



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Consent

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F.2.

2/6/2020

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### Subject:

Approval Re: Adjustment of Future Land Use Map Boundaries.

### Fiscal Impact:

None

### Dept/Office:

Planning and Development

### Requested Action:

Staff is requesting the Board's acknowledgement of a scrivener's error on the Future Land Use Map and an adjustment of the Future Land Use boundaries for a total of .415 acres from Public Conservation (PUB-CONS) and abandoned right-of-way, to Neighborhood Commercial (NC).

### Summary Explanation and Background:

Three (3) small areas, totaling .415 acres, are the juncture of four (4) sections (see the attached maps). The Property Appraiser's parcel line work has historically been misaligned in this area. Advancements in the County's mapping software over the decades has allowed for these areas of misalignment to be refined. This refinement covers the Camp Holly property (Holly Enterprises of Brevard Inc.) in the southwest corner of Township 27, Range 36, Section 32, extending to the west into Section 31 of which this parcel was added to the parcel data by the Property Appraiser's Office in 2005.

According to Policy 2.9 and Policy 2.10 of the Future Land Use Element of the Comprehensive Plan, the Board of County Commissioners may extend Neighborhood Commercial boundaries of the Future Land Use Map up to five hundred (500') feet beyond the limits established adhering to the following criteria. Staff has provided the following responses to the specific criteria to demonstrate consistency with the aforementioned policies.

#### Policy 2.9:

- A. Said extension shall not encompass an area greater than one acre in size;

*The extension encompasses less than one acre (.416 acres).*

- B. Said extension shall only be permitted for properties which are either contiguous to or partly located within the respective Neighborhood Commercial or Community Commercial designation sought by the extension;

*The extension is contiguous to a Neighborhood Commercial (NC) Future Land Use*

designation.

C. Said extension does not result in expanding a boundary into established residential areas; and

*The extension does not result in expanding a boundary into established residential areas.*

D. Said extension does not exclusively abut a parcel which was previously granted such an expansion.

*The extension does not exclusively abut a parcel which was previously granted an extension.*

Policy 2.10:

In evaluating an application for a commercial land use boundary extension as discussed in Policy 2.9, the Board of County Commissioners shall determine that at least one of the following criteria applies:

A. Such extension results in the protection of the environment;

*The extension does not result in the protection of the environment.*

B. Such extension makes accommodation for the nearest property lines, rights-of-way, or easements;

*The extension makes accommodation for the nearest property lines and rights-of-way.*

C. The basis for such extension is related to major physical or man-made boundaries; or,

*The extension is related to major physical or man-made boundaries. Approximately .216 acres was an abandoned right-of-way.*

D. A binding development restriction which satisfactorily addresses compatibility issues raised by the County is voluntarily submitted to the Planning and Zoning Board and is approved by the County Commission.

*There are no compatibility issues, therefor a binding development plan is not necessary.*

Attachment:

Future Land Use Map prior to realignment

Proposed Future Land Use Map

**Clerk to the Board Instructions:**

None



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February 7, 2020

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

**TO:** Tad Calkins, Planning and Development Director

**RE:** Item F.2., Adjustment of Future Land Use Map (FLUM) Boundaries

The Board of County Commissioners, in regular session on February 6, 2020, acknowledged a scrivener's error on the FLUM and an adjustment of the Future Land Use boundaries for a total of .415 acres from Public Conservation (PUB-CONS) and abandoned right-of-way, to Neighborhood Commercial (NC).

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

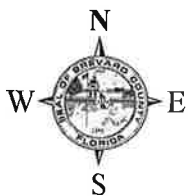
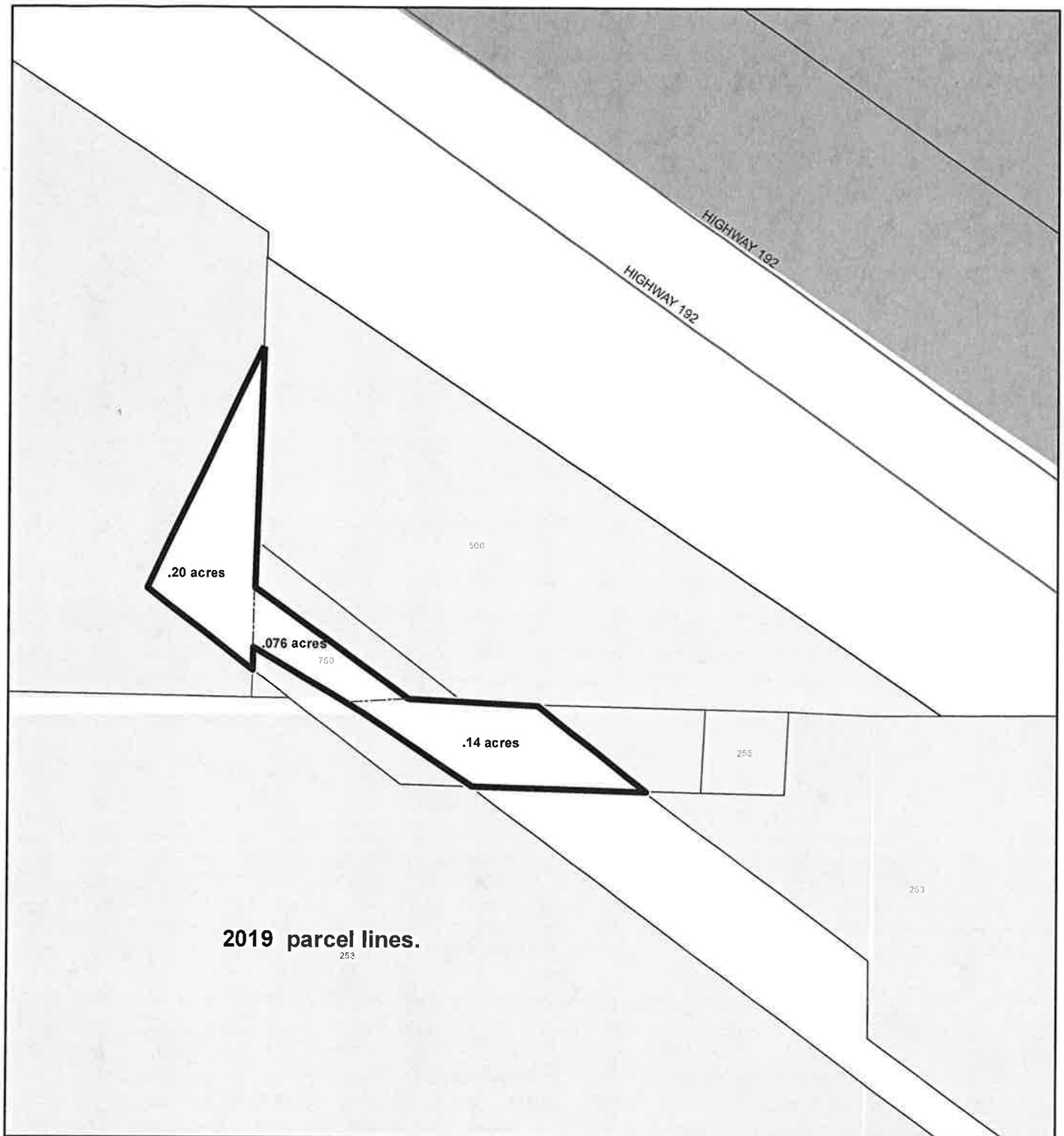
*Tammy Rowe*

Tammy Rowe, Deputy Clerk

/ds

# FUTURE LAND USE - Prior to Realignment

HOLLY ENTERPRISES OF BREVARD, INC.



1:1,200 or 1 inch = 100 feet

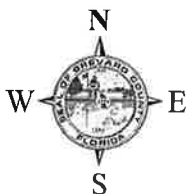
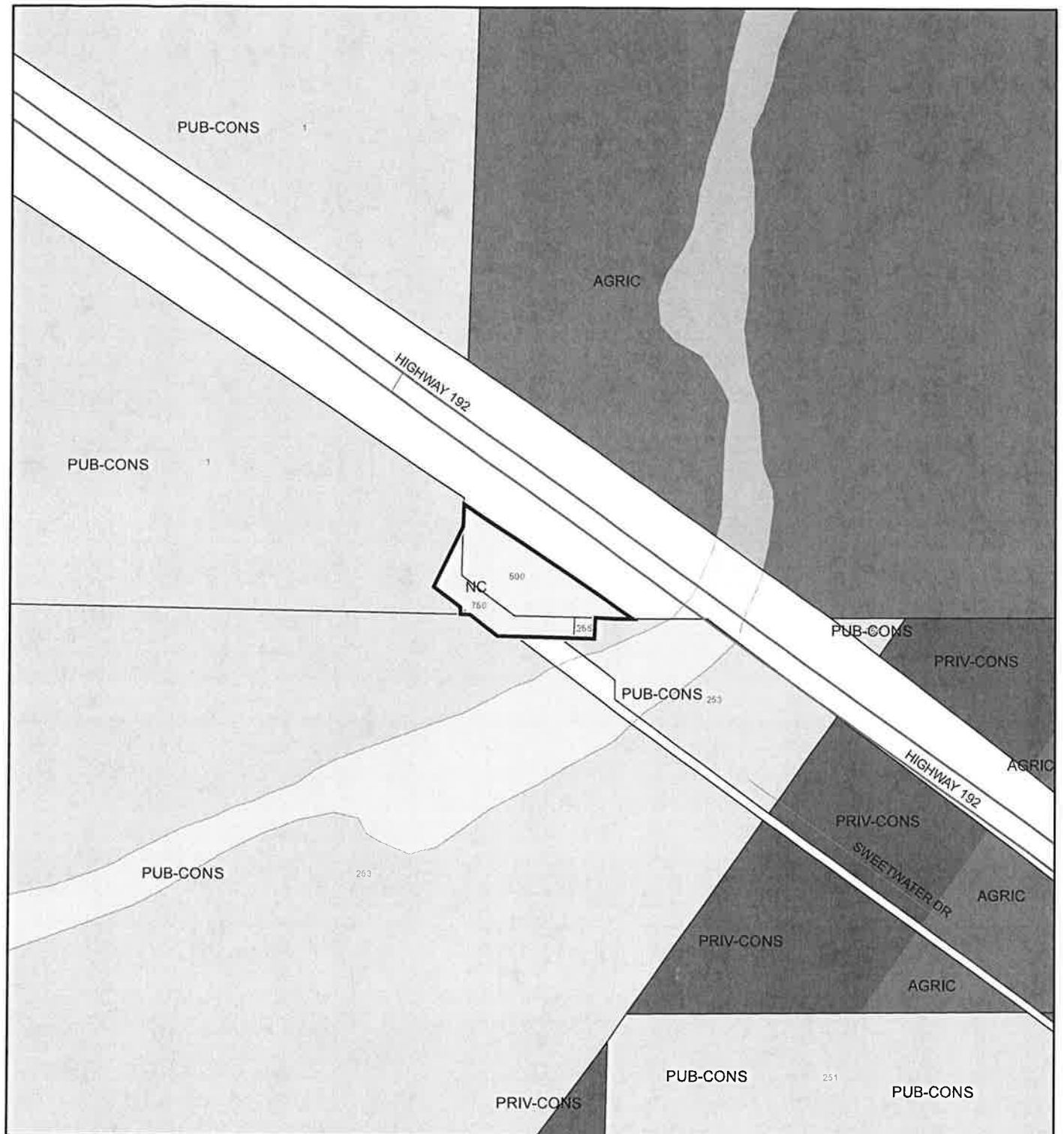
— Subject Property  
 □ Parcels

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: 12/10/2019

# PROPOSED FUTURE LAND USE MAP

HOLLY ENTERPRISES OF BREVARD, INC.



1:4,800 or 1 inch = 400 feet

— Subject Property  
 □ Parcels

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: 12/9/2019