Agenda Report



2725 Judge Fran Jamieson Way Viera. FL 32940

Consent

F.2.

1/24/2023

Subject:

Waiver Request, Re: Waiver of Wall Requirement for CRS Cocoa-Grissom Pkwy (22WV00021)(21SP00041) (District 1)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

The applicant is requesting that the Board of County Commissioners grant a waiver of Section 62-3202(h)(10) to avoid placing the wall in an existing wetland.

Summary Explanation and Background:

Section 62-3202(h)(10) stipulates that site plans within BU-1, BU-2, or industrial zoning classifications shall construct a minimum of a six-foot high masonry or solid wall, including, but not limited to, concrete block walls, pre-cast (solid) walls, or foam core/steel support with stucco finish, when the subject property abuts a residential zoning classification. This parcel is zoned BU-2 under zoning action 13PZ-00058 and abuts just to the north two residentially zoned properties. The proposed development is for a 10,640 square foot retail store.

The applicant indicates that wetland areas exist on the property near the north and eastern boundaries where the property abuts the residentially-zoned properties. The applicant asserts that the required 6-foot wall would negatively impact the wetland by requiring the removal of the existing natural vegetation within some of the existing wetlands. The applicant is proposing to provide a wall along the north property line, in accordance with sec. 62-3202(h)(10) and sec. 62-2109, that ends at the wetland buffer line located within the northeastern portion of the property. In addition, the applicant is also proposing an enhanced landscape plan to provide the remaining 6-foot opaque buffer to the north-east residentially zoned property. The site plan in addition to this waiver will serve to avoid any impact to the wetland area.

The Brevard County Natural Resource Management Department (NRM) is in support of the waiver as the wall requirement would result in impacts to canopy trees and marsh wetlands that extends off-site to undeveloped parcels. NRM agrees that the proposed landscape plan will provide 6-foot opacity requirements and is to be maintained by owners in perpetuity. This support is granted on the condition that the applicant ensures the protection of the wetlands and their functional values by prioritizing avoidance of impacts, minimization of impacts, and mitigation to meet the "no-net loss" policy in Section 62-3696.

F.2.

1/24/2023

The Board's approval of the waiver is subject to the criteria as depicted in the approved site plan, approved landscape plan, the avoidance of wetland impacts, and maintenance of the proposed wall and vegetation pursuant to the attached landscape plan. Any future development, redevelopment, or alteration of the subject property that negatively impacts the wetland areas will void the wall waiver.

Clerk to the Board Instructions:



FLORIDA'S SPACE COAST

Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001 Fax: (321) 264-6972 Kimberly.Powell@brevardclerk.us



January 25, 2023

MEMORANDUM

TO: Tad Calkins, Planning and Development Director

RE: Item F.2., Waiver Request for Waiver of Wall Requirement for CRS Cocoa-Grissom Parkway (22WV00021)(21SP00041)

The Board of County Commissioners, in regular session on January 24, 2023, granted a waiver of Section 62-3202(h)(10) to avoid placing the wall in an existing wetland for CRS Cocoa-Grissom Parkway (22WV00021)(21SP00041).

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board

/pp



Planning and Development Planning and Zoning

2725 Judge Fran Jamieson Way Building A, Room 114 Viera, Florida 32940 (321) 633-2070 Phone

LAND DEVELOPMENT WAIVER APPLICATION

This form should be used for all waiver requests or appeals associated with the Code of Ordinances, Section 62, as it relates to Subdivisions, Minor Subdivisions, and Site Plans. Fees for Waivers are \$775.00.

Application Type:			
OSubdivision Waiver	Site	Plan Waiver	Other
If other, please indicate			
Tax Account Numbers:			
24-35-01-25-13-12			
Tax Account 1	Tax Account 2	_	
Project Information and S	ite Address:		
CRS Grissom	M	ary Davis; Je	rry w/ Davis Trust
Project Name		operty Owner	
101 S. Twin Lakes Rd.	Cocoa	FL	32926
Street	City	State	Zip Code
Applicant Information:			
Matt Cason		Concept De	evelopment, Inc.
Applicant Name		Company	
1449 SW 74th Dr, Suite 200	Gainesville	FL	32607
Street	City	State	Zip Code
(352) 333-3233		matt@d	conceptcompanies.net
Primary Phone S	Secondary Phone	Email Add	

Linginger/Contractor (IF	ainerent from appli	cant):		
Randall Scott Olne	ey	CHW		
Engineer or Project Manager 11801 Research Dr. Alachua		Company		
		FL	32615	
Street	City	State	Zip Code	
(352) 331-1976		randyo@chw-inc.com		
Primary Phone Secondary Phone		Email Addı	Email Address	
northeast corner of the site line. A wall is proposed alo	Section 62-3202(h) Is zoned BU-1, BU-2 d along the north pre- prevents the wall frong the north propert	(10) which requires 2, or industrial zonir operty line of the prome extending all the volume.	ngs and residential zonings. oject site. A wetland in the	
If you wish to appeal any d the Board of County Comn disapproving the waiver or	nissioners make a d	etermination. The B	avier, you may request that Board's decision approving or	
1 John C		Matt Cason		
Owner/Applicant Signature Pr		Print Name	int Name	

Land Development Application Document Submittal Requirements

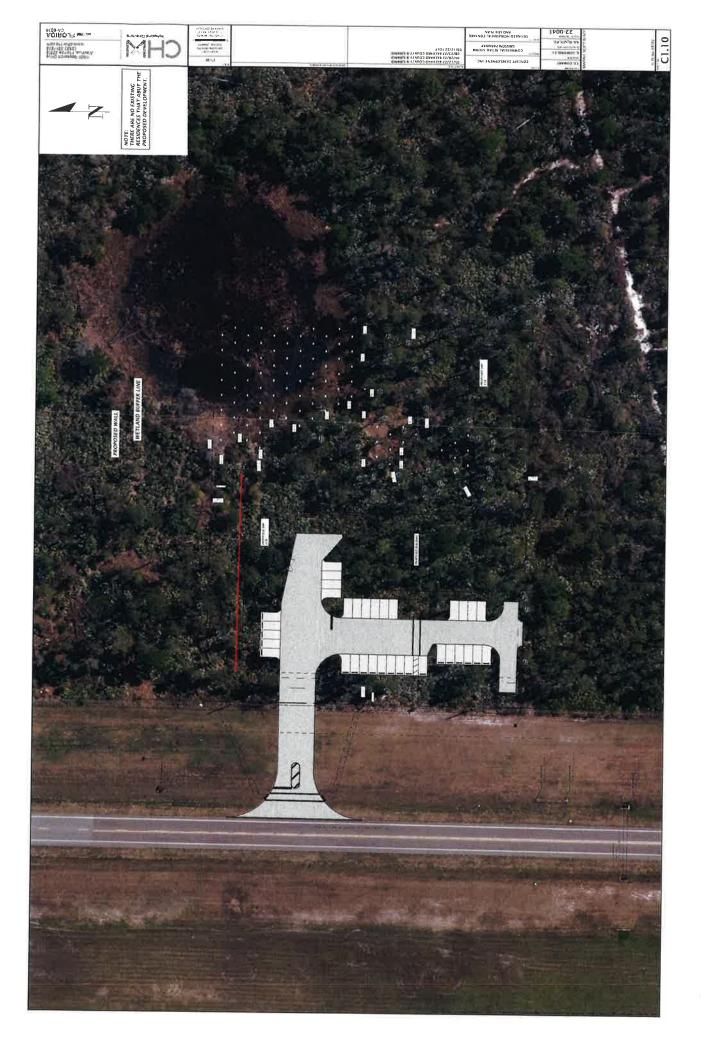
Waivers for Site Plans or Subdivisions require an application, waiver criteria (listed below), an 8 ½-inch x 11 inch vicinity map, and a fee of \$775.00.

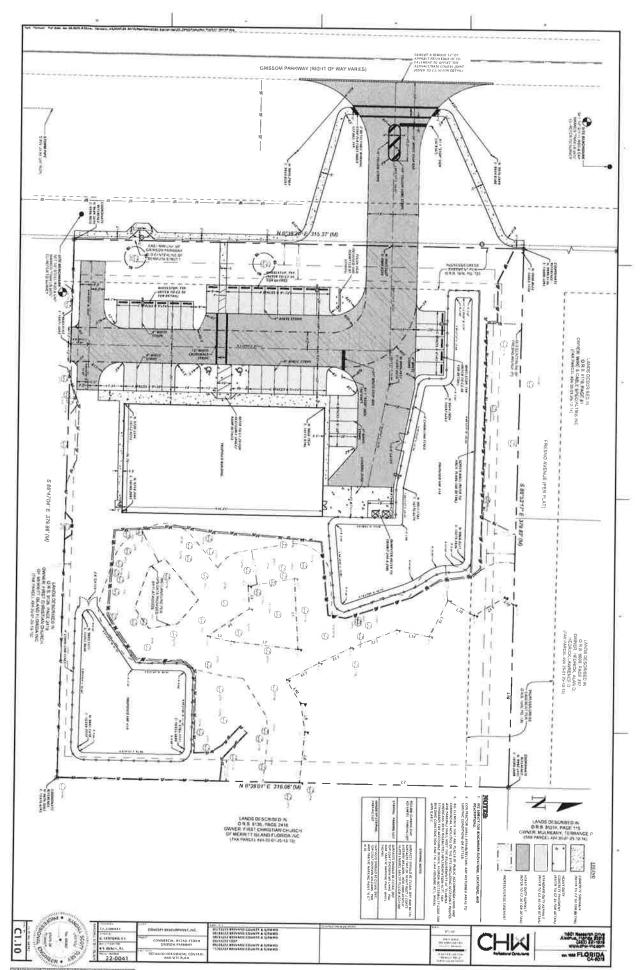
Waiver Criteria for Subdivisions and Site Plans

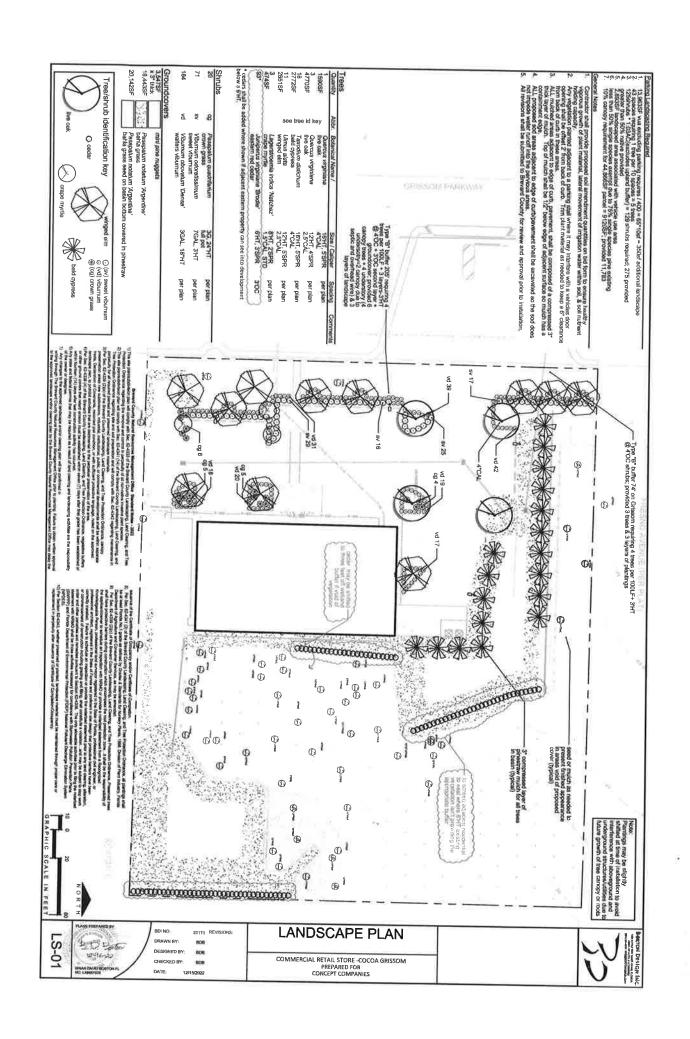
For a waiver to be considered and approved by staff, your request must comply with all of the following criteria. Please explain, in detail, how your request meets the following conditions.

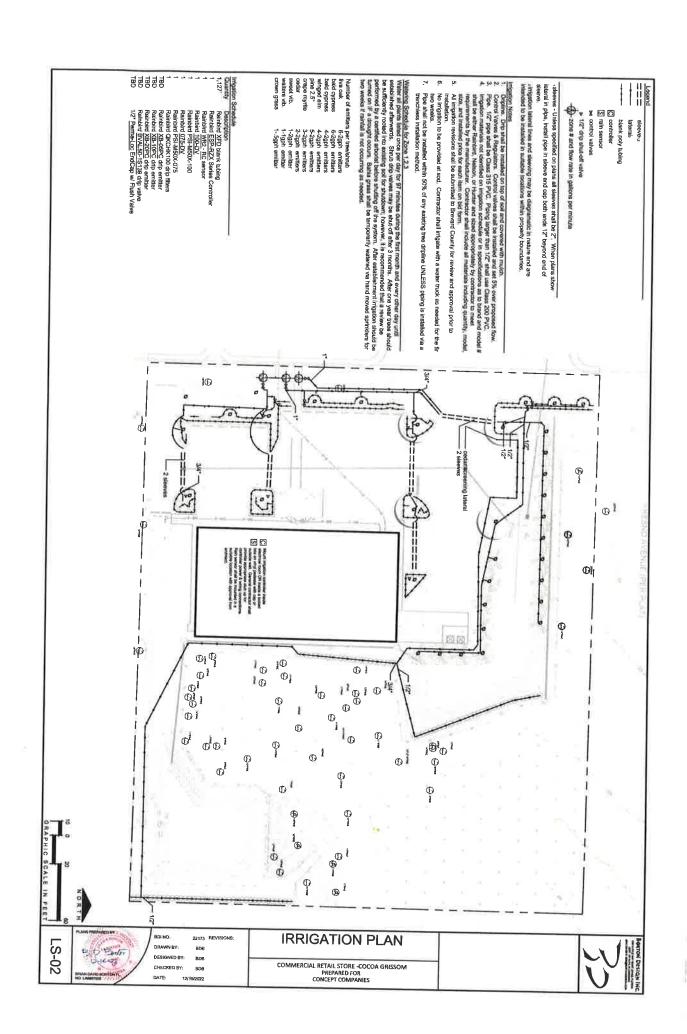
1	The particular physical conditions, shape, or topography of the specific property involved causes an undue hardship to the applicant if the strict letter of the code is carried out.
	An existing wetland on the northeast side of the property.
2.	The granting of the waiver will not be injurious to the other adjacent property.
	The wetland extends to the southeast portion of the adjacent property to the north.
3.	The conditions, upon which a request for waivers are based, are particular to the property for which the waiver is sought and are not generally applicable to other property and do not result from actions of the applicant.
	The wetland is existing and the require wall would impact it if waiver is not granted.

 I ne waiver is consistent with the intent and purpose of the county zoning regulations, the county land use plan, and the requirements of this article.
Yes, because the wall is proposed along the remainder of the northern property boundary
Delays attributed to state or federal permits.
N/A
6. Natural disasters.
N/A
7. County development engineer and affected agencies concur that an undue hardship was placed on the applicant. (To be filled out by County staff)
Office Use Only
Request Date Fees Board Date
Original Project Number Waiver Number
Coordinator Initials Reference Files
County Manager/Designee Approval









and the special field products and the special field products

or of Persign, Combined all invitinges with will be Committed or of some characteristic stress of the Special TE PART 2 SUBMITTALS

TO ATTEMPT TO SUBMITTALS

TO ATTEMPT THE SUBMITTALS

THE PART LIMITER. THE CONSIDER SHAP IS RESPONDED BY TEMPT AND ATTEMPT IN THE SUBMITTAL IN ADDITION TO THE SUBMITTAL OF THE SUBMITTAL IN ADDITION TO THE SUBMITTAL OF THE SUBMITTAL IN ADDITION OF THE SUBMITTAL OF THE SUBMI main. All mad maid comply with regulatory approxime for feminant and harbods whether the complete of the complete of Regressization copies of many or complete of the half he provided for any material used crashs or by The Contract was a part show means. The Contract Reportments of the Contract was a part show means to email to Contract packled havin or the Contract packled havin or the Contract was the Contract will be reported to the second packled or the Contract will be reported to the second packled or the contract packled or Appl 1 (2009)4 (2018)

Model Poolson at \$1 - 1000 (1) of tricks less, glound down a compagnious broken produces at \$1 - 1000 (1) of tricks less, glound down and other announces of the standard poolson and pools

(A COLUMN) ANT I WAL INSCRIPTION AND CONTRIVENT.

For Chance, Votor for the country of the Contrivent of the chance and the chance of the cha

In production shall in clighting, spycits

In production in the interior production and a product of the production of the standing and specified levels, complex.

The complex is the complex in the complex interior production, and standing the second on the analysis of the second or the samples in the complex in the complex interior production in the complex in the complex interior production in the complex interior production in the complex in the complex interior in the complex interior production in the complex in the complex interior in the complex in the complex

CONCAP (ANT) ANTIBOLISM.

Well Plant Martin Management, Proble state Inspected, Installey Grant John, and
many Date State Concard manus of the control of the Concern
plant pass of the Concern Concern Concern
Concern to Martin Concern Concern Concern
Concern Concern Concern Concern Concern
Concern Concern Concern Concern Concern Concern
Concern Concern Concern Concern Concern Concern
Concern Concern Concern Concern Concern Concern
Concern Concern Concern Concern Concern Concern
Concern Concern Concern Concern Concern Concern Concern
Concern Concern Concern Concern Concern Concern Concern
Concern Concern Concern Concern Concern Concern Concern Concern
Concern Concern Concern Concern Concern Concern Concern Concern
Concern Conc

the stat is recombe to edding past, hanna, furilizer, narraw, ph commencedy accepted and accepte to ensure rarmet, healthy plant growth

Figure (Chema, The Landmany & Commany is exposed by at the graining of presented to be for the graining of presented to be for the graining of changing (and chema) (and chema) and is comed to the control to come and the control to the control to come and the control to the control to come and the come and the control to come and the come and the control to come an

Reinbird or equal XFD blank tubing with Earlier or equal XFD blank tubing with Earlier XFB aFC or equal emitter at same procipitation rate installed overtop of northall or staff of 14" tubing to emitter with bug cap to meach plant roothall of affair 1 tubing when applicable. Use ground staples to secure emitter locations. Start all drip runs with a Sainched BYALSQ-1519 and of white. Terminate all drip runs with a compression hose and flush cup.

Use ground staples to secure emitter locations. Pressure regulators shall be used in appropriate locations so all emitters receive pressures between 20-50 psl.

The special control of the statement of the special control of the s

It has been strong to the surface of the strong term of the strong ter Detail for strub emitters Detail for individual tree drip

City of will be implied at authorizing dupth below ground to product in from instancts such as whicked buffer. Landscape with hole for the man are those involved product areas subject to without note such as trade consulting, proving actus, etc. Depths of cores shall contains to HRCS-FC-43040, Where Conveyance, as belong.



Install Rainbird <u>BVALSO-15139</u> or equal shut-off valve at all rose, Install Rainbird or equal XFD blank. builting around each three with appropriate amount of equally spaced drip emitters. Countilly of Rainbird XB-8FC or equal emitters por tree are specified or XB-8FC or equal emitters por tree are specified to the implation sheet. Drip shall enocicie thee and be offest Z* from edge of rootball. Terminate drip encircling each into with a compression hose and

BDI NO 12-160322 DRAWN BY: DESIGNED BY: BDB CHECKED BY:

BOB

Specifications/Details

COMMERCIAL RETAIL STORE -COCOA GRISSOM PREPARED FOR CONCEPT COMPANIES

LANDSCAPE PLAN

