

F. Consent Agenda - Planning and Development  
ITEM 5.



AGENDA REPORT  
December 4, 2018

**Waiver Request for Subdivision Sign at Eagle Point (18WV00024) (District 1)**

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**SUBJECT:**

Waiver Request Subdivision Sign Re: Eagle Pointe Homeowners Association (HOA)  
(18WV00024) (District 1)

**FISCAL IMPACT:**

none

**DEPT/OFFICE:**

Planning and Development

**REQUESTED ACTION:**

The applicant is requesting a waiver of Section 62-2889(b)(5) of the subdivision sign requirements to allow a sign not exceeding 8 feet, two inches in height and 123 overall square feet.

**SUMMARY EXPLANATION and BACKGROUND:**

Section 62-2889(b)(5) limits subdivision signs to no higher than four feet in height and no greater than 100 square feet overall. The Eagle Pointe Homeowners Association is requesting a waiver to construct a larger sign at the entrance to the Eagle Pointe subdivision in the Sherwood Forest PUD. The sign is proposed to be located on a private tract within the subdivision, and to be set back 11 feet from the private street right-of-way.

The proposed sign includes two columns, the highest being 8 foot and two inches, flanked on each side of a decorative wall which varies from 4 feet to 6 feet in height, being approximately 21 feet in length. The applicant has submitted a drawing included with the application.

Staff has not granted approval of the waiver request, and pursuant to Section 62-3207 of the Code, requests that the sign be evaluated by the Board of County Commissioners. Section 62-3207 outlines the waiver criteria that the Board should consider, and the application with the applicant's response to the criteria is attached herein. The applicant has not indicated an unusual circumstance or undue hardship, however they have noted that the proposed sign is not out of character with some of the existing signs built in neighboring communities.

Reference: 18WV00024

Contact: Rebecca Ragain, Assistant Director, Ext. 52362

**ATTACHMENTS:**

**Description**

- **application and drawings**
- **Location Map**



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

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

December 5, 2018

**M E M O R A N D U M**

TO: Tad Calkins, Planning and Development Director Attn: Rebecca Ragain

RE: Item F.5., Waiver Request Subdivision Sign for Eagle Pointe Homeowners Association  
(18WV00024)

The Board of County Commissioners, in regular session on December 4, 2018, accepted a waiver of Section 62-2889(b)(5) of the subdivision sign requirements to allow a sign not exceeding eight feet, two inches in height and 123 overall square feet for Eagle Pointe Homeowners Association.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*Tammy Rowe*

Tammy Rowe, Deputy Clerk

/kp

# BREVARD COUNTY 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 specifically to Unpaved Roads, Subdivisions, Minor Subdivisions, and Site Plans.

## APPLICATION TYPE

- SUBDIVISION WAIVER
- UNPAVED ROAD WAIVER
- SITE PLAN WAIVER
- OTHER

## Land Development Use Only

Request Date: Oct. 17, 2018 Fees \$ 775.00 Board Date: \_\_\_\_\_  
Original Project # \_\_\_\_\_ Waiver # 18WV00024  
Coordinator Initials: TR Reference Files: \_\_\_\_\_  
County Manager/Designee approval \_\_\_\_\_

Tax Parcel Identification: Twp. 21 Rng. 34 Sec. 24 S/D 25 Blk/Par - Lot(s) B (List all parcels)

Tax Account # (\*s): N/A None 2112202 (List all account numbers)

Project Name: Eagle Pointe Property Owner: Eagle Pointe Subdivision H.O.A.

Site Address: TRACT B

## ALL CORRESPONDENCE TO BE PROVIDED TO APPLICANT AT THIS ADDRESS:

Name: MICHAEL J. COLMAN Company: Eagle Pointe Sub. H.O.A.  
Address: 2179 Arnold Palmer Dr. E-Mail fac6280@aol.com  
City: Titusville State Florida Zip 32796  
Phone (321) 269-4565 Fax (321) 269-5229 Cell (321) 403-6203

## ENGINEER/CONTRACTOR (if different from applicant):

Company Name: N/A Eng. or Proj. Mgr.: \_\_\_\_\_  
Address: \_\_\_\_\_ Ph # (\_\_\_\_) \_\_\_\_\_ Fax (\_\_\_\_) \_\_\_\_\_

## DESCRIPTION OF WAIVER REQUEST AND CODE SECTION:

Permanent subdivision entrance sign, Exceeding 8 feet  
in height CODE Sec. 62-2889

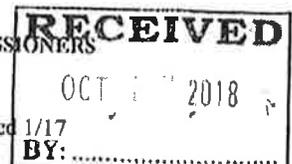
Owner/Applicant Signature: Michael J. Colman Print Name: MICHAEL J. COLMAN

If you wish to appeal any decision made by the county staff on the waiver, you may request the Board of County Commissioners to make a determination. Their decision approving or disapproving the waiver or interpretation is final.

Fees for Waivers are \$775.

APPLICATION FEES: A schedule of fees and charges for review is established and adopted by the Board of County Commissioners of Brevard County, Florida, and may, from time to time, be amended.

PLEASE MAKE CHECKS PAYABLE TO: THE BOARD OF COUNTY COMMISSIONERS



**LAND DEVELOPMENT APPLICATIONS – DOCUMENT SUBMITTAL REQUIREMENTS**

Application type	Application	Waiver Criteria below	Alternative Plan Design				8 1/2 x 11 vicinity map		Fees
Waiver - Site Plan	1	Y	-		-	-	1	-	Y
Waiver - Subdivision	1	Y	-				1		Y

**WAIVER CRITERIA (SUBDIVISION, UNPAVED ROADS & 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.

N/A

2. The granting of the waiver will not be injurious to the other adjacent property.

Property is a buffer zone between single family and multifamily zoned property

3. The conditions, upon which a request for waiver 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.

Size of sign is consistant with existing signs already built in neighboring communities in Sherwood

4. The waiver is consistent with the intent and purpose of the county zoning regulations, the county land use plan of the county and the requirements of this article.

Yes, sign is consistant with subdivision signs already established in Brevard County

5. Delays attributed to state or federal permits.

N/A

6. Natural disasters.

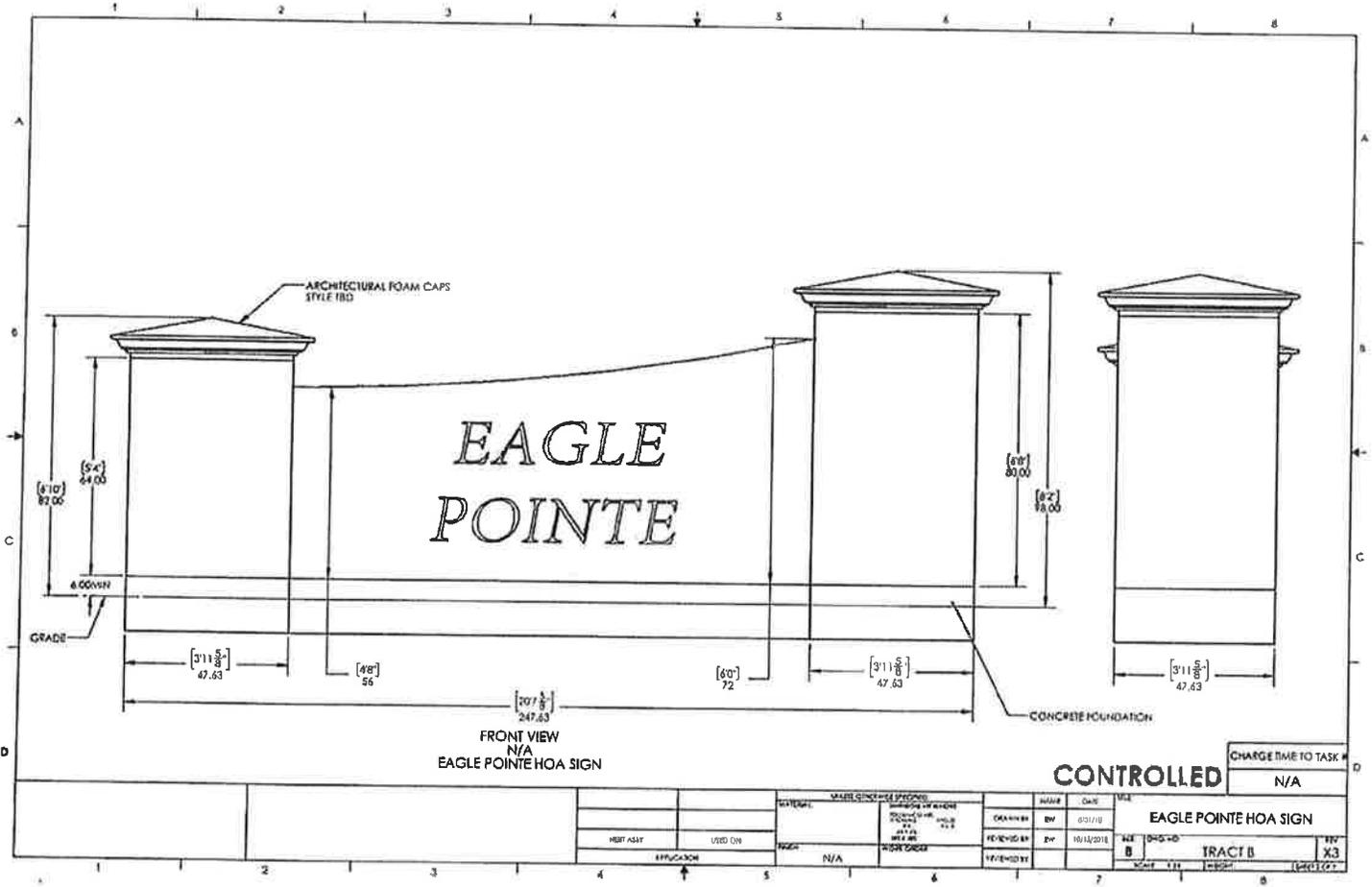
N/A

7. County development engineer and affected agencies concur that an undue hardship was placed on the applicant. (To be filled out by County staff)

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



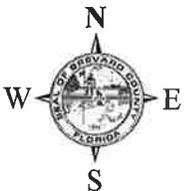
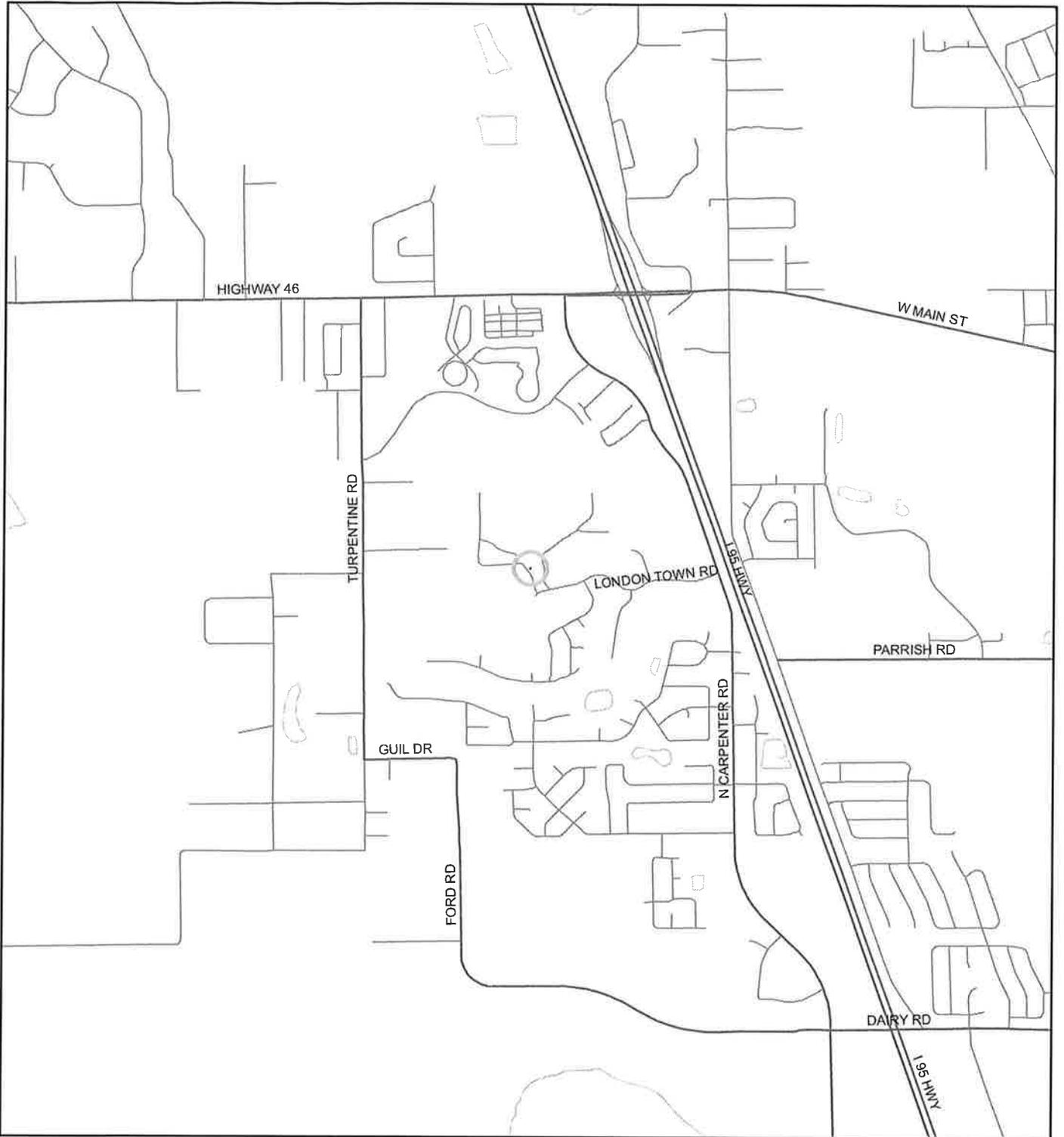




# LOCATION MAP

EAGLE POINTE HOA SIGN

18VV00024



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

 Subject Property

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

Produced by BoCC - GIS Date: 11/16/2018