

Meeting Date
September 16, 2014



AGENDA	
Section	PUBLIC HEARINGS
Item No.	III.D.

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	PUBLIC HEARING RE: APPROVAL OF FUTURE LAND USE MAP CORRECTION (DISTRICT 1)
DEPT/OFFICE:	PLANNING & DEVELOPMENT DEPARTMENT

Requested Action:
It is requested that the Board conduct a public hearing and consider a Future Land Use Map correction of the Urileon's LLC. 0.44 acre property.

Summary Explanation & Background:

The subject parcel is approximately 0.44 acres located on the north side of Canaveral Groves Blvd, approximately 210 feet west of US 1. The parcel is a privately owned, with a site plan approved commercial building that is being rented to the State of Florida for a food stamp office. The property is zoned BU-1 with a RES 4 FLU designation and more fully described in the attached staff report.

The proposed action corrects the Future Land Use Map, thereby allowing for the subject parcel to be consistent with its BU-1 zoning classification, its use as a commercial office. Prior to the digitizing of GIS based Future Land Use Maps, this property was previously designated Mixed Use Future Land Use. The Local Planning Agency held a public hearing on August 25, 2014 and unanimously recommended the action to the Commission for approval.

Staff Contact: Stuart Buchanan, Planner III/Grants Administrator, Planning & Development Dept.
Tel: 633-2069 e-mail: stuart.buchanan@brevardcounty.us

Clerk to the Board instruction:

Exhibits Attached: LPA Staff Report

Contract /Agreement (If attached): Reviewed by County Attorney	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
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County Manager Stockton Whitten	Assistant County Manager Mel Scott	Department Director / Extension Robin M. Sobrino, AICP Planning & Development Department Ext. 5-2069
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Tammy Etheridge, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972

September 17, 2014

MEMORANDUM

TO: Robin Sobrino, Planning and Development Director

RE: Item III.D., Approval of Future Land Use Map Correction

The Board of County Commissioners, in regular session on September 16, 2014, conducted a public hearing and approved a Future Land Use correction of the Urileon's LLC 0.44 acre property, located on the north side of Canaveral Groves Boulevard, west of U. S. 1.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Etheridge, Deputy Clerk

**PROPOSED COMPREHENSIVE PLAN CORRECTION
FUTURE LAND USE MAP SERIES
FUTURE LAND USE ELEMENT**

Request: LSCPA FLU Correction

Owner / Applicant: Urileon's LLC
Brevard County

Location: Legal Description On file
Tax Acct Parcel #2317624

Acreage: ± 0.44 acres

Existing Zoning Classification: Business Use - 1 (BU-1)

Proposed Zoning Classification: Business Use - 1 (BU-1)

Existing Land Use Designation: Residential 4 (RES-4)

Proposed Land Use Designation: Community Commercial (CC)

FUTURE LAND USE MAP AMENDMENT

Description:

The subject parcel is approximately 0.44 acres located on the north side of Canaveral Groves Blvd approximately 210 feet west of US 1. The parcel is a privately owned, with a site plan approved commercial building being rented to the State of Florida for a food stamp office. The property is zoned BU-1 with a RES 4 FLU designation.

The parcel in question was originally adopted by ordinance as Mixed Use District (MUD) Future Land Use in 1988 with an AU zoning classification. Please see attached 1993 staff report associated with the rezoning of the parcel from AU to BU-1. Note that the FLU in the staff report is stated as Mixed Use. During the digitizing of the FLU maps to GIS in 1999 a conversion error occurred. The current GIS Future Land Use layer depicts the property as RES-4, which is inconsistent with adopted zoning and use of land.

The correction of the FLUM to Community Commercial will address the current inconsistency. It also appears to meet all the criteria and limitations imposed by Future Land Use Element Policy 2.9, shown below for your ease of reference.

Surrounding Uses	Current Use	Zoning	Future Land Use
North	Manufactured Single Family Housing	AU	RES-4
East	Professional Office	BU-1	CC
South	Gas Station (Across Canaveral Groves Blvd)	BU-1	CC
West	Vacant Multi-Family	RU 2-10	RES-4

Comprehensive Plan Policies/Comprehensive Plan Analysis:

Staff findings of fact are shown in italics.

Notice: The Comprehensive Plan establishes the broadest framework for reviewing development applications and provides the initial level of review in a three layer screening process. The second level of review entails assessment of the development application's consistency with Brevard County's zoning regulations. The third layer of review assesses whether the development application conforms with site planning/land development standards of the Brevard County Land Development Code. While each of these layers individually affords its own evaluative value, all three layers must be cumulatively considered when assessing the appropriateness of a specific development proposal.

Future Land Use Element Policies

The following policies pertain to this future land use planning activity.

Board Adjustments to Commercial Future Land Use Boundaries

Policy 2.9

The boundaries of the Neighborhood Commercial and Community Commercial future land use designations are intended to be flexible in their application and may be extended up to 500 feet beyond the limits established on the Future Land Use Map by the Board of County Commissioners, provided that such proposed extensions adhere to the following criteria:

Criteria:

- A. said extension shall not encompass an area greater than one acre in size;
- 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;
- C. said extension does not result in expanding a boundary into established residential areas; and
- D. said extension does not exclusively abut a parcel which was previously granted such an expansion.

The subject parcel is less than one acre; is abutting Community Commercial properties; the subject parcel is an existing commercial office on BU-1 zoned property and would not be an extension into a residential area; the proposed extension is not abutting a parcel which has previously been granted such an extension.

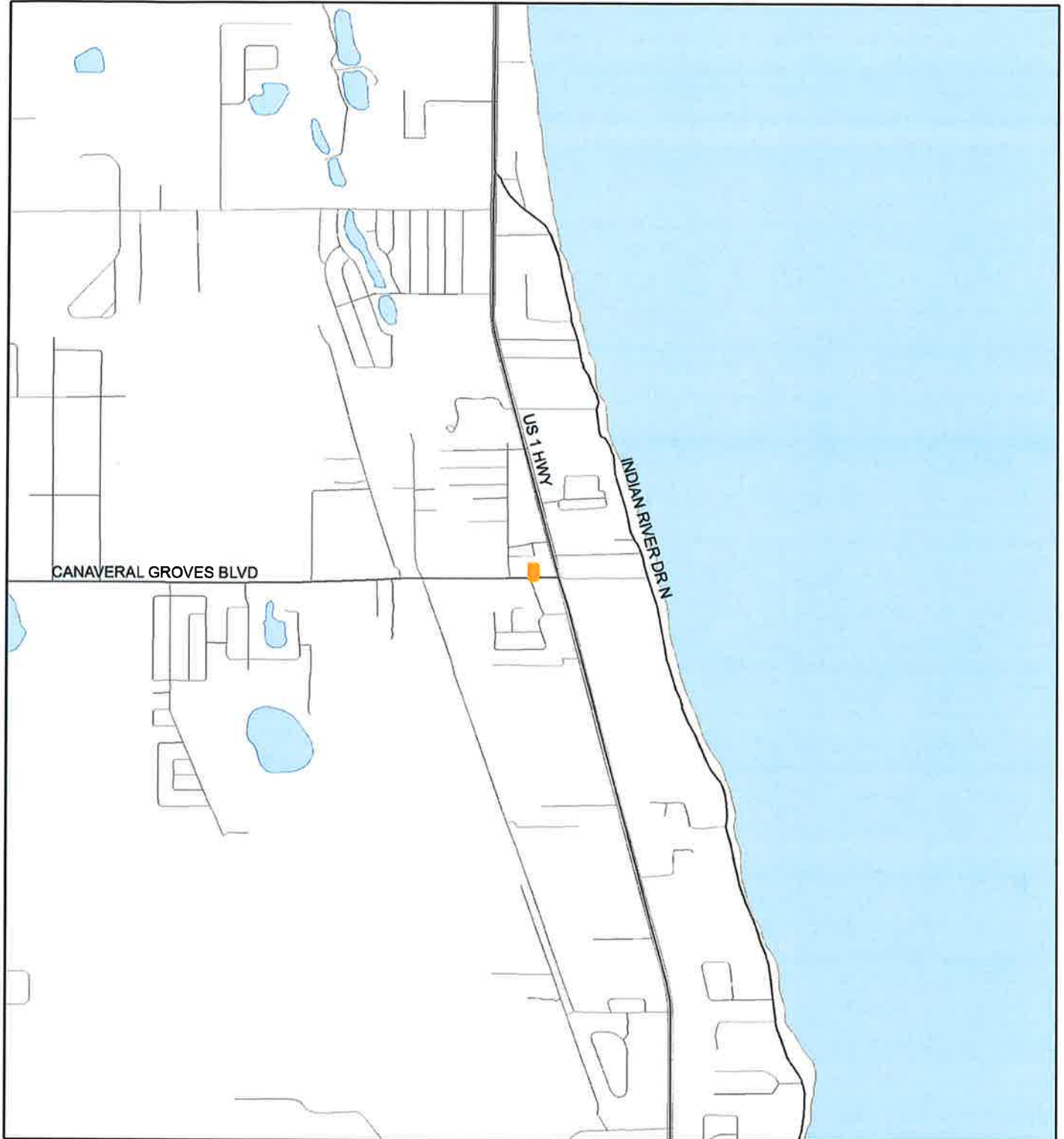
Summary

The proposed action corrects the Future Land Use thereby allowing for the subject parcel to be consistent with its BU-1 zoning classification, its use as a commercial office, and its previous Mixed Use Future Land Use designation.

If you have any questions, please contact Stuart Buchanan of the Planning & Development Department at (321) 633-2069 or via email to stuart.buchanan@brevardcounty.us

LOCATION MAP

Board Adjustment to Commercial Future Land Use
Urileon's LLC



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

Buffer Distance: -10 feet

— Buffer
■ 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 the Brevard County Planning and Zoning Office - GIS Section Date: 9/3/2014

AERIAL MAP

Board Adjustment to Commercial Future Land Use
Urileon's LLC



1:4,800 or 1 inch = 400 feet

PHOTO YEAR: 2014

 Subject Property

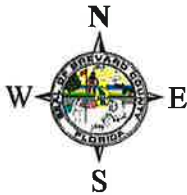
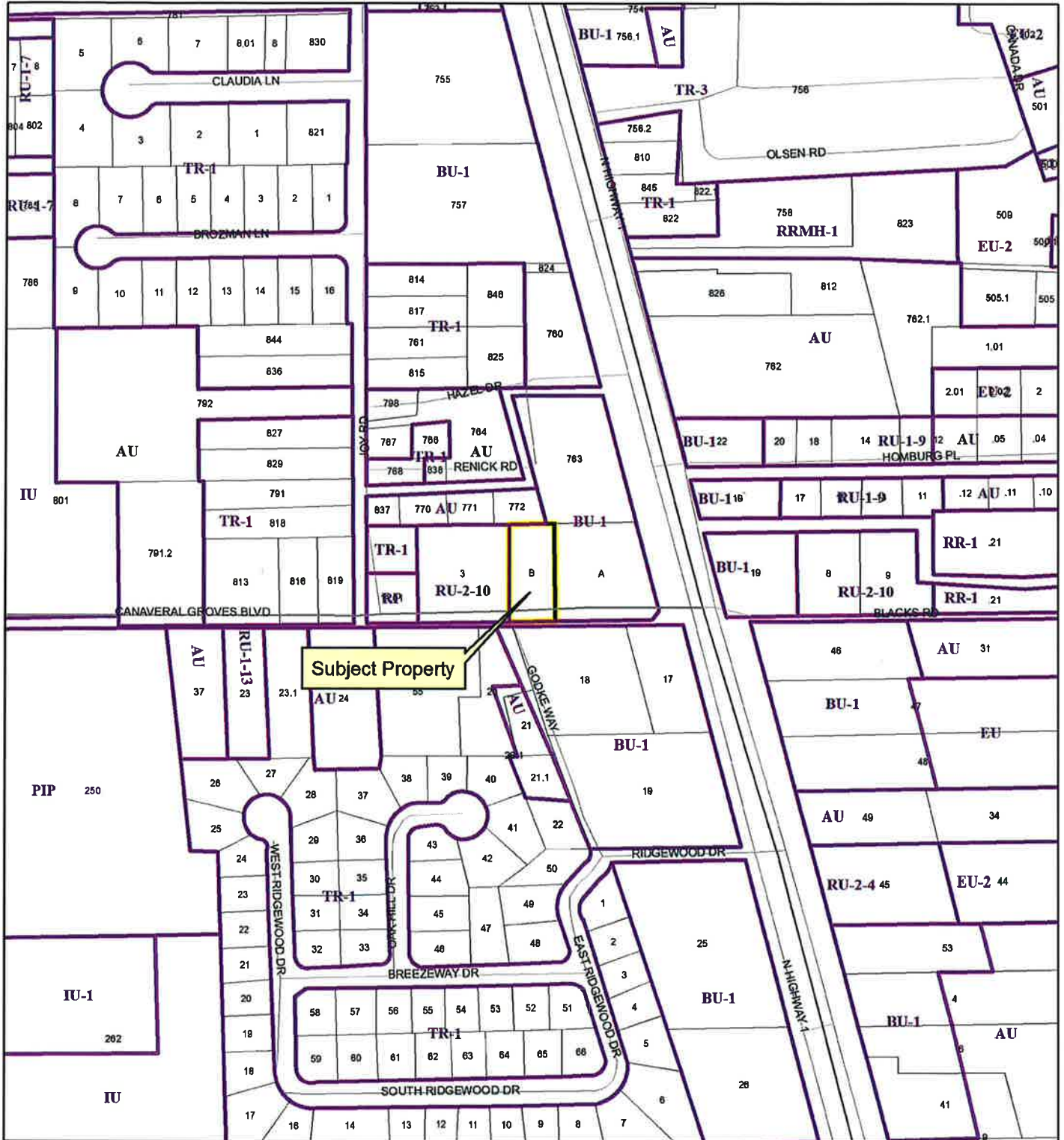
 Parcels

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ZONING MAP

Board Adjustment to Commercial Future Land Use
Urileon's LLC



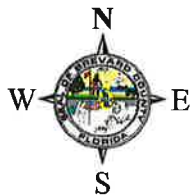
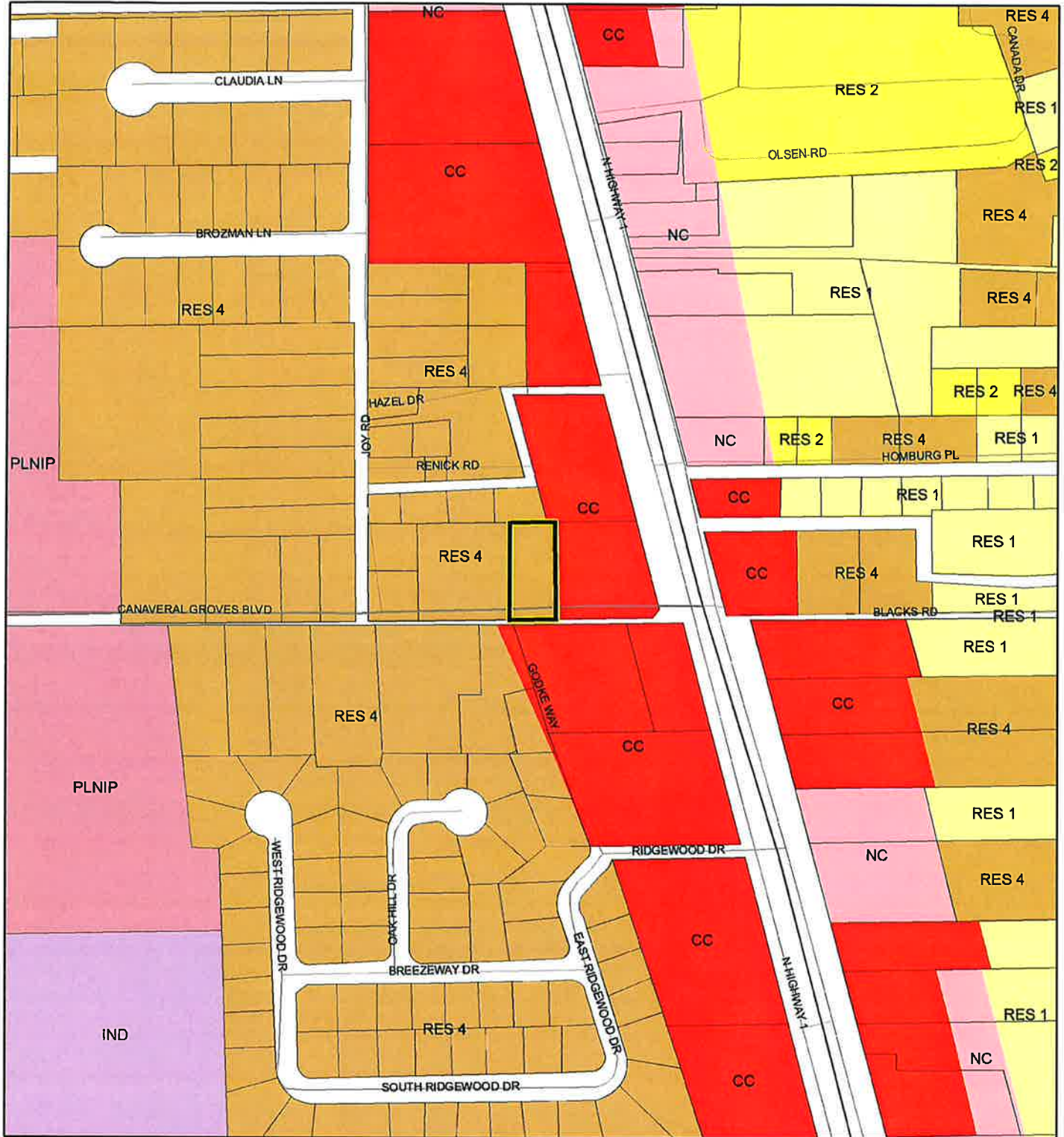
1:3,600 or 1 inch = 300 feet

- Subject Property
- Parcels
- Zoning

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FUTURE LAND USE MAP

Board Adjustment to Commercial Future Land Use
Urileon's LLC



1:3,600 or 1 inch = 300 feet

 Subject Property

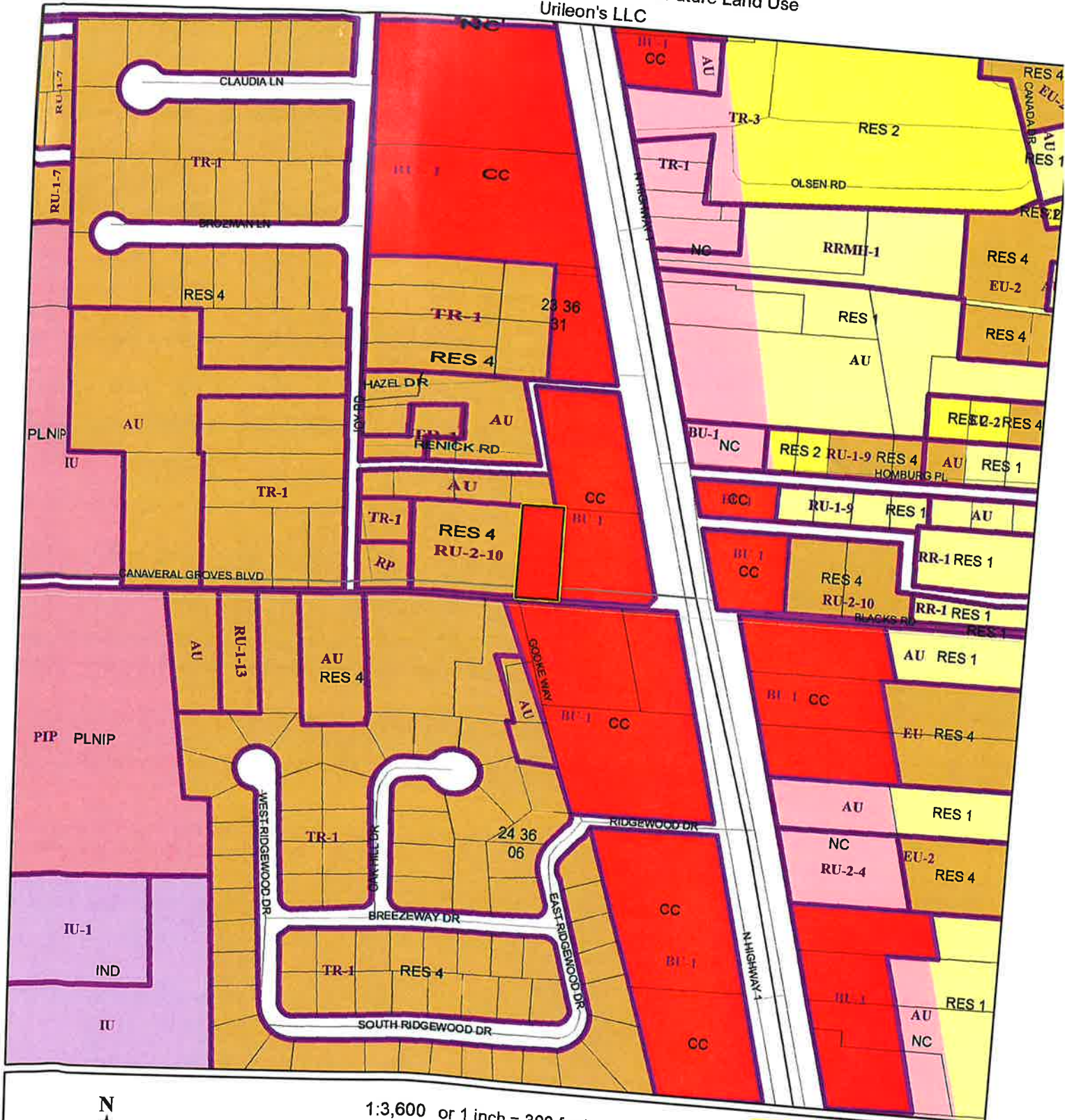
 Parcels

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PROPOSED FUTURE LAND USE MAP

Board Adjustment to Commercial Future Land Use
Urileon's LLC



1:3,600 or 1 inch = 300 feet

— Subject Property
□ Parcels

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