

A G E N D A

MEETING OF THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS
GOVERNING BOARD OF THE BREVARD MOSQUITO CONTROL DISTRICT
GOVERNING BOARD OF THE BAREFOOT BAY WATER AND SEWER DISTRICT
Government Center Commission Room, Building C
2725 Judge Fran Jamieson Way
Viera, Florida

February 2, 2017

IF YOU WISH TO SPEAK TO ANY ITEM ON THE AGENDA, PLEASE FILL OUT A SPEAKER CARD. PERSONS ADDRESSING THE BOARD SHALL HAVE FIVE MINUTES TO COMPLETE HIS/HER COMMENTS ON EACH AGENDA ITEM FOR WHICH HE/SHE HAS FILLED OUT A CARD.

THE BOARD OF COUNTY COMMISSIONERS REQUESTS THAT SPEAKERS APPEARING UNDER THE PUBLIC COMMENT SECTION OF THE AGENDA LIMIT THEIR COMMENTS AND/OR PRESENTATIONS TO MATTERS UNDER THE BOARD'S JURISDICTION. IT IS THE RESPONSIBILITY OF THE CHAIRMAN TO DETERMINE THE TIME LIMIT ON COMMENTS UNDER PUBLIC COMMENT.

5:00 p.m. CALL TO ORDER

INVOCATION: (District 5)

PLEDGE OF ALLEGIANCE: Commissioner Rita Pritchett, District 1

I. RESOLUTIONS, AWARDS, AND PRESENTATIONS (LESS THAN 5 MINUTES)

II. CONSENT AGENDA (The entire Consent Agenda will be passed in one motion to include everything under Section II.)

A. Development and Environmental Services Group

Natural Resources Management Department

Planning and Development Department

Public Works Department

Solid Waste Management Department

Utility Services Department

*Revised 02/1/17 @ 3:50 p.m.

II. CONSENT AGENDA (CONTINUED)

A. Development and Environmental Services Group (continued)

Valkaria Airport

B. Community Services Group

Housing and Human Services

Library Services Department

Parks and Recreation Department

Tourism

Transit Services Department

University of Florida; Brevard County Extension

C. Public Safety and Support Services Group

Central Services

Emergency Management

Fire Rescue

Human Resources

Information Technology

SCGTV

D. Administrative Services Group

Budget

County Attorney

County Manager

Miscellaneous

III. PUBLIC COMMENTS (30 minutes)

IV. PUBLIC HEARINGS

A. Tabled Items

IV. PUBLIC HEARINGS (CONTINUED)

- *B. P&Z Recommendations of January 9, 2017; PSJ Recommendation of January 11, 2017; NMI Recommendation of January 12, 2017; and LPA Recommendation of January 23, 2017**

DISTRICT 1***THE APPLICANT FOR THE FOLLOWING ITEM HAS AMENDED THE REQUEST TO NC AND BU-1-A**

IV.B.1. (16PZ00111) – LUKAS J. & ANNEISE KAMMERMAN – (Carmine Ferraro) requests a Small Scale Plan Amendment (16S.11) to change the Future Land Use Designation from Residential 4 to CC; and a change of classification from RU-1-9 to BU-1, on 0.36 acre, located on the northwest corner of Fay Blvd. and Grissom Pkwy. (5010 Fay Blvd., Cocoa)
PSJ Recommendation: Chinaris/Messer – Denied. Vote was unanimous.
***LPA Recommendation: Cannon/Barber – Denied. Vote was unanimous.**

IV.B.2. (16PZ00098) DAVID & MICHELLE MURPHY – requests a change of classification from RU-1-9 to RU-1-11 on 0.94 acre, located on the southeast corner of Irwin Ave., and Old Dixie Hwy. (3485 Old Dixie Hwy., Mims)
P&Z Recommendation: Lawandales/McLellan – Approved. Vote was unanimous.

IV.B.3. (16PZ00103) JAMIE & HOLLY K. BUNNELL – requests a change of classification from AU to RR-1 on 1 acre, located on the north side of S.R. 524, approx. 0.21 mile northeast of S.R. 520. (6300 Hwy 524, Cocoa)
P&Z Recommendation: LaMarr/Cannon – Approved. Vote was unanimous.

IV.B.4. (16PZ00106) GARY R. SMITH – (Robert E. Smith) – requests a Small Scale Plan Amendment (16S.10) to change the Future Land Use designation from Agriculture to Residential 1; and a change of classification from GU to RR-1 on 2.06 acres, located on the south side of Gandy Rd., approx. 0.38 mile east of Hog Valley Rd. (No assigned address. In the Mims area.)
LPA Recommendation: Moia/Lawandales – Approved. Vote was unanimous.
P&Z Recommendation: Moia/Lawandales – Approved. Vote was unanimous.

*** THE FOLLOWING ITEM HAS BEEN WITHDRAWN BY THE APPLICANT (Letter received 01/30/17)**

IV.B.5. (16PZ00108) MOBILE WORLD OF BREVARD – (John Hoskin) – requests a change of classification from BU-1 and BU-2 to all BU-2, on 3.18 acres, located on the southwest corner of U.S. Highway 1 and Louis Drive. (3737 N. Hwy 1, Cocoa)

IV.B.6. (16PZ00109) ALL SPACE STORAGE – (Vaheed Teimouri) – requests a change of classification from PIP to BU-2 on 6.27 acres, located on the west side of N. U.S. Hwy 1, approx. 0.34 mile south of Canaveral Groves Blvd. (Tax Parcel 30 = No assigned address. In the Cocoa area; Tax Parcel 39 = 3855 N. U.S. Hwy 1, Cocoa)
P&Z Recommendation: McLellan/Moia – Approved. Vote was unanimous.

IV. PUBLIC HEARINGS (CONTINUED)

- B. **P&Z Recommendations of January 9, 2017; PSJ Recommendation of January 11, 2017; NMI Recommendation of January 12, 2017; and LPA Recommendation of January 23, 2017**

DISTRICT 4

IV.B.7. (16PZ00104) C&L BAYTREE, LLC – (Jim Bartoe) – requests a CUP (Conditional Use Permit) for Alcoholic Beverages (full liquor) for On-Premises Consumption in Conjunction with Restaurant Use, in a BU-1 zoning classification, on 7.53 acres, located on the north side of Wickham Rd., approx. 220 ft. east of Baytree Dr. (No assigned address. In the Melbourne area)

P&Z Recommendation: McLellan/Moia – Approved. Vote was unanimous.

DISTRICT 5

***IV.B.8. (16PZ00094) – G.T. MOTORS** – (Phil Nohrr) – requests a Small Scale Plan Amendment (16S.09) to change the Future Land Use designation from NC to CC, and a change of classification from RU-1-9 to BU-1, on 1.4 acres, located on the east side of Valencia Rd., approx. 400 ft. north of W. New Haven Ave. (108 Valencia Rd., Melbourne)

LPA Recommendation: Barber/Lawandales – Approved. Vote was 8:2, with Holleran and Cannon voting nay.

P&Z Recommendation: Lawandales/LaMarr – Approved with a Binding Development Plan restricting deliveries to the existing service entrance for the existing dealership approximately 350 ft. north of W. New Haven Ave., and no use of Valencia Rd., including the loading and unloading of inventory. Vote was 8:2, with Holleran and Cannon voting nay.

THE APPLICANT FOR THE FOLLOWING ITEM HAS MODIFIED REQUEST FROM RU-1-7 TO RU-1-11

IV.B.9. (16PZ00107) – ROBERT C. & MARION L. BAUMAN – (Joseph Kilmer) – requests a change of classification from RR-1 and RU-1-7 to all RU-1-7, on 1.52 acres, located on the east side of Washington St., approx. 0.17 mile south of Milwaukee Ave. (Lot 12 = No assigned address. In the Melbourne area. Lot 15 = 2685 Washington St. Melbourne)

P&Z Recommendation: Lawandales/McLellan – Approved as RU-1-11. Vote was unanimous.

IV. PUBLIC HEARINGS (CONTINUED)

- B. P&Z Recommendations of January 9, 2017; PSJ Recommendation of January 11, 2017; NMI Recommendation of January 12, 2017; and LPA Recommendation of January 23, 2017**

THE FOLLOWING ITEM WAS TABLED FROM THE 11/07/16 P&Z AND 12/01/16 BCC MEETINGS

DISTRICT 2

IV.B.10. (16PZ00084) – HOME DEPOT USA, INC. – (Edward J. Allen) - requests a CUP for Trailer & Truck Rental Service, in a BU-1 zoning classification, on 9.37 acres, located on the east side of N. Courtenay Pkwy., approx. 340 ft. north of S.R. 520. (200 N. Courtenay Pkwy., Merritt Island)

P&Z Recommendation: Barber/McLellan – Approved with conditions agreed to with the MIRA board: 1.) To park all rental equipment with the rental trucks in the area designated on the approved site plan that is to be clearly marked with signage or striping; 2.) No more than ten (10) rental trucks at any given time on the property; 3.) After-hour drop-off of vehicles must be in the designated area and any outside of the area will be moved to the approved location at the start of Home Depot business. Vote was unanimous.

THE FOLLOWING ITEM WAS TABLED FROM THE 10/13/16 & 11/10/16 NMI and 11/03/16 & 12/01/16 BCC MEETINGS

DISTRICT 2

IV.B.11. (16PZ00082) – GERALD CRAYTON, TRUSTEE – (Antron Cotman) – requests removal of an existing BDP, to retain all BU-1 & BU-2 uses, in a BU-2 zoning classification, on 6.07 acres, located on the west side of N. Courtenay Pkwy., approx. 560 ft. north of Crisafulli Rd. (No assigned address for Parcels 751.1 & 798. Parcel 758 = 6025 N. Courtenay Pkwy, Merritt Island.)

NMI Recommendation: Ratterman/Lindhorst – Approved an amendment to the current Binding Development Plan as follows: 1.) Retaining all BU-1 and BU- 2 uses, with the exception of cemeteries, mausoleums, crematoriums, railroad motor truck, water freight, passenger stations, testing laboratories, recovered materials processing facility, seafood processing plant, substation/transmission facility, dry cleaning plant, and fertilizer storage/sales. 2.) Amended provision that any future development of the property shall comply with the October 2005 North Courtenay Parkway Corridor Study draft, except that the LU-3 dealing with visibility of sheet metal buildings from North Courtenay Parkway shall not apply to the existing sheet metal building on the property; 3.) Retain provision that a six (6)' foot high opaque fence shall be placed on the property 25 feet west of the right-of-way line of S.R. 3, and there shall be no storage of boats and trailers on the 20 feet immediately west of the opaque buffer; stacking of boats and trailers over one another so that they may be visible from S.R. 3 shall be prohibited; and that the Owner shall provide additional vegetation planting on the east side of the fence to restrict the visibility from S.R. 3. Vote was unanimous.

V. UNFINISHED BUSINESS

- A. Board Consideration, Re: Time Extension for CFAR to Relocate Captive Wildlife to Forever Florida Reserve, Osceola County

VI. NEW BUSINESS

- A. Development and Environmental Services Group

- B. Community Services Group

- C. Public Safety and Support Services Group

- D. County Attorney

- *1. Request to Schedule Executive Session, Re: Brevard County v. B. West Townhouses, Ltd., Meadowbrook, LLC, Tradewinds Plaza, LLC, Case No. 05-2013-CA-025677

- E. County Manager

- F. Miscellaneous

VII. PUBLIC COMMENTS (Comments may not address subsequent Agenda items.)**VIII. BOARD REPORTS AND PRESENTATIONS (MORE THAN 5 MINUTES)**

- A. Stockton Whitten, County Manager
- B. Eden Bentley, Deputy County Attorney
- C. Jim Barfield, District 2 Commissioner
- D. John Tobia, District 3 Commissioner
- E. Kristine Isnardi, District 5 Commissioner
- F. Rita Pritchett, District 1 Commissioner/Vice Chairwoman
- G. Curt Smith, District 4 Commissioner/Chairman

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations or an interpreter to participate in the proceedings, please notify the County Manager's Office no later than 48 hours prior to the meeting at (321) 633-2010.

Assisted listening system receivers are available for the hearing impaired and can be obtained from SCGTV Staff at the meeting. We respectfully request that ALL ELECTRONIC ITEMS and CELL PHONES REMAIN OFF while the County Commission is in session. Thank you.

This meeting will be broadcast live on Space Coast Government Television (SCGTV) on Bright House Networks Cable Channel 499, Comcast (North Brevard) Cable Channel 51, and Comcast (South Brevard) Cable Channel 13. SCGTV will also replay this meeting during the coming month on its 24-hour video server nights, weekends, and holidays. Check the SCGTV website for daily program updates at <http://www.scgtv.org>.

The Advanced Agenda may be viewed at: <http://www.brevardcounty.us>.

In accordance with Resolution 2014-219 Section VIII (8.1) The agenda shall provide a section for public comment limited to thirty (30) minutes following approval of the consent agenda during each regular County Commission meeting. The purpose of public comment is to allow individuals to comment on any topic relating to County business which is not on the meeting agenda. Individuals delivering public comment shall be restricted to a three-minute time limit on their presentation. During this thirty (30) minute segment of public comment, speakers will be heard in the order in which they turned in a speaker card asking to be heard. Any speaker not heard during the first thirty (30) minute segment will be heard during a second public comment segment held at the conclusion of business specified on the regular Commission agenda. With the exception of emergency items, the Board will take no action under the Public Comment section, but can refer the matter to another meeting agenda.