

F. Consent Agenda - Planning and Development  
ITEM 6.



AGENDA REPORT  
May 21, 2019

**Staff Direction Re: Reopen Public Hearing for 18PZ00159 (District 2)**

---

---

**SUBJECT:**

Staff Direction, Re: Reopen the Public Hearing for 18PZ00159 (District 2)

**DEPT/OFFICE:**

Planning and Development

**REQUESTED ACTION:**

It is requested, on behalf of Joseph J. and Barbara J. Tulske, that the Board of County Commissioners provide direction to reopen the public hearing to allow for consideration of amending the subject BDP (Binding Development Plan) to be continued to a later date, following re-advertisement and re-noticing.

**SUMMARY EXPLANATION and BACKGROUND:**

Joseph J. and Barbara J. Tulske have requested to reopen the public hearing for 18PZ00159, an amendment to an existing BDP in the BU-2 (Retail, Warehousing, and Wholesale Commercial) zoning classification. The applicant has indicated that the BU-1 (General Retail Commercial) uses previously permissible within the existing BDP were inadvertently omitted from the revised draft of the BDP that was approved by the Board.

On March 7, 2019, the Board heard and approved an amendment to an existing BDP in the BU-2 zoning classification as follows:

Approved with a Binding Development Plan limiting the uses on the property to recreational vehicle display/sales with detailing and minor repairs; a retail and office building of a maximum of 2,600 square feet; the only access to the site will be from the existing access on North Tropical Trail and the existing access on Tangerine Avenue; an opaque access gate on North Tropical Trail; the property shall be completely buffered by a combination of plantings, fence, and the opaque gate on North Tropical Trail; and no parking of vehicles or equipment from any use on the site will be allowed outside the property. The vote was unanimous.

Section 62-1157(1)(g) establishes a 120-day deadline for recordation of a Binding Development Plan. If the applicant fails to record the BDP prior to the expiration of 120 days from the date of approval by the board of county commissioners, then the zoning

action will be considered to have been withdrawn. Without reopening the public hearing, deadline for recording this BDP is July 5, 2019. Failure to record the BDP or reopening the public hearing would result in reinstating the existing BDP (Z11171) containing the BU-1 uses. Granting their request would effectively stay the 120-day period for recording the BDP, allowing them to appear before the Planning and Zoning Board to consider the inclusion of the BU-1 uses with the re-advertisement and re-noticing at the applicant's expense.

Staff Contact: Erin Sterk, Planning & Zoning Manager, 321-633-2070 ext. 52640.

**ATTACHMENTS:**

**Description**

- **18PZ00159 BDP**
- **Existing BDP**
- **Board Action**
- **GIS Maps**
- **Request to Re-Open Public Hearing**



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

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Tammy.Rowe@brevardclerk.us

May 22, 2019

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

**TO:** Tad Calkins, Planning and Development Director Attn: Erin Sterk

**RE:** Item F.6., Staff Direction to consider Reopening Public Hearing for 18PZ00159

The Board of County Commissioners, in regular session on May 21, 2019, directed staff to reopen public hearing for 18PZ00159, on behalf of a request by Joseph J. and Barbara J. Tulski, to allow for consideration of amending the subject Binding Development Plan (BDP) to be continued to a later date following re-advertisement and re-noticing.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*Tammy Rowe*

Tammy Rowe, Deputy Clerk

/kp

cc: County Attorney

**BINDING DEVELOPMENT PLAN**

THIS AGREEMENT, entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred as "County") and Joseph J. and Barbara J. Tulskie (hereinafter referred to as "Developer/Owner").

**RECITALS**

WHEREAS, Developer/Owner owns property in Brevard County, Florida, (hereinafter referred to as the "Property") as more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, Developer/Owner has requested a BU-2 zoning classification with a Binding Development Plan amendment and desires to develop the Property as Mobile Home and Travel Trailers Sales (Travel Trailers shall include all types of RV Vehicles and equipment) on a portion of the site with a future retail and office building on the balance of the site, and pursuant to the Brevard County Code, Section 62-1157; and

WHEREAS, as part of its plan for development of the Property, Developer/Owner wishes to mitigate negative impact on abutting land owners and affected facilities or services; and

WHEREAS, the County is authorized to regulate future development of the Property.

NOW, THEREFORE, the parties agree as follows:

1. The County shall not be required or obligated in any way to construct or maintain or participate in any way in the construction or maintenance of the improvements. It is the intent of the parties that the Developer/Owner, its grantees, successors or assigns in interest or some other association and/or assigns satisfactory to the County shall be responsible for the maintenance of any improvements.

2. The uses on the property shall be limited to RV Display/Sales with Detailing and Minor Repairs and a retail/office building that is a maximum of 2,600 square feet.

3. The only access to the site will be from the existing access on North Tropical Trail and the existing access on Tangerine Avenue which will be updated to current Brevard County Standards.

4. There shall be an opaque access gate on North Tropical Trail.

5. The property will be completely buffered by a combination of plantings, fence and the opaque gate on North Tropical Trail.

6. No parking of vehicles or equipment from any use on the site will be allowed outside the property.

7. The Developer/Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Developers/Owners agreement to meet additional standards or restrictions in future development of the Property. This agreement provides no vested rights against changes to the comprehensive plan or land development regulations as they may apply to this property.

8. The Developer/Owner, upon execution of this Agreement, shall pay to the County the cost of recording this Agreement in Brevard County, Florida.

9. This Agreement shall be binding and shall inure to the benefit of the successors or assigns of the parties and shall run with the subject Property unless or until rezoned and be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject Property, and be subject to the above referenced conditions as approved by the Board of County Commissioners on \_\_\_\_\_ . In the event the subject Property is annexed into a municipality and rezoned, this Agreement shall be null and void.

10. Violation of this Agreement will also constitute a violation of the Zoning Classification and this Agreement may be enforced by Sections 1.7 and 62-5, Code of Ordinances of Brevard County, Florida, as may be amended.

12. Conditions precedent. All mandatory conditions set forth in the Agreement mitigate the potential for incompatibility and must be satisfied before Developer/Owner may implement the approved use(s), unless stated otherwise. The failure to timely comply with any mandatory condition is a violation of this Agreement, constitutes a violation of the Zoning Classification and is subject to enforcement action as described in Paragraph 6 above.

IN WITNESS THEREOF, the parties hereto have caused these presents to be signed, all as of the date and year first written above.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA  
2725 Judge Fran Jamieson Way  
Viera, FL 32940

\_\_\_\_\_  
Scott Ellis, Clerk  
(SEAL)

\_\_\_\_\_  
Bryan A. Lober Vice Chair  
As approved by the Board on 5/21/19

(Please note: You must have two witnesses and a notary for each signature required. The notary may serve as one witness.)

WITNESSES:

OWNER

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

\_\_\_\_\_  
Joseph J. Tulske, Jr.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Witness Name typed or printed)

(Address)

WITNESSES:

OWNER

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

\_\_\_\_\_  
Barbara J. Tulske  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Witness Name typed or printed)

(Address)

STATE OF \_\_\_\_\_ §

COUNTY OF \_\_\_\_\_ §

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, by \_\_\_\_\_, President of \_\_\_\_\_, who is personally  
known to me or who has produced \_\_\_\_\_ as identification.

My commission expires  
SEAL

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_

Commission No.:

(Name typed, printed or stamped)

**JOINDER IN BINDING DEVELOPMENT PLAN**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, being the authorized agent and signatory for the owner and holder of that certain Mortgage dated \_\_\_\_\_, given by \_\_\_\_\_, as mortgagor, in favor of the undersigned, \_\_\_\_\_, as mortgagee, recorded in Official Records Book \_\_\_\_\_, page \_\_\_\_\_, Public Records of Brevard County, Florida, and encumbering lands described in said Mortgage, does hereby join in the foregoing Binding Development Plan for the purpose of consenting to the change of property use and development requirements as set forth therein.

WITNESSES:

MORTGAGEE NAME/ADDRESS

\_\_\_\_\_

\_\_\_\_\_

(Witness name typed or printed)

(Address)

\_\_\_\_\_

\_\_\_\_\_

Authorized Agent Signature

(Witness name typed or printed)

(Name/title typed, printed or stamped)

STATE OF \_\_\_\_\_ §

COUNTY OF \_\_\_\_\_ §

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ as identification.

My commission expires

\_\_\_\_\_  
Notary Public

SEAL

Commission No.:

\_\_\_\_\_  
(Name typed, printed or stamped)

**EXHIBIT A**

**LEGAL DESCRIPTION OF PROPERTY**

**Lots 1, 2, 3, 4 and 5 and the East 112 feet of the North 49 feet of Lot 34, Block D, MERRITT WINTER HOMES DEVELOPMENT SUBDIVISION, Map No. 2, according to the plat thereof as recorded in Plat Book 2, page 78, public records of Brevard County, Florida.**

---

**Scott Ellis**  
Clerk Of Courts, Brevard County  
#Pgs: 5 #Names: 3  
Trust: 3.00 Rec: 41.00 Serv: 0.00  
Mtg: 0.00 Excise: 0.00  
nt Tax: 0.00

RETURN: Clerk to the Board #27  
↴

**Nick and Laura Stipanovich**  
**Prepared by:** Rochelle W. Lawandales, AICP  
Lawandales Planning Affiliates  
**Address:** 2200 Front Street  
Melbourne, Florida 32901  
**Phone:** 321.757.3197  
**Fax:** 321.757.3088

**BINDING DEVELOPMENT PLAN**

THIS AGREEMENT, entered into this 22nd day of November, 2005, between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and Nicholas S. and Laura J. Stipanovich, owners of real property located at 140 North Tropical Trail, Merritt Island, Florida (hereinafter referred to as "Developer/Owner").

**RECITALS**

WHEREAS, Developer/Owner owns property (hereinafter referred to as the "Property") in Brevard County, Florida, as more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, Developer/Owner desires to develop the property as commercial, with office and mini-storage uses pursuant to the Brevard County Code, Section 62-1157; and

WHEREAS, as part of its plan for development of the property, Developer/Owner wishes to mitigate negative impact on abutting land owners and affected facilities or services; and

WHEREAS, the County is authorized to regulate development of the property.

NOW, THEREFORE, the parties agree as follows:

1. The County shall not be required or obligated in any way to construct or maintain or participate in any way in the construction or maintenance of the improvements. It is the intent of the parties that the Developer/Owner, its grantees, successors or assigns in interest or some other association and/or assigns satisfactory to the County shall be responsible for the maintenance of any improvements.
2. There will be only two access points: North Tropical Trail will be the primary access for all vehicles. Tangerine Avenue will be available only for emergency vehicle access purposes.
3. The site will be completely enclosed with a wall and fence. A decorative concrete block wall will surround the property on the North Tropical Trail and Tangerine Avenue sides.

21117 1  
②

RETURN: Clerk to the Board #27  
↑

4. The owner will apply for a variance to allow an eight (8) foot wall. However, failure to obtain the variance from the County Board of Adjustment shall not affect the approval of this conditional use request nor the ability to obtain site plan or any other permit approvals needed to develop the project.
5. Pavers will be used at the driveway entry-ways for enhanced aesthetics.
6. Wrought or similar type of "iron" gates will be used.
7. Landscaping will be on the outside of the wall to soften the appearance of the wall.
8. No parking of vehicles or equipment will be allowed outside the wall.
9. All lawn maintenance/sweeper equipment and materials used in association with the lawn care business shall be contained within the compound.
10. The Developer/Owner shall limit the uses under the BU-2 zoning district classification to only that of:
  - a. An office for the operation of the storage and lawn care/sweeper business
  - b. Equipment storage associated with the lawn care/sweeper business as noted in #8 above, and
  - c. Mini warehouse (self storage)
11. No other BU-2 uses shall be permitted. Any other uses of the subject property shall be limited to those identified within the Brevard County Land Development Code under the BU-1 Commercial Zoning category as "Permitted Uses".
12. No storage doors shall be located on N. Tropical Trail.
13. The owner would agree to the County administratively rezoning the property to another commercial district classification provided that the existing approved uses and operations on the site continued to be conforming uses under the new zoning district and land development regulations.
14. Developer/Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Developer's/Owner's agreement to meet additional standards or restrictions in developing the property. This agreement provides no vested rights against changes to the comprehensive plan or land development regulations as they may apply to this property.
15. Developer/Owner, upon execution of this Agreement, shall pay to the County the cost of recording this Agreement in Brevard County, Florida.

Z1117 1

RETURN: Clerk to the Board #27  
↑

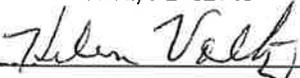
- 16. This Agreement shall be binding and shall inure to the benefit of the successors or assigns of the parties and shall run with the subject property unless or until rezoned and be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject property, and be subject to the above referenced conditions as approved by the Board of County Commissioners on 22, Nov. 05. In the event the subject property is annexed into a municipality and rezoned, this Agreement shall be null and void.
- 17. Violation of this Agreement will also constitute a violation of the Zoning Classification and this Agreement may be enforced by Sections 1.7 and 62-5, Code of Ordinances of Brevard County, Florida, as it may be amended.

IN WITNESS THEREOF, the parties hereto have caused these presents to be signed all as of the date and year first written above.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA  
2725 Judge Fran Jamieson Way  
Viera, FL 32940

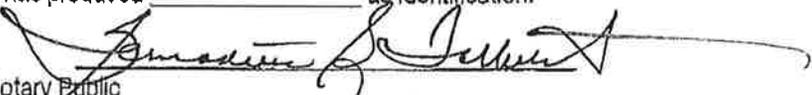
  
\_\_\_\_\_  
Scott Ellis, Clerk  
(SEAL)

  
\_\_\_\_\_  
Helen Voltz, Chair  
As approved by the Board on 11-22-05

STATE OF FLORIDA §  
COUNTY OF BREVARD §

The foregoing instrument was acknowledged before me this 22 day of November, 2005, by Helen Voltz, Chair of the Board of County Commissioners of Brevard County, Florida, who is personally known to me or who has produced as identification.

My commission expires

  
\_\_\_\_\_  
Notary Public

SEAL

Commission No.:

(Name typed, printed or stamped)  
  
BERNADETTE S. TALBERT  
MY COMMISSION # DD 297064  
EXPIRES: May 14, 2008  
Bonded thru Notary Public Underwriters

(Please note: You must have two witnesses and a notary for each signature required. The notary may serve as one witness.)

7 1 1 1 7 1  
23

RETURN: Clerk to the Board #27 ↑

WITNESSES:

Heather Reed  
HEATHER L REED  
(Witness Name typed or printed)

DEVELOPER/OWNER

Nicholas S. Stipanovich  
Nicholas S. Stipanovich  
(Name typed or printed)

Heather Reed  
HEATHER L REED  
(Witness Name typed or printed)

Laura J. Stipanovich  
Laura J. Stipanovich  
(Name typed or printed)

STATE OF Florida §  
COUNTY OF BREVARD §

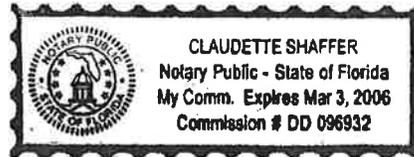
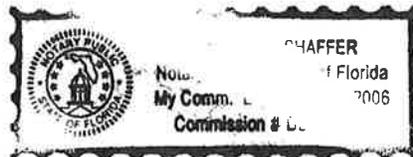
The foregoing instrument was acknowledged before me this 5th day of November, 2005, by

Nicholas S. and Laura J. Stipanovich, Owners of 140 N. Tropical Trail, who is personally known to me or who has produced PERSONALLY KNOWN as identification.

My commission expires  
SEAL  
Commission No.:

Claudette Shaffer  
Notary Public

(Name typed, printed or stamped)



211171

6:2, with McLellan and Minneboo voting nay.

**Board of County Commissioners Action:** Pritchett/Lober – Tabled to the April 4, 2019, County Commission meeting. The vote was unanimous.

**Board of County Commissioners Action of 04/04/19:** Pritchett/Lober – Denied. The vote was unanimous. Lober/Pritchett – Directed the County Attorney to prepare Finding of Facts. The vote was unanimous.

- 7. Joseph Brandon and Nikki Thomas** request a change of zoning classification from AU (Agricultural Residential) to RR-1 (Rural Residential). The property is 19.75 acres, located on the southeast corner of County Line Road and Dixie Way. (6705 Dixie Way, Mims) (18PZ00154) (District 1)

**Planning and Zoning Board Recommendation:** Lawandales/Hodgers – Tabled to the March 11, 2019, Planning and Zoning Board meeting. The vote was unanimous.

**Board of County Commissioners Action:** Pritchett/Lober – Tabled to the April 4, 2019, County Commission meeting. The vote was unanimous.

**Board of County Commissioners Action of 04/04/19:** Pritchett/Lober – Denied. The vote was unanimous. Lober/Pritchett – Directed the County Attorney to prepare Finding of Facts. The vote was unanimous.

- 8. M&R United, Inc.** (Carmine Ferraro) requests a change of zoning classification from BU-1 (General Retail Commercial) to BU-2 (Retail, Warehousing, and Wholesale Commercial). The property is 13.27 acres, located on the west side of Grissom Parkway, between Cinnamon Fern Boulevard and Ranch Road. (No assigned address. In the Port Saint John area.) (18PZ00156) (District 1)

**Planning and Zoning Board Recommendation:** Lawandales/McLellan – Tabled to the March 25, 2019, Local Planning Agency meeting. The vote was unanimous.

**Board of County Commissioners Action:** Pritchett/Lober – Tabled to the April 4, 2019, County Commission meeting. The vote was unanimous.

- 9. Barbara J. and Joseph J. Tulske, Jr.** - (Rodney Honeycutt) request removal of an existing BDP (Binding Development Plan), and requests a CUP (Conditional Use Permit) for a Temporary Security Trailer. The property is 1.55 acres, located on the southeast corner of Tangerine Avenue and North Tropical Trail. (140 North Tropical Trail, Merritt Island) (18PZ00159) (District 2) (Applicant amended the request on 01/31/19 to ask for an amendment to an existing Binding Development Plan only, removing the request for a Conditional Use Permit for a Temporary Security Trailer)

**Planning and Zoning Board Recommendation:** McLellan/Filiberto – Approved. The vote was 7:1, with Lawandales voting nay.

**Board of County Commissioners Action:** Lober/Pritchett – Approved with a Binding Development Plan limiting the uses on the property to recreational vehicle display/sales with detailing and minor repairs; a retail and office building of a maximum of 2,600 square feet; the only access to the site will be from the existing access on North Tropical Trail and the existing access on Tangerine Avenue; an opaque access gate on North Tropical Trail; the property shall be completely buffered by a combination of plantings, fence, and the opaque gate on

North Tropical Trail; and no parking of vehicles or equipment from any use on the site will be allowed outside the property. The vote was unanimous. The Binding Development Plan will be scheduled as a Consent Item on a subsequent County Commission agenda, per Policy BCC-52. Resolution to be completed upon receipt of recorded BDP.

- 10. John L. Jackson, Trustee** – (Bruce Moia) requests a Small Scale Comprehensive Plan Amendment from NC (Neighborhood Commercial) and CC (Community Commercial) to all CC. The property is 3.28 acres, located on the north side of State Road 46, approximately 0.2 miles west of the Interstate 95 and State Road 46 interchange. (No assigned address. In the Mims area.) (18PZ00160) (District 1)

**Local Planning Agency Recommendation:** Lawandales/Hodgers – Approved. The vote was unanimous.

**Board of County Commissioners Action:** Pritchett/Lober – Approved as recommended and adopted Ordinance 19-04. The vote was unanimous.

- 11. John L. Jackson, Trustee** – (Bruce Moia) requests a change of zoning classification from GU (General Use), BU-1 (General Retail Commercial), and BU-2 (Retail, Warehousing, and Wholesale Commercial) to all BU-2. The property is 16.4 acres, located on the north side of State Road 46, approximately 0.2 miles west of the Interstate 95 and State Road 46 interchange. (No assigned address. In the Mims area.) (18PZ00161) (District 1)

**Planning and Zoning Board Recommendation:** Filiberto/McLellan – Approved. The vote was unanimous.

**Board of County Commissioners Action:** Pritchett/Lober – Approved with a Binding Development Plan limiting development to a fast food restaurant with drive-thru, of no more than 2,700 square feet, a convenience store of no more than 10,300 square feet, a gas station of no more than 24 fueling stations, a tire care center with a maximum of 3 bays, and a hotel with a maximum of 120 rooms. The vote was unanimous. The Binding Development Plan will be scheduled as a Consent Item on a subsequent County Commission agenda, per Policy BCC-52. Resolution to be completed upon receipt of recorded BDP.

- 12. Brevard County Board of County Commissioners** – (Tim Lawry) request a change of zoning classification from BU-1 (General Retail Commercial) and IU (Light Industrial) to GML(H) (Government Managed Lands – High Intensity), with removal of an existing BDP (Binding Development Plan). The property is 6 acres, located on the southwest corner of Pineda Causeway and the Florida East Coast Railroad right-of-way. (2905, 2915, and 2925 Pineda Causeway, Melbourne) (18PZ00162) (District 4)

**Planning and Zoning Board Recommendation:** Lawandales/McLellan – Approved. The vote was unanimous.

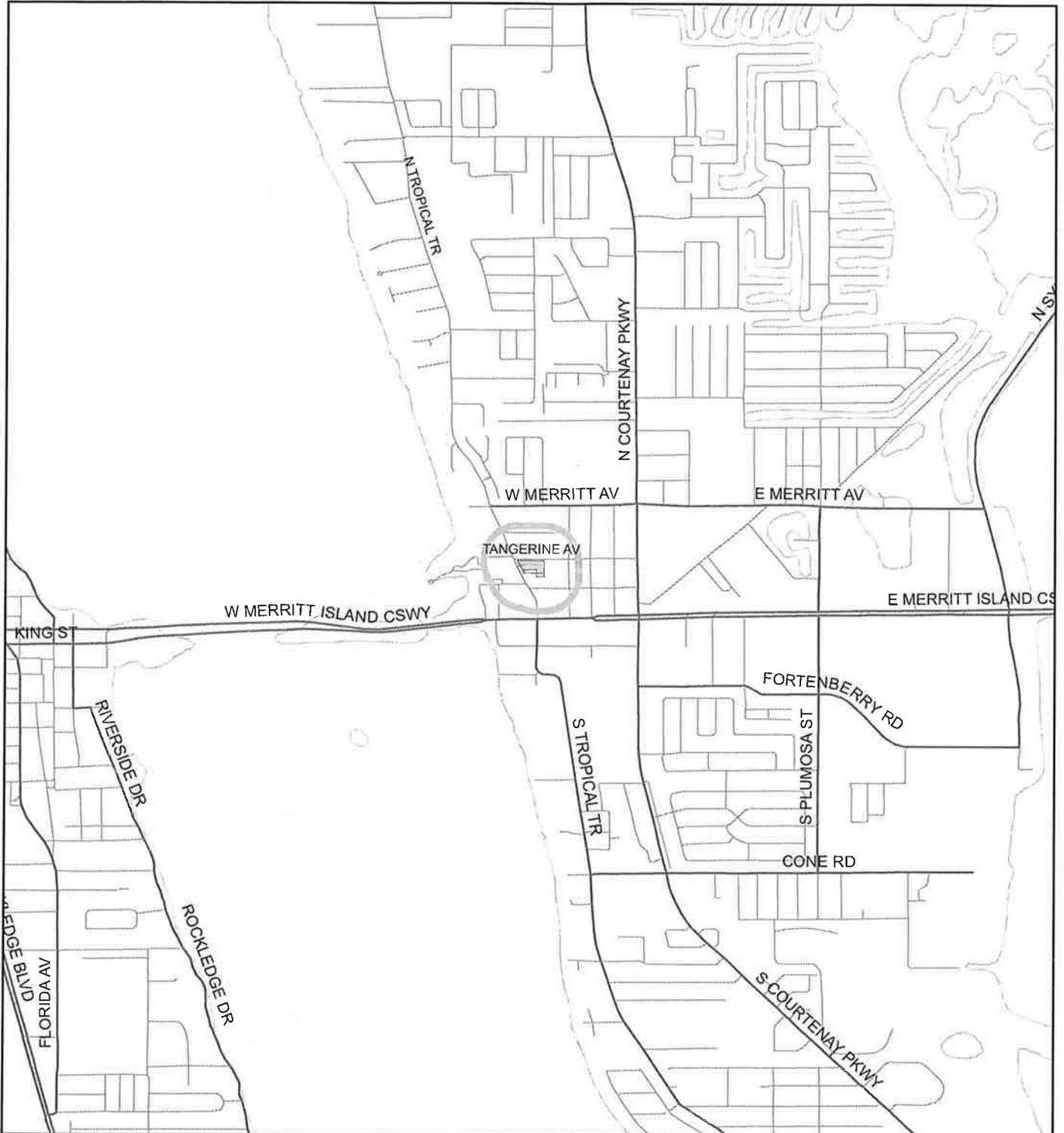
**Board of County Commissioners Action:** Smith/Lober – Approved as recommended. The vote was unanimous.

- 13. James M. and Joanne M. Thomas, Trustees** request a change of zoning classification from RR-1 (Rural Residential) and BU-1 (General Retail Commercial) to SR (Suburban Residential), and removal of existing BDP (Binding Development Plan). The property is 1.25

# LOCATION MAP

TULSKIE, BARBARA J. AND JOSEPH J., JR.

18PZ00159



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

Buffer Distance: 500 feet

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: 12/17/2018

-  Buffer
-  Subject Property

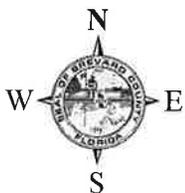




# AERIAL MAP

TULSKIE, BARBARA J. AND JOSEPH J., JR.

18PZ00159



1:2,400 or 1 inch = 200 feet

PHOTO YEAR: 2018

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: 12/14/2018

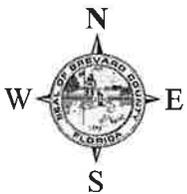
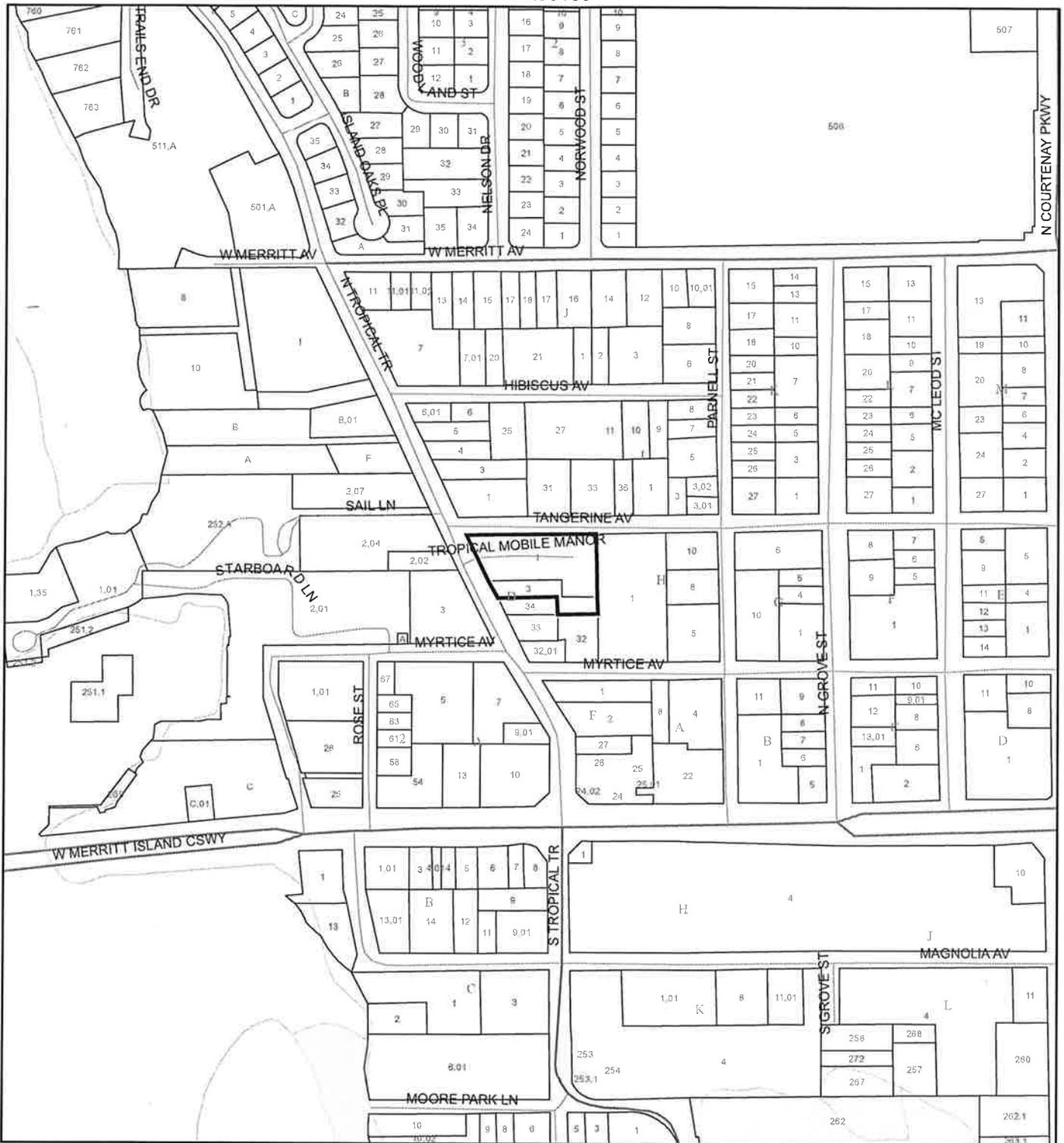
 Subject Property

 Parcels

# NWI WETLANDS MAP

TULSKIE, BARBARA J. AND JOSEPH J., JR.

18PZ00159



1:4,800 or 1 inch = 400 feet

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: 12/14/2018

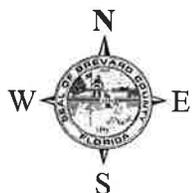
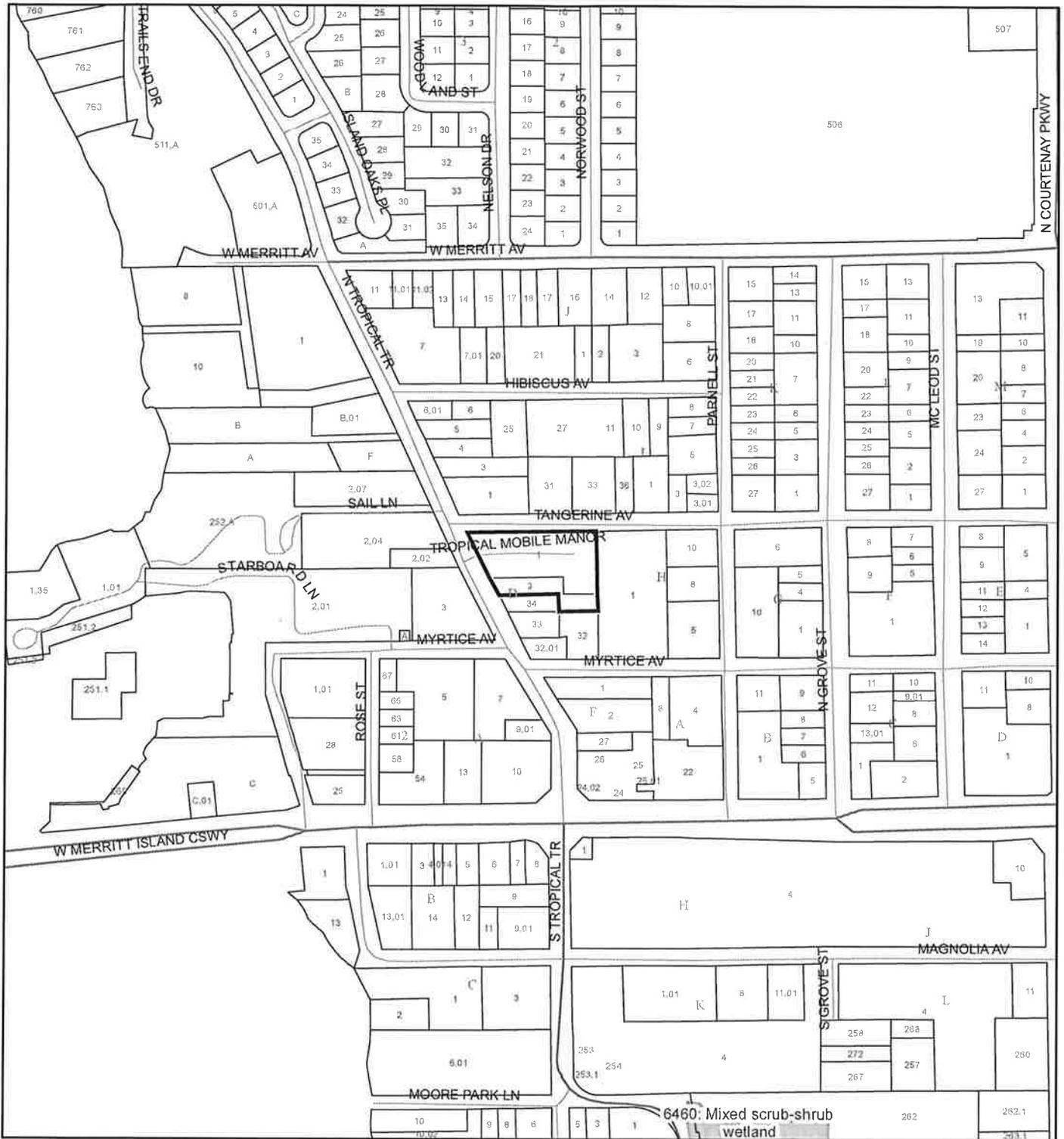
## National Wetlands Inventory (NWI)

- |  |   |
|--|---|
|  Estuarine and Marine Deepwater    |  Freshwater Pond |
|  Estuarine and Marine Wetland      |  Lake            |
|  Freshwater Emergent Wetland       |  Other           |
|  Freshwater Forested/Shrub Wetland |  Riverine        |
|  Subject Property                 |   |
|  Parcels                          |   |

# SJRWMD FLUCCS WETLANDS - 6000 Series MAP

TULSKIE, BARBARA J. AND JOSEPH J., JR.

18PZ00159



1:4,800 or 1 inch = 400 feet

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: 12/14/2018

## SJRWMD FLUCCS WETLANDS

-  Wetland Hardwood Forests - Series 6100
-  Wetland Coniferous Forest - Series 6200
-  Wetland Forested Mixed - Series 6300
-  Vegetated Non-Forested Wetlands - Series 6400
-  Non-Vegetated Wetland - Series 6500

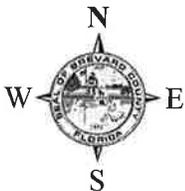
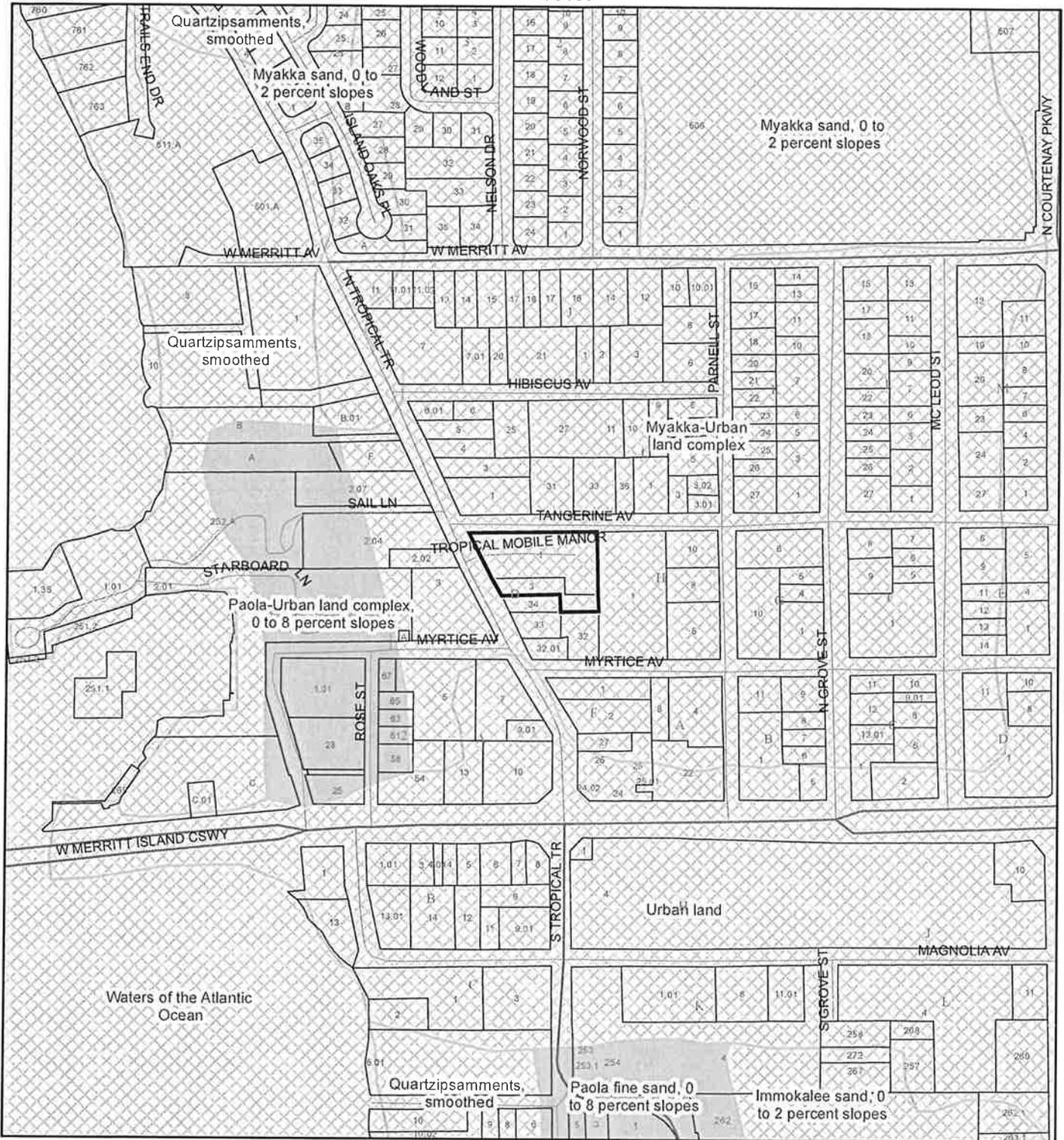
 Subject Property

 Parcels

# USDA SCSSS SOILS MAP

TULSKIE, BARBARA J. AND JOSEPH J., JR.

18PZ00159



1:4,800 or 1 inch = 400 feet

### USDA SCSSS Soils

- Aquifer and Hydric
- Aquifer
- Hydric
- None

- Subject Property
- Parcels

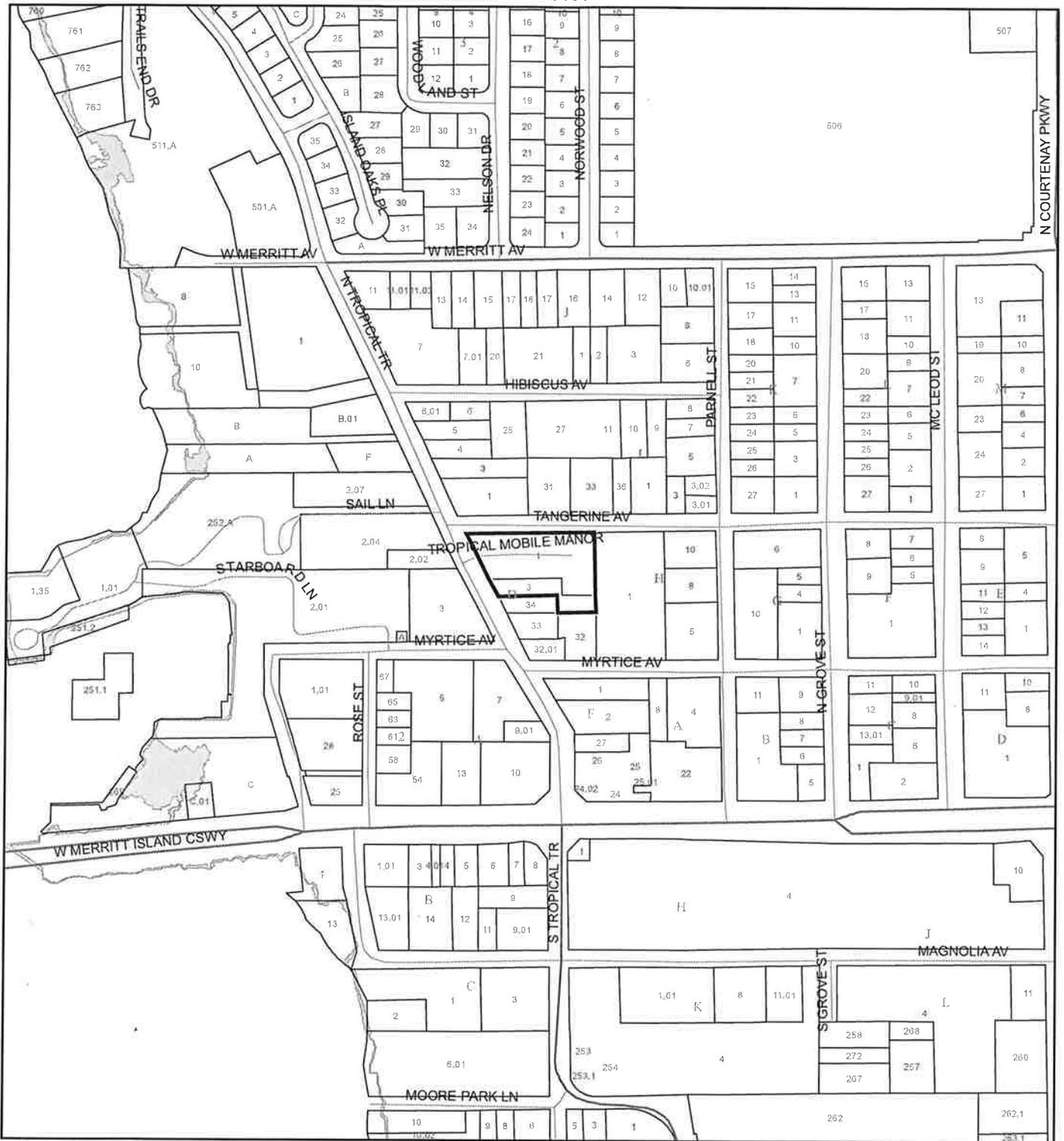
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 12/14/2018

# FEMA FLOOD ZONES MAP

TULSKIE, BARBARA J. AND JOSEPH J., JR.

18PZ00159



1:4,800 or 1 inch = 400 feet

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.

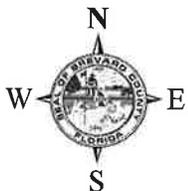
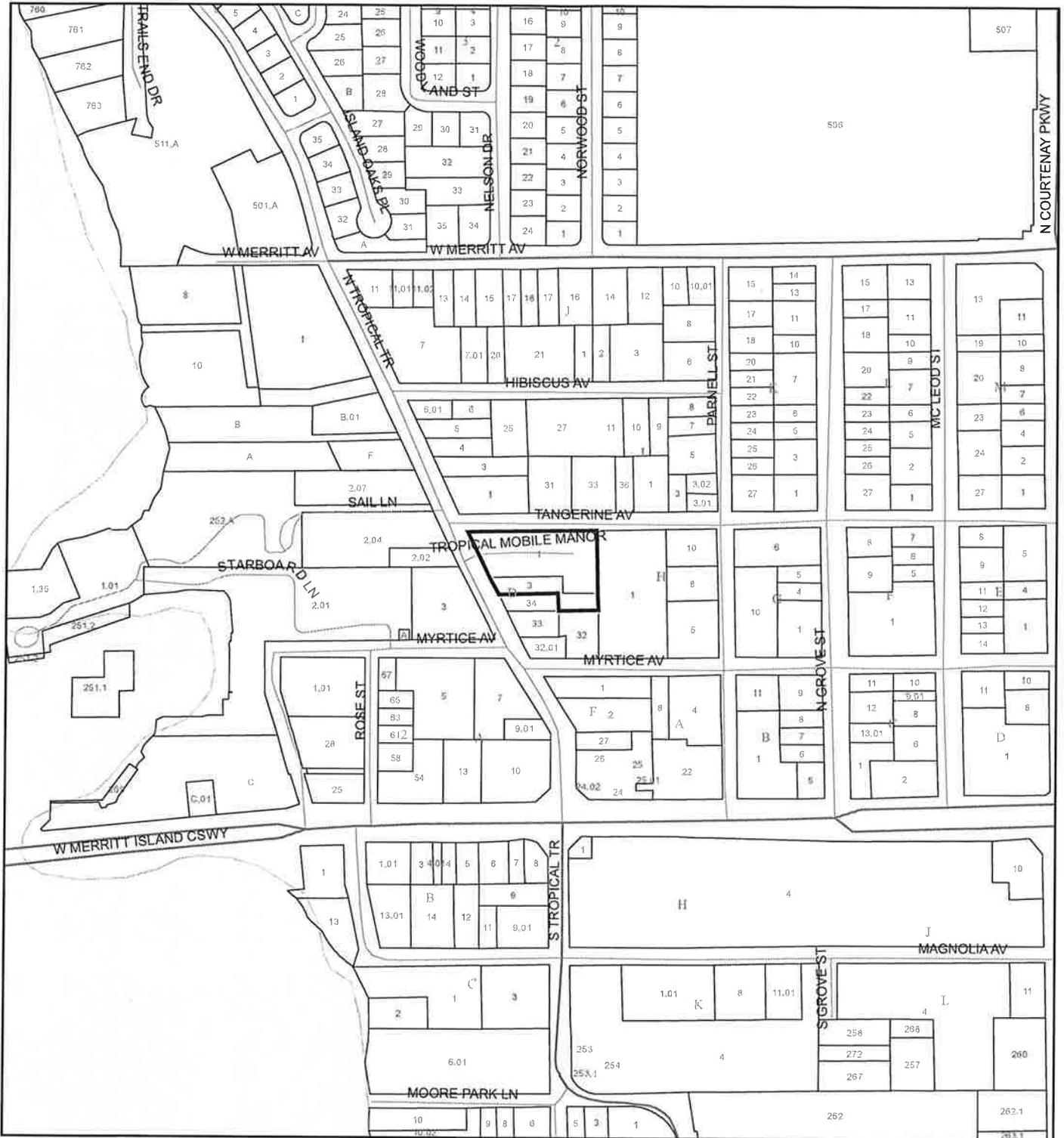
Produced by BoCC - GIS Date: 12/14/2018

### FEMA Flood Zones

- |   |            |                      |
|---|------------|----------------------|
| A   | AO         | X                    |
| AE  | Open Water | X Protected By Levee |
| AH  | VE         |                      |
| 0.2 Percent Annual Chance Flood Hazard                      |            |                      |
| 0.2 Percent Annual Chance Flood Hazard Contained in Channel |            |                      |
| Subject Property  | Parcels    |                      |

# EAGLE NESTS MAP

TULSKIE, BARBARA J. AND JOSEPH J., JR.  
18PZ00159



1:4,800 or 1 inch = 400 feet

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: 12/14/2018

Subject Property

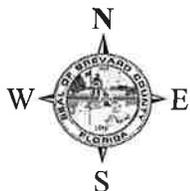
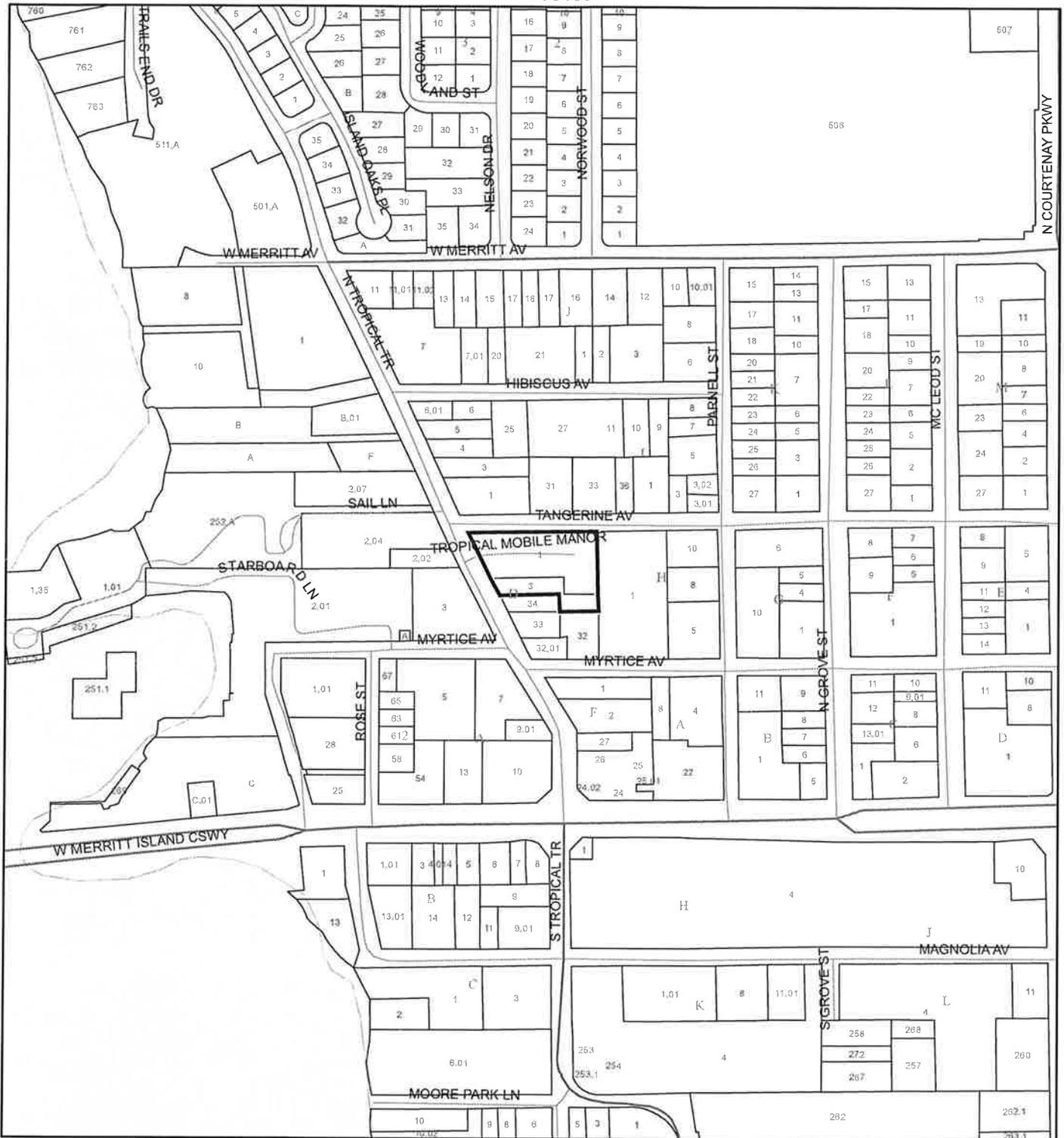
Parcels

Eagle Nests  
FWS 2010

# SCRUB JAY OCCUPANCY MAP

TULSKIE, BARBARA J. AND JOSEPH J., JR.

18PZ00159



1:4,800 or 1 inch = 400 feet

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.

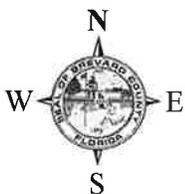
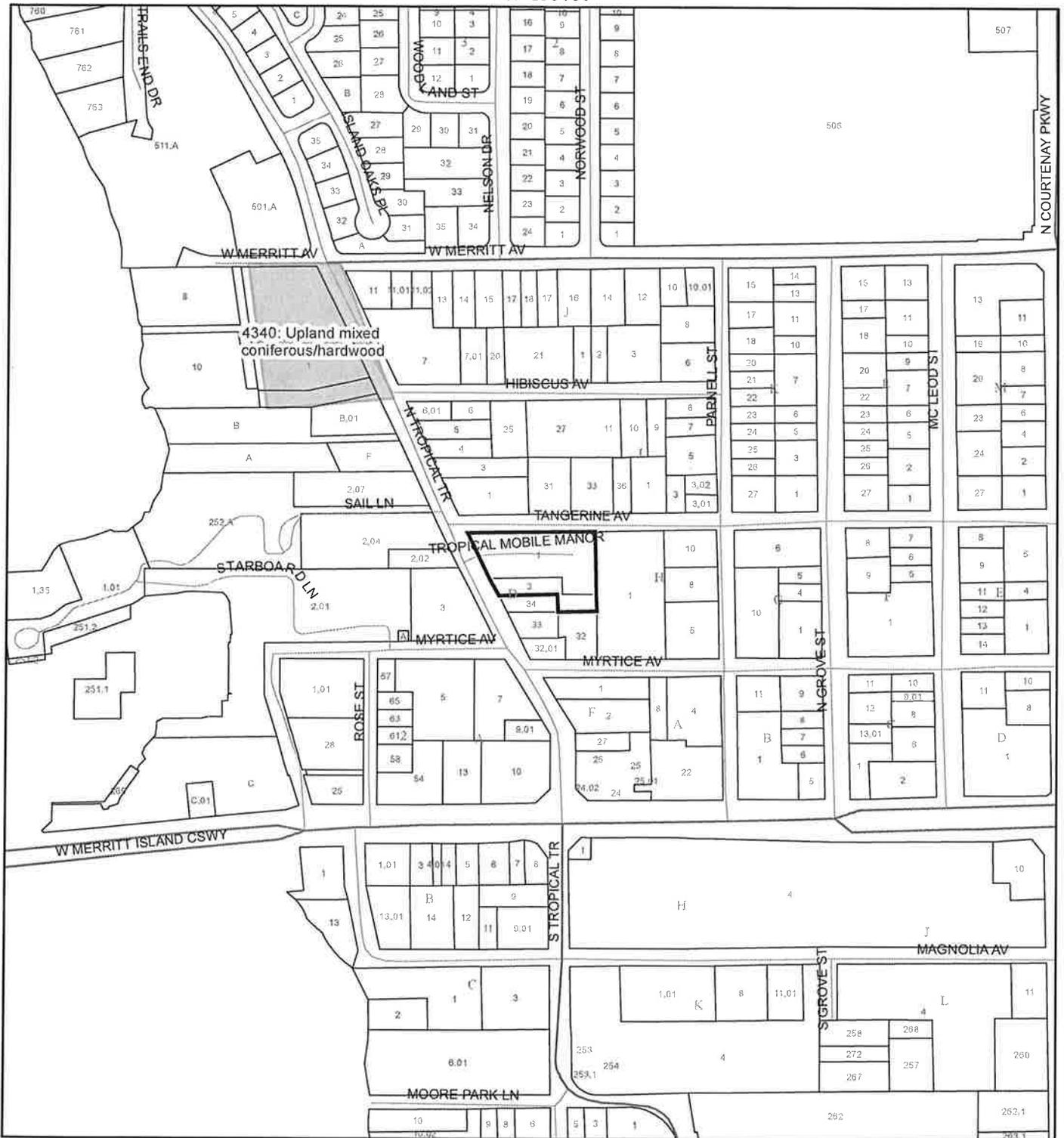
Produced by BoCC - GIS Date: 12/14/2018

-  Subject Property
-  Parcels
-  Scrub Jay Occupancy

# SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

TULSKIE, BARBARA J. AND JOSEPH J., JR.

18PZ00159



1:4,800 or 1 inch = 400 feet

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: 12/14/2018

## SJRWMD FLUCCS Upland Forests

-  Upland Coniferous Forest - 4100 Series
-  Upland Hardwood Forest - 4200 Series
-  Upland Mixed Forest - 4300 Series
-  Tree Plantations - 4400 Series

 Subject Property  Parcels

**From:** [Sterk, Erin](#)  
**To:** [Jones, Jennifer](#)  
**Cc:** [Calkins, Tad](#)  
**Subject:** FW: Requesting Summary of Request  
**Date:** Friday, May 10, 2019 11:34:09 AM

---

Jennifer,

Please add this to the file for 18PZ00159 and attach to the NOVUS item to re-open the public hearing. I have already pushed the NOVUS item over to Tad and can't access it.

Many thanks,  
Erin

-----Original Message-----

From: TULSKIE, BARBARA [<mailto:barb@trecgroup.com>]  
Sent: Friday, May 10, 2019 11:23 AM  
To: Sterk, Erin  
Subject: Re: Requesting Summary of Request

Erin,

After the approval at the 3/7 meeting, I noticed an error in the BDP. We were keeping the same line items as the previous BDP so that the changes would be obvious. Our new BDP did not have line item #11, which basically states that all BU1 uses are acceptable. Our new BDP went from #10 to #12. We would like to reopen our application and add in item#11 from the current BDP. Please let me know what I need to do to proceed.

Thanks and have a great day.

Barb Tulsie