

IV. PUBLIC HEARINGS

A. Tabled Items

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. & ANNELISE 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 acres, 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 – request a change of classification from RU-1-9 to RU-1-11 on 0.94 acres, 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 – request 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THE FOLLOWING ITEM HAS BEEN WITHDRAWN BY THE APPLICANT (Letter received 01/30/17)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 miles 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.

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) – request 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.

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 plan, 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.