not tied physically to the house or the house is up the road in the same plotted subdivision, but they have these little canal properties that gives them water access. So, we have to file a conditional use permit to get the dock approved. There's already a CUP approved for the property for the previous owner, but since we are changing the design of the dock and removing the existing one, we have to file again, which will include the new property owners being on the newer CUP and not use the old one that's existing now. Again, the dock will meet all the current county codes for size, setbacks, and projections, so it's not like we're asking for something different than what normally we get approved for, it's just that these unique properties being that they're not tied physically together, that we have to file for the conditional use.

Henry Minneboo commented you're not forming 7 acres.

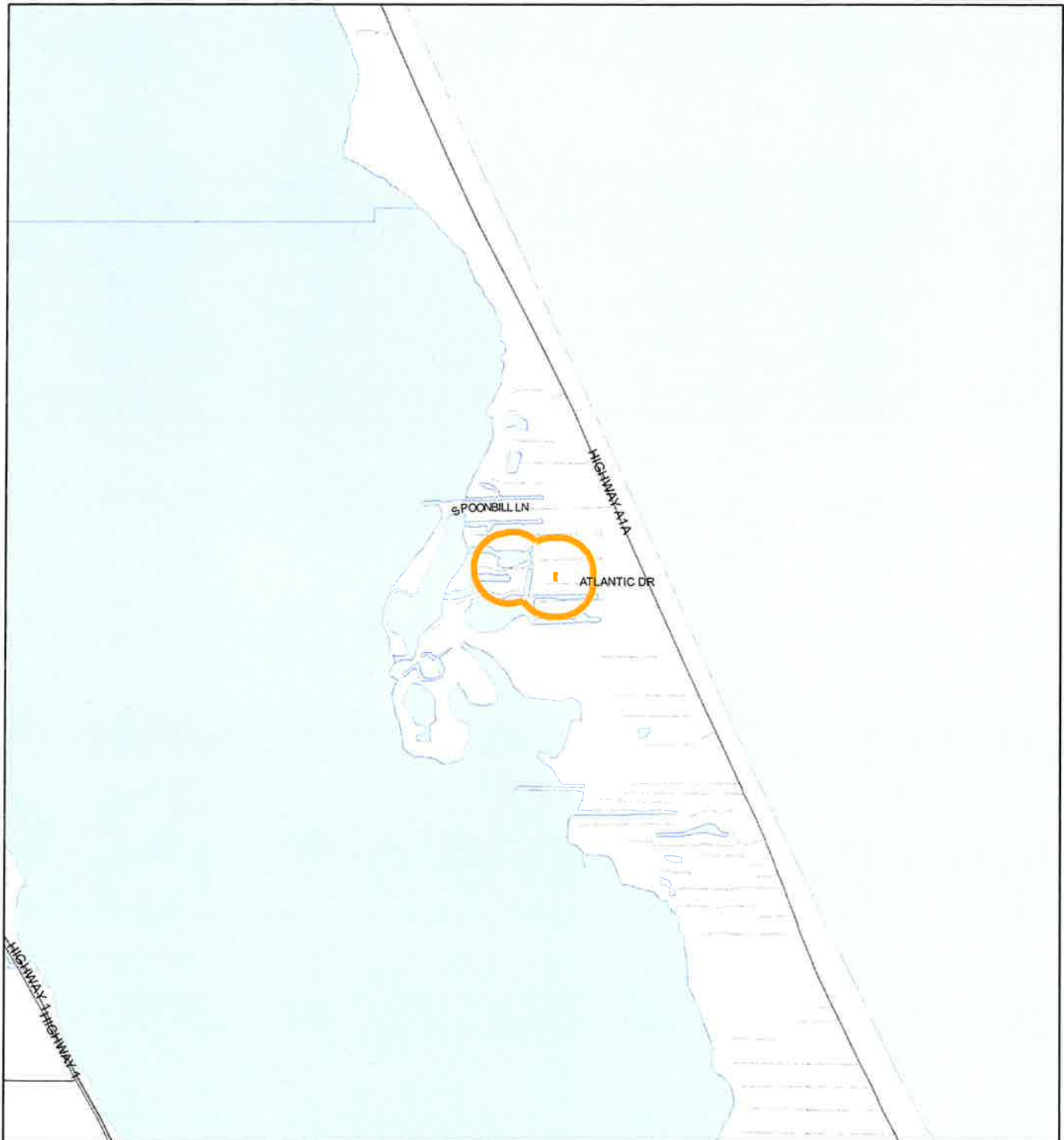
Steve DePhillips responded I don't think this is quite as complicated as the last couple of them.

There was no public comment.

Motion to recommend approval of item H.6. by Debbie Thomas, seconded by Brian Hodgers. Motion passed unanimously.

# LOCATION MAP

Buck, Ross & Dawn  
24Z00044



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

Buffer Distance: 500 feet

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.

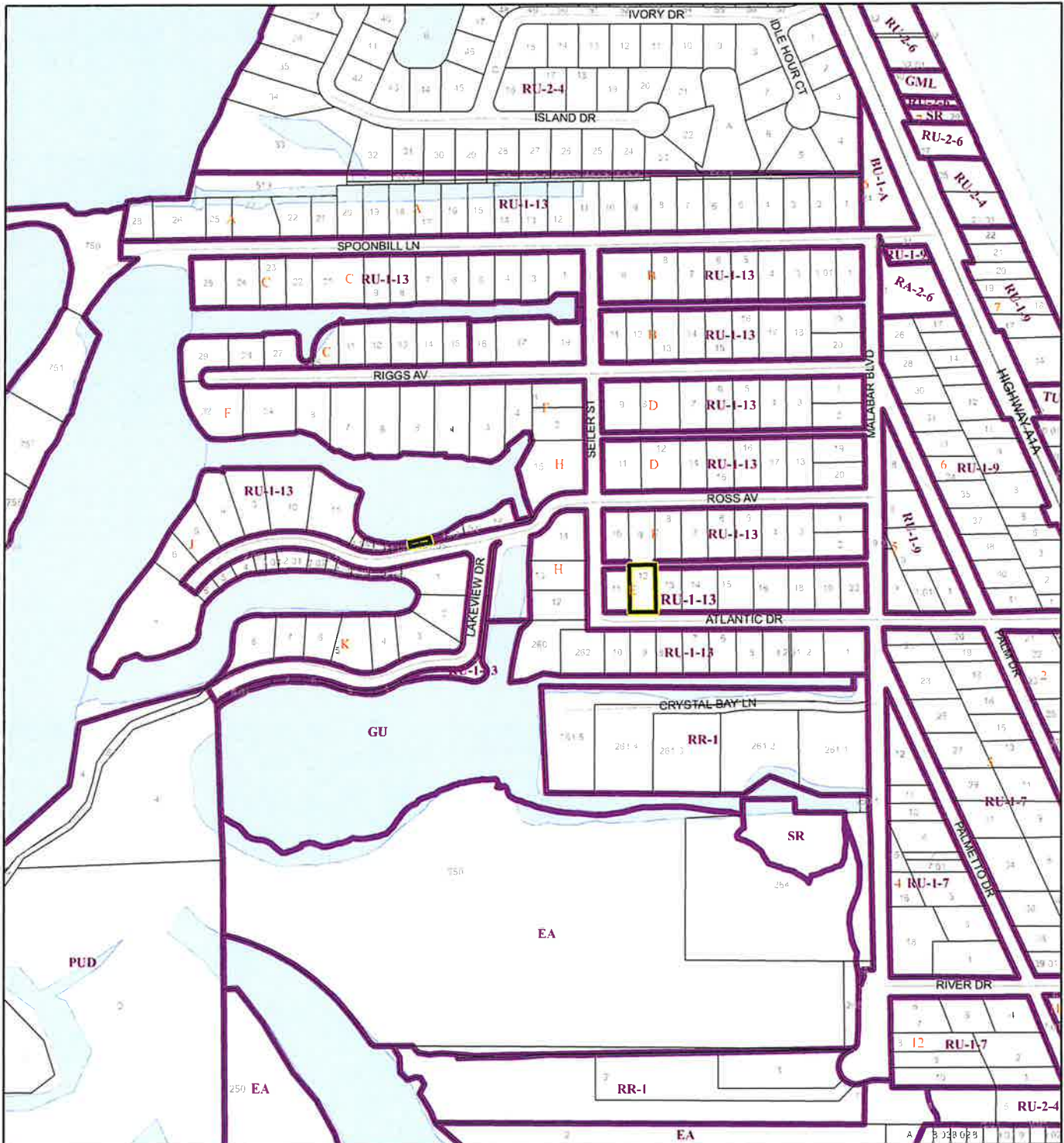
Produced by BoCC - GIS Date: 8/6/2024

— Buffer  
— Subject Property



# ZONING MAP

Buck, Ross & Dawn  
24Z00044



1:4,800 or 1 inch = 400 feet

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— Subject Property

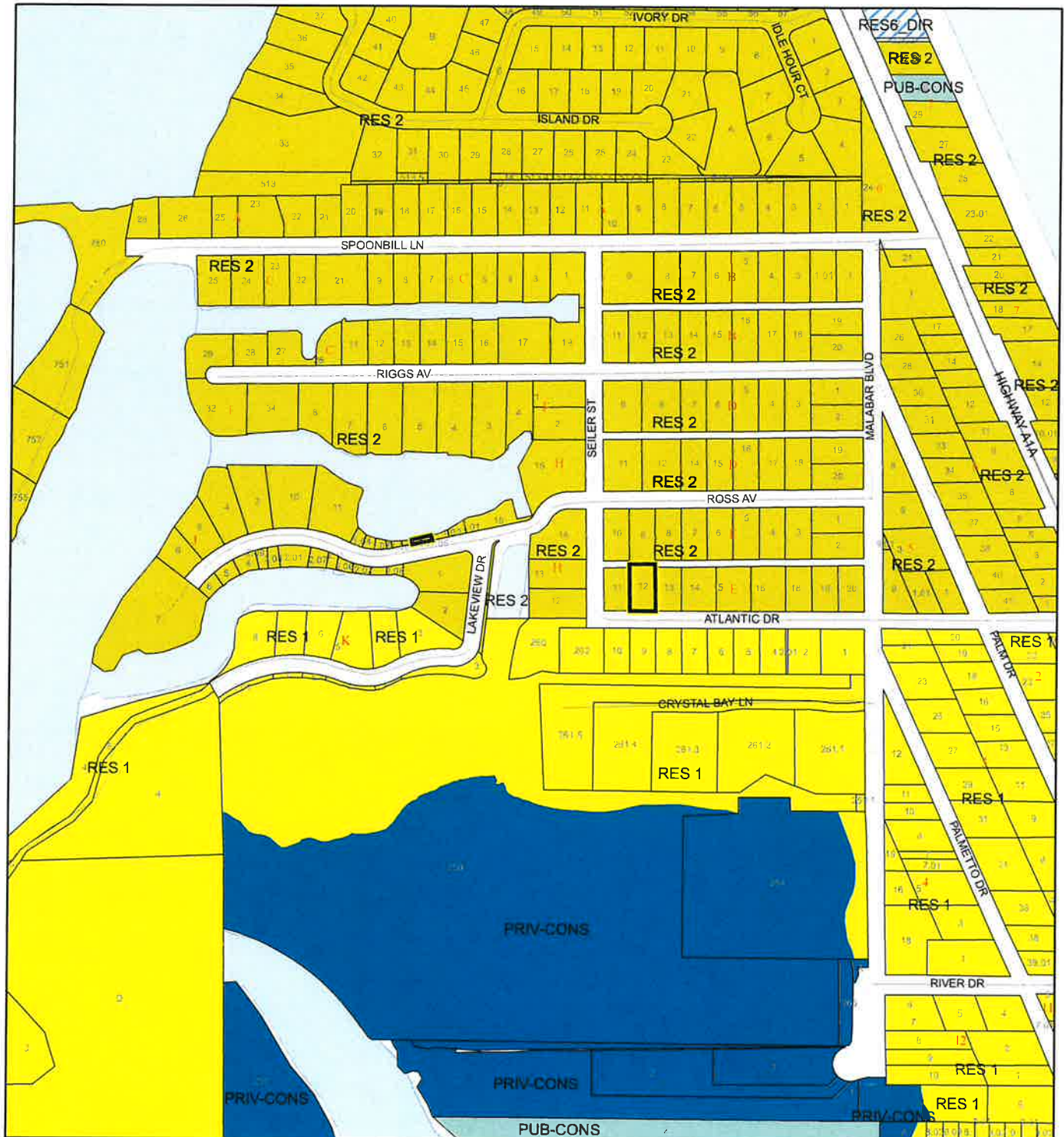
□ Parcels

□ Zoning

# FUTURE LAND USE MAP

Buck, Ross & Dawn

24Z00044



1:4,800 or 1 inch = 400 feet

— Subject Property  
 □ Parcels

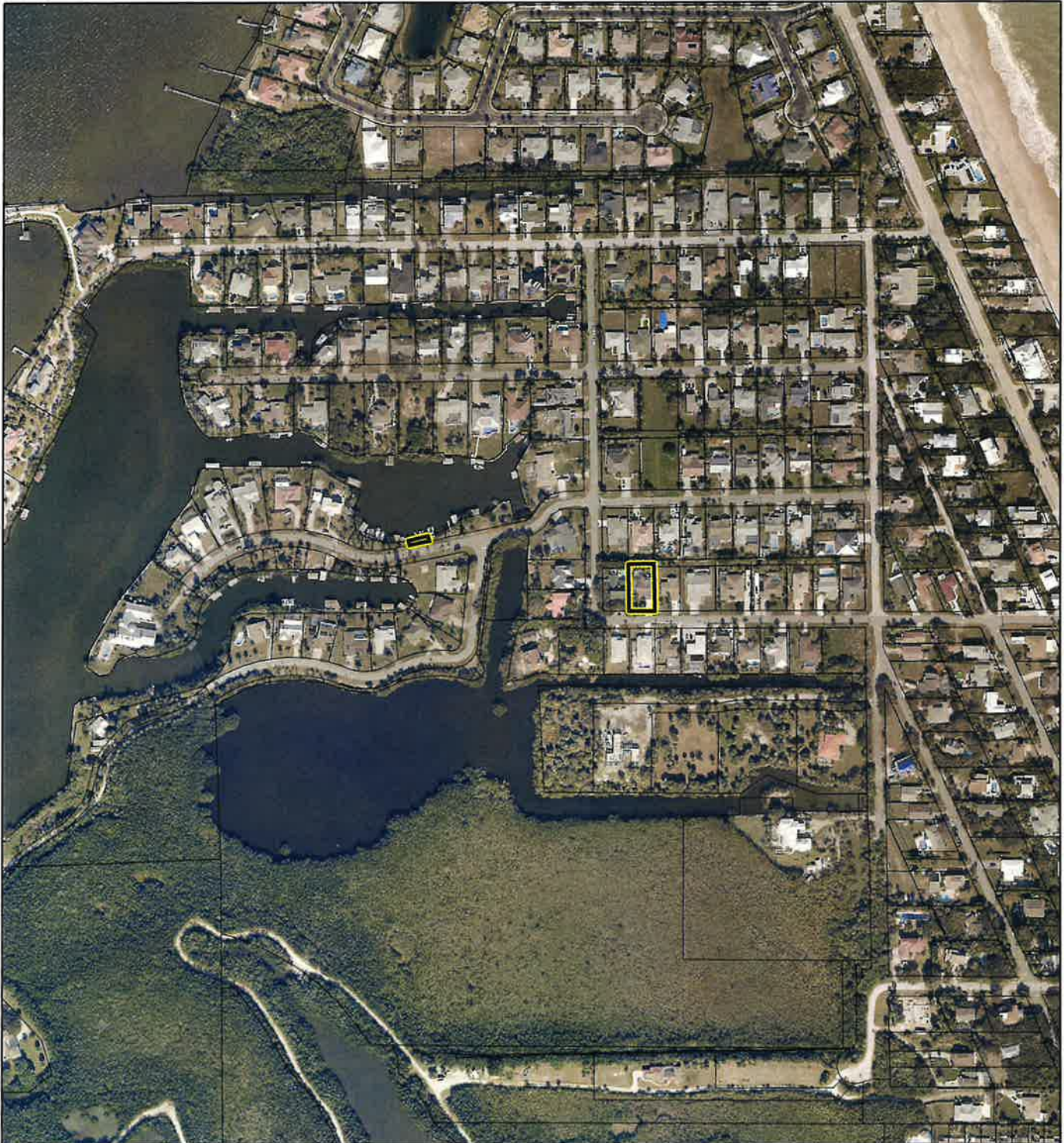
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# AERIAL MAP

Buck, Ross & Dawn  
24Z00044




1:4,800 or 1 inch = 400 feet

PHOTO YEAR: 2024

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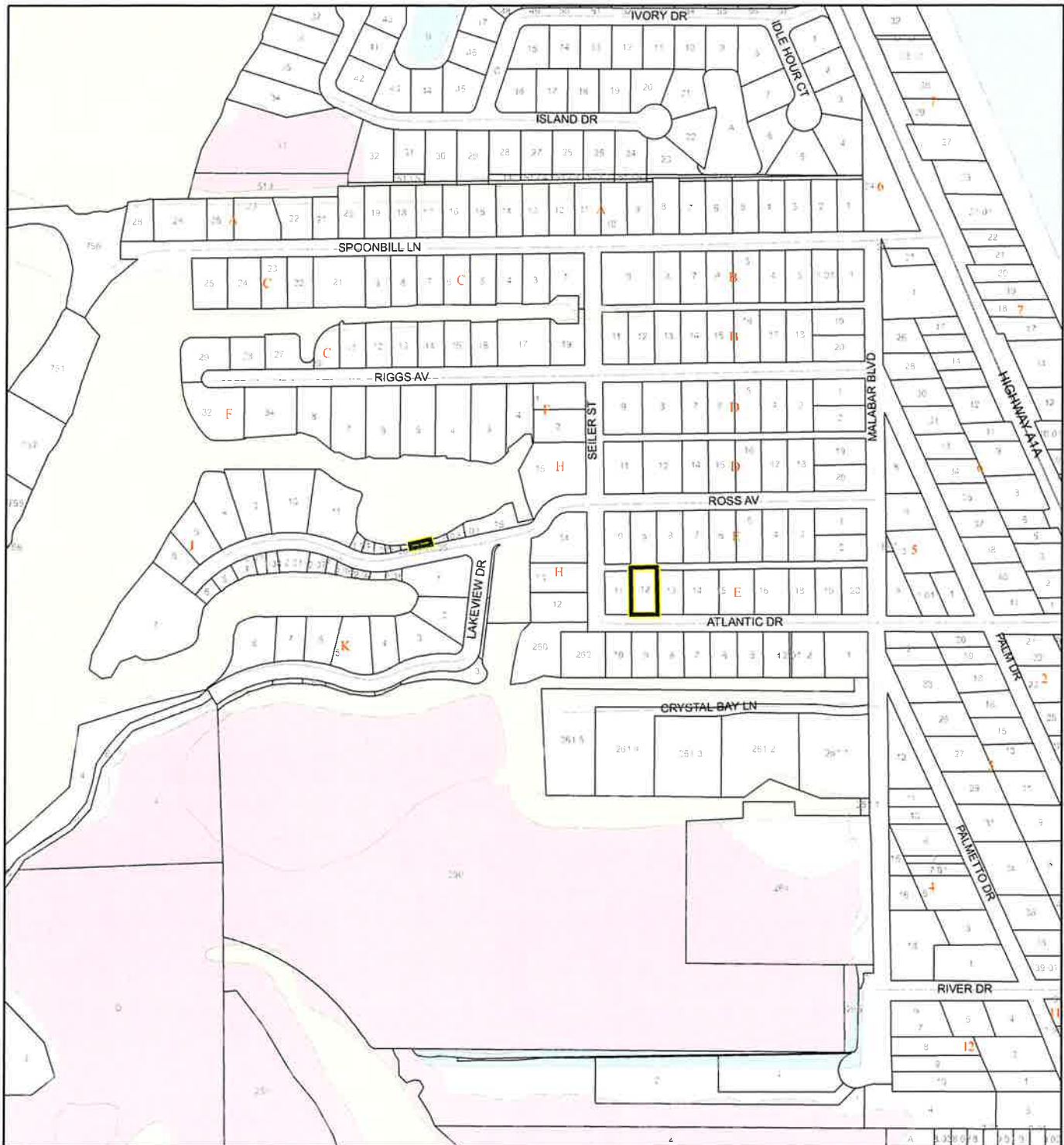
 Subject Property

 Parcels



# NWI WETLANDS MAP

Buck, Ross & Dawn  
24Z00044



1:4,800 or 1 inch = 400 feet

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## National Wetlands Inventory (NWI)

Estuarine and Marine Deepwater	Freshwater Pond
Estuarine and Marine Wetland	Lake
Freshwater Emergent Wetland	Other
Freshwater Forested/Shrub Wetland	Riverine
	Subject Property
	Parcels



# SJRWMD FLUCCS WETLANDS - 6000 Series MAP

Buck, Ross & Dawn  
24Z00044



1:4,800 or 1 inch = 400 feet

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## SJRWMD FLUCCS WETLANDS

- Wetland Hardwood Forests - Series 6100
- Wetland Coniferous Forest - Series 6200
- Wetland Forested Mixed - Series 6300
- Vegetated Non-Forested Wetlands - Series 6400
- Non-Vegetated Wetland - Series 6500

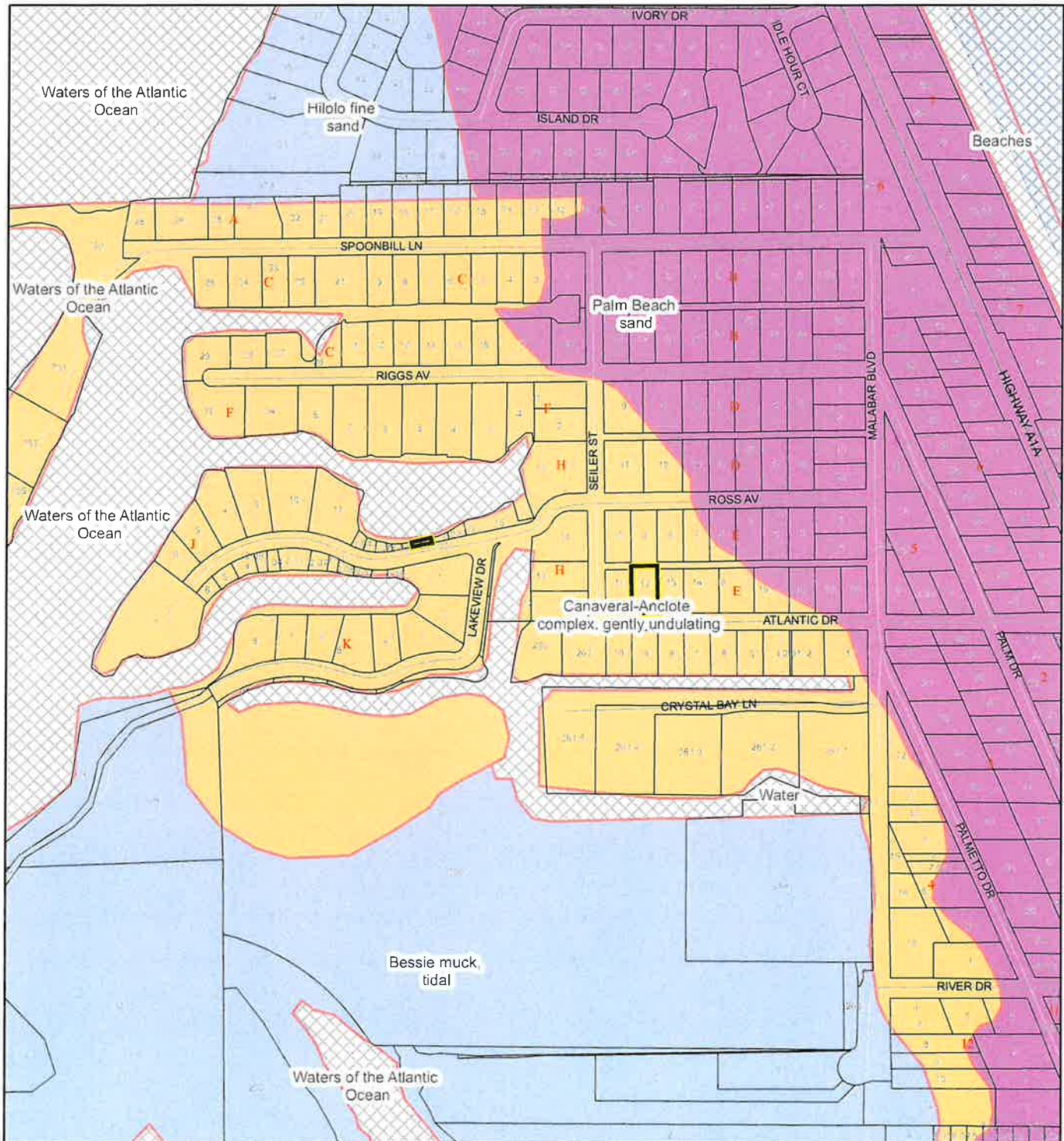
Subject Property

Parcels



# USDA SCSSS SOILS MAP

Buck, Ross & Dawn  
24Z00044



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 8/6/2024

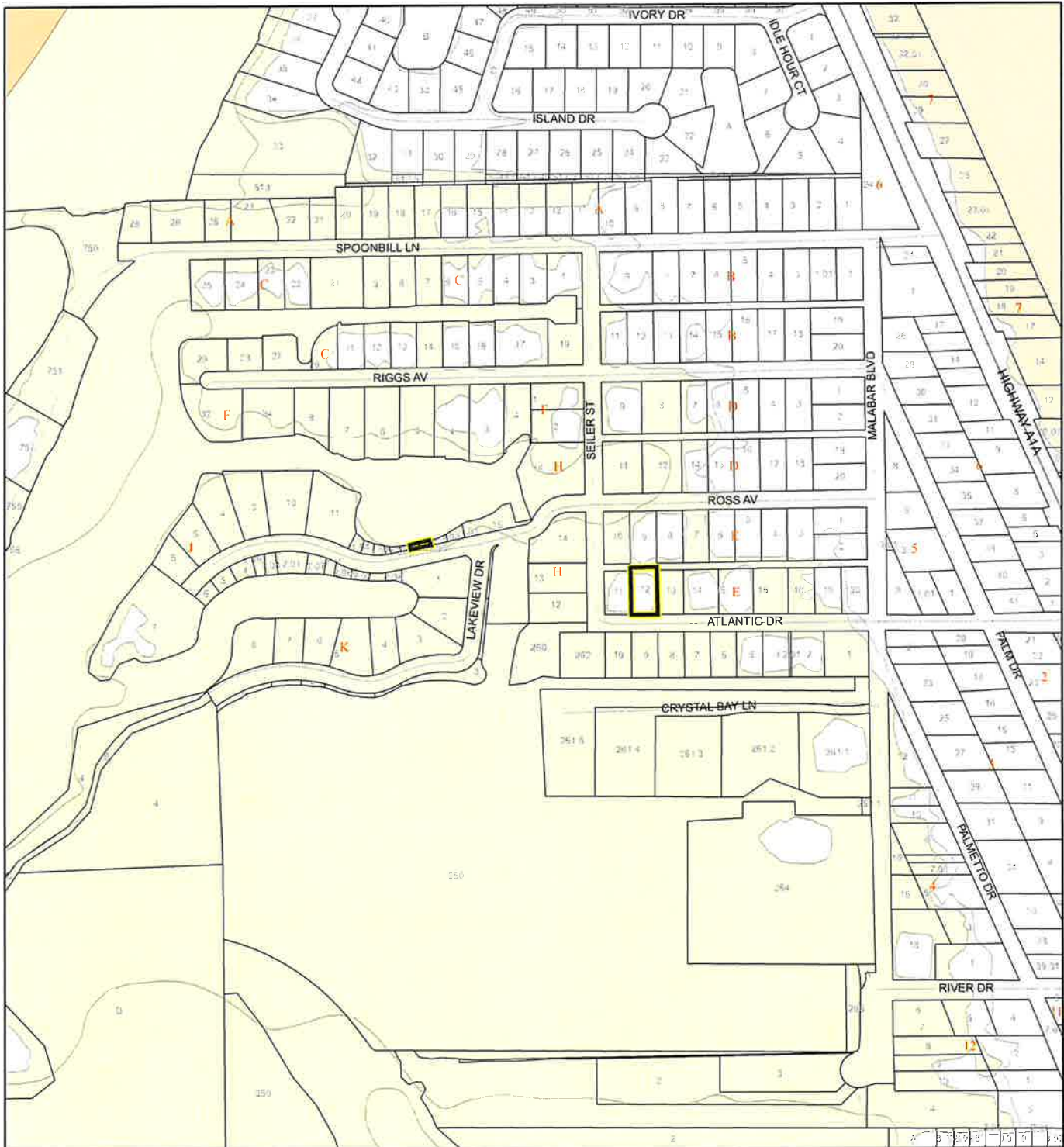
## USDA SCSSS Soils

- Aquifer and Hydric
- Aquifer
- Hydric
- None

- Subject Property
- Parcels

# FEMA FLOOD ZONES MAP

Buck, Ross & Dawn  
24Z00044



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 8/6/2024

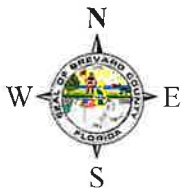
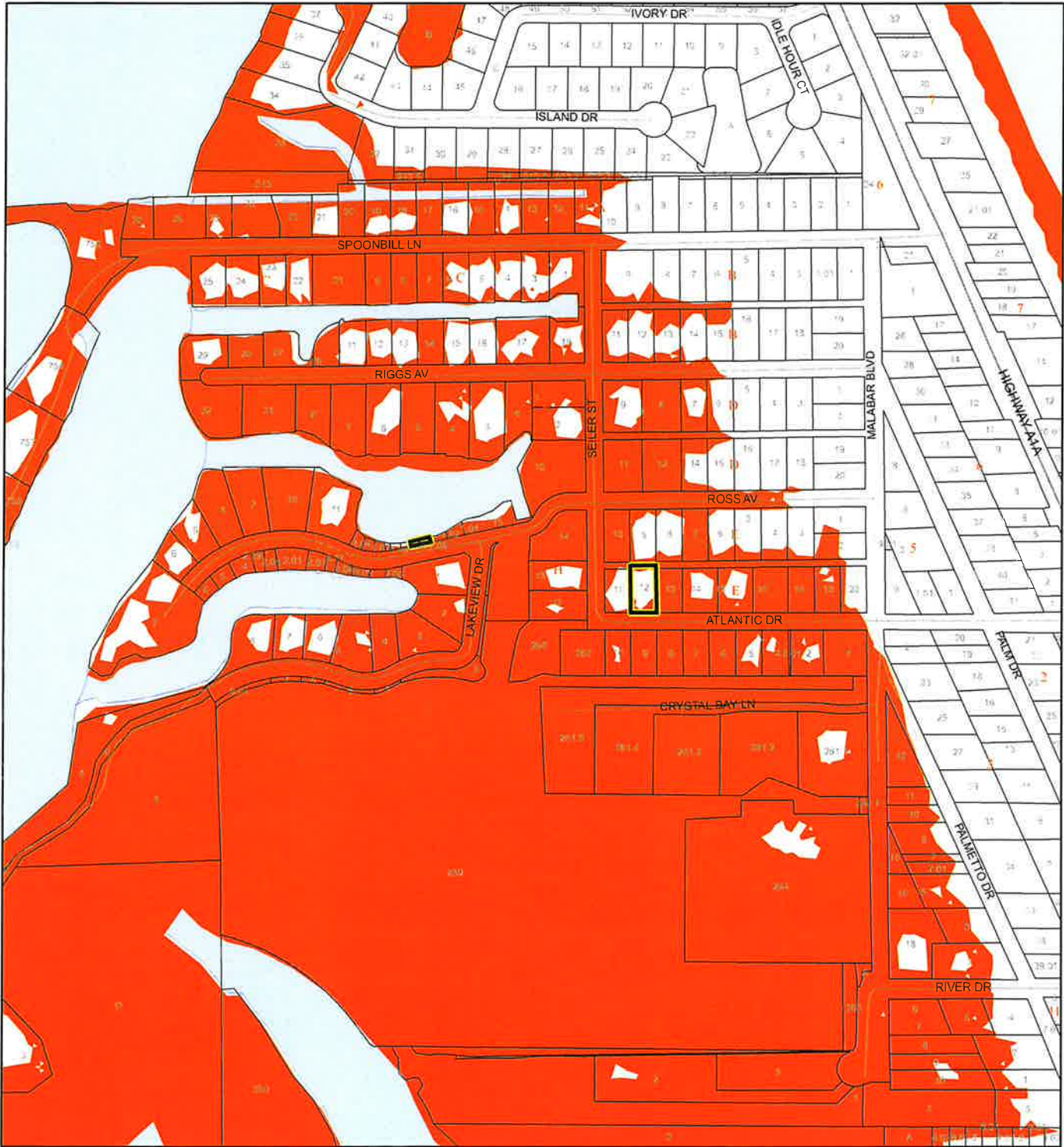
## FEMA Flood Zones

A	AO	x
AE	Open Water	
AH	VE	
— Subject Property	□ Parcels	



COASTAL HIGH HAZARD AREA MAP

Buck, Ross & Dawn  
24Z00044



1:4,800 or 1 inch = 400 feet

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Subject Property

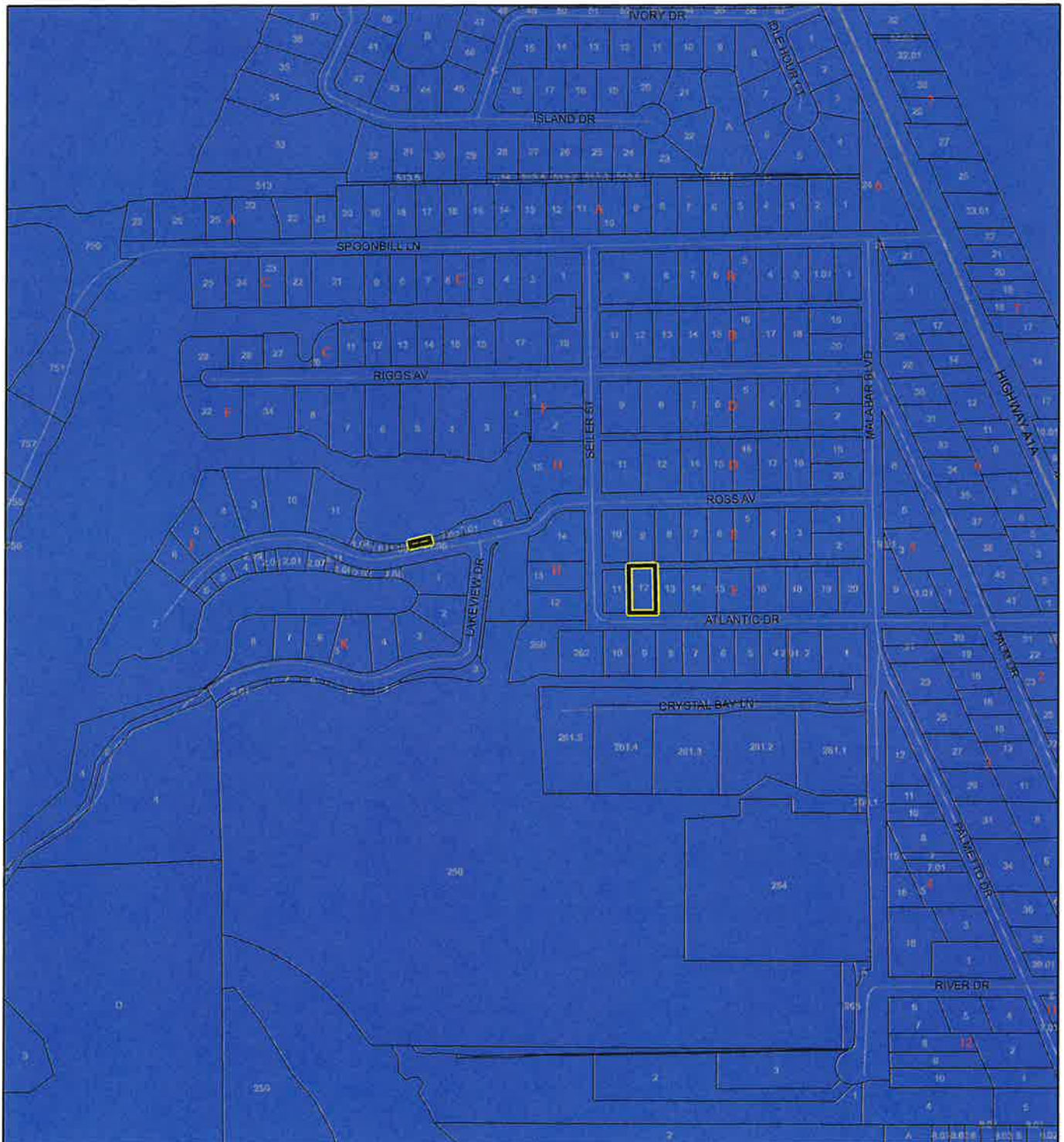
Parcels

Coastal High Hazard Area

SurgeZoneCat1

# INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

Buck, Ross & Dawn  
24Z00044



1:4,800 or 1 inch = 400 feet

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 Subject Property

 Parcels

**Septic Overlay**

 40 Meters

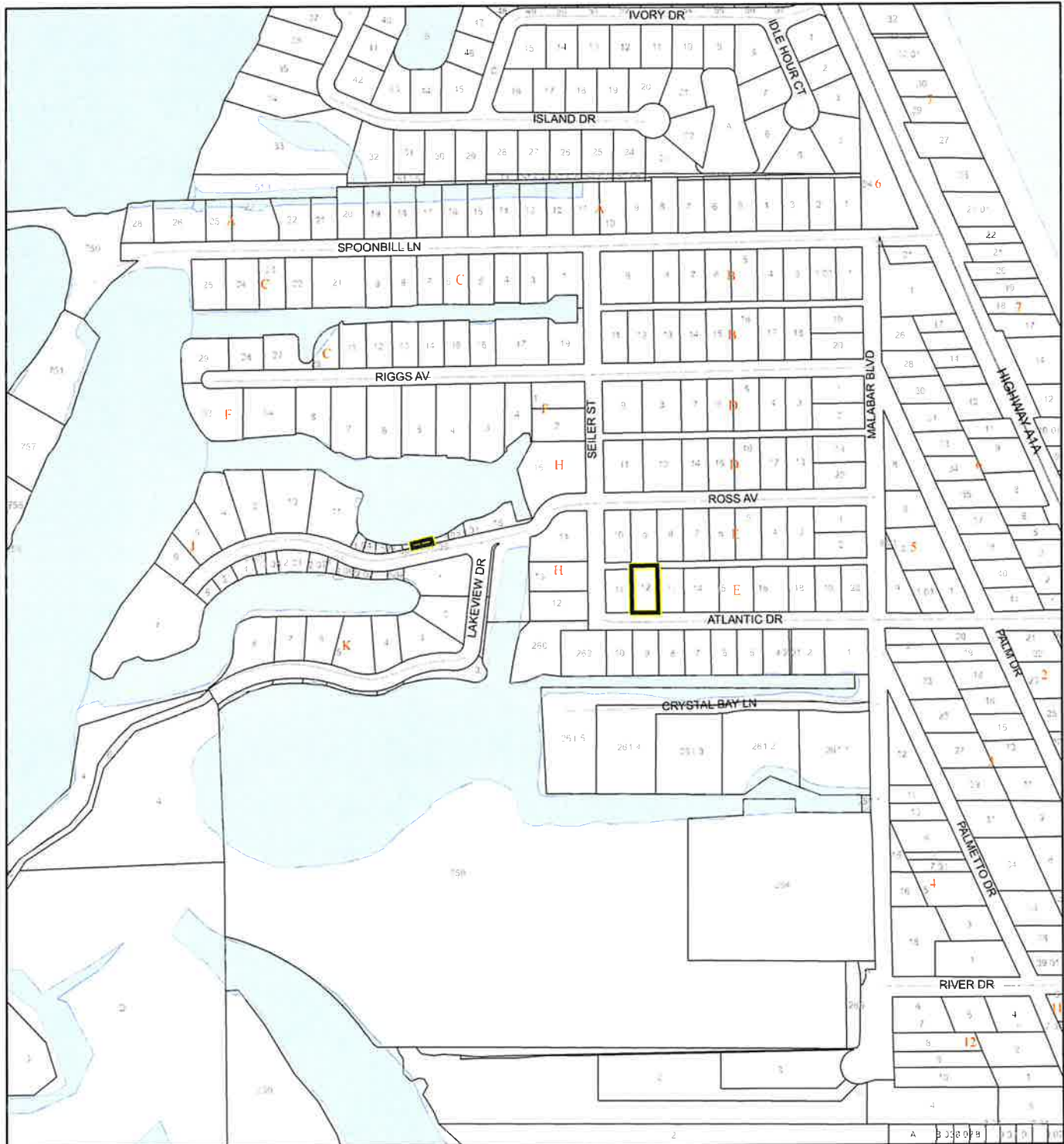
 60 Meters

 All Distances



# EAGLE NESTS MAP

Buck, Ross & Dawn  
24Z00044



1:4,800 or 1 inch = 400 feet

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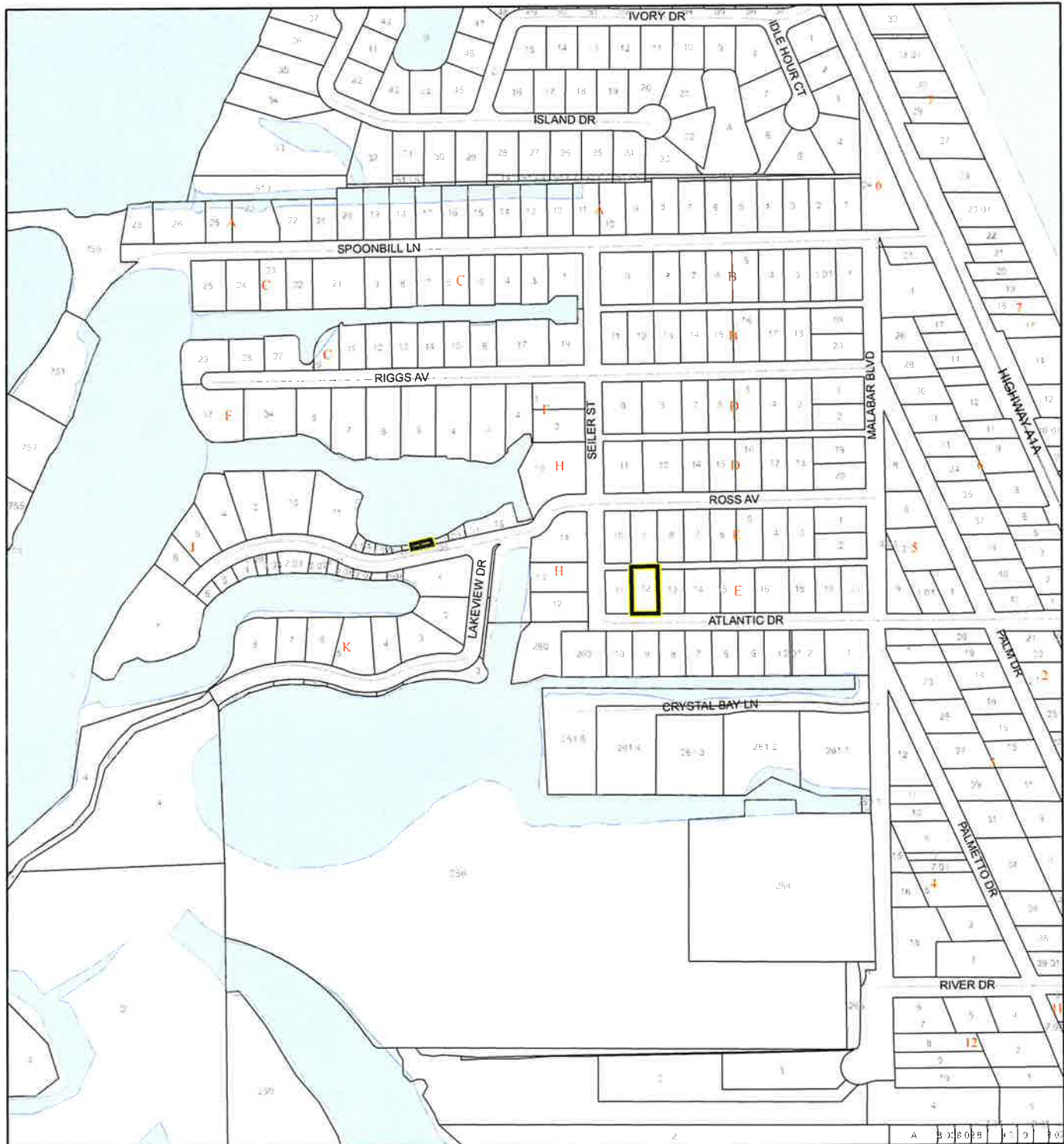
 Subject Property

 Parcels

 Eagle Nests  
FWS

# SCRUB JAY OCCUPANCY MAP

Buck, Ross & Dawn  
24Z00044



1:4,800 or 1 inch = 400 feet

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 BoCC - GIS Date: 8/6/2024

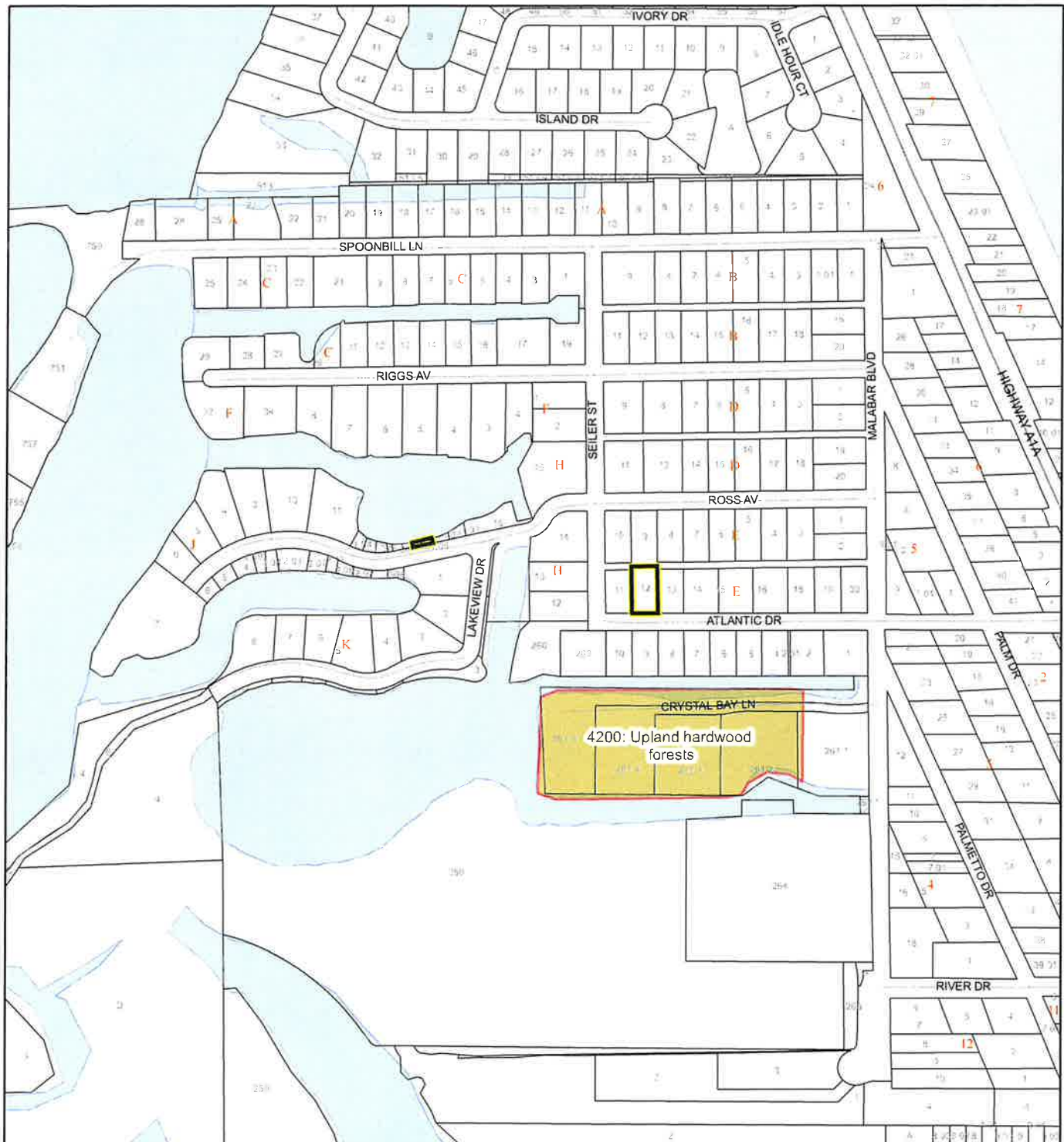
 Subject Property

 Parcels

 Scrub Jay Occupancy

# SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

Buck, Ross & Dawn  
24Z00044



1:4,800 or 1 inch = 400 feet

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 BoCC - GIS Date: 8/6/2024

## SJRWMD FLUCCS Upland Forests

- Upland Coniferous Forest - 4100 Series
- Upland Hardwood Forest - 4200 Series
- Upland Mixed Forest - 4300 Series
- Tree Plantations - 4400 Series

Subject Property

Parcels