

Denial



**AGENDA REPORT
May 30, 2019**

Douglas and Cindy Robertson (Bruce Moia) request Adoption of the 2019-1.1 Large Scale Comprehensive Plan Amendment to change the Future Land Use designation from Residential 1:2.5 to Residential 1. (18PZ00166) (District 3)

SUBJECT:

Douglas and Cindy Robertson (Bruce Moia) request Adoption of the 2019-1.1 Large Scale Comprehensive Plan Amendment to change the Future Land Use designation from Residential 1:2.5 to Residential 1. The property is 20.39 acres, located on the southwest corner of Fleming Grant Road and Seabird Lane. (18PZ00166) (District 3).

FISCAL IMPACT:

None

DEPT/OFFICE:

Planning and Development

REQUESTED ACTION:

It is requested that the Board of County Commissioners conduct a public hearing and consider adoption of the 2019-1.1 Large Scale Comprehensive Plan Amendment for Douglas and Cindy Robertson, to change the Future Land Use Designation from Residential 1:2.5 to Residential 1.

SUMMARY EXPLANATION and BACKGROUND:

The Brevard County Code Section 62-502 (b)(3) establishes a twice a year application deadline for Large Scale Comprehensive Plan Amendments, for changes of use on more than 10 acres. Large scale amendments entail a two-step public hearing process, as outlined in Chapter 163, F.S.

The first public hearing cycle, with the February 25, 2019 Local Planning Agency meeting and March 7, 2019 Board of County Commissioners meeting completed the necessary public hearings for Transmittal of this amendment to the Florida Department of Economic Opportunity, along with other local, regional, and state reviewing agencies.

The County has received Technical Assistance comments from Florida Department of

Economic Opportunity and Florida Department of Environmental Protection, as well as guidance from other State agencies, as a part of the Expedited State Review, which have been included in the Board's package.

Specific to this request, the applicant is seeking a Large Scale Comprehensive Plan Amendment to change the Future Land Use designation from Residential 1:2.5 (RES 1:2.5) to Residential 1 (RES 1) on a 20.39 acre property for the purpose of developing up to 20 single-family residences. The subject property is located on the south side of Fleming Grant Road approximately 190 feet (190') east of Mockingbird Lane.

The property has been limited to one dwelling unit per 2 ½ acres since the original Comprehensive Plan's adoption in 1988. The requested RES 1 Future Land Use designation permits the development of up to one (1) residential unit per acre. While initially it appears that the proposed RES 1 is being sought in an area which retains the less dense RES 1:2.5 Future Lane Use designation, a more careful examination of development patterns in the area demonstrates that much of the development occurred before the Comprehensive Plan was in place.

A portion of the subject parcel is located within the riverine floodplain as identified by Federal Emergency Management Agency (FEMA). Per Section 62-3724(1), Floodplain Protection, compensatory storage shall be required for fill in excess of one third (1/3) acre within the riverine floodplain, and residential density limitations shall apply based on site topography. Applicant will be required to provide topographic maps and flood elevations to designate and delineate 100-year, 25-year, 10-year, and mean annual riverine floodplains prior to plan design. Residential density is limited based on riverine floodplain designation (i.e. 100-year, 25-year, 10-year or annual mean riverine floodplain).

Similarly, about 20% of the property closest to the river is within the Coastal High Hazard Area, which is depicted on a map in the Board's package. Objective 7.0 of the Comprehensive Plan's Coastal Management Element seeks to limit densities within the coastal high hazard zone and direct development outside of this area. Policy 7.6 states that existence of sewer, water, roadways or other public infrastructure shall not be considered adequate rationale for an increase in zoning density or intensity within the coastal high hazard area.

The subject property is not served with potable water or sanitary sewer. According to Policy 1.2 of the Future Land Use Element of the Comprehensive Plan, developments less than four (4) dwelling units per acre are not required to hook up to potable water or sanitary sewer.

At this time, Sunrise Elementary School is not projected to have enough capacity for the total of projected and potential students from the Seabird Subdivision Development. Because there is a shortfall of available capacity in the concurrency service area of the Seabird Subdivision Development, the capacity of adjacent concurrency service areas must be considered. Considering the adjacent elementary school concurrency service areas, there is sufficient capacity for the total projected student membership to accommodate the Seabird Subdivision Development.

The Board may wish to consider whether the proposed density of one unit per acre is consistent with the surrounding Future Land Use designations and the existing

development within the area.

The Board should consider ways to direct development outside of the coastal high hazard area.

On May 20, 2019, the Local Planning Agency heard the request and voted 7:3 to approve the request.

If you have any questions, please contact Cheryl W. Campbell, Planner III, of the Planning & Development Department at (321) 633-2070 ext. 52660 or via email to Cheryl.Campbell@brevardfl.gov

CLERK TO THE BOARD INSTRUCTIONS:

Letter to DEO to be signed by Board Chair and two copies of Ordinance to be signed by Board Chair and Clerk of Court.

ATTACHMENTS:

Description

- ▢ **DEO Adoption Letter**
- ▢ **Adoption Package**
- ▢ **Summary of Agency Comments**
- ▢ **Public Comment**
- ▢ **LPA/PZ Minutes 05/20/19**



BOARD OF COUNTY COMMISSIONERS

Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

H.9.
denied

May 30, 2019

Mr. Ray Eubanks,
Plan Processing Administrator
Division of Community Planning
Florida Department of Economic Opportunity
107 East Madison Street, MSC-160
Tallahassee, FL 32399-4120

Re: 2019-1 Spring Cycle Comprehensive Plan Amendment Adoption Package

Dear Mr. Eubanks,

Enclosed please find the Comprehensive Plan Amendment Adoption package for the 2019-1 Spring Large Scale Comprehensive Plan Amendment cycle. There is one private application for amendment being considered for adoption in this cycle: 2019-1.1 submitted by Douglas Robertson, more fully described in the attached staff comments for 18PZ00166.

The Local Planning Agency held a public hearing regarding the adoption of the 2019-1 Plan Amendment on May 20, 2019, recommending approval of the Comprehensive Plan Amendment, 2019-1.1. The Brevard County Board of County Commissioners approved the adoption of the 2019-1 Plan Amendment package during a public hearing on May 30, 2019.

Copies of the proposed amendment package have been sent to the St. Johns River Water Management District, the East Central Florida Regional Planning Council, the Florida Department of Environmental Protection, the Florida Department of Transportation (District 5), the Florida Department of State, the Florida Fish and Wildlife Conservation Commission, the Florida Department of Education, and the Florida Department of Agriculture and Consumer Services.

The plan amendment's "content and effect" is included in this mailing. Brevard County requests that DEO provide review through the Expedited State Review Amendment Process, per Section 163.3184(3) and (5), Florida Statutes.

The proposed amendment package was adopted by Brevard County on May 30, 2019.

The proposed amendment package is not within an area of critical state concern.

The proposed amendment package is not within the Wekiva River Protection Area.

A.9.

The proposed amendments are not being adopted under a joint planning agreement pursuant to Section 163.3171, Florida Statutes.

The contact person for the 2019-1 Plan Amendment package is:

Cheryl W. Campbell, Planner III
Planning and Development Department
2725 Judge Fran Jamieson Way, Building A
Viera, FL 32940
(321) 633-2070 - FAX (321) 633-2074

A local newspaper of general circulation is:

Florida Today
1 Gannett Plaza
Melbourne, FL 32940
(321) 259-5555

In accordance with Florida Statutes, one paper copy and two copies in Portable Document Format (PDF) on the enclosed CD-ROM of the proposed amendment package including all proposed text, maps, and support documents are sent to your office via this transmittal. If you have any questions regarding the enclosed materials, please contact Cheryl Campbell at the above address.

Sincerely,

Kristine Isnardi, Chair
Brevard County Board of County Commissioners

Enclosures

- cc: Board of County Commissioners (w/out encl.)
- Frank Abbate, County Manager (w/out encl.)
- Eden Bentley, County Attorney (w/out encl.)
- John Denninghoff, Assistant County Manager (w/out encl.)
- Tad Calkins, Director, Planning and Development Department (w/out encl.)
- Exec. Director, East Central Florida Regional Planning Council
- Director of Planning and Public Transportation Operations, FDOT District Five
- St. Johns River Water Management District
- Florida Department of Environmental Protection
- Florida Division of Agriculture and Consumer Services
- Florida Division of Historic Resources
- Florida Fish and Wildlife Conservation Commission
- Florida Department of Education

Comprehensive Plan Amendment
Spring Cycle 2019-1
DEO Brevard County Amendment No. 19-1ESR

**Large Scale Comprehensive Plan Amendment
Douglas Robertson 2019-1.1**

**PROPOSED COMPREHENSIVE PLAN AMENDMENT 2019-1.1
FUTURE LAND USE MAP SERIES
FUTURE LAND USE ELEMENT**

Request: 2019-1.1
Large Scale Comprehensive Plan Amendment (LSCPA) Future Land Use (FLU) Map Amendment (18PZ00166)

Owner / Applicant: Douglas Robertson

Location: Legal Description On file
Tax Acct Parcel #3008729

Acreage: ± 20.39 acres

Existing Zoning Classification: RU-1-13

Proposed Zoning Classification: RU-1-13 with a BDP limiting development to 20 units

Existing Land Use Designation: Residential 1:2.5 (RES 1:2.5)

Proposed Land Use Designation: Residential 1 (RES 1)

FUTURE LAND USE MAP AMENDMENT

Description:

The applicant is seeking a Large Scale Comprehensive Plan Amendment to change the Future Land Use designation from Residential 1:2.5 (RES 1:2.5) to Residential 1 (RES 1) on a 20.39 acre property for the purpose of developing up to 20 single-family residences. The subject property is located on the south side of Fleming Grant Road approximately 190 feet (190') east of Mockingbird Lane. The property has been limited to one dwelling unit per 2 ½ acres since the original Comprehensive Plan's adoption in 1988, which became today's RES 1:2.5 Future Land Use designation. The requested RES 1 Future Land Use designation permits the development of up to one (1) residential unit per acre.

The property currently retains the Single-Family Residential (RU-1-13) Zoning classification, which allows for a minimum lot size significantly smaller than the 1 unit per acre density regulated by the Comprehensive Plan. RU-1-13 requires a minimum lot size of 7,500 square feet, with a width of 75 feet and depth of 75 feet, and a minimum floor area of 1,300 square feet. The applicant has submitted a companion Binding Development Plan (BDP) which binds the development to twenty (20)

residential dwelling units. The subject parcel has existing Single-Family Residential (RU-1-13) Zoning which is not consistent with the existing RES 1:2.5 or proposed RES 1 Future Land Use designation. With a Binding Development Plan (BDP) limiting this property to twenty single-family residential units, it would be consistent with the proposed RES 1 Future Land Use designation.

The proposed RES 1 is being sought in an area where parcels on the south side of Fleming Grant Road retain the less dense RES 1:2.5 Future Land Use designation, but a more careful examination of development patterns in the area demonstrates that much of the development occurred on parcels smaller than two and one half (2 ½) acres in size and even smaller than one (1) acre frequently before the Comprehensive Plan was in place. The RES 1 proposal is fairly consistent with the residential density historically permitted within the surrounding area.

The subject property lies just north of the Saint Sebastian River, with an undeveloped island lying to the south of the subject property with a Residential 1:2.5 (RES 1:2.5) Future Land Use designation and GU Zoning classification. Parcels north of Fleming Grant Road retain RES 1 Future Land Use.

To the west of the subject property lies an 18 ½ acre subdivision platted as *Arens Wild Acres* on March 19, 1965. The parcels within the subdivision are between just under ½ acre to 1.87 acres in size. The subdivision was developed with the RU-1-13 Zoning classification, prior to the parcels along the river having the RES 1:2.5 Future Land Use designation applied to them. Some parcels within the subdivision are vacant and some have been developed with single-family residences. Parcels abutting the subject property range in size from .46 acres to the south to 3.11 acres to the north, with smaller parcels towards Fleming Grant Road and increasing in size to the south, closer to the River.

Directly to the east of the subject property lies a thirty foot (30') right of way and Seabird Lane, which provides access to two larger three acre riverfront parcels with the RR-1 Zoning classification and a Future Land Use designation of RES 1:2.5 developed with single-family residences. One more single-family residence with its own access from Fleming Grant Road on almost 4 ½ acres of land lies east that. A second subdivision of almost 7 acres in size lies to the east of the three larger riverfront parcels, with River Drive providing access to 14 parcels ranging in size from 0.2 acres to 0.92 acres, with all but two vacant parcels developed with single-family residences.

The abutting properties to the north, separated from the subject property by Fleming Grant Road, are developed as single-family residences. While most parcels north of Fleming Grant Road in the area retain the RR-1 Zoning classification, two parcels retain the AU Zoning classification and a RES 1 Future Land Use designation. Almost all of the parcels abutting Fleming Grant Road on its north side are approximately 1 acre in size.

Surrounding Uses	Current Use	Zoning	Future Land Use
North Across Fleming Grant Road	Single-Family Residences	RR-1, AU	RES 1
East Across Seabird Lane	Single-Family Residence	RR-1	RES 1:2.5
South Across the Saint Sebastian River	Vacant Island	GU	RES 1:2.5
West	Single-Family Subdivision	RU-1-13	RES 1:2.5

Availability of Public Facilities and Services:

Potable Water: The subject property is not located within a water utility service area.

Sanitary Sewer: The subject property is not located within Brevard County's sanitary sewer service area.

Solid Waste: Brevard County provides solid waste collection and disposal for this area. The applicant has submitted a *solid waste* Capacity Reservation Certificate that depicts a non-deficiency (see attached).

Parks & Recreation: The proposed land use amendment would not exceed existing park land level of service for the South Planning Area.

Drainage: All necessary drainage and stormwater management facilities must be provided on-site by the developer and approved during the subdivision and land development review process.

Transportation: The subject property is located on the south side of Fleming Grant Road (segment 122 from Kiwi Drive to Micco Road). The segment was identified with a non-deficiency and is not nearing maximum capacity. The Maximum Acceptable Volume (MAV) is 14,200 with an Average Daily Trips (ADT) of 1,278. The segment has a current operating volume of 12.12%.

The proposed 20 unit single-family residential subdivision would generate approximately 200 ADT and 20 PM Peak trips. If the proposed project were to be approved, the ADT would increase to 1,721 to 1,921. As a result, the operating volume over the maximum acceptable value (MAV) would also increase to 13.53%.

Therefore, one can conclude that the proposed Residential 1 (RES 1) Future Land Use designation would result in a slight increase in both the AADT and PM Peak trips, when considering the maximum development potential, compared to the Residential 1:2.5 (RES 1:2.5) Future Land Use designation the property retains today.

	ADT	PM PEAK		
Trips from Existing Zoning	0	0	Segment Number	122
Trips from Proposed Zoning	200	20	Segment Name	Fleming Grant Kiwi to Micco
Maximum Acceptable Volume (MAV)	14,200	1,278	Acceptable LOS	D
Current Volume	1,721	191	Directional Split	0.52
Volume With Proposed Development	1,921	211	ITE CODE 210	
Current Volume / MAV	12.12%	14.95%		
Volume / MAV with Proposal	13.53%	16.51%		
Current LOS	B	B		
LOS With Proposal	B	B		
Findings	<input checked="" type="checkbox"/> Non-Deficiency		<input type="checkbox"/> Deficiency	

Public Schools: At this time, Sunrise Elementary School is not projected to have enough capacity for the total of projected and potential students from the Seabird Subdivision Development. Because there is a shortfall of available capacity in the concurrency service area of the Seabird Subdivision Development, the capacity of adjacent concurrency service areas must be considered.

Considering the adjacent elementary school concurrency service areas, there is sufficient capacity for the total projected student membership to accommodate the Seabird Subdivision Development.

Conclusion: The preliminary concurrency analysis at the first level of review did not indicate that the proposed development would cause a deficiency of adopted levels of service. Further review will be completed at site plan review.

Environmental Resources:

Please refer to comments provided by the Natural Resource Management Department for further detail.

A portion of the subject parcel is located within the riverine floodplain as identified by Federal Emergency Management Agency (FEMA). Per Section 62-3724(1), Floodplain Protection, compensatory storage shall be required for fill in excess of one third (1/3)

acre within the riverine floodplain, and residential density limitations shall apply based on site topography. Applicant will be required to provide topographic maps and flood elevations to designate and delineate 100-year, 25-year, 10-year, and mean annual riverine floodplains prior to plan design. Residential density is limited based on riverine floodplain designation (i.e. 100-year, 25-year, 10-year or annual mean riverine floodplain).

If the owner/applicant has questions regarding any potential limitations, s/he is encouraged to contact NRM at 321-633-2016 prior to design of any plans.

Coastal High Hazard Zone:

About 20% of the property closest to the river is within the Coastal High Hazard Area, which is depicted on a map in the Board's package. Objective 7.0 of the Comprehensive Plan's Coastal Management Element seeks to limit densities within the coastal high hazard zone and direct development outside of this area. Policy 7.6 states that existence of sewer, water, roadways or other public infrastructure shall not be considered adequate rationale for an increase in zoning density or intensity within the coastal high hazard area.

Historic Resources:

There are no previously recorded cultural or historic resources on this property according to the Florida Master Site File.

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.

Residential 1 (maximum of 1 unit per acre)

Policy 1.9

The Residential 1 land use designation permits low density residential development with a maximum density of up to one (1) unit per acre, except as otherwise may be provided for within this element. The Residential 1 land use designation may be considered for lands within the following generalized locations, unless otherwise limited by this Comprehensive Plan:

Criteria:

- A. Areas adjacent to existing Residential 1 land use designation; or

The subject property is adjacent to parcels with the following Future Land Use designations – RES 1 to the north, RES 1:2.5 to the east, south and west. Despite RES 1:2.5 being more prevalent in the surrounding area than RES 1, nearby parcels have been subdivided to even less than one acre in size, as development predates the Comprehensive Plan in this part of Brevard County, and most parcels were developed with Zoning classifications that are today inconsistent with the Comprehensive Plan.

- B. Areas which serve as a transition between existing land uses or land use designations with density greater than one (1) unit per acre and areas with lesser density; or

The subject parcel is located in a residential area where the majority of the parcels have a RES 1:2.5 and a RES 1 Future Land Use designation. This is not a transitional area.

- C. Unincorporated areas which are adjacent to incorporated areas and may be considered a logical transition for Residential 1.

The subject parcel is not located adjacent to incorporated areas.

- D. Up to a 25% density bonus to permit up to 1.25 dwelling units per acre may be considered with a Planned Unit Development where deemed compatible by the County with adjacent development, provided that minimum infrastructure requirements set forth in Policy 1.2 are available. Such higher densities should be relegated to interior portions of the PUD tract, away from perimeters, to enhance blending with adjacent areas and to maximize the integration of open space within the development and promote interconnectivity with surrounding uses. This density bonus shall not be utilized by properties within the CHHA.

The subject parcel could be developed as a Planned Unit Development (PUD) since it meets the minimum requirement of ten (10) acres. The property would not be eligible for any density bonus, as a portion of the property is within the Coastal High Hazard Area.

Summary

The Brevard County Code Section 62-502 (b)(3) establishes a twice a year application deadline for Large Scale Comprehensive Plan Amendments, for changes of use on more than 10 acres. Large scale amendments entail a two-step public hearing process, as outlined in Chapter 163, F.S.

The first public hearing cycle, with the February 25, 2019 Local Planning Agency meeting and March 7, 2019 Board of County Commissioners meeting completed the necessary public hearings for Transmittal of this amendment to the Florida Department of Economic Opportunity, along with other local, regional, and state reviewing agencies.

The County has received Technical Assistance comments from Florida Department of Economic Opportunity and Florida Department of Environmental Protection, as well as guidance from other State agencies, as a part of the Expedited State Review, which have been included in the Board's package. If recommended for Adoption and unchallenged, the amendment becomes effective 31 days after the State Land Planning Agency notifies the local government that the package is complete.

Specific to this request, the applicant is seeking a Large Scale Comprehensive Plan Amendment to change the Future Land Use designation from Residential 1:2.5 (RES 1:2.5) to Residential 1 (RES 1) on a 20.39 acre property for the purpose of developing up to 20 single-family residences. The subject property is located on the south side of Fleming Grant Road approximately 190 feet (190') east of Mockingbird Lane.

The property has been limited to one dwelling unit per 2 ½ acres since the original Comprehensive Plan's adoption in 1988. The requested RES 1 Future Land Use designation permits the development of up to one (1) residential unit per acre. While initially it appears that the proposed RES 1 is being sought in an area which retains the less dense RES 1:2.5 Future Lane Use designation, a more careful examination of development patterns in the area demonstrates that much of the development occurred before the Comprehensive Plan was in place.

A portion of the subject parcel is located within the riverine floodplain as identified by Federal Emergency Management Agency (FEMA). Per Section 62-3724(1), Floodplain Protection, compensatory storage shall be required for fill in excess of one third (1/3) acre within the riverine floodplain, and residential density limitations shall apply based on site topography. Applicant will be required to provide topographic maps and flood elevations to designate and delineate 100-year, 25-year, 10-year, and mean annual riverine floodplains prior to plan design. Residential density is limited based on riverine floodplain designation (i.e. 100-year, 25-year, 10-year or annual mean riverine floodplain).

Similarly, about 20% of the property closest to the river is within the Coastal High Hazard Area, which is depicted on a map in the Board's package. Objective 7.0 of the Comprehensive Plan's Coastal Management Element seeks to limit densities within the coastal high hazard zone and direct development outside of this area. Policy 7.6 states that existence of sewer, water, roadways or other public infrastructure shall not be considered adequate rationale for an increase in zoning density or intensity within the coastal high hazard area.

The subject property is not served with potable water or sanitary sewer. According to Policy 1.2 of the Future Land Use Element of the Comprehensive Plan, developments less than four (4) dwelling units per acre are not required to hook up to potable water or sanitary sewer.

The subject site is located with access from Fleming Grant Road a Rural Minor Collector Road. There is right of way to the east that is used by Brevard County Public Works Department for Saint Sebastian River access.

At this time, Sunrise Elementary School is not projected to have enough capacity for the total of projected and potential students from the Seabird Subdivision Development. Because there is a shortfall of available capacity in the concurrency service area of the Seabird Subdivision Development, the capacity of adjacent concurrency service areas must be considered. Considering the adjacent elementary school concurrency service areas, there is sufficient capacity for the total projected student membership to accommodate the Seabird Subdivision Development.

The Board may wish to consider whether the proposed density of one unit per acre is consistent with the surrounding Future Land Use designations and the existing development within the area.

The Board should consider ways to direct development outside of the coastal high hazard area.

If you have any questions, please contact Cheryl W. Campbell, Planner III, of the Planning & Development Department at (321) 633-2070 ext. 52660 or via email to Cheryl.Campbell@brevardfl.gov

NATURAL RESOURCES MANAGEMENT DEPARTMENT
Rezoning Review & Summary
Item # 18PZ00166

Applicant: Bruce Moia c/o Douglas Robertson

Future Land Use Request: RES 1:2.5 to RES 1

Note: Applicant desires to develop parcel into 20 single-family units w/BDP limiting density to 1 dwelling/acre

Transmittal: LPA Hearing Date: 02/25/19; **BCC Hearing date:** 03/07/19

Adoption: LPA Hearing Date: 05/20/19; **BCC Hearing Date:** 05/30/19

Tax ID No: 3008729

- This is a preliminary review based on best available data maps reviewed by the Natural Resources Management (NRM) Department and does not include a site inspection to verify the accuracy of the mapped information.
- In that the rezoning process is not the appropriate venue for site plan review, specific site designs submitted with the rezoning request will be deemed conceptual. Board comments relative to specific site design do not provide vested rights or waivers from Federal, State or County regulations.
- **This review does not guarantee whether or not the proposed use, specific site design, or development of the property can be permitted under current Federal, State, or County Regulations.**

Notable Natural Resources Land Use Issues:

A portion of the subject parcel is located within the riverine floodplain as identified by Federal Emergency Management Agency (FEMA). Per Section 62-3724(1), Floodplain Protection, compensatory storage shall be required for fill in excess of one third (1/3) acre within the riverine floodplain, and residential density limitations shall apply based on site topography. Applicant will be required to provide topographic maps and flood elevations to designate and delineate 100-year, 25-year, 10-year, and mean annual riverine floodplains prior to plan design. Residential density is limited based on riverine floodplain designation (i.e. 100-year, 25-year, 10-year or annual mean riverine floodplain).

If the owner/applicant has questions regarding any potential limitations, s/he is encouraged to contact NRM at 321-633-2016 prior to design of any plans.

Summary of Mapped Natural Resources Present on the Subject Property:

- Wetlands
- Aquifer Recharge Soils
- Riverine Floodplain
- Surface Water Classification as Aquatic Preserve
- Septic Overlay
- Heritage Specimen Trees
- Protected Species Potential

Land Use Comments:

Wetlands

The subject parcel contains a small area of mapped NWI wetlands on the southwest portion of the site as shown on the NWI Wetlands Map; an indicator that wetlands may be present on the property. Per Section 62-3694(c)(1), residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. For subdivisions greater than five acres in area, the preceding limitation of one dwelling unit per five (5) acres within wetlands may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of the total non-commercial and non-industrial acreage on a cumulative basis as set forth in Section 65-3694(c)(6). Any permitted wetland impacts must meet the requirements of Sections 62-3694(e) and 62-3696.

Aquifer Recharge Soils

The subject parcel contains mapped aquifer recharge soils (Pomello sand and Orsino fine sand) as shown on the USDA Soil Conservation Service Soils Survey map. The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance

Floodplain

A portion of the property is mapped as being within the riverine floodplain as identified by FEMA and as shown on the FEMA Flood Map. The property is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance. The parcel is located on a tributary to the St. Sebastian River which has a designated floodway. FEMA elevations at the parcel location are based on elevations from the St. Sebastian River study, and are based on fresh water flood elevations. Per Section 62-3724(1), Development shall not increase the rate and volume of floodwater discharged from the predevelopment 100-year, 25-year, 10-year or annual mean riverine floodplain. Compensatory storage shall be required for fill in excess of that which will provide an upland buildable area within the isolated floodplain greater than one third (1/3) acre in size. Chapter 62, Article X, Division 6 states, "No site alteration shall adversely affect the existing surface water flow pattern." Chapter 62, Article X, Division 5, Section 62-3723 (2) states, "Development within floodplain areas shall not have adverse impacts upon adjoining properties."

Coastal High Hazard Area

A portion of the property is in the Coastal High Hazard Area (CHHA). The Coastal Management Element of the Comprehensive Plan, Objective 7.0, Policy 7.6 states that existence of sewer, water, roadways or other public infrastructure shall not be considered adequate rationale for an increase in zoning density or intensity within the coastal high hazard area.

Surface Water Classification

The property is located on surface waters designated by the State as an Aquatic Preserve. A 50-foot surface water protection buffer (Buffer) is required. Except as allowable under Section 62-3668 (7), primary structures shall be located outside of the Buffer. Accessory structures within the Buffer are permissible provided that stormwater management is provided, impervious areas do not exceed 30% of Buffer area, and

avoidance/minimization of Buffer impacts is followed so that surface water quality and natural habitat is not adversely affected.

Septic Overlay

Portions of the site are mapped within the Indian River Lagoon septic overlay per Chapter 46, Article II, Division IV - Nitrogen Reduction Overlay. If sewer is not available, the use of an alternative septic system designed to provide at least 65% total nitrogen reduction through multi-stage treatment processes shall be required.

Heritage Specimen Trees

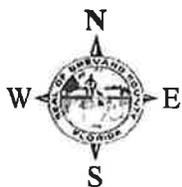
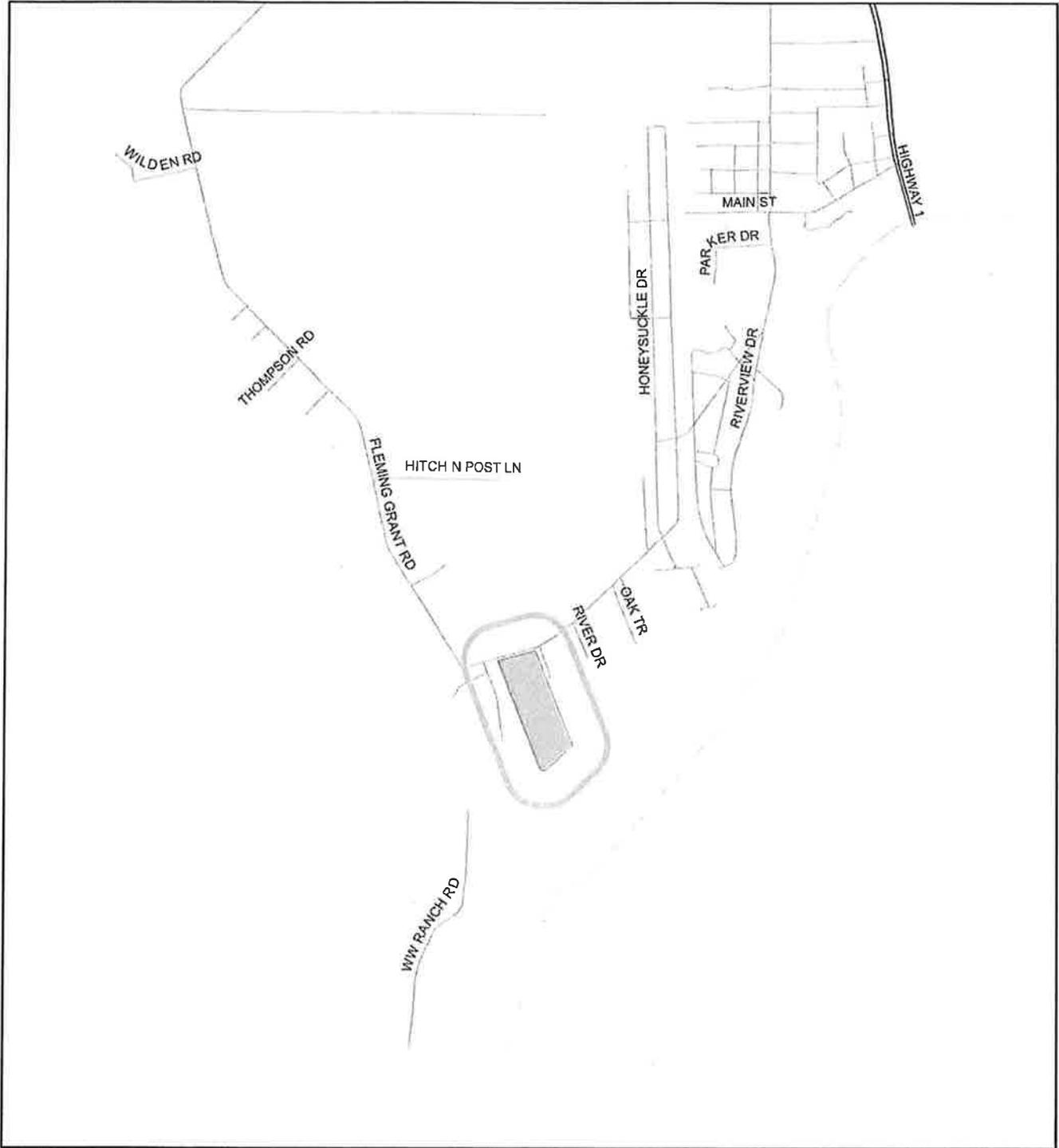
The subject property contains mapped polygons of SJRWMD FLUCCS code 4340 – Upland Mixed Coniferous/Hardwood trees. Heritage Specimen trees (greater than or equal to 24 inches in diameter) are included in this FLUCCS code and reside in the project area. Per Brevard County Landscaping, Land Clearing and Tree Protection ordinance, Section 62-4331(3), the purpose and intent of the ordinance is to encourage the protection of Heritage Specimen trees. In addition, per Section 62-4341(18), Specimen Trees shall be preserved or relocated on site to the Greatest Extent Feasible. Per Section 62-4332, Definitions, Greatest Extent Feasible shall include, but not be limited to, relocation of roads, buildings, ponds, increasing building height to reduce building footprint or reducing Vehicular Use Areas.

Protected Species Potential

Information available to NRM indicates that federally and/or state protected species may be present on the property. Prior to any plan, permit submittal, or development activity, including land clearing, the applicant should obtain any necessary permits or clearance letters from the Florida Fish and Wildlife Conservation Commission and/or U.S. Fish and Wildlife Service, as applicable.

**LSCPA
Douglas Robertson
Adoption 2019-1.1
Supporting Maps**

LOCATION MAP
Comprehensive Plan Amendment
18PZ00166 - Robertson



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.

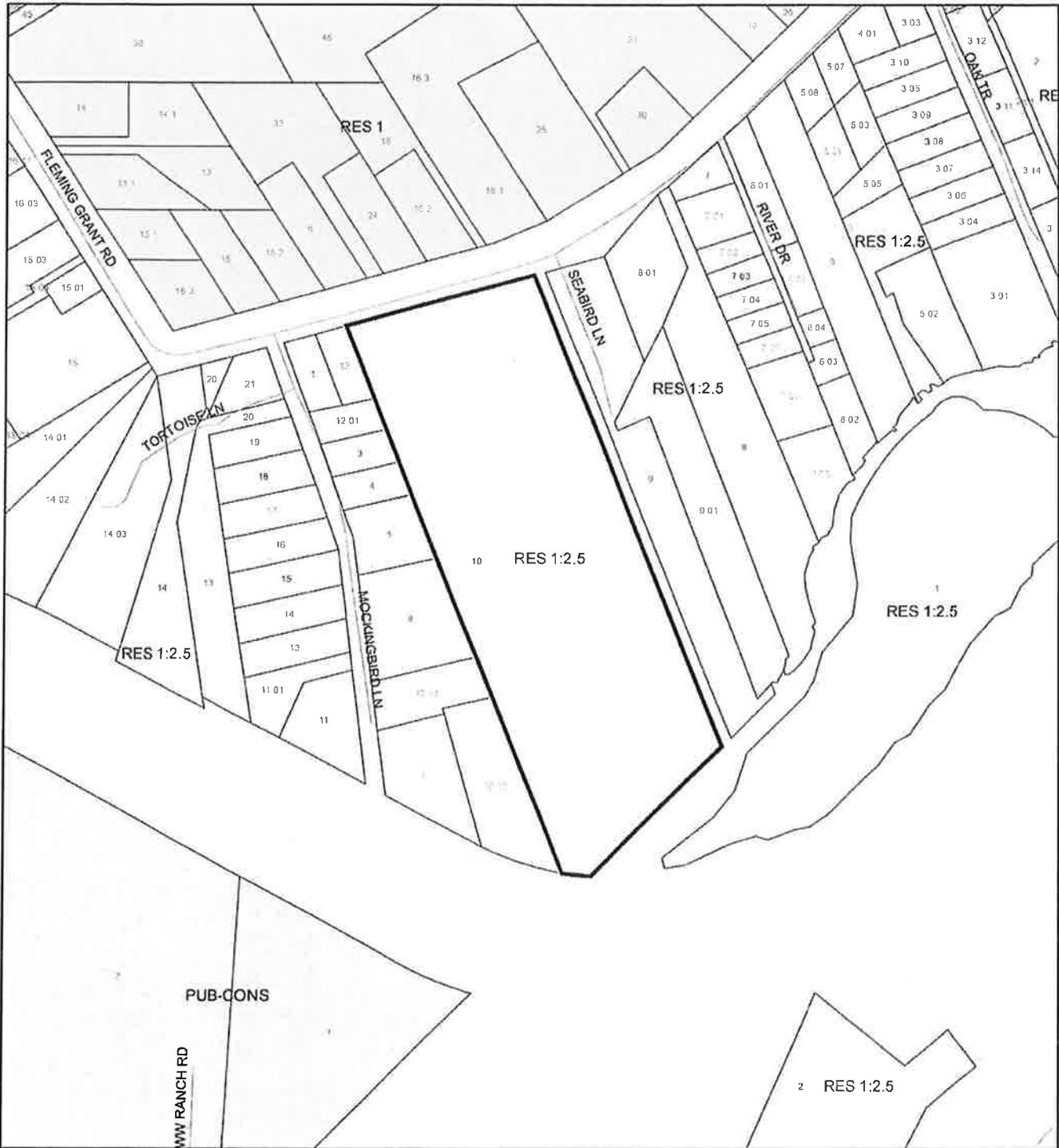
Produced by BoCC - GIS Date: 1/16/2019

 Buffer

 Subject Property

FUTURE LAND USE MAP

Comprehensive Plan Amendment
18PZ00166 - Robertson



1:4,800 or 1 inch = 400 feet

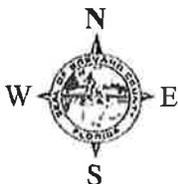
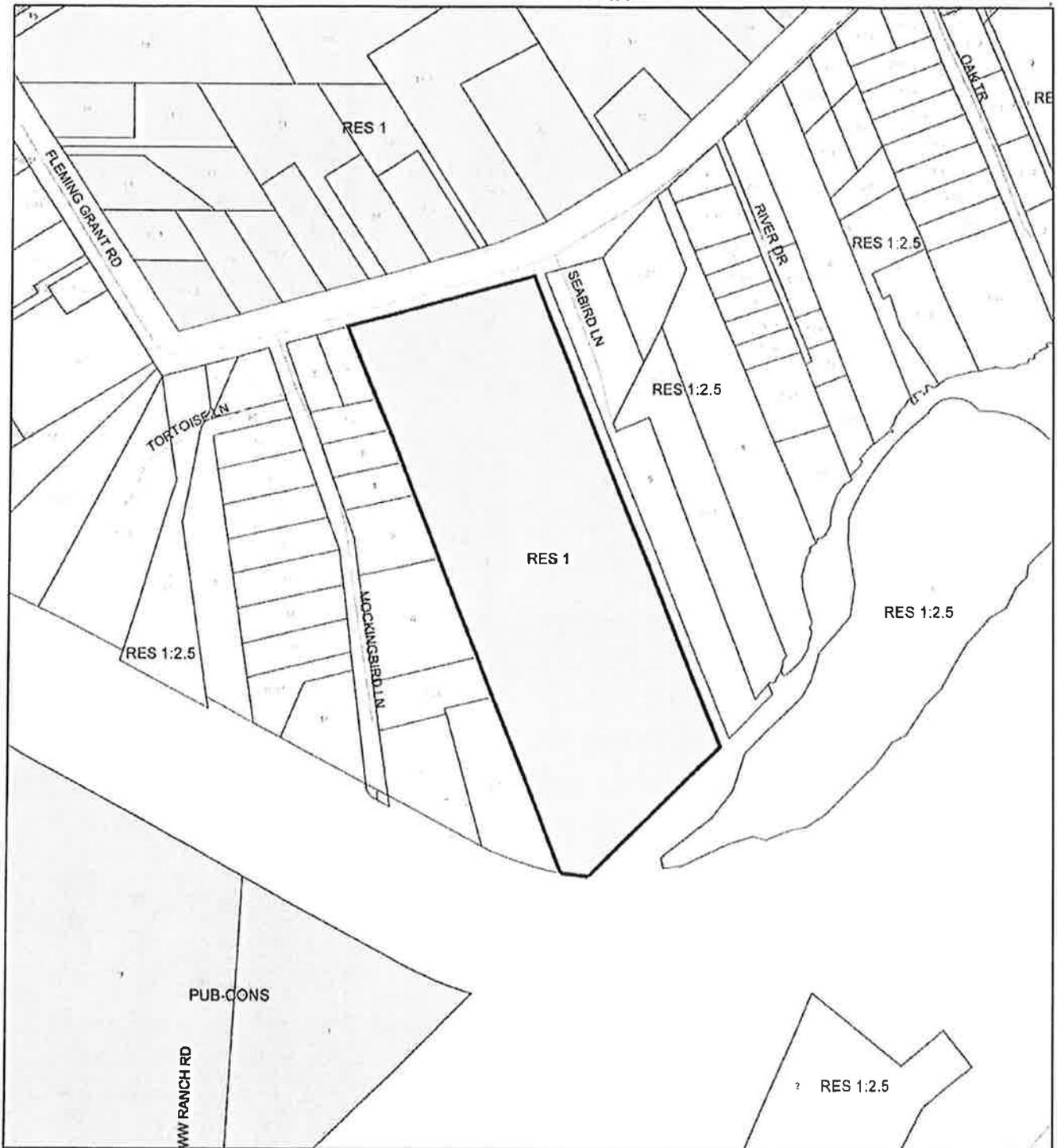
 Subject Property
 Parcels

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: 1/16/2019

PROPOSED FUTURE LAND USE MAP

Comprehensive Plan Amendment
18PZ00166 - Robertson



1:4,800 or 1 inch = 400 feet

— Subject Property
▭ Parcels

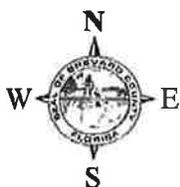
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 2/8/2019

AERIAL MAP

Comprehensive Plan Amendment

18PZ00166 - Robertson



1:4,800 or 1 inch = 400 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: 1/16/2019

— Subject Property

▭ Parcels

SJRWMD FLUCCS WETLANDS - 6000 Series MAP

Comprehensive Plan Amendment

18PZ00166 - Robertson



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: 1/16/2019

SJRWMD FLUCCS WETLANDS

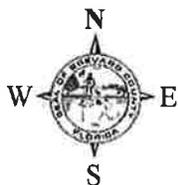
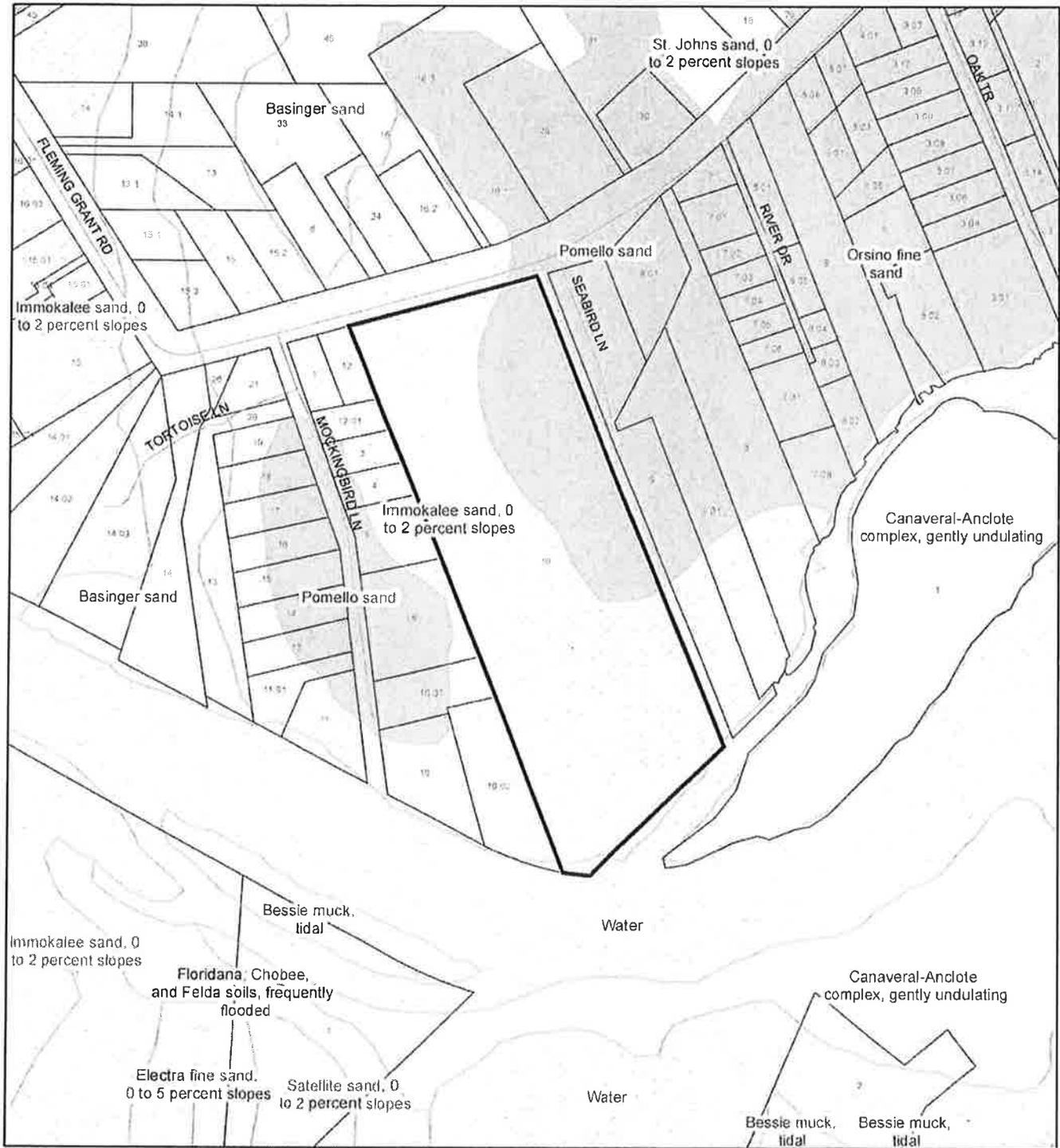
- Wetland Hardwood Forests - Series 6100
- Wetland Coniferous Forest - Series 6200
- Wetland Forested Mixed - Series 6300
- Vegetated Non-Forested Wetlands - Series 6400
- Non-Vegetated Wetland - Series 6500

Subject Property Parcels

USDA SCSSS SOILS MAP

Comprehensive Plan Amendment

18PZ00166 - Robertson



1:4,800 or 1 inch = 400 feet

USDA SCSSS Soils

-  Aquifer and Hydric
-  Aquifer
-  Hydric
-  None
-  Subject Property
-  Parcels

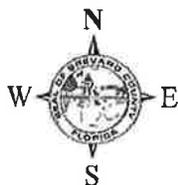
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 1/16/2019

FEMA FLOOD ZONES MAP

Comprehensive Plan Amendment

18PZ00166 - Robertson



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.

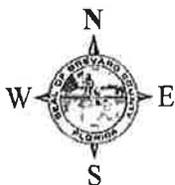
Produced by BoCC - GIS Date: 1/16/2019

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 | |

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

Comprehensive Plan Amendment
18PZ00166 - Robertson



1:4,800 or 1 inch = 400 feet

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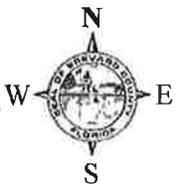
Produced by BoCC - GIS Date: 1/16/2019

-  Subject Property
-  Parcels
- Septic Overlay**
-  40 Meters
-  60 Meters
-  All Distances

EAGLE NESTS MAP

Comprehensive Plan Amendment

18PZ00166 - Robertson



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.

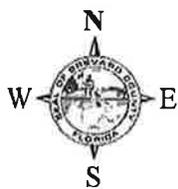
Produced by BoCC - GIS Date: 1/16/2019

-  Subject Property
-  Parcels
-  Eagle Nests FWS 2010

SCRUB JAY OCCUPANCY MAP

Comprehensive Plan Amendment

18PZ00166 - Robertson



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.

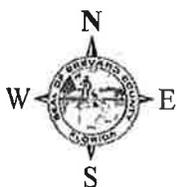
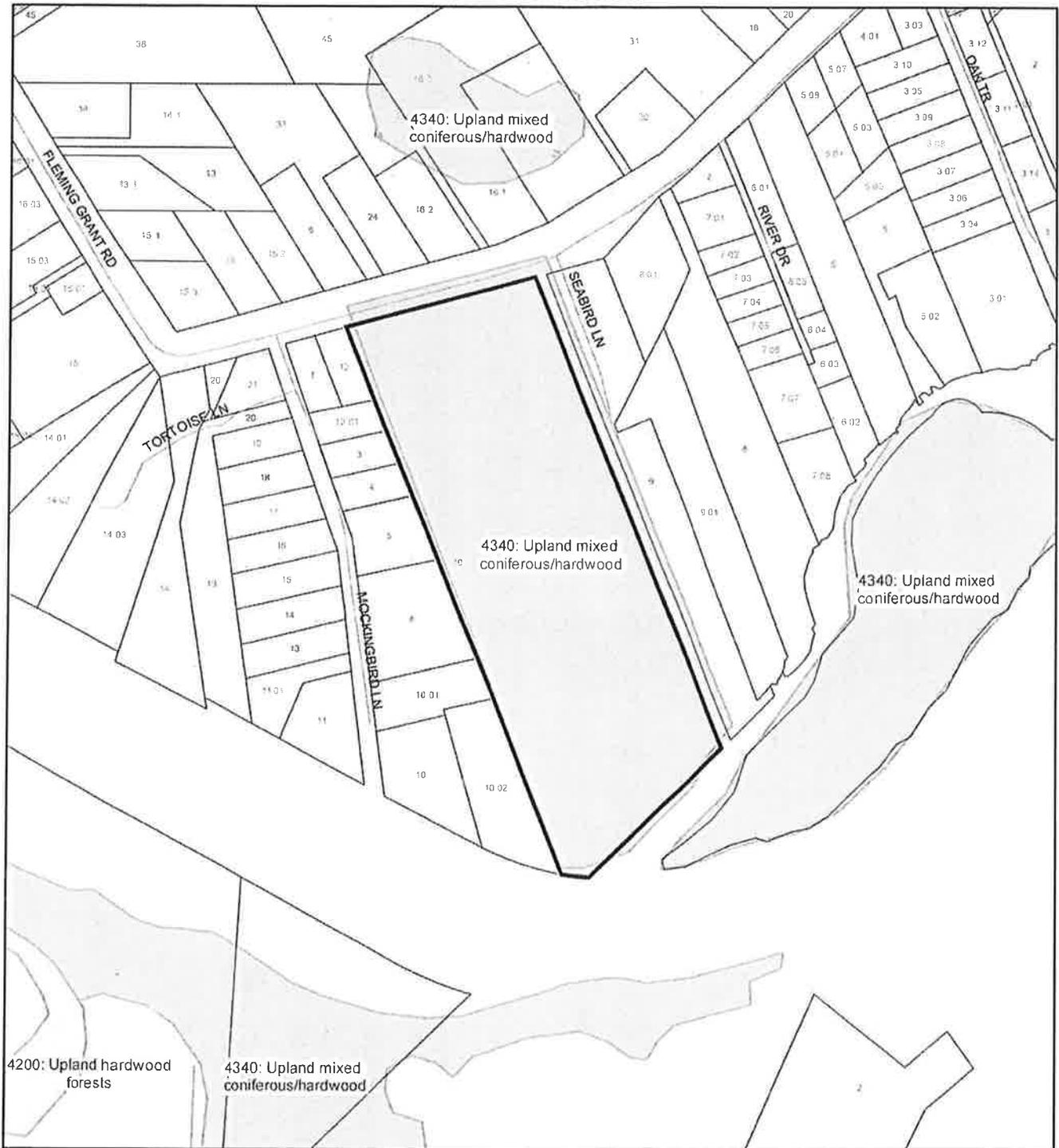
Produced by BoCC - GIS Date: 1/16/2019

-  Subject Property
-  Parcels
-  Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

Comprehensive Plan Amendment

18PZ00166 - Robertson



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 1/16/2019

SJRWMD FLUCCS Upland Forests

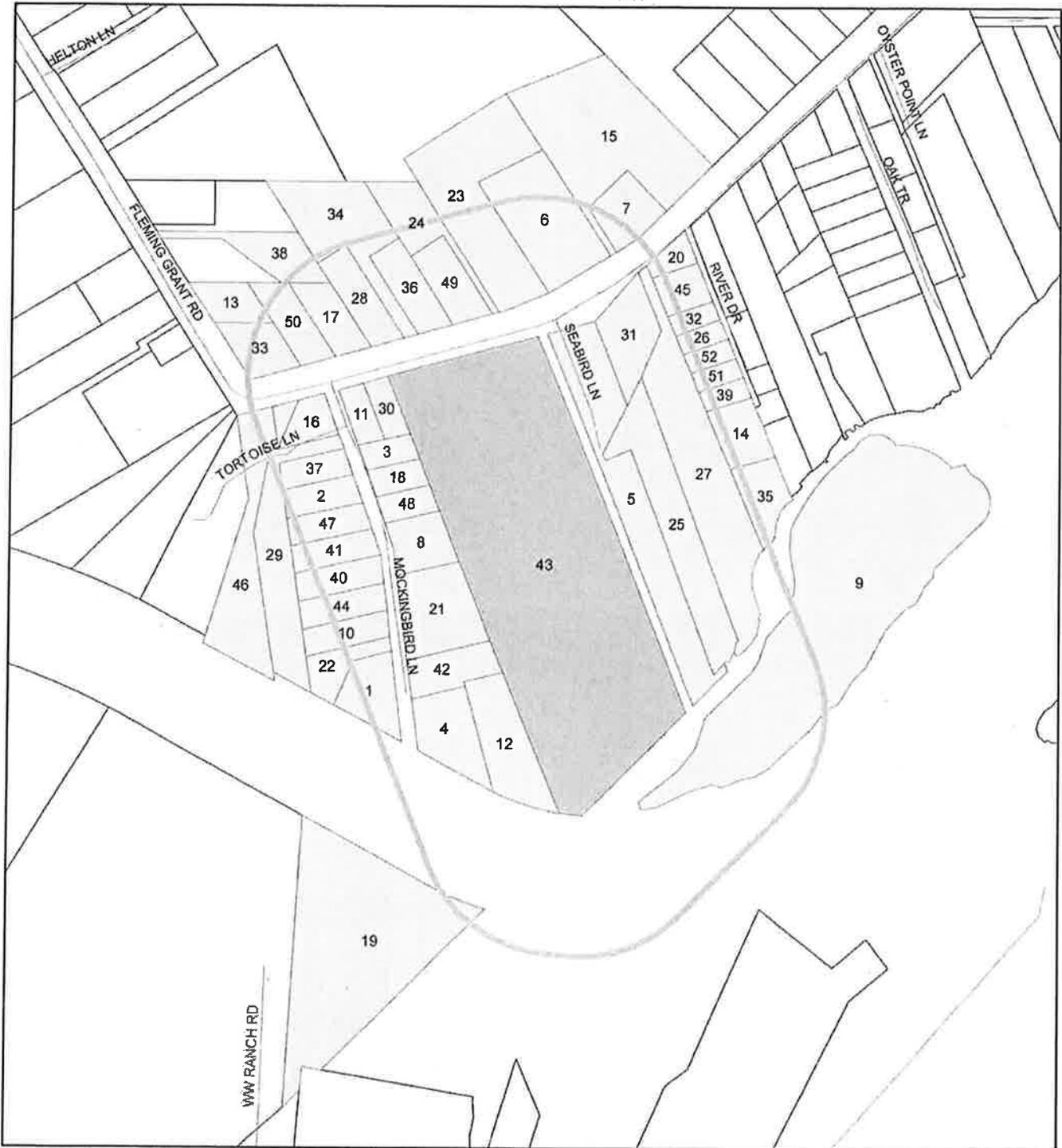
- Upland Coniferous Forest - 4100 Series
- Upland Hardwood Forest - 4200 Series
- Upland Mixed Forest - 4300 Series
- Tree Plantations - 4400 Series

Subject Property Parcels

RADIUS MAP

Comprehensive Plan Amendment

18PZ00166 - Robertson



1:6,000 or 1 inch = 500 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.

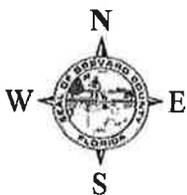
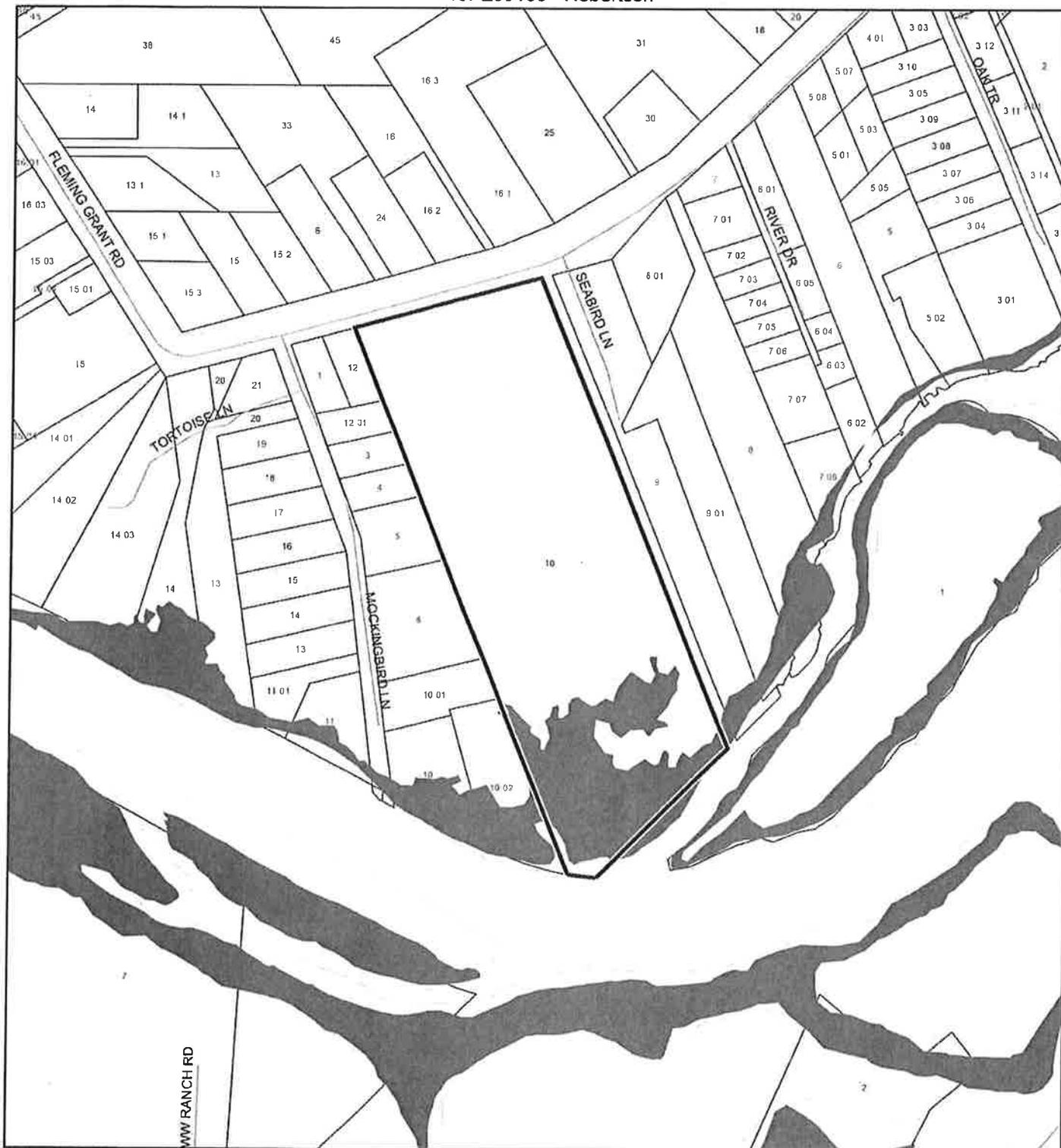
Produced by BoCC - GIS Date: 1/16/2019

- Buffer
- Subject Property
- Notify Property
- Parcels

COASTAL HIGH HAZARD AREA

Comprehensive Plan Amendment

18PZ00166 - Robertson



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.

Coastal High Hazard Area

- Surge Zone Category 1
- Subject Property
- Parcels

LSCPA
Douglas Robertson
Adoption 2019-1.1
School Concurrency

School Board of Brevard County

2700 Judge Fran Jamieson Way • Viera, FL 32940-6699
Mark W. Mullins, Ed.D., Superintendent



December 20, 2018

Mr. George Ritchie
Planning & Development Department
Brevard County Board of County Commissioners
2726 Judge Fran Jamieson Way
Viera, Florida 32940

**RE: Proposed Seabird Subdivision Development
School Impact Analysis – Capacity Determination CD-2018-22**

Dear Mr. Ritchie,

We received a completed *School Facility Planning & Concurrency Application* for the referenced development. The subject property is Tax Account 3008729 (Parcel ID: 30G-38-19-HS-* -10), containing approximately 20.39 acres in Unincorporated District 3, Brevard County, Florida. The proposed single-family development includes 20 homes. The School Impact Analysis of this proposed development has been undertaken and the following information is provided for your use.

The calculations used to analyze the prospective student impact are consistent with the methodology outlined in Section 13.2 of the *Interlocal Agreement for Public School Facility Planning & School Concurrency (ILA-2014)*. The following capacity analysis is performed using capacities/projected students as shown in years 2017-18 to 2022-23 of the *Brevard County Public Schools Financially Feasible Plan for School Years 2017-2018 to 2022-23* which is attached for reference.

Single Family Homes		20	
Students Generated	Student Generation Rates	Calculated Students Generated	Rounded Number of Students
Elementary	0.28	5.6	6
Middle	0.08	1.6	2
High	0.16	3.2	3
Total	0.52		11

Planning & Project Management
Facilities Services
Phone: (321) 633-1000 x450 • FAX: (321) 633-4646



An Equal Opportunity Employer

**FISH Capacity
(including
relocatables)**

School	2018-19	2019-20	2020-21	2021-22	2022-23
Sunrise	917	917	917	939	1,005
Southwest	1,177	1,177	1,177	1,177	1,177
Bayside	2,235	2,235	2,235	2,235	2,235

Projected Student Membership

School	2018-19	2019-20	2020-21	2021-22	2022-23
Sunrise	813	847	891	937	987
Southwest	824	881	984	980	893
Bayside	1,686	1,607	1,563	1,589	1,661

Students Generated by Previously Issued SCADL Reservations

School	2018-19	2019-20	2020-21	2021-22	2022-23
Sunrise	28	46	46	46	46
Southwest	34	91	120	143	144
Bayside	74	104	135	164	168

**Cumulative Students Generated by
Proposed Development**

School	2018-19	2019-20	2020-21	2021-22	2022-23
Sunrise	-	1	3	4	6
Southwest	-	0	1	1	2
Bayside	-	1	2	2	3

**Total Projected Student Membership (includes
Cumulative Impact of Proposed Development)**

School	2018-19	2019-20	2020-21	2021-22	2022-23
Sunrise	841	894	940	987	1,039
Southwest	858	972	1,105	1,124	1,039
Bayside	1,760	1,712	1,700	1,755	1,832

**Projected Available Capacity =
FISH Capacity - Total Projected Student Membership**

School	2018-19	2019-20	2020-21	2021-22	2022-23
Sunrise	76	23	(23)	(48)	(34)
Southwest	319	205	72	53	138
Bayside	475	523	535	480	403

At this time, Sunrise Elementary School is not projected to have enough capacity for the total of projected and potential students from the Seabird Subdivision Development. Because there is a shortfall of available capacity in the concurrency service area of the Seabird Subdivision Development, the capacity of adjacent concurrency service areas must be considered.

The adjacent elementary school concurrency service areas are Westside Elementary, Columbia Elementary School and Port Malabar Elementary School. A table of capacities of the *Adjacent Schools Concurrency Service Areas* that could accommodate the impacts of the Seabird Subdivision Development is shown:

FISH Capacity (including relocatables) from the Financially Feasible Plan Data and Analysis for School Years 2017-18 to 2021-22					
School	2018-19	2019-20	2020-21	2021-22	2022-23
Westside	857	857	857	857	857
Projected Student Membership					
School	2018-19	2019-20	2020-21	2021-22	2022-23
Westside	625	586	572	559	561
Students Generated by Previously Issued SCADL Reservations					
School	2018-19	2019-20	2020-21	2021-22	2022-23
Westside	40	116	203	278	284
Cumulative Students Generated by Proposed Development					
School	2018-19	2019-20	2020-21	2021-22	2022-23
Westside	-	1	3	4	6
Total Projected Student Membership (includes Cumulative Impact of Proposed Development)					
School	2018-19	2019-20	2020-21	2021-22	2022-23
Westside	665	703	778	841	851
Projected Available Capacity = FISH Capacity - Total Projected Student Membership					
School	2018-19	2019-20	2020-21	2021-22	2022-23
Westside	192	154	79	16	6

Considering the adjacent elementary school concurrency service areas, there is sufficient capacity for the total projected student membership to accommodate the Seabird Subdivision Development.

This is a **non-binding** review; a *Concurrency Determination* must to be performed by the School District prior to a Final Development Order and the issuance of a Concurrency Evaluation Finding of Nondeficiency by the Local Government.

We appreciate the opportunity to review this proposed project. Please let us know if you require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "David G. Lindemann". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

David G. Lindemann, AICP
Manager – Facilities Planning & Intergovernmental Coordination
Planning & Project Management, Facilities Services

Enclosure: *Brevard County Public Schools Financially Feasible Plan for School Years
2017-2018 to 2022-23*
Copy: Susan Hann, Assistant Superintendent of Facility Services
File CD-2018-22



Brevard County Public Schools

Financially Feasible Plan To Maintain Utilization Rates Lower than the 100% Level of Service

Data and Analysis for School Years 2017-18 to 2022-23

School	Type	Grades	School Year 2017-18			School Year 2018-19			School Year 2019-20			School Year 2020-21			School Year 2021-22			School Year 2022-23		
			FISH Capacity	10/1/17 Membership	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization
Summary																				
Highest Utilization Elementary Schools: 97%																				
Highest Utilization Middle Schools: 95%																				
Highest Utilization Jr / Sr High Schools: 92%																				
Highest Utilization High Schools: 94%																				
2017-18: 97% 2018-19: 97% 2019-20: 99% 2020-21: 98% 2021-22: 100% 2022-23: 100%																				
95% 92% 94% 98% 99% 98% 95% 96% 95%																				
85% 82% 83% 86% 85% 82% 81% 80% 80% 82% 81% 80% 80% 80% 80% 80% 80% 80% 80%																				
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Elementary School Concentricity Service Areas																				
New Central Elementary	Elementary	K-6	751	689	93%	751	685	91%	751	681	91%	751	681	91%	751	681	91%	751	681	91%
Alachua	Elementary	PK-6	884	736	83%	884	753	85%	884	751	85%	884	751	85%	884	751	85%	884	751	85%
Alachua	Elementary	PK-6	502	477	95%	502	473	94%	502	464	92%	502	464	92%	502	464	92%	502	464	92%
Alachua	Elementary	PK-6	741	675	91%	741	675	91%	741	675	91%	741	675	91%	741	675	91%	741	675	91%
Alachua	Elementary	PK-6	761	705	93%	761	705	93%	761	705	93%	761	705	93%	761	705	93%	761	705	93%
Alachua	Elementary	PK-6	705	630	89%	705	630	89%	705	630	89%	705	630	89%	705	630	89%	705	630	89%
Alachua	Elementary	PK-6	731	652	89%	731	652	89%	731	652	89%	731	652	89%	731	652	89%	731	652	89%
Alachua	Elementary	PK-6	573	514	89%	573	514	89%	573	514	89%	573	514	89%	573	514	89%	573	514	89%
Alachua	Elementary	PK-6	683	609	89%	683	609	89%	683	609	89%	683	609	89%	683	609	89%	683	609	89%
Alachua	Elementary	PK-6	1,154	898	77%	1,154	898	77%	1,154	898	77%	1,154	898	77%	1,154	898	77%	1,154	898	77%
Alachua	Elementary	PK-6	765	572	75%	765	572	75%	765	572	75%	765	572	75%	765	572	75%	765	572	75%
Alachua	Elementary	PK-6	930	817	88%	930	817	88%	930	817	88%	930	817	88%	930	817	88%	930	817	88%
Alachua	Elementary	PK-6	990	817	82%	990	817	82%	990	817	82%	990	817	82%	990	817	82%	990	817	82%
Alachua	Elementary	PK-6	729	590	81%	729	590	81%	729	590	81%	729	590	81%	729	590	81%	729	590	81%
Alachua	Elementary	PK-6	797	696	87%	797	696	87%	797	696	87%	797	696	87%	797	696	87%	797	696	87%
Alachua	Elementary	PK-6	711	610	86%	711	610	86%	711	610	86%	711	610	86%	711	610	86%	711	610	86%
Alachua	Elementary	PK-6	777	588	76%	777	588	76%	777	588	76%	777	588	76%	777	588	76%	777	588	76%
Alachua	Elementary	PK-6	629	381	61%	629	381	61%	629	381	61%	629	381	61%	629	381	61%	629	381	61%
Alachua	Elementary	PK-6	695	485	70%	695	485	70%	695	485	70%	695	485	70%	695	485	70%	695	485	70%
Alachua	Elementary	PK-6	729	538	74%	729	538	74%	729	538	74%	729	538	74%	729	538	74%	729	538	74%
Alachua	Elementary	PK-6	798	764	96%	798	764	96%	798	764	96%	798	764	96%	798	764	96%	798	764	96%
Alachua	Elementary	PK-6	882	698	79%	882	698	79%	882	698	79%	882	698	79%	882	698	79%	882	698	79%
Alachua	Elementary	PK-6	830	681	82%	830	681	82%	830	681	82%	830	681	82%	830	681	82%	830	681	82%
Alachua	Elementary	PK-6	750	657	88%	750	657	88%	750	657	88%	750	657	88%	750	657	88%	750	657	88%
Alachua	Elementary	PK-6	854	665	78%	854	665	78%	854	665	78%	854	665	78%	854	665	78%	854	665	78%
Alachua	Elementary	PK-6	824	627	76%	824	627	76%	824	627	76%	824	627	76%	824	627	76%	824	627	76%
Alachua	Elementary	PK-6	1,114	824	74%	1,114	824	74%	1,114	824	74%	1,114	824	74%	1,114	824	74%	1,114	824	74%
Alachua	Elementary	PK-6	824	748	91%	824	748	91%	824	748	91%	824	748	91%	824	748	91%	824	748	91%
Alachua	Elementary	PK-6	707	488	69%	707	488	69%	707	488	69%	707	488	69%	707	488	69%	707	488	69%
Alachua	Elementary	PK-6	725	510	70%	725	510	70%	725	510	70%	725	510	70%	725	510	70%	725	510	70%
Alachua	Elementary	PK-6	972	802	83%	972	802	83%	972	802	83%	972	802	83%	972	802	83%	972	802	83%
Alachua	Elementary	PK-6	1,005	832	83%	1,005	832	83%	1,005	832	83%	1,005	832	83%	1,005	832	83%	1,005	832	83%
Alachua	Elementary	PK-6	573	503	88%	573	503	88%	573	503	88%	573	503	88%	573	503	88%	573	503	88%
Alachua	Elementary	PK-6	852	720	85%	852	720	85%	852	720	85%	852	720	85%	852	720	85%	852	720	85%
Alachua	Elementary	PK-6	1,033	1,000	97%	1,033	1,000	97%	1,033	1,000	97%	1,033	1,000	97%	1,033	1,000	97%	1,033	1,000	97%
Alachua	Elementary	PK-6	777	681	88%	777	681	88%	777	681	88%	777	681	88%	777	681	88%	777	681	88%
Alachua	Elementary	PK-6	559	350	63%	559	350	63%	559	350	63%	559	350	63%	559	350	63%	559	350	63%
Alachua	Elementary	PK-6	785	544	70%	785	544	70%	785	544	70%	785	544	70%	785	544	70%	785	544	70%
Alachua	Elementary	PK-6	978	764	78%	978	764	78%	978	764	78%	978	764	78%	978	764	78%	978	764	78%
Alachua	Elementary	PK-6	481	317	66%	481	317	66%	481	317	66%	481	317	66%	481	317	66%	481	317	66%
Alachua	Elementary	PK-6	509	450	88%	509	450	88%	509	450	88%	509	450	88%	509	450	88%	509	450	88%
Alachua	Elementary	PK-6	529	459	87%	529	459	87%	529	459	87%	529	459	87%	529	459	87%	529	459	87%
Alachua	Elementary	PK-6	755	656	87%	755	656	87%	755	656	87%	755	656	87%	755	656	87%	755	656	87%
Alachua	Elementary	PK-6	549	455	83%	549	455	83%	549	455	83%	549	455	83%	549	455	83%	549	455	83%
Alachua	Elementary	PK-6	910	757	83%	910	757	83%	910	757	83%	910	757	83%	910	757	83%	910	757	83%
Alachua	Elementary	PK-6	874	658	75%	874	658	75%	874	658	75%	874	658	75%	874	658	75%	874	658	75%
Alachua	Elementary	PK-6	811	514	63%	811	514	63%	811	514	63%	811	514	63%	811	514	63%	811	514	63%
Alachua	Elementary	PK-6	857	733	86%	857	733	86%	857	733	86%	857	733	86%	857	733	86%	857	733	86%
Alachua	Elementary	PK-6	715	544	76%	715	544	76%	715	544	76%	715	544	76%	715	544	76%	715	544	76%
Elementary Totals			41,892	33,572	80%	41,136	33,021	80%	40,134	33,402	83%	40,070	33,025	82%	40,224	34,322	85%	40,244	34,668	86%

**LSCPA
Douglas Robertson
Adoption 2019-1.1
Ordinance**

ORDINANCE NO. 19__

ORDINANCE AMENDING ARTICLE III, CHAPTER 62, OF THE CODE OF ORDINANCES OF BREVARD COUNTY; ENTITLED "THE COMPREHENSIVE PLAN", SETTING FORTH PLAN AMENDMENT 2019-1.1; AMENDING SECTION 62-501, ENTITLED "CONTENTS OF THE PLAN"; SPECIFICALLY AMENDING SECTION 62-501, PART XI, ENTITLED FUTURE LAND USE ELEMENT AND FUTURE LAND USE MAP SERIES; PROVIDING FOR INTERNAL CONSISTENCY WITH THESE AMENDMENTS; PROVIDING LEGAL STATUS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.3161 et. seq., Florida Statutes (1987) established the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, Section 163.3167, Florida Statutes, requires each County in the State of Florida to prepare and adopt a Comprehensive Plan as scheduled by the Department of Community Affairs; and

WHEREAS, on September 8, 1988, the Board of County Commissioners of Brevard County, Florida, approved Ordinance No. 88-27, adopting the 1988 Brevard County Comprehensive Plan, hereafter referred to as the 1988 Plan; and

WHEREAS, Sections 163.3184 and 163.3187, and 163.3189, Florida Statutes, established the process for the amendment of comprehensive plans pursuant to which Brevard County has established procedures for amending the 1988 Plan; and

WHEREAS, Brevard County initiated amendments and accepted application for amendments to the Comprehensive Plan on December 19, 2018, for adoption as the Spring Cycle Large Scale Comprehensive Plan Amendment 2019-1.1; and

WHEREAS, the Board of County Commissioners of Brevard County, Florida, have provided for the broad dissemination of proposals and alternatives, opportunity for written comments, public hearings after due public notice, provisions for open discussion, communication programs and consideration of and response to public comments concerning the provisions contained in the 1988 Plan and amendments thereto; and

WHEREAS, Section 62-181, Brevard County Code designated the Brevard County Planning and Zoning Board as the Local Planning Agency for the unincorporated areas of Brevard County, Florida, and set forth the duties and responsibilities of said local planning agency; and

WHEREAS, on May 20, 2019, the Brevard County Local Planning Agency held a duly noticed public hearing on Plan Amendment 2019-1.1, and considered the findings and advice of the Technical Advisory Groups, and all interested parties submitting comments; and

WHEREAS, on May 30, 2019, the Brevard County Board of County Commissioners held a duly noticed public hearing, and considered the findings and recommendations, and all interested parties submitting written or oral comments, and the recommendations of the Local Planning Agency, and upon thorough and complete consideration and deliberation, approved the adoption of Plan Amendment 2019-1.1; and

WHEREAS, Plan Amendment 2019-1.1 adopted by this Ordinance complies with the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, Plan Amendment 2019-1.1 adopted by this Ordinance is based upon findings of fact as included in the data and analysis.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, as follows:

Section 1. Authority. This ordinance is adopted in compliance with, and pursuant to the Local Government Comprehensive Planning and Land Development Regulations Act, Sections 163.3184 and 163.3187, Florida Statutes.

Section 2. Purpose and Intent. It is hereby declared to be the purpose and intent of this Ordinance to clarify, expand, correct, update, modify and otherwise further the provisions of the 1988 Brevard County Comprehensive Plan.

Section 3. Adoption of Comprehensive Plan Amendments. Pursuant to Plan Amendment 2019-1.1 to the 1988 Comprehensive Plan, Article III, Chapter 62-504, Brevard County Code, the 1988 Brevard County Comprehensive Plan is hereby amended as specifically shown in Exhibit A. Exhibit A is hereby incorporated into and made part of this Ordinance.

Section 4. Legal Status of the Plan Amendments. After and from the effective date of this Ordinance, the plan amendment, Plan Amendment 2019-1.1, shall amend the 1988 Comprehensive Plan and become part of that plan and the plan amendment shall retain the legal status of the 1988 Brevard County Comprehensive Plan established in Chapter 62-504 of the Code of Laws and Ordinances of Brevard County, Florida, as amended.

Section 5. Severability. If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this Ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

Section 6. Effective Date. The plan amendment shall become effective once the state land planning agency issues a final order determining the adopted amendment to be in compliance in accordance with Florida Statutes, Section 163.3184(9), or until the Administration Commission issues a final order determining the amendment to be in compliance in accordance with Florida Statutes, Section 163.3184(10). A certified copy of the ordinance shall be filed with the Office of the Secretary of the State, State of Florida, within ten days of enactment.

DONE AND ADOPTED in regular session, this 30 day of May, 2019.

ATTEST

**BOARD OF COUNTY COMMISSIONERS OF
BREVARD COUNTY, FLORIDA**

By: _____

Scott Ellis, Clerk

Kristine Isnardi, Chair

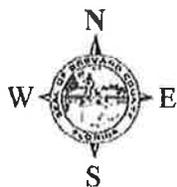
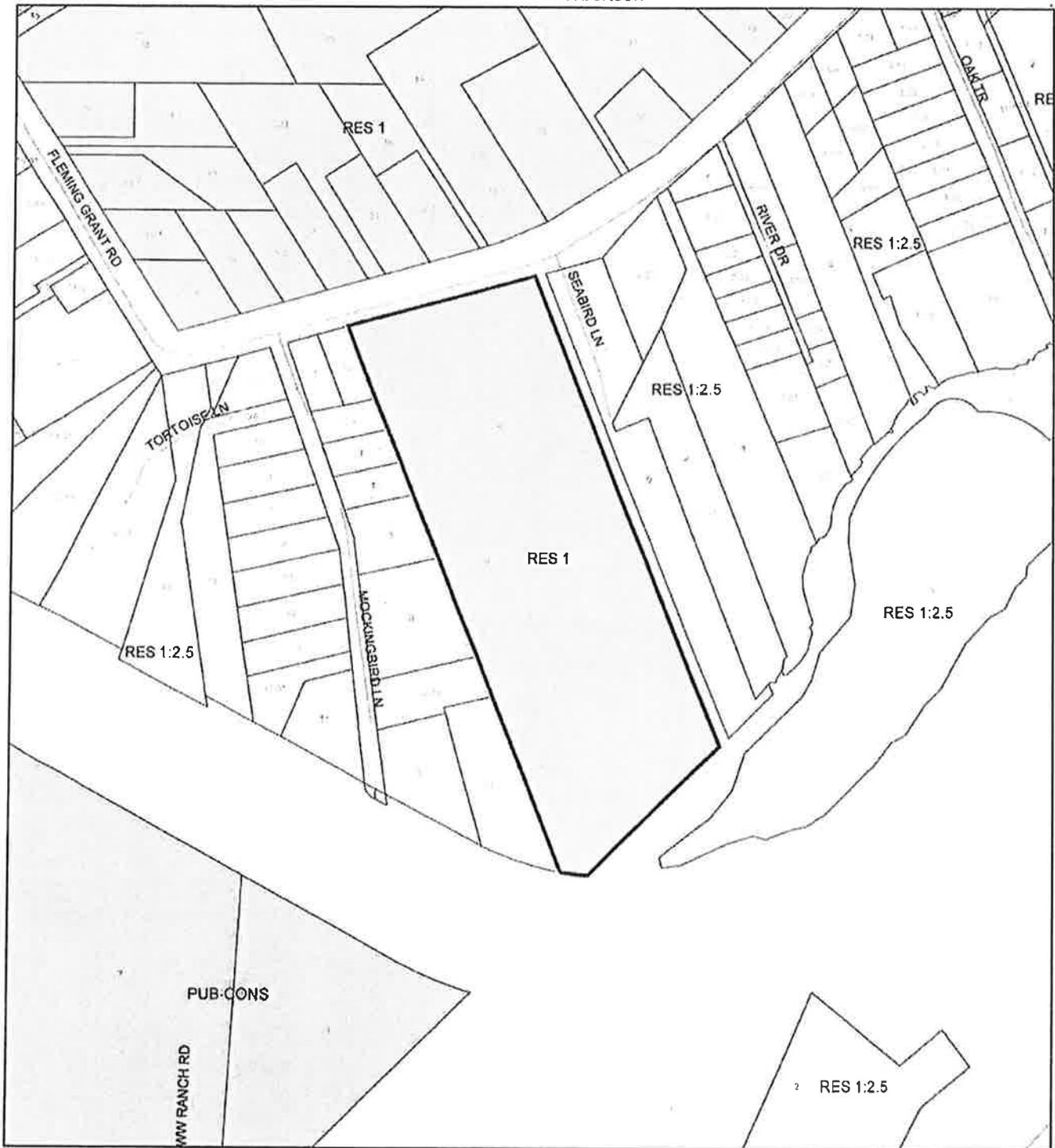
Approved by the Board on May 30, 2019.

**LSCPA
Douglas Robertson
Adoption 2019-1.1
Exhibit A**

PROPOSED FUTURE LAND USE MAP

Comprehensive Plan Amendment

18PZ00166 - Robertson



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: 2/8/2019

**LSCPA
Douglas Robertson
Adoption 2019-1.1
Agency Comment**

Ron DeSantis
GOVERNOR



Ken Lawson
EXECUTIVE DIRECTOR

April 17, 2019

The Honorable Kristine Isnardi,
Chair, Brevard County
Board of County Commissioners
490 Centre Lake Drive, Suite 175
Palm Bay, Florida 32907

Dear Chair Isnardi:

The Department of Economic Opportunity ("Department") has reviewed the Brevard County proposed comprehensive plan amendment (Amendment No. 19-01ESR), received on March 18, 2019, pursuant to the expedited state review process in Section 163.3184(2)(3), Florida Statutes (F.S.). We have identified no comment related to adverse impacts to important state resources and facilities within the Department's authorized scope of review.

We are, however, providing two technical assistance comments consistent with Section 163.3168(3), F.S. The technical assistance comments will not form the basis of a challenge. They are offered either as suggestions which can strengthen the County's comprehensive plan in order to foster a vibrant, healthy community or are technical in nature and designed to ensure consistency with the Community Planning Act in Chapter 163, Part II, F.S. The technical assistance comments are attached.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the County is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the County. **If the County receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.

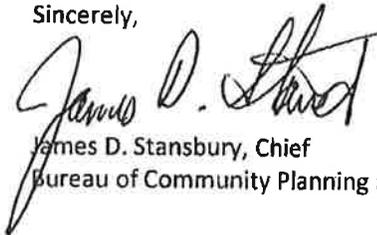
Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.FloridaJobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the County that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

If you have any questions concerning this review, please contact Dan Pennington, Planning Analyst, by telephone at (850) 717-8524 or by email at Dan.Pennington@deo.myflorida.com.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/ dp

Enclosure(s): Technical Assistance Comments
Procedures for Adoption

cc: Cheryl Campbell, Planner III, Brevard County Planning and Development Department
Hugh Harling, Jr. P.E., East Central Florida Regional Planning Council

Technical Assistance Comments
Proposed Comprehensive Plan Amendment
Brevard County 19-01ESR _____

Amendment Summary

The proposed Future Land Use Map amendment would increase residential density from Residential 1:2.5 to Residential 1:1 more than doubling the allowed number of dwelling units on the 20.39-acre site. The property is not currently served by central sewer or potable water services and septic systems are envisioned for wastewater infrastructure.

1.) Technical Assistance Comment

The proposed 20.39-acre site is located near the confluence of the north and south prongs of the St. Sebastian River, just prior to discharge into the Indian River Lagoon (IRL). The Indian River Lagoon is an important state resource that has been identified as seriously impaired due to high nutrient loading from septic systems and other discharges from surrounding land uses. These bodies of water are designated as aquatic preserves and Outstanding Florida Waterways (OFWs). In addition, the soils on the amendment property are of a type that has severe limitations for septic systems. The County is spending approximately \$68 million to remove or upgrade 3,734 septic systems over the 10-year life of the Save Our Indian River Lagoon Half-Cent Surtax while continuing to approve development that will add septic systems to the impaired area.

By increasing density and thus the number of septic systems to serve the proposed units on site, cumulatively with other septic system impacts to the St. Sebastian River and the IRL, the amendment will impact these resources. The current adopted land use density should be maintained until central sewerage is available, as the site has notable suitability limitations to increased septic systems use.

2.) Technical Assistance Comment

A portion of the proposed amendment site is in the designated Coastal High Hazard Area (CHHA). Storm surge and flooding impacts to the site may be expected from a category one storm as well as impacts further landward from storms in the categories 2-5 range. Increased impacts to the site can be predicted over time due to rising sea levels. Additionally, part of the 20 acres is within the flood zone A and X.

The proposed amendment would more than double the allowable land use density. Increasing allowable land use density in an at-risk coastal area increases flood risk resulting from high-tide events, storm surge, flash floods, stormwater runoff, and over time, the related impacts of sea-level rise. The 2015 Peril of Flood legislation in section 163.3178(2)(f), Florida Statutes, directs local governments to seek opportunities to include development and redevelopment principles, strategies, and engineering solutions that reduce the flood risk in coastal areas when opportunities arise. Maintaining existing lower density land uses in at-risk coastal areas is one such strategy for addressing inappropriate and unsafe development in coastal areas. The current adopted land use density should be maintained, as the amendment site has portions vulnerable to storm surge and future impacts from sea level rise.

OFFICE OF THE COMMISSIONER
(850) 617-7700



THE CAPITOL
400 SOUTH MONROE STREET
TALLAHASSEE, FLORIDA 32399-0800

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
COMMISSIONER NICOLE "NIKKI" FRIED

April 18, 2019

VIA EMAIL (Cheryl.Campbell@brevardfl.gov)

Ms. Cheryl Campbell, Planner III
Planning and Development Department
2725 Judge Fran Jamieson Way, Building A
Viera, FL 32940

Re: DACS Docket # -- 20190319-39
Brevard County 2019-1 Spring Cycle
Submission dated March 19, 2019

Dear Ms. Campbell:

The Florida Department of Agriculture and Consumer Services (the "Department") received the above-referenced proposed comprehensive plan amendment on March 19, 2019, and has reviewed it pursuant to the provisions of Chapter 163, Florida Statutes, to address any potential adverse impacts to important state resources or facilities related to agricultural, aquacultural, or forestry resources in Florida if the proposed amendment(s) are adopted. Based on our review of your county's submission, the Department has no comment on the proposal.

If we may be of further assistance, please do not hesitate to contact me at 850-410-2282.

Sincerely,

Gail Lolley
Sr. Management Analyst II
Office of Policy and Budget

cc: Florida Department of Economic Opportunity
(SLPA #: Brevard County 19-01ESR)



FLORIDA DEPARTMENT OF Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, FL 32399

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

April 17, 2019

Ms. Cheryl Campbell
Planner III
Brevard County Planning & Development Dept.
2725 Judge Fran Jamieson Way, Building A
Viera, FL 32940

Re: Brevard County 19-1ESR Proposed Comprehensive Plan Amendment Expedited Review

Dear Ms. Campbell,

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment in accordance with the provisions of Chapter 163, Florida Statutes (F.S.). The Department's review of the proposed policies focused on important state resources and facilities that would be adversely impacted if the amendment is adopted, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails and conservation easements; solid waste; and water and wastewater treatment.

PROPOSED AMENDMENT

The proposed amendment changes the Future Land Use designation of an undeveloped 20.39-acre parcel located on the North Prong of the St. Sebastian River, approximately two miles upstream from the Indian River Lagoon (IRL). The subject property is in an area lacking public potable water and sanitary sewer infrastructure. The applicant proposes to amend the Future Land Use designation on the property from Residential 1:2.5 to Residential 1. If adopted, this amendment would result in a density increase on the subject property from one dwelling unit per 2.5 acres to one dwelling unit per acre, allowing development of up to twenty single-family dwelling units utilizing private wells and on-site treatment and disposal systems (OSTDS).

IMPORTANT STATE RESOURCES

The IRL is a nationally renowned estuary that supports both remarkable biological diversity and recreational resources. The subject property is adjacent to the Indian River-Malabar to Vero Beach Aquatic Preserve, which encompasses 28 miles and accounts for 29,000 acres of the IRL system. The Indian River-Malabar to Vero Beach Aquatic Preserve begins just north of Turkey Creek at Castaway Point in Palm Bay, extends south to northern Vero Beach corporate limit and includes waters of Turkey Creek and St. Sebastian River, which are the main tributaries of the aquatic preserve. Aquatic Preserves are established under the Florida Aquatic Preserve Act of 1975 (Sections 258.35-258.394 and 258.40-258.46 of the Florida Statutes) and

include those state-owned submerged lands in areas which have exceptional biological, aesthetic, and scientific value. The legislative intent is that these areas be set aside forever as aquatic preserves or sanctuaries for the benefit of future generations.

The IRL has been identified as biologically impaired due to nutrients, particularly nitrogen and phosphorus. To address nutrient impacts in the IRL, the Department adopted Total Maximum Daily Loads. A Basin Management Action Plan (BMAP) was developed by multiple stakeholders, including the County, to prepare a blueprint for water quality restoration for the IRL. The goal of the BMAP, adopted in 2013, is to decrease the nutrient load to these waters and restore seagrass populations in the lagoon.

DEPARTMENT COMMENTS

If adopted, the County and applicant will need to ensure that water quality within the Aquatic Preserve is not adversely impacted by the proposed development. Heightened standards for stormwater treatment will be required due to the proximity to the Aquatic Preserve, which will be addressed during the permitting process with the St. Johns River Water Management District. The County should consider whether the potential increased density in development will result in adverse impacts to the IRL and to explore ways to offset these potential impacts.

Excess nitrogen and phosphorus feed undesirable algae growth (sometimes toxic) which can dominate an ecosystem like the IRL and eventually lead to fish kills. Conventional septic systems near coastal estuaries remain a significant contributor of nitrogen and phosphorus to these waterbodies. In order to avoid the exorbitant cost of restoring nitrogen and phosphorus pollution problems in the future, any new nearby septic systems, especially those clustered on small lots (1 acre or less), should be built to remove nitrogen before discharge. In Central and North Florida, the Department is implementing through BMAPs state law which prohibits new conventional septic systems on small lots in sensitive areas that contribute to Outstanding Florida Springs. Where the science indicates, we look to replicate these protections in coastal areas that have similar geology and connection to sensitive waterbodies. We advise local governments do the same.

The Department recognizes that the County has established a "Nitrogen Reduction Overlay" per *Chapter 46, Article II, Division IV of the Brevard County Code of Ordinances*:

Sec. 46-89. - Nitrogen reduction overlay area.

(a) This division shall affect all properties within the unincorporated area and municipalities of Brevard County, county-wide. The nitrogen reduction overlay area is established as follows:

(1) All barrier islands including Merritt Island; and

(2) On the mainland, the overlay shall be 60 meters from the IRL system shoreline; and

(3) Within the boundaries of the Melbourne-Tillman Water Control District, as defined in section 254-98, the overlay shall be 40 meters from the IRL system shoreline.

Sec. 46-90. - Nitrogen reduction requirement.

(a) No building permits shall be issued or site plans approved after May 22, 2018, for those properties located within the nitrogen reduction overlay area unless the property is being serviced by a central sewage treatment facility or an OSTDS is used satisfying the following requirements:

(1) The proposed OSTDS treatment meets or exceeds a 65 percent reduction in total nitrogen (TN); and

(2) The proposed OSTDS complies with the standards and provisions of within F.S. § 381.0065, Chapter 64E-6, Florida Administrative Code, and Chapter 46 of this Code.

The Department supports the use of the "Nitrogen Reduction Overlay" and strongly encourages the County to require these types of enhanced-treatment OSTDS on the entire site due to the proximity to the IRL.

CONCLUSION

The Department is providing technical assistance comments consistent with Section 163.3168(3), F.S. The Department strongly suggests the County address these issues and recommendations prior to adopting the proposed amendment. They are offered as suggestions which can strengthen the County's comprehensive plan and provide assurance that the future potential increase in density will not adversely impact important state resources.

If you should require assistance or additional information, please contact me at (850) 717-9037 or Lindsay.Weaver@FloridaDEP.gov.

Sincerely,



Lindsay Weaver, Environmental Specialist II
Office of Intergovernmental Programs

Enclosures

cc: Steve Fitzgibbons, St Johns River Water Management District
James Stansbury, Florida Department of Economic Opportunity



**Florida Fish
and Wildlife
Conservation
Commission**

Commissioners
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Chairman
Key West

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Palm Beach Gardens

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Gary Nicklaus
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32399-1600
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Hearing/speech-impaired:
800-955-8771 (T)
800 955-8770 (V)

MyFWC.com

April 4, 2019

Cheryl Campbell, Planner III
Brevard County Planning and Development Department
2725 Judge Fran Jamieson Way, Building A
Viera, FL 32940
Cheryl.Campbell@brevardfl.gov

RE: Brevard County 19-1ESR (2019-1.1), Large Scale Comprehensive Plan
Amendment Future Land Use Map Amendment (18PZ00166)

Dear Ms. Campbell:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the above-referenced comprehensive plan amendment and provides the following comments and recommendations for your consideration in accordance with Chapter 163.3184, Florida Statutes. We have no objection to the amendment and offer the following information as technical assistance to assist in future planning or site development.

Project Description

The applicant, Douglas Robertson, is proposing a Large-scale Comprehensive Plan Amendment (CPA) to change Brevard County's Future Land Use designation from Residential 1:2.5 (RES 1:2.5) to Residential 1 (RES 1) on a 20.39-acre property to allow for development of up to 20 single-family residences. The subject property is located to the south of Fleming Grant Road approximately 0.5 miles west of Primrose Drive, near Roseland. The dominant landcovers onsite are upland mixed coniferous and hardwood forest and estuarine/marine wetlands.

Potentially Affected Resources

No wildlife-related survey information was provided with the amendment materials. However, FWC staff conducted a geographic information system (GIS) analysis of the project area and found that it is located near, within, or adjacent to:

- One or more wood stork (*Mycteria americana*, Federally Threatened [FT]) nesting colony core foraging areas (CFA). The CFA constitutes a 15-mile radius around the nesting colony.
- U.S. Fish and Wildlife Service (USFWS) Consultation Area for the following federally listed species:
 - Red-cockaded woodpecker (*Picoides borealis*, Federally Endangered [FE])
 - Florida grasshopper sparrow (*Ammodramus savannarum floridanus*, FE)
 - Audubon's crested caracara (*Polyborus plancus audubonii*, FT)
 - Florida scrub-jay (*Aphelocoma coerulescens*, FT)

- Potential habitat for state- and federally listed species:
 - Gopher tortoise (*Gopherus polyphemus*, State Threatened [ST])
 - Smalltooth sawfish (*Pristis pectinata*, FE)
 - Florida manatee (*Trichechus manatus latirostris*, FT)
 - Eastern indigo snake (*Drymarchon corais couperi*, FT)

- Florida Natural Area Inventory Managed Areas:
 - St. Sebastian River Preserve State Park (managed by the Florida Department of Environmental Protection)

Comments and Recommendations

Wildlife Surveys

To better identify the potential for impacts, FWC staff recommends that listed species-specific surveys be completed prior to any clearing or development. Species-specific wildlife surveys are time sensitive and staff recommends that all wildlife surveys follow established survey protocols approved by the USFWS and the FWC. Surveys should be conducted by qualified biologists with recent documented experience for each potential species. Basic guidance for conducting wildlife surveys can be found within the Imperiled Species Management Plan's species-specific Species Conservation Measures and Permitting Guidelines found at <http://myfwc.com/wildlifehabitats/imperiled/plan/> or in the Florida Wildlife Conservation Guide found at <http://myfwc.com/conservation/value/fwcg/>.

Gopher Tortoise

The well-drained sandy soils and open areas found around the edge of the property appear to provide suitable gopher tortoise habitat. FWC staff recommends that the applicant refer to the FWC's Gopher Tortoise Permitting Guidelines (Revised January 2017) found at <http://www.myfwc.com/license/wildlife/gopher-tortoise-permits/> for survey methodology and permitting guidance prior to any development activity. Specifically, the permitting guidelines include methods for avoiding impacts as well as options and state requirements for minimizing, mitigating, and permitting potential impacts of the proposed activities. For additional information, please contact Momoka Maeda at (561) 882-5714 or Momoka.Maeda@MyFWC.com.

Smoke Shed

This location is within a potential smoke shed corridor originating from St. Sebastian River Preserve State Park where prescribed fires are used as a management tool. Prescribed fire is required to maintain many of the natural communities that exist on this conservation area. Prescribed fire is also important in reducing fuel loads that may otherwise lead to catastrophic wildfires that not only affect wildlife but threaten human life and property. Developers of lands within two miles of native habitat managed by fire may wish to consider Florida Forest Service recommendations at

Cheryl Campbell
Page 3
April 4, 2019

<http://www.freshfromflorida.com/Divisions-Offices/Florida-Forest-Service/For-Communities/Firewise-Communities> to create Fire Wise communities.

Federal Species

This site may also contain habitat suitable for federally listed species. FWC staff recommends the applicant coordinate with the USFWS North Florida Ecological Services Office (ESO) as necessary for information regarding potential impacts to any federally listed species. The USFWS North Florida ESO can be contacted at (904) 731-3336.

FWC staff appreciates the opportunity to review the proposed project and will continue to be available to assist throughout the planning and permitting processes. If any further assistance is needed, please do not hesitate to contact the Conservation Planning Services office at FWCConservationPlanningServices@MyFWC.com. For specific technical questions regarding the content of this letter, please contact Michelle Sempsrott at (407) 452-1995 or Michelle.Sempsrott@MyFWC.com.

Sincerely,



Fritz Wettstein
Land Use Planning Program Administrator
Office of Conservation Planning Services

fw/mls
ENV 2-3-3
Brevard County 19-1ESR_38511_040419

cc: Ray Eubanks, Florida Department of Economic Opportunity,
DCPexternalagencycomments@deo.myflorida.com
Douglas Robertson, Applicant, adobebltrs@bellsouth.net
Bruce Moia, MBV Engineering, Inc., brucem@mbveng.com



Florida Department of Transportation

RON DESANTIS
GOVERNOR

719 S. Woodland Boulevard
DeLand, Florida 32720

KEVIN J. THIBAUT, P.E.
SECRETARY

April 1, 2019

Cheryl Campbell
Planner III
Brevard County Planning and Development Department
2725 Judge Fran Jamieson Way, Building A
Viera, FL 32940

SUBJECT: PROPOSED COMPREHENSIVE PLAN AMENDMENT
LOCAL GOVERNMENT: BREVARD COUNTY
DEO #: 19-01ESR

Dear Ms. Campbell,

The Department of Transportation has completed its review of the above Comprehensive Plan Amendment as requested in the County's transmittal letter dated March 7, 2019.

We appreciate the opportunity to participate in this review process. The proposed amendment is not anticipated to result in significant adverse impacts to the State Highway System or the Strategic Intermodal System. The Department has no technical assistance comments regarding the proposed amendment.

If you have any questions, you may contact Tina Williamson at 386-943-5150 or by e-mail at Tina.Williamson@dot.state.fl.us.

Sincerely,

Jean Parlow
Growth Management Coordinator

C: Erin Sterk, Brevard County
Fred Milch, ECFRPC
Kellie Smith, FDOT

Jennifer Carver, FDOT
D. Ray Eubanks, FDEO
Kelly Corvin, FDEO

PROPOSED COMPREHENSIVE PLAN AMENDMENT REVIEW

Local Government: Brevard County
DEO Amendment #: 19-01ESR
Date Amendment Received FDOT: 03/18/2019
Review Comments Deadline: 04/17/2019
Today's Date: 04/01/2019

theGENERAL BACKGROUND INFORMATION

Brevard County has submitted the proposed Brevard County 19-01ESR large scale Comprehensive Plan Amendment pertaining to 20.39+ acres, located on the south side of Fleming Grant Road, approximately 190 feet east of Mockingbird Lane. The amendment proposes to change the future land use (FLU) designation of the subject area from Residential 1:2.5 to Residential 1.

The pertinent FLUM designation and description for the future land use amendment include the following:

- **BREVARD COUNTY – RESIDENTIAL 1:2.5**

The Residential 1:2.5 land use designation establishes the lowest density of all the residential future land use designations. Development in the Residential 1:2.5 land use designation should seek to maximize the integration of open space within the development and promote inter-connectivity with surrounding uses.

Maximum allowed density: Residential – Not to exceed one (1) dwelling unit per 2.5 acres.

- **BREVARD COUNTY – RESIDENTIAL 1**

The Residential 1 land use designation permits low density residential development.

Maximum allowed density: Residential – Not to exceed one (1) dwelling unit per acre.

FDOT Contact:	Tina Williamson, AICP In-house Consultant FDOT District 5, Planning & Corridor Development/PLEMO	Reviewed by:	Tyler K. Johnson, AICP Vanasse Hangen Brustlin, Inc.
Telephone:	386-943-5150		407-839-4006
Fax:	386-943-5713		407-839-4008
E-mail:	Tina.Williamson@dot.state.fl.us		tjohnson@vhb.com
File:	H:\Deland\Development\PLEMO\Planning\Growth Management\CPA\CPA Project Files\Brevard County\Review\2019\19-01ESR\Proposed\Draft Brevard County Proposed 19-01ESR - CPA Review.docx		

PROPOSED COMPREHENSIVE PLAN AMENDMENT REVIEW

Local Government: Brevard County
DEO Amendment #: 19-01ESR
Date Amendment Received FDOT: 03/18/2019
Review Comments Deadline: 04/17/2019
Today's Date: 04/01/2019

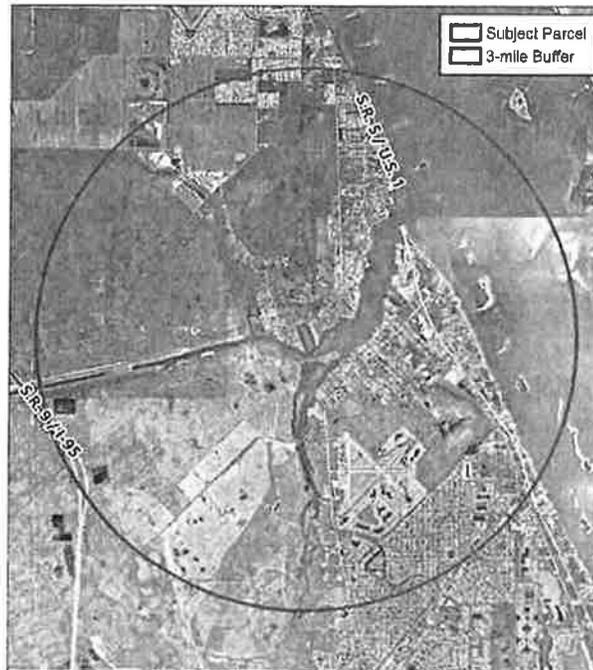
FUTURE LAND USE MAP AMMENDMENT

Elements: Future Land Use Map
Rule Reference: Chapter 163, Florida Statutes

Background:

Brevard County has submitted the proposed Brevard County 19-01ESR large scale Comprehensive Plan Amendment pertaining to 20.39+ acres, located on the south side of Fleming Grant Road, approximately 190 feet east of Mockingbird Lane. The amendment proposes to change the future land use (FLU) designation of the subject area from Residential 1:2.5 to Residential 1. The subject area is depicted in Figure 1.

Figure 1: Location Map



FDOT Contact:	Tina Williamson, AICP In-house Consultant FDOT District 5, Planning & Corridor Development/PLEMO 386-943-5150 386-943-5713 Tina.Williamson@dot.state.fl.us	Reviewed by:	Tyler K. Johnson, AICP Vanasse Hangen Brustlin, Inc. 407-839-4006 407-839-4008 tjohnson@vhb.com
Telephone:	386-943-5150		
Fax:	386-943-5713		
E-mail:	Tina.Williamson@dot.state.fl.us		
File:	H:\Deland\Development\PLEMO\Planning\Growth Management\CPA\CPA Project Files\Brevard County\Review\2019\19-01ESR\Proposed\Draft Brevard County Proposed 19-01ESR - CPA Review.docx		

PROPOSED COMPREHENSIVE PLAN AMENDMENT REVIEW

Local Government: Brevard County
DEO Amendment #: 19-01ESR
Date Amendment Received FDOT: 03/18/2019
Review Comments Deadline: 04/17/2019
Today's Date: 04/01/2019

Table 1 below shows the trip generation potential for the currently adopted and proposed land use densities, and the change in trips as a result of the proposed FLUM amendment.

Table 1: Trip Generation Potential of Subject Parcels Based on Proposed FLU Amendments

Scenario	Land Use Designation	ITE Land Use Code	Allowed Development		Daily Trips	P.M. Peak Hour Trips
Adopted	Residential	210	8	d.u.	102	9
Proposed	Residential	210	20	d.u.	237	22
Change in Trips					+135	+13

Source: ITE Trip Generation Manual 10th Edition; d.u. = dwelling units; s.f. = square feet

The analysis shows that the proposed amendment could increase the trip generation potential of the subject property by 135 daily trips and 13 P.M. peak hour trips.

The State roadway segments within three miles of the site that could be impacted by the amendment are shown in Table 2, with years 2019, 2029, and 2040 projected volumes.

Table 2: State Roadway Segments Affected by FLUM Amendment

Roadway(s)	Segment(s)	SHS / SIS ?	LOS Standard	2019			2029			2040		
				Service Volume at LOS Standard	AADT	Acceptable?	Service Volume at LOS Standard	AADT	Acceptable?	Service Volume at LOS Standard	AADT	Acceptable?
S.R. 5/ U.S. 1	Indian River County Line to Micco Rd	Y	D	41,790	20,100	Y	41,790	22,000	Y	41,790	24,100	Y
S.R. 9/ I-95	Indian River County to S of Micco Rd	Y	C	64,000	42,600	Y	64,000	51,700	Y	64,000	67,900	N
	S of Micco Rd to Urban Boundary	Y	C	85,600	42,600	Y	85,600	51,700	Y	85,600	67,900	Y

Source: FDOT District Five 2016 LOS_ALL Report Update

FDOT Contact:	Tina Williamson, AICP In-house Consultant FDOT District 5, Planning & Corridor Development/PLEMO	Reviewed by:	Tyler K. Johnson, AICP
Telephone:	386-943-5150		Vanasse Hangen Brustlin, Inc. 407-839-4006
Fax:	386-943-5713		407-839-4008
E-mail:	Tina.Williamson@dot.state.fl.us		tjohnson@vhb.com
File:	H:\Deland\Development\PLEMO\Planning\Growth Management\CPA\CPA Project Files\Brevard County\Review\2019\19-01ESR\Proposed\Draft Brevard County Proposed 19-01ESR - CPA Review.docx		

PROPOSED COMPREHENSIVE PLAN AMENDMENT REVIEW

Local Government: Brevard County
DEO Amendment #: 19-01ESR
Date Amendment Received FDOT: 03/18/2019
Review Comments Deadline: 04/17/2019
Today's Date: 04/01/2019

Technical Assistance:

The segment of S.R. 9/I-95, from Indian River County to south of Micco Road, is the only State Facility located within three (3) miles of the subject area projected to exceed LOS standards in the Year 2040 scenario. This condition is projected with or without the proposed amendment. The proposed land use amendment results in a nominal increase in the trip generation potential of the subject site. No significant adverse impacts to the State Highway System (SHS) or Strategic Intermodal System (SIS) are anticipated based on the proposed amendment. Therefore, the Department has no technical assistance comments regarding the proposed amendment at this time.

The Department respectfully requests a copy of the adopted plan. Please provide the adopted plan within two weeks of adoption, in order to assist in facilitating review within the required 30-day time frame from adoption, as required by Statutes (Expedited State Review Amendment Process Section 163.3184(3) and (5), Florida Statutes).

FDOT Contact:	Tina Williamson, AICP In-house Consultant FDOT District 5, Planning & Corridor Development/PLEMO	Reviewed by:	Tyler K. Johnson, AICP Vanasse Hangen Brustlin, Inc.
Telephone:	386-943-5150		407-839-4006
Fax:	386-943-5713		407-839-4008
E-mail:	Tina.Williamson@dot.state.fl.us		tjohnson@vhb.com
File:	H:\Deland\Development\PLEMO\Planning\Growth Management\CPA\CPA Project Files\Brevard County\Review\2019\19-01ESR\Proposed\Draft Brevard County Proposed 19-01ESR - CPA Review.docx		

Campbell, Cheryl

From: Williamson, Tina <Tina.Williamson@dot.state.fl.us>
Sent: Monday, April 1, 2019 9:13 AM
To: Campbell, Cheryl
Cc: Sterk, Erin; fmlch@ecfrpc.org; Carver, Jennifer; DCPexternalagencycomments@deo.myflorida.com; kelly.corvin@deo.myflorida.com; Smith, Kellie; Parlow, Jean; Ponce, Fabricio; Guenov, Dimitre; Johnson, Tyler
Subject: FDOT Review-Brevard County Proposed 19-01ESR
Attachments: Brevard County_Proposed_19-01ESR_FDOT_040119.pdf

Good Morning,

Attached is the FDOT review of Brevard County Proposed 19-01ESR. Please let us know if you have any questions.

Tina Williamson, AICP
Senior Planner
HNTB Corporation, FDOT In-House Consultant
719 South Woodland Boulevard
DeLand, Florida 32720
386-943-5150
Tina.Williamson@dot.state.fl.us



**LSCPA
Douglas Robertson
Adoption 2019-1.1
Public Comment**

Campbell, Cheryl

From: Linda McLain <lmclain45@aol.com>
Sent: Wednesday, March 27, 2019 9:40 AM
To: Campbell, Cheryl
Subject: Brevard County Proposed Amendment 2019-1.1 (19-01ESR)
Attachments: Flooded acreage next to 20 acres.jpg; 20 acres aerial.jpg; Flood waters adjoining subject property.jpg; Flood waters behind subject property.jpg; Flooded backyard on Mockingbird Lane.jpg; Flooded yard on Mockingbird Lane.jpg; Petition against amending comp plan.pdf; Micco estate properties.jpg; Sparse population.jpg; 2.5 acre parcels in Micco.jpg; Elevation of new home on Mockingbird Lane.jpg; new home on Mockingbird Lane.jpg

Subject: Brevard County Proposed Amendment 2019-1.1 (19-01ESR)

Date March 26, 2019

Dear Ms Campbell,

I am writing to ask that the above amendment be denied. It is for a 20 acre project on the Sebastian River with wetlands on the property and other environmental issues. The property is currently under a Comprehensive Land Use Plan that allows 1 unit per 2.5 acres. That would allow the owner to put 8 houses on this property. The owner is asking to be allowed to amend the comp plan so that he can put 20 houses on this land. There is NO water and No sewer in Micco and NO plan to ever put them here by Brevard County. There is NO drainage system here. Our water runs in ditches and eventually makes it into the Sebastian River because the land here all slopes toward the river. I am not against a person developing their land but this project will directly affect the neighbors in this area who abut the property as well as impacting the river in a very negative way with run off.

I have included a map of our area showing with RED DOTS all the adjoining properties that are 2.5 acres or more. It will clearly identify show that this is a rural area with homes on large parcels of land and that this development which is being designed to be 600 feet wide and about 1500 deep will have properties in size approx 1/2 acre (which is the state minimum for septic tanks) and that this development is NOT compatible with surrounding properties and will devalue them. I have included photos of surrounding properties showing how sparsely they are located to each other now and how large the frontage is with fences and animals, not at all in keeping with this project. I live on 2.6 acres directly across from this proposed project and my neighbors on both sides of me live on properties from 4-8 acres each. We are not an area of small lots.

There is also included a copy of the petition against amending the comp plan signed by over 70 immediate neighbors to this project.

I will include photos of what happens here now when it rains, how water floods the adjoining properties and that the water has nowhere to go. Also included will be a new residence that backs up to this property. Because of septic requirements, the property is built up about 4 or 5 feet above the natural grade. If you put 20 houses on built up foundations in this project, all the water will run off that area onto the surrounding neighbors, ditches and directly into the Sebastian River. There is no way to contain it. When it rains heavily here the county is unable to help us with this problem. The county also has no solutions for us when our wells fail or our septic drainfields have to be replaced. Recent costs to replace septic drainfields have been \$6500-\$11,000. Some of the homes constructed adjoining this 20 acres were built in the 1960's and are at a much lower elevation. What will happen to their drainfields as a direct consequence of all the fill that will be required on these new homesites.

This 20 acres has approx 5 acres of wetlands on it and floodplain as well as being located in a coastal high hazard area. How can it be developed with 20 homes on it and not directly impact the Sebastian River that it fronts on? How can you put a road in and squeeze that many homesites there? In 1988 Brevard County set the Comprehensive Plan at 1 unit per 2.5 acres on ALL the land between Fleming Grant Rd and the Sebastian River. It was done to protect the river from over development. Since 1988, ALL the properties that were developed in that same area EACH had a minimum of 2.5 acres. No one has been allowed to create a smaller property. Why is this developer being given special treatment by our county? Why aren't we concerned about protecting the river today when more than ever it needs it? Look at the condition of the Indian River Lagoon and all the money being spent to clean it up. The Sebastian River flows directly into the lagoon and will have an impact on it if over development is allowed to happen.

I would ask you to please consider all the wildlife that live in this 20 acres that will be completely destroyed if this project is allowed. There are wild turkey roosting there, numerous turtles and other animals that roam freely here in our country setting. Please consider how much of this wooded area would be destroyed to make room for 20 homes, driveways, septic areas and the road into this property.

Again I would ask that you consider all these things as you make your evaluation of this amendment. This is not going to be an asset to anyone but the developer who will destroy this neighborhood and pollute the river in order to make a larger profit on this recent purchase of land. I will include a petition signed by over 70 neighbors who are opposed to this comprehensive land use amendment. Thank you for your time and attention of this letter and the attachments.

Sincerely,

Linda McLain Brannan
9675 Fleming Grant Rd
Micco, FL 32976
772-664-2274



Robertson 20 acres











To: Brevard County, Commissioner Tobia, and Planning and Zoning;

Re: Petition to Amend Comprehensive Land Use Plan on 20.39 Acre parcel of land on Fleming Grant Rd. (18PZ00166 Robertson)

We are opposed to any amendment or change in the status of this property that would allow for more than the current comprehensive land use plan allows, which is one unit per 2.5 acres.

Name	Address
Sherry L. Craig	9670 Fleming Grant Rd
Larry L. Craig	" "
Sherry Mary Meadows	" "
Curtis J. Jones	9673 Fleming Grant Rd
Kellie M. Johnson	" " "
Don J. Green	9630 Mockingbird Ln
Jerry Trent	" " "
Evelyn J. Marble	9645 FLEMING GRANT RD.
Rodney D. McFarlane	9645 FLEMING GRANT RD.
Thomas J. Adams	9621 Fleming Grant Rd.
Russell J. Jones	9640 Fleming Grant Rd.
Ronda B. Moore	9675 Fleming Grant Rd
Ellen B. Kwoles	9625 Fleming Grant Rd
Henry B. Bell	9735 Fleming Grant Rd.
Anne Briggs	9735 Fleming Grant Rd
Carol A. Diller	9745 Fleming Grant Rd
George T. Decker III	9745 Fleming Grant Rd
David J. [unclear]	9791 Fleming Grant
Dorcas Coertse	9791 Fleming Grant

To: Brevard County, Commissioner Tobia, and Planning and Zoning;

Re: Petition to Amend Comprehensive Land Use Plan on 20.39 Acre parcel of land on Fleming Grant Rd. (18PZ00166 Robertson)

We are opposed to any amendment or change in the status of this property that would allow for more than the current comprehensive land use plan allows, which is one unit per 2.5 acres.

Name

Address

- 3 - Robin + Charhe Carrell 9575 Fleming Grant Rd
BONILYN DOBSON 9582 FLEMING GRANT RD.
2 - JAMES + BEVERLY 9585 FLEMING GRANT RD
A - POKE 2 9600 Mockingbird Ln Micco
Thomas W. BARNES JR 9695 Mockingbird Ln.
Cynthia Burke + Patrick Burke 9605 Mockingbird LN.
JEFF Chandler 9535 Fleming Grant Rd. Micco
Stephanie Oliver 9535 Fleming Grant Rd Micco
2 - JERE + LYNNE MILLEN 9545 FLEMING GRANT RD MICCO
2 - Philip E + A. Ruth Wheaton 9617 Fleming Grant Rd. Micco
Tom Dobson 9621 Fleming Grant Rd
Gary C Knowles 9625 Fleming Grant Rd Micco
2 - Mark + Jane Dore 9537 Fleming Grant Rd.
Patrick Spille RN 9574 Fleming Grant Rd
M. Marshall 9574 Fleming Grant Rd
John R Crisp 9556 FLEMING GRANT RD 32976
JOY E CRISP 9556 FLEMING GRANT RD 32976
Joy + Hannah 9625 Mockingbird Lane, Micco 32976
Kara Knowles 9607 Mockingbird Ln Micco FL 32976

To: Brevard County, Commissioner Tobia, and Planning and Zoning;

Re: Petition to Amend Comprehensive Land Use Plan on 20.39 Acre parcel of land on Fleming Grant Rd. (18PZ00166 Robertson)

We are opposed to any amendment or change in the status of this property that would allow for more than the current comprehensive land use plan allows, which is one unit per 2.5 acres.

Name	Address
Kenneth F. Chapin	9880 OAK TRAIL
Eric K. Chapin	9870 River Dr.
William Ward	9870 OAK TRAIL
Ellen Ward	9870 Oak Tr
Richard Morris	9860 Oak Tr
Yvonne Morris	9860 Oak Tr
William W. Conner	9858 Oak Trail
Patricia Conner	9850 Oak Trail
Margaret Schenckler	9830 Oak Trail
James P. Dawn	9800 Oak Trail
Ellen Frazier	9800 Oak Trail
Bobbie Henson	9985 Sebastian River Dr.
Doris Clubb	9985 Sebastian River Dr.
Howard K. Smith	166 George P. Hargreaves
Karen Finnesrud	834 N. Broad St
James Lyle	9980 Sebastian River Dr.
Fam Herbin	9980 Sebastian River Dr.
Janey	9984 Seb. R. Drive

To: Brevard County, Commissioner Tobia, and Planning and Zoning;

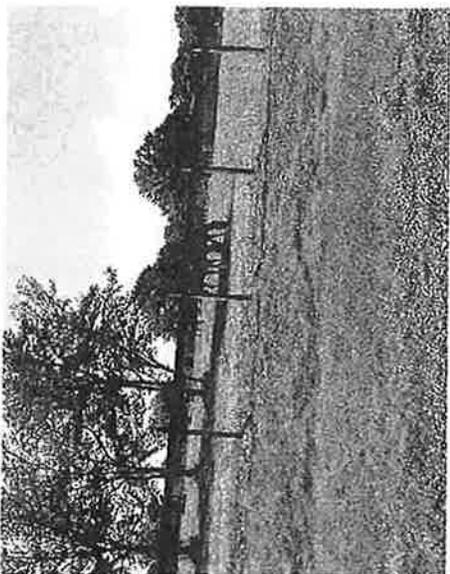
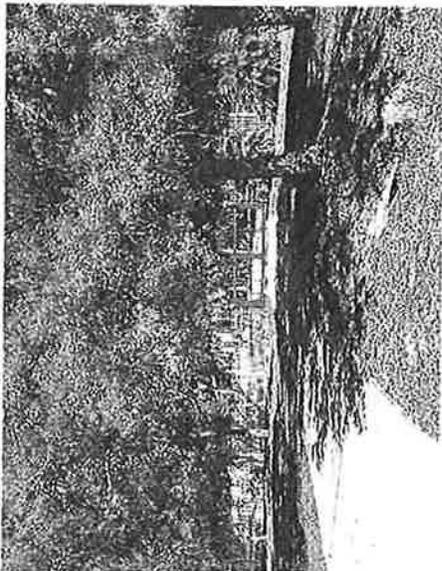
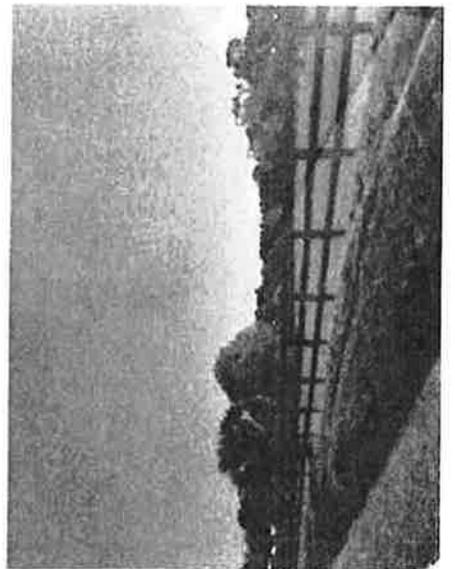
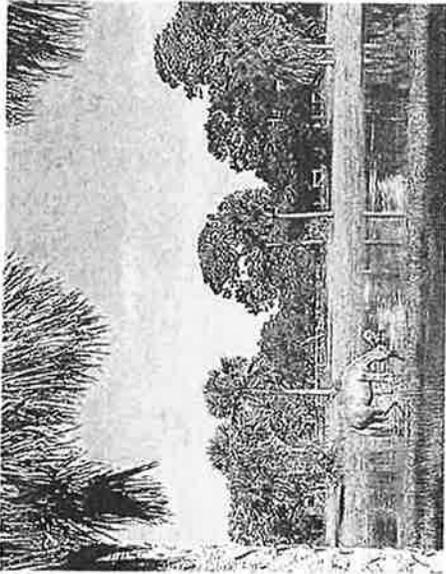
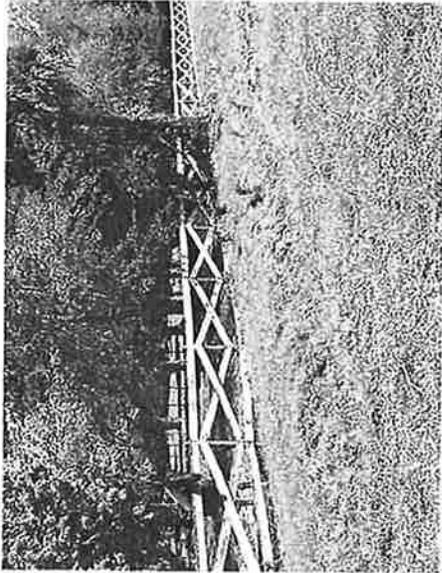
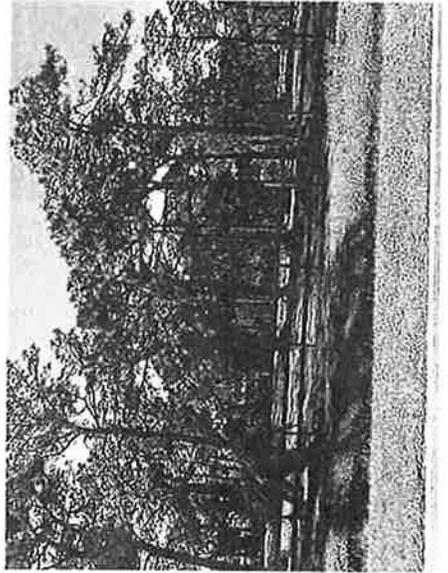
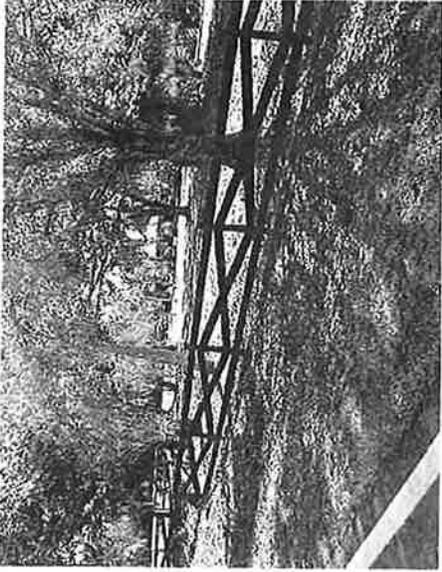
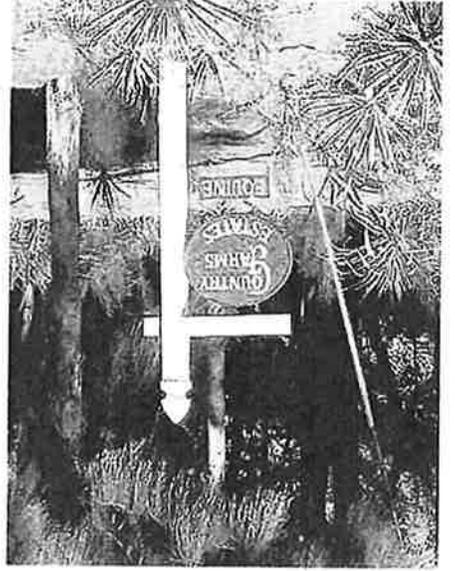
Re: Petition to Amend Comprehensive Land Use Plan on 20.39 Acre parcel of land on Fleming Grant Rd. (18PZ00166 Robertson)

We are opposed to any amendment or change in the status of this property that would allow for more than the current comprehensive land use plan allows, which is one unit per 2.5 acres.

Name

Address

Gloria Dewhurst	9977 Sebastian River Dr.
Buffy S. Murre	9977 Sebastian River Drive
Walter Murre	9969 Sebastian River Dr.
Linda Howard	" " "
Linda Carraway	9949 Sebastian River Dr
John Carraway	9949 Sebastian River Dr
Don Steward	9925 Nicole Dr
Lois Steward	9925 Nicole Dr
Lawrence George	9800 River Drive
Law George	9800 River Drive
Ray [unclear]	9815 River Drive
Emma Lincoln	9815 River Drive
[unclear]	9840 RIVER DRIVE
[unclear]	9840 River Drive



sparse population



01/16/2017

Campbell, Cheryl

From: Campbell, Cheryl
Sent: Thursday, March 28, 2019 9:19 AM
To: 'Linda McLain'
Subject: RE: Brevard County Proposed Amendment 2019-1.1 (19-01ESR)

Dear Linda:

Thank you for your comments, pictures and neighborhood petition opposing this Future Land Use Amendment request. I am forwarding this information to Jennifer Jones, Special Projects Coordinator II, who will be including this in the packet to the Local Planning Agency (LPA) and the Brevard County Board of County Commissioners (BCC). The dates for these public hearings are as follows:

May 20, 2019 3:00 p.m. – LPA
May 30, 2019 5:00 p.m. – BCC

If you have any questions, please do not hesitate to contact me.

Sincerely,

Cheryl W. Campbell, RLA, APA

Planner III
Planning & Development
Brevard County
(321)633-2070 ext. 52660

From: Linda McLain [mailto:lmclain45@aol.com]
Sent: Wednesday, March 27, 2019 9:40 AM
To: Campbell, Cheryl
Subject: Brevard County Proposed Amendment 2019-1.1 (19-01ESR)

Subject: Brevard County Proposed Amendment 2019-1.1 (19-01ESR)

Date March 26, 2019

Dear Ms Campbell,

I am writing to ask that the above amendment be denied. It is for a 20 acre project on the Sebastian River with wetlands on the property and other environmental issues. The property is currently under a Comprehensive Land Use Plan that allows 1 unit per 2.5 acres. That would allow the owner to put 8 houses on this property. The owner is asking to be allowed to amend the comp plan so that he can put 20 houses on this land. There is NO water and No sewer in Micco and NO plan to ever put them here by Brevard County. There is NO drainage system here. Our water runs in ditches and eventually makes it into the Sebastian River because the land here all slopes toward the river. I am not against a person developing their land but this project will directly affect the neighbors in this area who abut the property as well as impacting the river in a very negative way with run off.

MHOA

MICCO HOME OWNERS ASSOCIATION, INC.

MHOA OFFICERS

Chelle Woods,
President

Ted Beck,
Vice President

Anne Briggs,
Secretary

Henriette Daulton,
Treasurer

DIRECTORS

Jan Black
Jim Dunn
Sue Olson
Joan Legue
Wilma Weglein

Contact Us:
Miccohomeowners
@aol.com

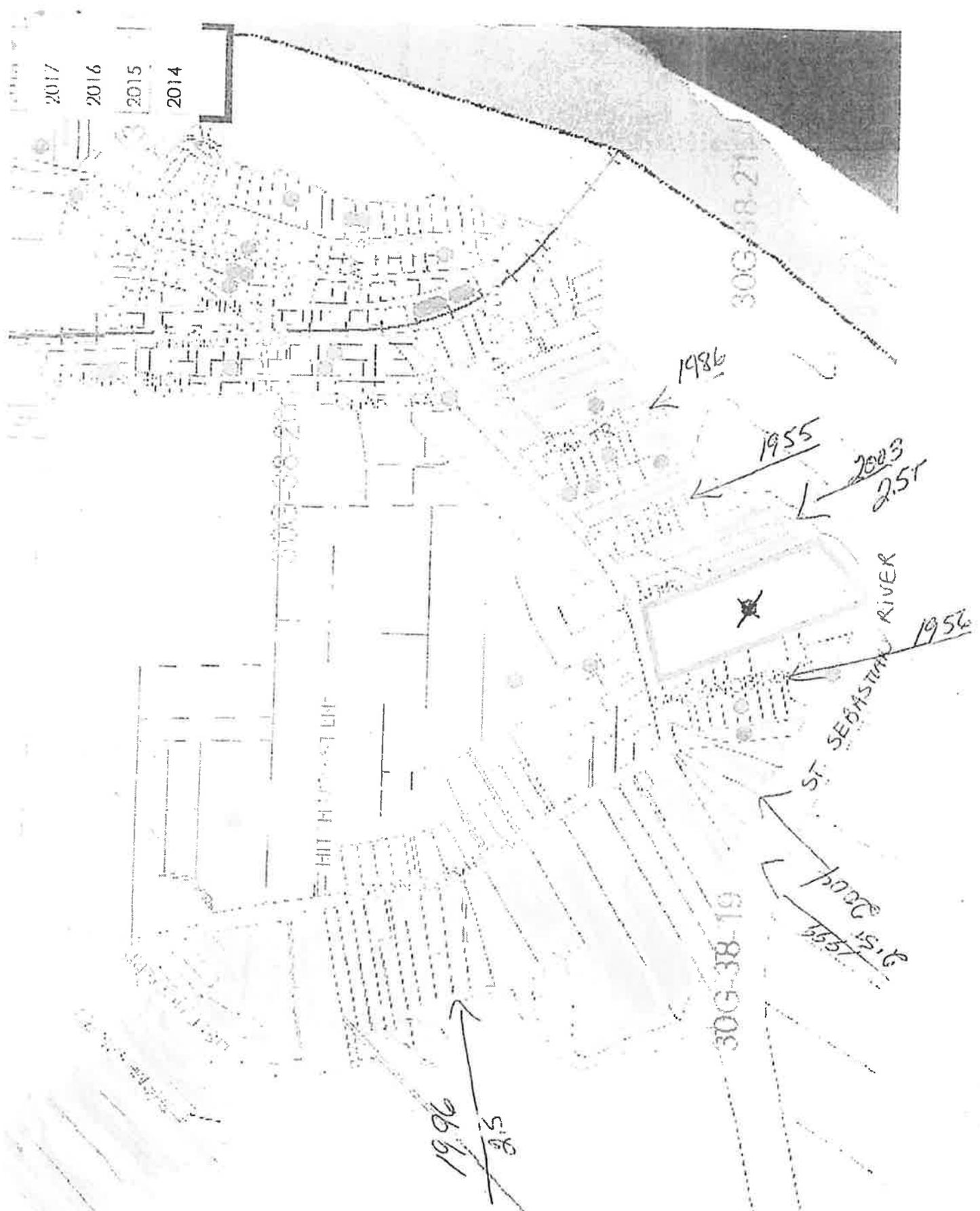
TO: Ms. Cheryl Campbell, Brevard County Planner
RE: Brevard County Proposed Amendment 2019-1.1 (19-01ESR)
DATE: March 25, 2019

Dear Ms. Campbell,
Micco Homeowners Association opposes any changes to the Brevard County Future Land Use Map currently designated for 1 unit per 2.5 acres along Fleming Grant Road in Micco. **Specifically, we oppose the request to change the land use designation on a 20.39 acre parcel owned by Douglas Robertson in order to increase density to 1 unit per acre.** The reasons for our opposition are:

- Subject property has direct access to the St Sebastian River which flows into the Indian River Lagoon. Taxpayers are spending millions of dollars every year to undo the damage development has done to the delicate ecosystems in the Indian River Lagoon.
- **Density increases will increase storm water runoff, septic drain field leakage, pesticides and fertilizer contamination into the St Sebastian River** damaging its ecological balance and further injuring the Indian River Lagoon.
- Robertson's subject property on Fleming Grant Road is in an AE FLOOD ZONE on the river portion with high probability of FREQUENT FLOOD WATERS carrying the above mentioned contaminants and runoff materials into the St Sebastian River.
- The Robertson property requested increase in density is NOT COMPATIBLE with the current FLUM designations for this area. Development in 1955 on Mockingbird Lane should NOT be used as a standard of density allowance today. The majority of properties on Fleming Grant Road are built at 1 unit per 2.5 acres. This is a rural area.
- The Brevard County Comprehensive Plan was set in 1988. **There have been no density increases approved in this area since 1988.** Density increases allowed now will set a precedent for every future developer on Fleming Grant Road.

Please do not approve any change to the Future Land Use Map for this property.

Sincerely,
Chelle Woods, MHOA President
9912 Riverview Drive Micco, FL 32976



AREAS MARKED IN YELLOW
 ARE UNIT PER 2.5 ACRES FLEMING GRANTRD



Campbell, Cheryl

From: miccohomeowners@aol.com
Sent: Monday, March 25, 2019 6:04 PM
To: Campbell, Cheryl
Subject: Brevard County Proposed Amendment 2019-1.1(19-01ESR)
Attachments: MHOA-Campbell 3-2019.pdf; MHOA-MAP Fleming 2.5.pdf; MHOA-Fleming AE flood.PNG

Please review 3 attachments. Thank you.

Campbell, Cheryl

From: Campbell, Cheryl
Sent: Tuesday, March 26, 2019 8:32 AM
To: 'miccohomeowners@aol.com'
Subject: RE: Brevard County Proposed Amendment 2019-1.1(19-01ESR)

Dear MHOA Members:

I am in receipt of your letter with maps attached. I have forwarded them to Jennifer Jones, Special Projects Coordinator II to be included in the packets to the Board members as follows:

May 20, 2019 at 3:00 p.m. - Local Planning Agency Meeting
May 30, 2019 at 5:00 p.m. - Brevard County Board of County Commissioners Meeting

If you have any questions, please do not hesitate to contact me.

Sincerely,

Cheryl W. Campbell, RLA, APA

Planner III
Planning & Development
Brevard County
(321)633-2070 ext.52660

From: miccohomeowners@aol.com [<mailto:miccohomeowners@aol.com>]
Sent: Monday, March 25, 2019 6:04 PM
To: Campbell, Cheryl
Subject: Brevard County Proposed Amendment 2019-1.1(19-01ESR)

Please review 3 attachments. Thank you.

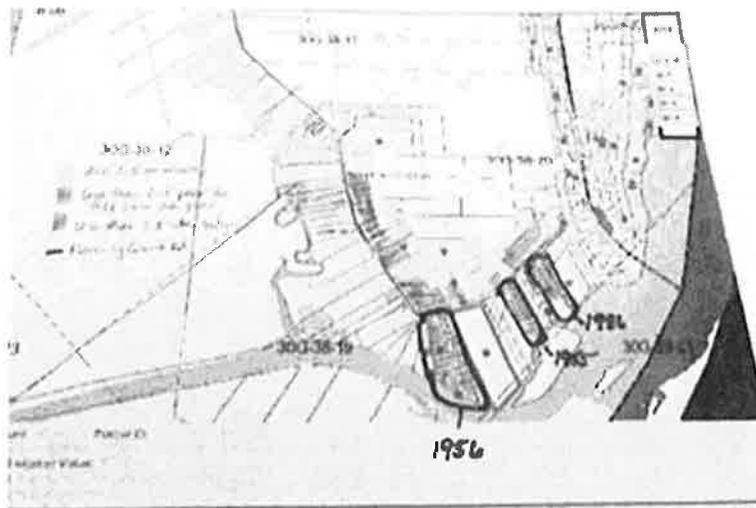
Campbell, Cheryl

From: Robin Carroll <RH20Bug@aol.com>
Sent: Friday, March 22, 2019 11:15 AM
To: Campbell, Cheryl
Subject: Brevard County Proposed Amendment 2019-1.1 (19-01ESR)

Dear Cheryl

My husband and I are resident taxpayers, we do not support any development that changes the current Comprehensive Land Use Plan established in 1988. Any increase in density will be detrimental to the fragile environment and will set a bad precedent on future development. This area is rural and we have no utilities such as municipal water and wastewater, we depend on well and septic systems. Our community is located directly on the North Fork of the St Sebastian River, which feeds the Indian River Lagoon.

The developer is using earlier development from the mid 50's as a comparison for his future development wants as an argument. This rationale is flawed and does not consider current environmental issues of our waterways today. State Senator Debbie Mayfield has just filed SB 1758 to curtail the number of septic systems on our waterways, the city of Sebastian has received grant money to assist homeowners on their side of the St. Sebastian River to switch from well and septic to municipal water and wastewater conversions and Mr Robertson just wants to disregard these issues and increase density on this 20 acre parcel from 8 homes to 20 homes. This increase in density will negatively affect the water quality of the St. Sebastian River and Indian River Lagoon. We need to keep to the current Land use plan to control and minimize impact of additional septic systems and storm water run off. With about 160 properties in the immediate area, about 65% are on the river side of Fleming Grant Rd, with the remaining 35% on the dry side. Of the river side properties, 53% was developed in the 50's prior to the 1988 Comprehensive land use plan and are smaller than 2.5 acres, 47% of these properties are 2.5 acres or more. These smaller properties should not be considered in comparison of current and future development.



MAP OF AREA AS OF 2018

With the health of our lagoon, the current septic and well conversions in the area, and the new legislation proposed, why would any prudent government office or agency increase density on our waterways where basic water and wastewater utilities are not available?

Storm water runoff is another local issue that has been ignored. Our current storm water basin is inadequate to handle storm run off at present. The new Wheeler Storm Water Park on the north end of Fleming Grant Rd near Micco Rd is to

far away to help our area. The following photos show the amount of water flowing into the storm water basin located off Turtle Ln and Fleming Grant Rd.

The water from storms travels south down Fleming Grant Rd, and is not managed well.



RAIN EVENT WEST SIDE OF ROAD



RAIN EVENT EAST SIDE OF ROAD

The next pictures show a prolong rain event and amount of water flowing down the street to the storm basin. In a prolonged rain event there is so much water flowing down Fleming Grant that my driveway culvert is to small to handle it. This is routine pooling of stormwater happens frequently in a prolonged rain event.



STORM RUN OFF



STORM RUN OFF

The storm water basin just off Fleming Grant Rd is inadequate to hold the amount of water that flows south and west into the basin. These next pictures shows the storm water basin as it is today. The basin has not been maintained.



STORM BASIN FLEMING GRANT RD



STORM BASIN FLEMING GRANT RD

These next pictures shows the aftermath of the storm basin flooding in neighboring yards.



STORM BASIN FLOODING



STORM BASIN FLOODING

These pictures show how inadequate the current storm water run off management is failing in our neighborhood. Increasing density in the area will only exacerbate the situation. If changes are granted to the Comprehensive Land Use Plan, how many homes can be named into half acre lots on the thousands of undeveloped land on Fleming Grant. This is a rural community and not Palm Bay. We can not have Palm Bay development in an area that has no municipal water or wastewater systems to handle the density of a normal city. Please consider these points in making your decisions about this change in the Brevard County Comprehensive Land Use plan. Understand we are not against development, we want responsible development that mitigates harm to the environment and fits the community in general.

Sincerely,

Robin and Charlie Carroll

9575 Fleming Grant Rd
Micco, FL 32976

Campbell, Cheryl

From: Pegge Parker <pegge@ecfrpc.org>
Sent: Friday, March 22, 2019 12:51 PM
To: Pegge Parker
Subject: Sea Level Rise/UCS Resilience Expert - Wed. March 27th - 2pm - 3:30 p.m.

Location: Cocoa Beach City Hall, Commissioner Chambers, 2 South Orlando Avenue, Cocoa Beach 32931
RSVP: Tony Sasso: surfscout71@gmail.com or James McKnight: james.mcknight@cityofcocoabeach.com

----- Forwarded message -----

From: Melissa Baldwin <melissameehanbaldwin@gmail.com>
Date: Mon, Mar 18, 2019 at 8:02 PM
Subject: UCS Resilience Expert - Wed. March 27th - 2pm - 3:30 p.m.
To: Tony Sasso <surfscout71@gmail.com>, John Porter <john.porter@clean-footprint.com>, Susan Glickman <skglickman@gmail.com>

Dear Tony and John,

Thanks so much for your help organizing this meeting with Shana Udvardy, who is a resilience analyst with the Climate & Energy program at the Union of Concerned Scientists.

Shana is a certified floodplain manager, and she is speaking to the Florida Floodplain Managers Association about the most recent UCS report, "Underwater: Rising Seas, Chronic Floods, and the Implications for US Coastal Real Estate." in Daytona Beach.

Shana is serving as the keynote speaker for the Florida Floodplain Managers Association 2019 Annual Conference in Daytona; and while she is in Florida, on the East Coast, we wanted to schedule some meetings for her with key local community, business, and government leaders, like yourselves.

Shana is confirmed to be available to give a presentation for you and your group on Wednesday, March 27th at 2pm. The "Underwater" report analyzes the financial risks of high-tide flooding, including the projected impact to local governments from lost tax revenues.

March 27th
2:00 p.m - 3:30 p.m.

Thanks for your help identifying a good location in your area for Shana to give a presentation on the local impacts, including high-tide flooding projections for Cocoa Beach, Satellite Beach, Melbourne, and Cape Canaveral. Shana will be traveling from Daytona beach for this meeting.

I would also like to invite [Dr. Ken Lindeman of FIT](#), and sea level rise scientist, [Dr. Randall Parkinson](#) if that is okay, and if their schedules allow.

Thanks so much!
Melissa Baldwin

--

Melissa Meehan Baldwin
Founder, Chase Media Services, LLC
Office: (813) 672-1368
Cell phone: (727) 743-3778
MelissaMeehanBaldwin@gmail.com
Melissa@MyChaseMedia.com

--

MJ Waters
mjwaters9@gmail.com
Mobile 818-384-5397

www.HelpTheLagoon.org : Work has begun on the Save Our Lagoon Project Plan funded by the half-cent sales tax. After more than 50 years of neglect, restoring our Lagoon will not happen quickly and we've started the process of healing.

Our Vision: The Brevard Indian River Lagoon, with clear waters, alive with lush sea grass beds, thriving fish, birds, manatees and dolphins – a healthy place where our families can play

Campbell, Cheryl

From: Douglas and Mary Sphar <canoe2@digital.net>
Sent: Sunday, March 24, 2019 5:22 PM
To: Campbell, Cheryl
Cc: Sterk, Erin; Mcgee, Darcie A
Subject: Sierra Club letter - Comprehensive Plan Amendment 2019-1.1 (19-01ESR)
Attachments: Sierra Club letter -- Brevard County Amendment 2019-1.1 (19-01ESR).pdf

Dear Ms. Campbell,

Please accept the attached Sierra Club comments regarding Brevard County's proposed Comprehensive Plan Amendment 2019-1.1 (19-01ESR).

The comments have been sent to Ray Eubanks, DEO.

Thank you,

Mary Sphar

321-636-0701



SIERRA CLUB

Turtle Coast Group

March 24, 2019

Mr. Ray Eubanks, Plan Processing Administrator
State Land Planning Agency
Department of Economic Opportunity
107 East Madison, MSC-160
Tallahassee, FL 32399-4120

RE: Brevard County Comprehensive Plan Amendment 2019-1.1 (19-01ESR)

Dear Mr. Eubanks:

Sierra Club Turtle Coast Group has reviewed Comprehensive Plan Amendment 2019-1.1, which increases the allowed residential density on a property located on the St. Sebastian River just before it enters the Indian River Lagoon (IRL). The property, located on an aquatic preserve, is less than .2 mile across the river from St. Sebastian River Preserve State Park. Portions of the land are in FEMA flood zone AE and the Coastal High Hazard Area. The parcel contains wetlands and aquifer recharge soils, and will use well water and septic systems.

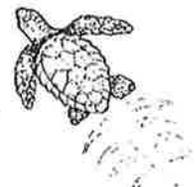
The subject property lies in an area that was partially developed starting in 1955, before the 1988 Comprehensive Plan's Future Land Use Map limited density to 1 unit per 2.5 acres for lots on the river side of Fleming Grant Road. The amendment tests whether the first exception will be granted to the 1988 requirement for large lots that help protect the St. Sebastian River and Indian River Lagoon. Considering the challenges of maintaining the health of our precious surface waters, should Brevard County approve a precedent-setting increase in density that might have appeared reasonable in 1955, but seemed inappropriate even as early as 1988?

Sierra Club's objections to Comprehensive Plan Amendment 2019-1.1 can be grouped into three sections:

1. Data and analysis inadequacies
2. Adverse effects on important state environmental resources
3. Failure to appropriately react to sea level rise projections

Objection 1: Data and Analysis Inadequacies

The amendment does not appear to consider and react to certain important relevant data to the extent necessary. We believe that the best available data and analysis on the health of the imperiled Indian River Lagoon is relevant to the amendment since it provides a context for a thoughtful decision on appropriate density. In addition, projections of sea level rise and major storm vulnerability for this property, along with consideration of strategies for addressing these challenges, should be part of the decision process for the land use designation. There is no mention in the amendment transmittal of either the current Indian River Lagoon context or sea level rise. Three pertinent documents are identified below.



Indian River Lagoon Comprehensive Conservation and Management Plan (IRL CCMP)

One of the most recent analyses of the IRL health crisis is contained in *Looking Ahead to 2030: Indian River Lagoon Comprehensive Conservation and Management Plan (draft 2018)*, prepared by the Indian River Lagoon National Estuary Program. The idea that the IRL has or soon will reach a tipping point where a seagrass-based ecosystem gives way to a phytoplankton-based system has alarmed and worried many citizens and scientists, especially since the massive Brevard County fish kill of March 2016. Page 9 of the IRL CCMP document states:

RESPONDING TO A TIPPING POINT: The IRL experienced a dramatic shift from a system where benthic aquatic vegetation was expanding to one dominated by planktonic microalgae following an unprecedented algal bloom in 2011 (now referred to as the “2011 superbloom”). The post-2011 IRL is characterized by intense, recurring, and long-lasting algal blooms; widespread loss of seagrasses; and episodic wildlife mortality events. Ongoing blooms of picocyanobacteria, nanoplanktonic chlorophyte, and the brown tide species that plagued Texas, *Aureoumbra lagunensis*, now appear to be the “new normal” for the central and northern IRL. This shift emphasizes the need for improved scientific understanding of nutrient loads, nutrient cycling, and tipping points for the IRL.

Save Our Indian River Lagoon Project Plan 2019 Update

In 2016, with the realization of the seriousness of the Indian River Lagoon health crisis, Brevard County voters approved a half-cent sales tax to fund projects to improve the water quality of the Indian River Lagoon. The most current estimate of the revenue the sales tax will collect is \$486 million. *Save Our Indian River Lagoon Project Plan 2019 Update*, prepared by Tetra Tech, Inc. and Closewaters, LLC, is the guidance document for Lagoon restoration efforts funded by the sales tax and matching funds, and we believe it provides information relevant to a decision on the appropriate level of development for the subject property.

Save Our Indian River Lagoon Project Plan stresses that we must reduce nutrient input into the IRL at the same time we implement restoration projects. Sierra Club believes it is foolish to take steps backward with unwise land use decisions at the same time citizens are asked to pay for a nearly \$500 million lagoon restoration initiative. Ironically, even as the FLUM amendment allows buildout that would increase nutrients to the IRL, two projects to reduce nutrient input in the area of the subject property are progressing. They are the Fleming Grant Biosorption Activated Media Brevard County Ditch bottom retrofit, costing \$17,346, and the Micco Septic to Sewer Conversion, costing \$1,977,345. Page 7 of the Project Plan touches on the risk of implementing the plan in the face of inadequate regulation of nutrient contributions to the IRL -- the kind of nutrient pollution the subject property would deliver:

A second uncertainty assessment was conducted in a meeting at the Florida Institute of Technology with a group of water quality, toxicity, muck, fish, algae, invertebrates, and seagrass Subject Matter Experts. . . . However, the scientists continued to voice concern about the restoration of the IRL in the absence of regulatory reform needed to prevent new development from adding more septic system and stormwater pollution to the lagoon.

Indian River Lagoon Outfall and Sea Level Rise Vulnerability Analysis, and related GIS Datasets used for Coastal Resiliency Planning

East Central Florida Regional Planning Council's report, *Indian River Lagoon Outfall and Sea Level Rise Vulnerability Analysis*, April 2016, contains a series of maps showing low, medium, and high projections for sea level rise in Brevard and Volusia County. It is interesting to pinpoint the subject property on the maps. It is also enlightening to view the property area on national storm surge Hazard Maps for hurricane categories 1 through 5, especially since the elevation rises from about 0 feet above sea level at the river to 14 or 15 feet at the road.

Sierra Club volunteers have experimented with GIS datasets to capture the current Coastal High Hazard Area, various scenarios for sea level rise under USACOE and NOAA databases, and storm surge vulnerability for Category 1 through Category 5 storms. We do not have the GIS expertise to print the most appropriate maps, but we are attaching a map showing a 4-foot water level rise that we produced with Climate Central's Surging Seas Risk Finder. We were unable to overlay sea level rise scenarios with storm surge GIS datasets. Therefore, the Sierra Club encourages the state reviewing agencies to evaluate this property with their GIS datasets to depict inundations over time at various sea level rise risks along with corresponding storm surge vulnerabilities. Then the agencies can judge the Sierra Club conclusion that that the subject property appears to be the most vulnerable, or at least one of the most vulnerable, to sea level rise and storm surge in the area between Fleming Grant Road and the river. Could vulnerability to flooding be the reason the property is one of the last remaining large parcels to be proposed for development -- ironically, development at a higher density than the FLUM has allowed since 1988?

Sierra Club believes that sea level rise predictions combined with severe storm vulnerability should have been factored into the amendment transmittal decision. Unfortunately, the required update to Brevard County's Coastal Management Element of the Comprehensive Plan has not been completed as of the date of this letter, though it is very near completion. Therefore, missing from the transmittal discussion was the application of any new Goals, Objectives, and Policies that might discourage or stop inappropriate and problematic development in coastal areas. Sierra Club looks forward to seeing the revision to the Coastal Management Element in the near future.

Objection 2: Adverse effects on important state environmental resources

The priorities of the Brevard County Commission are being tested with the proposed Comprehensive Plan Amendment. The Commission will need to make a decision on whether to hold the line in terms of density increases for properties adjacent to surface waters, or set a precedent that would encourage other property owners to try for similar increases. In this case, the precedent would affect the Indian River -- Malabar to Vero Beach Aquatic Preserve, which includes the St. Sebastian River and the Indian River Lagoon.

It has been said many times that the Indian River Lagoon is experiencing "death by a thousand cuts." Adoption of this amendment and development at an increased density would inflict another "cut" upon the very fragile IRL. The Indian River Lagoon is one of the most diverse North American estuaries, and it is home to over 4,000 plant and animal species. It is struggling against the odds to keep its declining fish and shellfish populations healthy.

The adverse effects of this particular amendment are compounded because of the interplay of multiple state resources such as surface water, wetlands, aquifer recharge soils, and fish and wildlife. The septic systems that would serve this property complicate the adverse effects. Wetlands cleanse the runoff and percolating ground water, so that less nutrient pollution reaches the aquifer and the surface water. Wetlands and their natural wetland buffers partner with surface waters to provide habitat for fish, shellfish, and wildlife species at various stages of their life cycles. Filling wetlands or developing in natural wetland buffers harms surface water quality and consequently the fish and wildlife populations. Septic systems leach nutrient pollution to the aquifer, especially through aquifer recharge soils, which drain rapidly. Furthermore, septic systems don't function well in saturated soils, especially during flood events, resulting in increased nutrient input to surface waters from stormwater. In summary, the proposed amendment would adversely affect state environmental resources of surface waters, wetlands, aquifer recharge soils, and fish and wildlife populations through a complex, interconnected and dynamic process -- a process made even more complex by sea level rise, which will alter the extent of the yet unsurveyed wetlands.

Objection 3: Failure to appropriately react to sea level rise projections

The discussion of sea level rise in the amendment documentation was limited to the Brevard County staff comment that part of the property is located in the Coastal High Hazard Area where public infrastructure is not considered adequate rationale for density increases. A much more detailed analysis of how sea level rise will change the characteristics of the subject property should have been part of the discussion and decision on transmittal.

Just as adverse effects on state natural resources are interconnected, the challenge of sea level rise is related to the severe storm vulnerability. Sea level rise creates a moving target for storm vulnerability. As the sea rises, a larger footprint of land will either be inundated by the sea or flooded by hurricane storm surge. As mentioned above, our Sierra Club volunteers have not seen maps that overlay storm surge on revised water's edge positions resulting from sea level rise. Such visuals would reinforce the challenge of prudent construction options for this property.

Sea level rise means a rise in the level of the St. Sebastian River and the Indian River Lagoon, along with an increase in the width, or spread, of these surface waters. Uncertainty about how sea level rise will affect the health of these waters should insert caution into the decision process on raising residential density on the subject property.

Conclusion

Sierra Club contends that Comprehensive Plan 2019-1.1 is based on insufficient data and analysis. In particular, some of the best available analysis on the Indian River Lagoon was not considered as a context for decision making. In addition, data on sea level rise was ignored, even though part of the property is known to be located in the Coastal High Hazard Area. The complexities of the adverse effects on important state environmental resources were not recognized, nor was the relentless landward march of the sea, which expands storm surge vulnerabilities into previously relatively safe areas. In addition, the fact that sea level rise equates to Indian River Lagoon rise and broadening with unpredictable results underscores

the need for caution and care in the decision making process on this Comprehensive Plan amendment. For all these reasons, Sierra Club opposes the adoption of Comprehensive Plan Amendment 2019-1.1.

Thank you for considering the position of Sierra Club Turtle Coast Group.

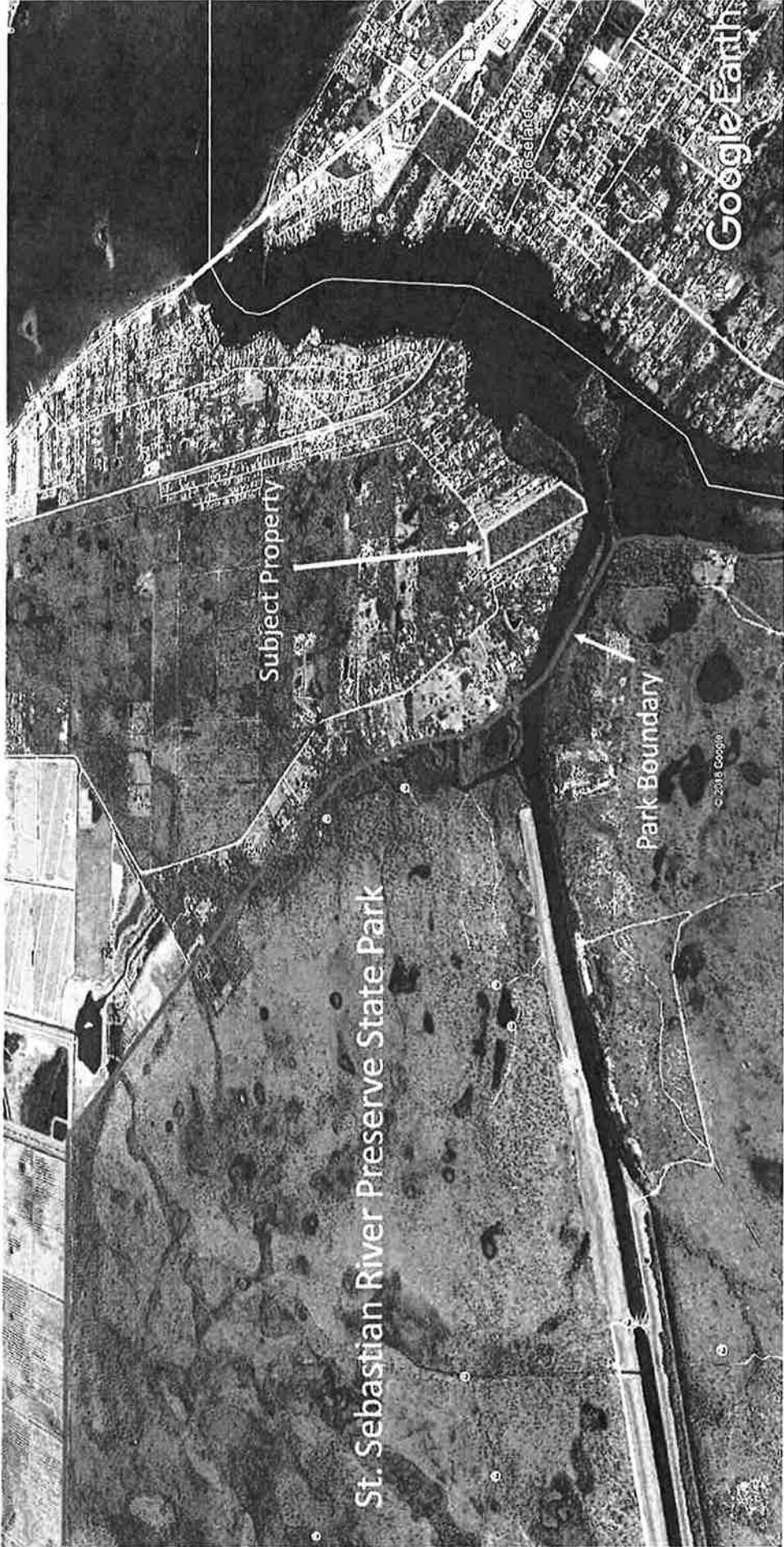
Yours truly,

Mary Sphar

Mary Sphar
Wetlands Issue Chair

Attachments: Annotated Google Earth Image of Subject Property and Surrounding Area
Map Showing Water Level Rise of 4 Feet

CC: Florida Department of Environmental Protection
Florida Fish and Wildlife Conservation Commission
St. Johns River Water Management District
East Central Florida Regional Planning Council
Brevard County Planning and Development Department



St. Sebastian River Preserve State Park

Subject Property

Park Boundary

Google Earth

© 2018 Google

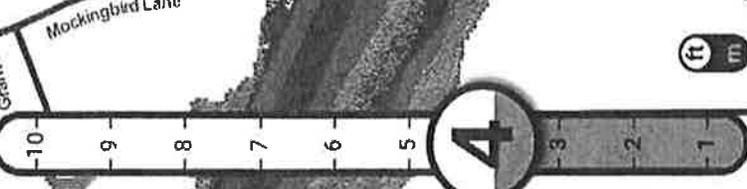
Surging Seas RISK ZONE MAP

English (US) ▾

Enter a global coordinate



Water level 4



Show current coast

See projections

Legend

Social vulnerability

Population

Ethnicity

More...

Elevation data courtesy of NOAA

Sea level tools and analysis by CLIMATE CENTRAL

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Campbell, Cheryl

From: Campbell, Cheryl
Sent: Monday, March 25, 2019 1:41 PM
To: 'Douglas and Mary Sphar'
Subject: RE: Sierra Club letter - Comprehensive Plan Amendment 2019-1.1 (19-01ESR)

Dear Mary:

I have forwarded your letter to Jennifer Jones to be included in the Adoption Public Hearings for the Local Planning Agency Meeting on 5/20/2019 and the Board of County Commission Meeting on 5/30/2019 as have tentatively been scheduled.

Sincerely,

Cheryl W. Campbell, RLA, APA

Planner III
Planning & Development
Brevard County
(321)633-2070 ext. 52660

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

From: Douglas and Mary Sphar [<mailto:canoe2@digital.net>]
Sent: Sunday, March 24, 2019 5:22 PM
To: Campbell, Cheryl
Cc: Sterk, Erin; Mcgee, Darcie A
Subject: Sierra Club letter - Comprehensive Plan Amendment 2019-1.1 (19-01ESR)

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The comments have been sent to Ray Eubanks, DEO.

Thank you,

Mary Sphar

321-636-0701

Campbell, Cheryl

From: Robin Carroll <RH20Bug@aol.com>
Sent: Wednesday, March 27, 2019 9:20 AM
To: Campbell, Cheryl
Subject: Re: Brevard County Proposed Amendment 2019-1.1 (19-01ESR)

Cheryl, yes I have a further concern. I have just been made aware of a conflict of interest issue, Mr. Moia the engineer on this development project is a member of your commission. Is this true and how can we as a neighborhood being impacted by this development fight this with a friend and colleague so close to the decision? I am very concerned that a bias may exist to aid Mr. Moia in getting this project to move forward.

Robin and Charlie Carroll
9575 Fleming Grant Rd
Micco, FL 32976

Sent from Robin's iPad

On Mar 25, 2019, at 1:46 PM, Campbell, Cheryl <Cheryl.Campbell@brevardfl.gov> wrote:

Dear Robin and Charlie:

I have forwarded your letter to Jennifer Jones to add to the Adoption Public Hearing packets for the 5/20/2019 Local Planning Agency Meeting and the 5/30/2019 Board of County Commission Meeting. If you have any questions, please do not hesitate to contact me.

Sincerely,

Cheryl W. Campbell, RLA, APA

Planner III
Planning & Development
Brevard County
(321)633-2070 ext. 52660

From: Robin Carroll [<mailto:RH20Bug@aol.com>]
Sent: Friday, March 22, 2019 11:15 AM
To: Campbell, Cheryl
Subject: Brevard County Proposed Amendment 2019-1.1 (19-01ESR)

Dear Cheryl

My husband and I are resident taxpayers, we do not support any development that changes the current Comprehensive Land Use Plan established in 1988. Any increase in density will be detrimental to the fragile environment and will set a bad precedent on future development. This area is rural and we have no utilities such as municipal water and wastewater, we depend on well and septic systems. Our community is located directly on the North Fork of the St Sebastian River, which feeds the Indian River Lagoon.

The developer is using earlier development from the mid 50's as a comparison for his future development wants as an argument. This rational is flawed and does not consider current environmental issues of our waterways today. State Senator Debbie Mayfield has just filed SB 1758 to curtail the number of septic systems on our waterways, the city of Sebastian has received grant money to assist homeowners on their side of the St. Sebastian River to switch from well and septic to municipal water and wastewater conversions and Mr Robertson just wants to disregard these issues and increase density on this 20 acre parcel from 8 homes to 20 homes. This increase in density will negativity affect the water quality of the St. Sebastian River and Indian River Lagoon. We need to keep to the current Land use plan to control and minimize impact of additional septic systems and storm water run off. With about 160 properties in the immediate area, about 65% are on the river side of Fleming Grant Rd, with the remaining 35% on the dry side. Of the river side properties, 53% was developed in the 50's prior to the 1988 Comprehensive land use plan and are smaller than 2.5 acres, 47% of theses properties are 2.5 acres or more. These smaller properties should not be considered in comparison of current and future development.

<image001.png>

With the health of our lagoon, the current septic and well conversions in the area, and the new legislation proposed, why would any prudent government office or agency increase density on our waterways where basic water and wastewater utilities are not available?

Storm water runoff is another local issue that has been ignored. Our current storm water basin is inadequate to handle storm run off at present. The new Wheeler Storm Water Park on the north end of Fleming Grant Rd near Micco Rd is to far away to help our area. The following photos show the amount of water flowing into the storm water basin located off Turtle Ln and Fleming Grant Rd.

The water from storms travels south down Fleming Grant Rd, and is not managed well.

<image002.png>

<image003.png>

The next pictures show a prolong rain event and amount of water flowing down the street to the storm basin. In a prolonged rain event there is so much water flowing down Fleming Grant that my driveway culvert is to small to handle it. This is routine pooling of stormwater happens frequently in a prolonged rain event.

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The storm water basin just off Fleming Grant Rd is inadequate to hold the amount of water that flows south and west into the basin. These next pictures shows the storm water basin as it is today. The basin has not been maintained.

<image006.png>

<image007.png>

These next pictures shows the aftermath of the storm basin flooding in neighboring yards.

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These pictures show how inadequate the current storm water run off management is failing in our neighborhood. Increasing density in the area will only exacerbate the situation. If changes are granted to the Comprehensive Land Use Plan, how many homes can be named into half acre lots on the thousands of undeveloped land on Fleming Grant. This is a rural community and not Palm Bay. We can not have Palm Bay development in an area that has no municipal water or wastewater systems to handle the density of a normal city. Please consider these points in making your decisions about this change in the Brevard County Comprehensive Land Use plan. Understand we are not against development, we want responsible development that mitigates harm to the environment and fits the community in general.

Sincerely,

Robin and Charlie Carroll

9575 Fleming Grant Rd
Micco, FL 32976

Campbell, Cheryl

From: Sterk, Erin
Sent: Wednesday, March 27, 2019 3:31 PM
To: RH20Bug@aol.com
Cc: Campbell, Cheryl
Subject: Re: Brevard County Proposed Amendment 2019-1.1 (19-01ESR)

Robin and Charlie,

To clarify, Mr. Moia is a member of the Planning & Zoning Board / Local Planning Agency. May of our advisory board members (and Commission members) have professions related to development (realtors, developers, engineers, etc.), but they are obligated to recuse themselves from any item that they would benefit personally from. All of our board members understand the legal obligation they have in not having bias and I trust they will act accordingly with appropriate ethical guidelines in all cases.

This is certainly not the first time a board member had represented an item that came before the board they sit on, and our policies have been developed to ensure bias is removed from the process. We have very professional advisory board members who work very hard to do what is best for Brevard County.

Let me know if this addresses your concern or if you need additional information,
Erin

From: Robin Carroll [<mailto:RH20Bug@aol.com>]
Sent: Wednesday, March 27, 2019 9:20 AM
To: Campbell, Cheryl
Subject: Re: Brevard County Proposed Amendment 2019-1.1 (19-01ESR)

Cheryl, yes I have a further concern. I have just been made aware of a conflict of interest issue, Mr. Moia the engineer on this development project is a member of your commission. Is this true and how can we as a neighborhood being impacted by this development fight this with a friend and colleague so close to the decision? I am very concerned that a bias may exist to aid Mr. Moia in getting this project to move forward.

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Planner III

Planning & Development

Brevard County

(321)633-2070 ext. 52660

From: Robin Carroll [<mailto:RH20Bug@aol.com>]

Sent: Friday, March 22, 2019 11:15 AM

To: Campbell, Cheryl

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Campbell, Cheryl

From: Mark Loyacano <mark_loyacano@hotmail.com>
Sent: Wednesday, March 27, 2019 10:09 AM
To: Campbell, Cheryl
Subject: Brevard County Proposed Amendment 2019-1.1 (19-01ESR)

Dear Ms. Campbell.

The proposed Future Land Use Map revision for a 20.39 acre parcel on Fleming Grant Rd. is troubles me from a business standpoint as well as it adding an environmental impact.

When advertised for sale, density restrictions were a matter of public record. Anyone planning to build there could have known about the RES 1:2.5 FLU designation.

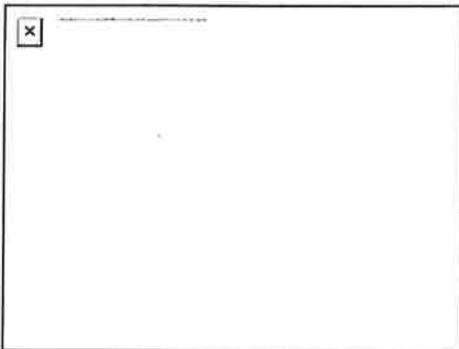
Please honor current zoning restrictions as well as the good faith already shown by developers in that area. They have dutifully adhered to this code since it was initiated in 1988.

Zoning restrictions help protect our local waters. Toxic brews in our estuary, the Indian River Lagoon, and in the St. Sebastian River, are largely of our own making. The St. Sebastian River water's flow continuously into the Indian River Lagoon while carrying our pollutants too. Science research points to septic systems being unsuited for our soil types, no matter how modern the system.

This Feb. 12, 2014 FAU-Harbor Branch presentation, by Dr. Brian Lapointe and Marie Tarnowski explains it in ways all of us can understand and appreciate.

"The Indian River Lagoon as a Bioreactor: New Perspectives on Sewage Pollution"

<https://youtu.be/xEHmhNHRq6M>



Dr. Brian LAPOINTE and Marie
TARNOWSKI 02 12 14 : IRL as Bioreactor

Delivery of land-based nutrients (nitrogen and phosphorus) to continental shelf waters is controlled by estuaries, which function as natural bioreactors that...

youtu.be

It's true, many legacy septic systems already exist in our area. But, as the saying goes: ...if we're trapped at the bottom of a hole - just quit digging.

Please do not approve Brevard County Proposed Amendment 2019-1.1 (19-01ESR).

Respectfully,

Mark Loyacano
1061 Sebastian Rd.
Barefoot Bay, Fl. 32976

Campbell, Cheryl

From: Campbell, Cheryl
Sent: Thursday, March 28, 2019 8:59 AM
To: Mark Loyacano
Subject: RE: Brevard County Proposed Amendment 2019-1.1 (19-01ESR)

Dear Mark:

I forwarded your email to Jennifer Jones, Special Projects Coordinator II, who will be including it in the packets to the Local Planning Agency (LPA) and to the Board of County Commissioners (BCC). The dates of these meetings are as follows:

May 20, 2019 3:00 p.m. – LPA
May 30, 2019 5:00 p.m. – BCC

Thank you for your comments and the link to the presentation by Dr. Brian Lapointe and Marie Tarnowski. If you have any questions, please feel free to contact me.

Sincerely,

Cheryl W. Campbell, RLA APA

Planner III
Planning & Development
Brevard County
(321)633-2070 ext. 52660

From: Mark Loyacano [mailto:mark_loyacano@hotmail.com]
Sent: Wednesday, March 27, 2019 10:09 AM
To: Campbell, Cheryl
Subject: Brevard County Proposed Amendment 2019-1.1 (19-01ESR)

Dear Ms. Campbell.

The proposed Future Land Use Map revision for a 20.39 acre parcel on Fleming Grant Rd. is troubles me from a business standpoint as well as it adding an environmental impact.

When advertised for sale, density restrictions were a matter of public record. Anyone planning to build there could have known about the RES 1:2.5 FLU designation.

Please honor current zoning restrictions as well as the good faith already shown by developers in that area. They have dutifully adhered to this code since it was initiated in 1988.

Zoning restrictions help protect our local waters. Toxic brews in our estuary, the Indian River Lagoon, and in the St. Sebastian River, are largely of our own making. The St. Sebastian River water's flow continuously into the Indian River Lagoon while carrying our pollutants too. Science research points to septic systems being unsuited for our soil types, no matter how modern the system.

This Feb. 12, 2014 FAU-Harbor Branch presentation, by Dr. Brian Lapointe and Marie Tarnowski explains it in ways all of us can understand and appreciate.



Friends of St. Sebastian River

P. O. Box 284 • Roseland, Florida 32957

www.fssr.org – info@fssr.org

[Facebook.com/FriendsofStSebastianRiver](https://www.facebook.com/FriendsofStSebastianRiver)

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Frank DeJoia
1924-2017

Director Emeritus

Frank Wegel

March 28, 2019

To: Cheryl Campbell, Brevard County Planning and Development

Re.: Brevard County Proposed Comprehensive Plan Amendment 2019-1.1 (19-01ESR)

Dear Ms. Campbell:

The Friends of St. Sebastian River is aware of the referenced proposed Comprehensive Plan Amendment for a parcel of land in Micco, Florida, on the St. Sebastian River.

The St. Sebastian River is the largest tributary to the Indian River Lagoon which is suffering from the greatest threat to its health in modern history. The St. Sebastian River itself is listed as "impaired," by the EPA, for low dissolved oxygen as a result of nutrient impacts from stormwater runoff and septic sewer systems. The impairment of the Lagoon and the St. Sebastian River are directly attributable to the impacts of human development within the now greatly-altered watersheds of these waterbodies.

Brevard County had the foresight to decrease the density of development in the Micco area in 1988, and voters approved a sales tax increase in the last few years for projects to help reverse the detrimental effects of impacts from development. It is antithetical to consider the proposed plan amendment, for land on an already-impaired waterbody, when taxpayers are paying to reverse impacts from such inappropriate past development.

The St. Sebastian River is important habitat for many species, including some rare and endemic fish species which Dr. Grant Gilmore has attempted to have listed as endangered. Our waterways should be protected for the enjoyment of everyone, and for the benefit of all species that depend on it for habitat.

We are therefore opposed to the proposed Plan Amendment and request that you not support this proposed change.

Sincerely,

Tim Glover, President
Friends of St. Sebastian River

Campbell, Cheryl

From: Friends of St. Sebastian River <fssr@comcast.net>
Sent: Friday, March 29, 2019 9:58 AM
To: Campbell, Cheryl
Subject: Brevard Comp Plan Amendment 2019-1.1
Attachments: Brevard Amend 2019-1.1.pdf

Dear Ms. Campbell,

Please find attached our comment letter regarding the proposed Brevard County Comp Plan Amendment 2019-1.1

Thank you for your consideration.

Tim Glover, President
Friends of St. Sebastian River
info@fssr.org
www.fssr.org
www.facebook.com/FriendsofStSebastianRiver
772-202-0501

Campbell, Cheryl

From: Campbell, Cheryl
Sent: Friday, March 29, 2019 2:11 PM
To: 'info@fssr.org'
Subject: RE: Brevard Comp Plan Amendment 2019-1.1

Dear Mr. Glover:

I am in receipt of your letter from Friends of St. Sebastian River in opposition of the 2019.1.1 proposed Large Scale Comprehensive Plan Amendment. I forwarded your letter to Jennifer Jones, Special Projects Coordinator II who will be including it in the packet that will be given to the Board Members at the following Adoption Public Hearings:

May 20, 2019 – 3:00 p.m. Local Planning Agency (LPA) meeting
May 30, 2019 – 5:00 p.m. Board of County Commissioners(BCC) meeting

If you have any questions, please do not hesitate to contact me.

Sincerely,

Cheryl W. Campbell, RLA, APA

Planner III
Planning & Development
Brevard County
(321)633-2070 ext. 52660

From: Friends of St. Sebastian River [<mailto:fssr@comcast.net>]
Sent: Friday, March 29, 2019 9:58 AM
To: Campbell, Cheryl
Subject: Brevard Comp Plan Amendment 2019-1.1

Dear Ms. Campbell,

Please find attached our comment letter regarding the proposed Brevard County Comp Plan Amendment 2019-1.1

Thank you for your consideration.

Tim Glover, President
Friends of St. Sebastian River
info@fssr.org
www.fssr.org
www.facebook.com/FriendsofStSebastianRiver
772-202-0501

Campbell, Cheryl

From: Campbell, Cheryl
Sent: Wednesday, April 3, 2019 8:53 AM
To: 'miccohomeowners@aol.com'
Cc: Jones, Jennifer
Subject: RE: Brevard County Proposed Amendment 2019-1.1(19-01ESR)
Attachments: BDP.pdf

Dear Chelle Woods:

Attached please find a copy of the Binding Development Plan (BDP) application submitted on 12/19/2018 together with the application for a Future Land Use Map change. The BDP does not get executed until after the Board of County Commissioners meeting scheduled for May 30, 2019 at 5:00 p.m. This request is to bind the property to one dwelling unit per acre. If you have any other questions, please do not hesitate to contact me.

Sincerely,

Cheryl W. Campbell, RLA, APA

Planner III
Planning & Development
Brevard County
(321)633-2070 ext. 52660

From: miccohomeowners@aol.com [<mailto:miccohomeowners@aol.com>]
Sent: Tuesday, April 2, 2019 11:46 AM
To: Campbell, Cheryl
Subject: Re: Brevard County Proposed Amendment 2019-1.1(19-01ESR)

Cheryl,

Is it possible for you to send me a copy of the Binding Development Plan for the Robertson property BCPA 2019-1.1

Thank you so much.
Chelle Woods, MHOA President

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

From: Campbell, Cheryl <Cheryl.Campbell@brevardfl.gov>
To: miccohomeowners@aol.com <miccohomeowners@aol.com>
Sent: Tue, Mar 26, 2019 8:32 am
Subject: RE: Brevard County Proposed Amendment 2019-1.1(19-01ESR)

Dear MHOA Members:

I am in receipt of your letter with maps attached. I have forwarded them to Jennifer Jones, Special Projects Coordinator II to be included in the packets to the Board members as follows:

May 20, 2019 at 3:00 p.m. - Local Planning Agency Meeting
May 30, 2019 at 5:00 p.m. - Brevard County Board of County Commissioners Meeting

If you have any questions, please do not hesitate to contact me.

Sincerely,

Cheryl W. Campbell, RLA, APA

Planner III
Planning & Development
Brevard County
(321)633-2070 ext.52660

From: miccohomeowners@aol.com [mailto:miccohomeowners@aol.com]

Sent: Monday, March 25, 2019 6:04 PM

To: Campbell, Cheryl

Subject: Brevard County Proposed Amendment 2019-1.1(19-01ESR)

Please review 3 attachments. Thank you.

Prepared by: MBV Engineering, Inc.
Address: 1250 W. Eau Gallie Blvd., Melbourne, FL 32935

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 to as "County") and Mr. Douglas Robertson, an individual (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 has requested a RES1 Land Use Amendment and desires to develop the Property as single family residential, which currently is zoned RU-1-13, 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 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. Developer/Owner shall limit the density to one (1) unit per acre.

3. 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.

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

5. 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.

6. 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)

Kristine Isnardi
Chair
As approved by the Board on _____

WITNESSES:

DEVELOPER/OWNER

(Witness Name typed or printed)

(Address)

(Witness Name typed or printed)

(President)

(Name typed, printed or stamped)

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
Commission No.:

Notary Public

(Name typed, printed or stamped)

20

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

(Address)

Authorized Agent Signature

(Witness name typed or printed)

(Name/title typed, printed or stamped)

(Witness name typed or printed)

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)

Campbell, Cheryl

From: Campbell, Cheryl
Sent: Tuesday, April 23, 2019 9:07 AM
To: Linda McLain
Cc: Jones, Jennifer; Sterk, Erin
Subject: Douglas Robertson LSCPA 18PZ00166 19-01ESR
Attachments: 20190319-39-Brevard County.pdf; BREVARD CO. 19-01ESR (P) (2).pdf; Brevard County 19-1ESR Proposed.pdf; Brevard County 19-1ESR_38511_040419.pdf; Brevard County_Proposed_19-01ESR_FDOT_040119.pdf

Dear Linda:

Attached please find the Agency Comments for Douglas Robertson Large Scale Comprehensive Plan Amendment (LSCPA) PZ1800166, State Agency No. 19-1ESR. If you have any questions please don't hesitate to contact me.

Sincerely,

Cheryl W. Campbell, RLA, APA

Planner III
Planning & Development
Brevard County
(321)633-2070 ext. 52660

Campbell, Cheryl

From: Campbell, Cheryl
Sent: Tuesday, April 23, 2019 9:04 AM
To: miccohomeowners@aol.com
Cc: Jones, Jennifer; Sterk, Erin
Subject: RE: Brevard County Proposed Amendment 2019-1.1(19-01ESR)
Attachments: 20190319-39-Brevard County.pdf; BREVARD CO. 19-01ESR (P) (2).pdf; Brevard County 19-1ESR Proposed.pdf; Brevard County 19-1ESR_38511_040419.pdf; Brevard County_Proposed_19-01ESR_FDOT_040119.pdf

Dear Chelle:

Attached please find the Agency Comments for Douglas Robertson Large Scale Comprehensive Plan Amendment (LSCPA) PZ1800166, State Agency No. 19-1ESR. If you have any questions please don't hesitate to contact me.

Sincerely,

Cheryl W. Campbell, RLA, APA

Planner III
Planning & Development
Brevard County
(321)633-2070 ext. 52660

From: miccohomeowners@aol.com [<mailto:miccohomeowners@aol.com>]
Sent: Monday, April 22, 2019 1:28 PM
To: Campbell, Cheryl
Subject: Brevard County Proposed Amendment 2019-1.1(19-01ESR)

TO: Cheryl Campbell
RE: Request for State Agency comments
NOTE: Please email all comments from each State Agency responding to the BC proposed amendment 2019-1.1(19-01ESR). Please continue to email any State Agency comments received during this week. I appreciate your help.

THANK YOU,
ChelleWoods, Micco Homeowners Association President

Campbell, Cheryl

From: miccohomeowners@aol.com
Sent: Monday, April 22, 2019 1:28 PM
To: Campbell, Cheryl
Subject: Brevard County Proposed Amendment 2019-1.1(19-01ESR)

TO: Cheryl Campbell

RE: Request for State Agency comments

NOTE: Please email all comments from each State Agency responding to the BC proposed amendment 2019-1.1(19-01ESR). Please continue to email any State Agency comments received during this week. I appreciate your help.

THANK YOU,
ChelleWoods, Micco Homeowners Association President

Campbell, Cheryl

To: Bruce M <brucem@mbveng.com>
Cc: Sterk, Erin
Subject: Douglas Robertson LSCPA
Attachments: 20190319-39-Brevard County.pdf; BREVARD CO. 19-01ESR (P) (2).pdf; Brevard County 19-1ESR Proposed.pdf; Brevard County 19-1ESR_38511_040419.pdf; Brevard County_Proposed_19-01ESR_FDOT_040119.pdf

Dear Bruce:

Attached please find the Agency Comments for the Douglas Robertson LSCPA – PZ1800166 (19S.01), DEO No. 19-01ESR. Commenting Agencies were as follows:

Florida Department of Economic Opportunity (DEO)
Florida Department of Transportation (FDOT)
Florida Department of Agriculture and Consumer Services
Florida Department of Environmental Protection (DEP)
St. Johns River Water Management District (SJRWMD)
Florida Fish and Wildlife Conservation Commission (FWC)

Agencies providing no comments are as follows:

East Central Florida Regional Planning Council
Florida Division of Historic Resources
Patrick Air Force Base Military Installation

We have received a significant amount of public comment via mail and email. Please contact Jennifer Jones at (321)633-2069 ext.526536 to request copies of this information. If you have any additional information that you would like to provide, please forward this as we are currently preparing the packets for the May 20, 2019 LPA and May 30, 2019 BCC public hearings. If you have any questions, please do not hesitate to contact me.

Sincerely,

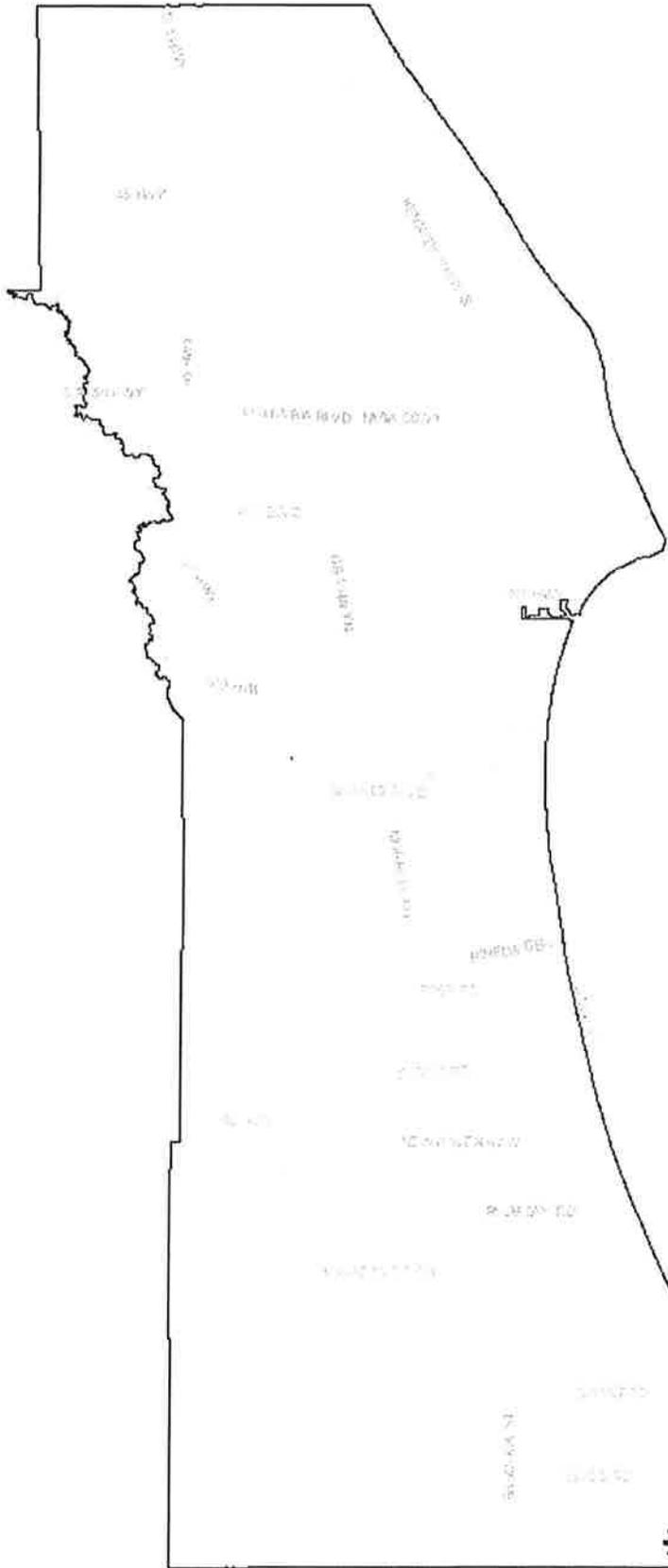
Cheryl W. Campbell, RLA, APA

Planner III
Planning & Development
Brevard County
(321)633-2070 ext. 52660

**Legal Advertisements,
Citizen Courtesy Sheets, Misc.**



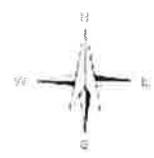
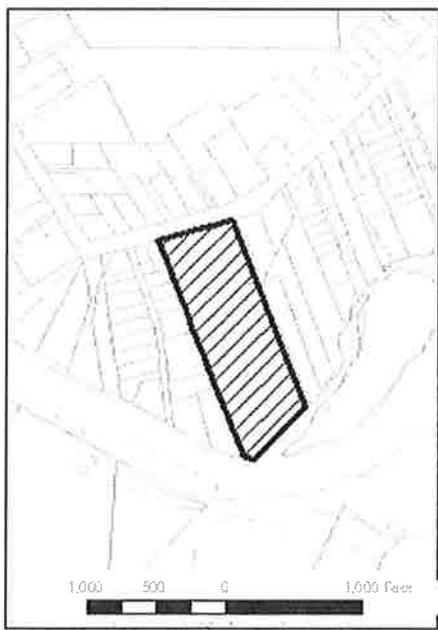
**BREVARD COUNTY
FUTURE LAND USE MAP AMENDMENT
18PZ00166 Robertson**



-  Subject Property
-  Future Land Use Amendment
Residential 1.2.5 to Residential 1
18PZ00166

You may obtain additional information
by visiting our web site at:

<http://www.brevardfl.gov/PlanningDev/PlanningAndZoning/BoardsAndCommittees/LocalPlanningAgency>



SUMMARY OF STATE AGENCY COMMENTS ON LSCPA 2019-1.1		County Response	East Central Florida Strategic Regional Policy Plan - not yet adopted by Brevard County	
<p>State Reviewing Agency</p>	<p>Formal Comment - per F.S. 163.3168(3) would require an amendment to minimize impacts on adversely impacted important state resources or facilities</p>	<p>Technical Assistance Comment - per F.S. 163.3168(3) will not form the basis of a challenge</p>	<p>County Response</p>	
<p>Department of Economic Opportunity</p>	<p>The proposed 20.39-acre site is located near the confluence of the north and south prongs of the St. Sebastian River, just prior to discharge into the Indian River Lagoon (IRL). The Indian River Lagoon is an important state resource that has been identified as seriously impaired due to high nutrient loading from septic systems and other discharges from surrounding land uses. These bodies of water are designated as aquatic preserves and Outstanding Florida Waterways (OFWs). In addition, the soils on the amendment property are of a type that has severe limitations for septic systems. The County is spending approximately \$68 million to remove or upgrade 3,734 septic systems over the 10-year life of the Save Our Seas Our Indian River Lagoon Half-Cent Surtax while continuing to approve development that will add septic systems to the impaired area. By increasing density and thus the number of septic systems to serve the proposed units on site, cumulatively with other septic system impacts to the St. Sebastian River and the IRL, the amendment will impact these resources. The current adopted land use density should be maintained until central sewerage is available, as the site has notable suitability limitations to increased septic systems use.</p> <p>A portion of the proposed amendment site is in the designated Coastal High Hazard Area (CHHA). Storm surge and flooding impacts to the site may be expected from a category one storm as well as impacts further landward from storms in the categories 2-5 range. Increased impacts to the site can be predicted over time due to rising sea levels.</p> <p>Additionally, part of the 20 acres is within the flood zone A and X. The proposed amendment would more than double the allowable land use density. Increasing allowable land use density in an at-risk coastal area increases flood risk resulting from high-tide events, storm surge, flash floods, stormwater runoff, and over time, the related impacts of sea-level rise. The 2015 Part of Flood legislation in section 163.3178(2)(f), Florida Statutes, directs local governments to seek opportunities to include development and redevelopment principles, strategies, and engineering solutions that reduce the flood risk in coastal areas when opportunities arise. Maintaining existing lower density land uses in at-risk coastal areas is one such strategy for addressing inappropriate and unsafe development in coastal areas. The current adopted land use density should be maintained, as the amendment site has portions vulnerable to storm surge and future impacts from sea level rise.</p>	<p>The County recently adopted the "Nitrogen Reduction Overlay" to address septic tank proximity to the Lagoon. The applicant has offered to upgrade systems on the entire parcel, not just those within the overlay area. No Comprehensive Plan policy requires that sewer be provided for either the current RES 1.2.5 or proposed RES 1 Future Land Use designation.</p> <p>Noted, approximately 19% of the subject property is within the Coastal High Hazard Area (Category 1 storm surge zone).</p> <p>Approx. 5 acres of the 20+ acres is in Flood Zone AE. Approx. 0.75 acres is within Flood Zone X. Total, approximately 5% of the property is within a Flood Zone. Sea Level Rise is not yet addressed in the Brevard County Comprehensive Plan; therefore, it was not evaluated as a part of the staff comments. While Brevard County is looking at ways to address new Sea Level Rise legislation within Future Comprehensive Plan updates, the policies to evaluate this have not yet been memorialized. The FEMA determined Base Flood Elevation (BFE) will be revised in late 2019/early 2020. The BFE will increase from 4.5 feet NAVD to 5.3 feet NAVD. Brevard County recommends this anticipated BFE revision be used for future planning and development purposes.</p>	<p>The East Central Florida Strategic Regional Policy Plan - Under the Energy and Climate Change chapter, the goal is to "Reduce the consumption of energy and prepare the region for the impacts of climate change." Policy 8.1 states, "Support research that determines if, when, and where selected coastal communities should be either relocated or protected."</p> <p>The East Central Florida Strategic Regional Policy Plan - Under Adaptation and Planning of this chapter, Policy 8.5: "Encourage communities to identify coastal land uses and critical facilities that may be impacted by sea level rise."</p> <p>The East Central Florida Strategic Regional Policy Plan - The Natural Resources Chapter contains Policy 3.6: "Development and redevelopment for higher densities should be discouraged in Coastal High Hazard Areas, defined as the Category 1 storm surge area." Keep in mind that the areas currently impacted by storm surge will increase with sea level rise.</p>	
<p>East Central Florida Regional Planning Council</p>	<p>We have been working with Brevard County staff on the Regional Resiliency Action Plan and we are pleased to report that the county adopted this plan on March 26, 2019. In light of the ECFRRC Strategic Regional Policy Plan and the adoption of the Regional Resiliency Action Plan by Brevard County, we would urge the Brevard County Board of County Commissioners to reconsider the prospect of rezoning these 20 acres to allow for increased densities in an area without sanitary sewer services, an area that will experience additional flooding issues with the advent of sea level rise, and in an area that is vulnerable to surge from hurricanes.</p>	<p>The area does not have sanitary sewer so the units would be on septic tanks. This change would more than double the impacts from septic tanks on the river and lagoon. As you are well aware, the lagoon has experienced algae blooms related to high nutrient content and the presence of septic tanks is a primary source of nutrients. This will set a precedent that may exacerbate this issue.</p> <p>The areas adjacent to the site on the east and west sides have similar densities as currently allowed on the subject property.</p> <p>Much of the property is within the FEMA flood zone. Additionally, sea level rise in the area has not been addressed in this application. Projections from the National Oceanic and Atmospheric Administration currently predict nearly a two foot rise by 2050, about four feet by 2100. It is not advisable to subject double the number of residents to future flooding as is currently allowed.</p> <p>Approximately one quarter of the site is currently within the Category 1 storm surge zone.</p>	<p>The subdivision area to the west has densities significantly higher than RES 1.2.5, as they were developed prior to the Comprehensive Plan, with parcels between .46 and 3.11 acres in size. Several parcels are smaller than one acre in size. The lots to the east were developed after the Comprehensive Plan, with parcels between 2.49 and 4.11 acres in size.</p> <p>Approx. 5 acres of the 20+ acres is in Flood Zone AE. Approx. 0.75 acres is within Flood Zone X. Total, approximately 5% of the property is within a Flood Zone. Sea Level Rise is addressed within the Coastal Management Element of the Brevard County Comprehensive Plan, Chapter 10 - Coastal Management, Objective 10 - Post-Disaster Redevelopment, Policy 10.3, addresses the evaluation and cost effectiveness of relocation versus repair of structures within the high risk vulnerability zone as well as analyzing the impact of sea level rise and the projected 30-year erosion line. Brevard County is looking at ways to address new Sea Level Rise legislation within future Comprehensive Plan updates.</p> <p>Noted, approximately 19% of the subject property is within the Coastal High Hazard Area (Category 1 storm surge zone).</p>	<p>The East Central Florida Strategic Regional Policy Plan - Under Adaptation and Planning of this chapter, Policy 8.5: "Encourage communities to identify coastal land uses and critical facilities that may be impacted by sea level rise."</p> <p>The East Central Florida Strategic Regional Policy Plan - The Natural Resources Chapter contains Policy 3.6: "Development and redevelopment for higher densities should be discouraged in Coastal High Hazard Areas, defined as the Category 1 storm surge area." Keep in mind that the areas currently impacted by storm surge will increase with sea level rise.</p> <p>The East Central Florida Strategic Regional Policy Plan - Natural Resources Policy 3.18 states: "Development in the 100-year floodplain should be discouraged."</p>

SUMMARY OF STATE AGENCY COMMENTS ON LSCPA 2019-1-1				
State Reviewing Agency	Formal Comment - per F.S. 163.3168(3) would require an amendment to minimize impacts on adversely impacted important state resources or facilities	Technical Assistance Comment - per F.S. 163.3168(3) will not form the basis of a challenge	County Response	East Central Florida Strategic Regional Policy Plan - not yet adopted by Brevard County
Department of Environmental Protection	<p>The Department is providing technical assistance comments consistent with Section 163.3168(3), F.S. The Department strongly suggests the County address these issues and recommendations prior to adopting the proposed amendment. They are offered as suggestions which can strengthen the County's comprehensive plan and provide assurance that the future potential increase in density will not adversely impact important state resources.</p>	<p>If adopted, the County and applicant will need to ensure that water quality within the Aquatic Preserve is not adversely impacted by the proposed development. Heightened standards for stormwater treatment will be required due to the proximity to the Aquatic Preserve, which will be addressed during the permitting process with the St. Johns River Water Management District. The County should consider whether the potential increased density in development will result in adverse impacts to the IRL and to explore ways to offset these potential impacts.</p> <p>Excess nitrogen and phosphorus feed undesirable algae growth (sometimes toxic) which can dominate an ecosystem like the IRL and eventually lead to fish kills. Conventional septic systems near coastal estuaries remain a significant contributor of nitrogen and phosphorus to these waterbodies. In order to avoid the exorbitant cost of restoring nitrogen and phosphorus pollution problems in the future, any new nearby septic systems, especially those clustered on small lots (1 acre or less), should be built to remove nitrogen before discharge. In Central and North Florida, the Department is implementing through BMAPs state law which prohibits new conventional septic systems on small lots in sensitive areas that contribute to Outstanding Florida Springs. Where the science indicates, we look to replicate these protections in coastal areas that have similar geology and connection to sensitive waterbodies. We advise local governments do the same. The Department recognizes that the County has established a "Nitrogen Reduction Overlay" per Chapter 46, Article II, Division IV of the Brevard County Code of Ordinances. The Department supports the use of the "Nitrogen Reduction Overlay" and strongly encourages the County to require these types of enhanced treatment OSTDS on the entire site due to the proximity to the IRL.</p>	Noted.	
Florida Fish & Wildlife Conservation Commission	<p>Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the above-referenced comprehensive plan amendment and provides the following comments and recommendations for your consideration in accordance with Chapter 163.3184, Florida Statutes. We have no objection to the amendment and offer the following information as technical assistance to assist in future planning or site development.</p>	<p>To better identify the potential for impacts, FWC staff recommends that listed species-specific surveys be completed prior to any clearing or development. Species-specific wildlife surveys are time sensitive and staff recommends that all wildlife surveys follow established survey protocols approved by the USEWS and the FWC. Surveys should be conducted by qualified biologists with recent documented experience for each potential species. Basic guidance for conducting wildlife surveys can be found within the Impaired Species Management Plan's species-specific Conservation Measures and Permitting Guidelines found at http://fmyfwc.com/wildlifehabitats/impairment/plan/ or in the Florida Wildlife Conservation Guide found at http://fmyfwc.com/conservation/Avian/hare/.</p> <p>Gopher Tortoise - The well-drained sandy soils and open areas found around the edge of the property appear to provide suitable gopher tortoise habitat. FWC staff recommends that the applicant refer to the FWC's Gopher Tortoise Permitting Guidelines (Revised January 2017) found at http://www.fmyfwc.com/conservation/wildlife/gopher-tortoise-permitting/ for survey methodology and permitting guidance prior to any development activity. Specifically, the permitting guidelines include methods for avoiding impacts as well as options and state requirements for minimizing, mitigating, and permitting potential impacts of the proposed activities. For additional information, please contact Namoka Maboa at (850) 882-5734 or Namoka.Maboa@myfwc.com.</p> <p>Smoke Shed - This location is within a potential smoke shed corridor originating from St. Sebastian River Preserve State Park where prescribed fires are used as a management tool. Prescribed fire is required to maintain many of the natural communities that exist on this conservation area. Prescribed fire is also important in reducing fuel loads that may otherwise lead to catastrophic wildfires that not only affect wildlife but threaten human life and property. Developers of lands within two miles of native habitat managed by fire may wish to consider Florida Forest Service recommendations at http://www.freshfromflorida.com/Divisions-Offices/Florida-Forest-Service/For-Communities/Firewise-Communities-to-create-Fire-Wise-communities.</p> <p>Federal Species - This site may also contain habitat suitable for federally listed species. FWC staff recommends the applicant coordinate with the USFWS North Florida Ecological Services Office (ESO) as necessary for information regarding potential impacts to any federally listed species. The USFWS North Florida ESO can be contacted at (904) 731-3336.</p>	Noted. Development-related.	
			Noted. Development-related.	
			Noted. Development-related.	
			Noted. Development-related.	

SUMMARY OF STATE AGENCY COMMENTS ON LSCPA 2019-1.1

State Reviewing Agency	Formal Comment - per F.S. 163.3168(3) would require an amendment to minimize impacts on adversely impacted important state resources or facilities	Technical Assistance Comment - per F.S. 163.3168(3) will not form the basis of a challenge	County Response	East Central Florida Strategic Regional Policy Plan - not yet adopted by Brevard County
<p>Florida Department of Transportation</p>	<p>We appreciate the opportunity to participate in this review process. The proposed amendment is not anticipated to result in significant adverse impacts to the State Highway System or the Strategic Intermodal System. The Department has no technical assistance comments regarding the proposed amendment.</p>	<p>The Indian River Lagoon (IRL), which is designated as an estuary of national significance, provides important environmental and economic benefits to the region and state. The subject parcel is approximately 1 mile upstream of the IRL and adjacent to the Indian River-Malabar to Vero Beach Aquatic Preserve. The Florida Department of Environmental Protection has identified the IRL as biologically impaired due to nutrients (particularly nitrogen and phosphorus) and adopted Total Maximum Daily Loads. A Basin Management Action Plan (BMAP) was developed by stakeholders, including the County, to prepare a blueprint for water quality restoration in the IRL. As part of the BMAP is to decrease the nutrient loads to these waters and restore seagrass populations in the IRL. As part of the analysis of the proposed amendment, the County should consider whether the potential increase in allowable density would result in adverse impacts to the IRL and whether there are ways to mitigate those potential impacts. Excess nitrogen and phosphorus feed undesirable algae growth. In addition, conventional septic systems near coastal estuaries remain a significant contributor of nitrogen and phosphorus to these waterbodies. The County's staff report indicates that a portion of the property is located within the County's Nitrogen Reduction Overlay (NRO) and required to use enhanced-treatment OSTDS. During discussions with the County's planning department, the staff noted that the applicant had indicated an intent to utilize enhanced-treatment OSTDS throughout the entire parcel. The District recognizes the County's implementation of the NRO and encourages the County to require enhanced-treatment OSTDS on the entire parcel because of the proximity to the IRL.</p>	<p>N/A</p>	
<p>St. Johns River Water Management District</p>			<p>The County recently adopted the "Nitrogen Reduction Overlay" to address septic tank proximity to the Lagoon. The applicant has offered to upgrade systems on the entire parcel, not just those within the overlay area. No Comprehensive Plan policy requires that sewer be provided for either the current RES 1.2.5 or proposed RES 1 Future Land Use designation.</p>	
<p>Florida Department of Agriculture and Consumer Services</p>	<p>The Florida Department of Agriculture and Consumer Services (the "Department") received the above referenced proposed comprehensive plan amendment on March 19, 2019, and has reviewed it pursuant to the provisions of Chapter 163, Florida Statutes, to address any potential adverse impacts to important state resources or facilities related to agricultural, aquacultural, or forestry resources in Florida if the proposed amendment(s) are adopted. Based on our review of your county's submission, the Department has no comment on the proposal.</p>		<p>N/A</p>	

From: sunwrent@aol.com
To: [Commissioner, D4](#); [Jones, Jennifer](#)
Subject: Fwd: Proposed Zoning Change in Micco
Date: Tuesday, May 14, 2019 10:06:41 AM

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

From: sunwrent <sunwrent@aol.com>
To: D1.Commissioner <D1.Commissioner@Brevardfl.gov>; D2.Commissioner <D2.Commissioner@Brevardfl.gov>; D3.Commissioner <D3.Commissioner@Brevardfl.gov>; D4.Commissioner <D4.Commissioner@Brevardfl.gov>; D5.Commissioner <D5.Commissioner@Brevardfl.gov>; jenniferfl.gov <jenniferfl.gov@aol.com>
Cc: info <info@fssr.org>
Sent: Tue, May 14, 2019 10:04 am
Subject: Proposed Zoning Change in Micco

Hello. I understand that the owners of a 20-acre parcel in Micco which fronts the North Prong of the St. Sebastian River is requesting a zoning change to allow more houses to be built than is currently allowed.

I am opposed to any zoning changes that would allow more houses to be built on this parcel. The St. Sebastian River and the Indian River Lagoon will suffer if a lot of houses are built on this parcel.

As you know, we are spending a lot of money trying to combat our serious water pollution problems and we don't need more runoff problems by allowing more houses to be built along our waterways.

Please do not allow this zoning change to be adopted. And, at the very least, please require that any homes that are built on this parcel contain more native plants and less (or no) grass so that fertilizers will not be required.

Thank you,
Jane Schnee
Sebastian, FL

From: WILLIAM BRENNAN
To: Jones, Jennifer
Subject: Fw: proposed density change on 20 acre lot on Fleming Grant road in Micco on St. Sebastian River.
Date: Tuesday, May 14, 2019 2:19:31 PM

Jennifer - I do not type, and screwed up your email address, so am trying to send this to you this way if it works. Bill Brennanm

----- Forwarded Message -----

From: WILLIAM BRENNAN <brennan_william@bellsouth.net>
To: jennifer.jones@brevardfl.gov <jennifer.jones@brevardfl.gov>
Sent: Tuesday, May 14, 2019, 11:41:51 AM CDT
Subject: proposed density change on 20 acre lot on Fleming Grant road in Micco on St. Sebastian River.

Jennifer - My name is William P. Brennan and I live in Sebastian. I have been a kayaker on the river for 19 years. It has been more difficult for me to access the North Prong of the river since St Johns River Water Management District sold a right of way access to the river on Mockingbird Lane about a year ago. Now I read of the proposal to revise the zoning plan to increase the density on a 20 acre parcel on the Fleming Grant Road in Micco fronting the St. Sebastian River from 8 to 20 lots. It does not seem to make any sense to add that much septic system waste to the already strained river and IRC lagoon. Absorbing that waste is not the highest and best use of the property.

The best use would be to acquire the parcel for public access to the North shore of the river, which is so sorely needed. Bill Brennan

From: [Linda Morris](#)
To: [Jones, Jennifer](#)
Subject: Brevard Proposed Amendment 2019-1.1
Date: Tuesday, May 14, 2019 9:30:27 PM

We are so happy to live in a beautiful bucolic setting, surrounded by native trees, plants and animals. We moved here 10 years ago exactly that reason. A piece of paradise just like old Florida. One of the positive things about this area is that there is a Comprehensive Plan for the Fleming Grant area that states that each parcel of land should be Zone 1 unit per 2.5 acres. Now an owner of a 20-acre parcel on Fleming Grant Road and Saint Sebastian River wants to increase home density to one unit per acre resulting in 20 homes instead of 8 per the Comprehensive Plan. This is unconscionable and cannot be approved.

The proposed increase in population density will have untold damaging effects in this community.

We are adamantly opposed to the proposed density increase on Fleming Grant Road.

Richard and Linda Morris
9860 Oak Trail, Micco
[Sent from Yahoo Mail on Android](#)

From: [Friends of St. Sebastian River](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Cc: [Jones, Jennifer](#)
Subject: Comprehensive Plan Amendment 2019-1.1
Date: Wednesday, May 15, 2019 12:18:52 AM

To: Brevard County Commissioners
Re.: Douglas Robertson, Proposed Comprehensive Plan Amendment 2019-1.1

Dear Commissioners:

We have had the chance to review comments provided by various state and regional agencies, regarding the above referenced Comprehensive Plan amendment. We note that each of those agencies observed the local outstanding natural resources of the area and protective designations specifically for the purpose of protecting the St. Sebastian River and Indian River Lagoon, from the exact impacts that would be exacerbated by this proposed amendment.

They also reference County development policies which discourages such development in hazardous and vulnerable areas as where this property is located, thus their suggestions that you consider those impacts, and encouragement to avoid them.

As we stated in our previous letter on this issue, it is irresponsible and incompatible to approve this amendment when the County and other agencies are spending significant tax dollars to clean up the problems created by past inappropriate development in the watershed of our local impaired waterways.

We remain strongly opposed to this proposed Plan amendment. Our waterways are for the benefit of all citizens and species that depend on them for habitat. There is impact with any development and no amount of mitigation that will prevent that. Therefore it is the responsibility of all of us to minimize that impact for the benefit of everyone and the environment. The County previously recognized that responsibility by instituting lower density in this area and we ask that you respect that action and not approve this Comprehensive Plan amendment.

Thank you for your consideration.

Tim Glover, President
Friends of St. Sebastian River
info@fssr.org
www.fssr.org
www.facebook.com/FriendsofStSebastianRiver
772-202-0501

From: [Chris Davis](#)
To: [Jones, Jennifer](#)
Subject: Fwd: Brevard Proposed Amendment 2019-1.1
Date: Wednesday, May 15, 2019 1:37:00 PM

----- Forwarded message -----

From: **Chris Davis** <cdavis8683@gmail.com>
Date: Wed, May 15, 2019 at 1:36 PM
Subject: Fwd: Brevard Proposed Amendment 2019-1.1
To: <D5.Commissioner@brevardfl.gov>

----- Forwarded message -----

From: **Chris Davis** <cdavis8683@gmail.com>
Date: Wed, May 15, 2019 at 1:35 PM
Subject: Fwd: Brevard Proposed Amendment 2019-1.1
To: <D4.Commissioner@brevardfl.gov>

----- Forwarded message -----

From: **Chris Davis** <cdavis8683@gmail.com>
Date: Wed, May 15, 2019 at 1:35 PM
Subject: Fwd: Brevard Proposed Amendment 2019-1.1
To: <D3.Commissioner@brevardfl.gov>

----- Forwarded message -----

From: **Chris Davis** <cdavis8683@gmail.com>
Date: Wed, May 15, 2019 at 1:34 PM
Subject: Fwd: Brevard Proposed Amendment 2019-1.1
To: <D2.Commissioner@brevardfl.gov>

----- Forwarded message -----

From: **Chris Davis** <cdavis8683@gmail.com>
Date: Wed, May 15, 2019 at 1:33 PM
Subject: Brevard Proposed Amendment 2019-1.1
To: <D1.Commissioner@brevardfl.gov>

This amendment is not at all compatible with our rural neighborhood for numerous reasons. Original land parcel designation was based on rationale that mitigated issues regarding pesticides/fertilizers, septic drain field leakage and storm water run-off all leading to the St. Sebastian River and ultimately the Indian River Lagoon. Brevard County's 1988 Comprehensive Plan concerning the Fleming Grant/Sebastian River area was set so that each parcel was zoned for 1 unit per 2.5 acres. This area is already prone to flooding, more development will only compound an existing issue pushing more runoff into the river. Please consider what affects this decision will have on the residents and health of the Indian River Lagoon.
Vote No

Submitted by: Chris Davis
9380 Fleming Grant Rd,
Micco, FL 32976

From: RM
To: [Jones, Jennifer](#); [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Brevard Proposed Amendment 2019-1.1
Date: Sunday, May 19, 2019 2:57:03 PM

From:
Richard & Catherine Mozzetta
9515 Fleming Grant Rd
Micco FL 32976

Subject:
Opposition of Proposed changes of Land Use for 20 Acre Lot on Fleming Grant Rd

Subject Property:
Parcel ID 30G-38-19-HP-*-10 Fleming Grant Road, Micco
BCPA Link: <https://www.bcpao.us/PropertySearch/#/account/3008729>

Dear Sir or Madam,

It has come to our attention that the Land Use Designation outlined and specified in Brevard County Code of Ordinances, Chapter 62, for the above property is being considered to be changed or modified to allow more structures to be built on the above referenced property than was originally allowed. The 20 acre parcel is presently Zoned 1:2.5, to allow One Unit per 2.5 Acres.

We have been informed that a proposal has been made to build up to 20 units on this parcel, thus changing the Zoning to allow 1 unit per Acre. This is clearly a violation of the present Zoning Regulations designated many years ago. We find it disturbing that you would consider such a change.

Changing the Zoning would be a contradiction toward the originators of the changes, written then to allow only 1 Unit per 2.5 Acres. They made these limitations to ensure the longevity of the environmental security of both the Sebastian River and Indian River Lagoon, along with maintaining the rural atmosphere of this area. Changes intended to relax these limitations now would not only negatively impact the environment, but would also set precedence for future development in the area, ensuring even further degradation of the environment and hardship for all of us who reside along Fleming Grant Road.

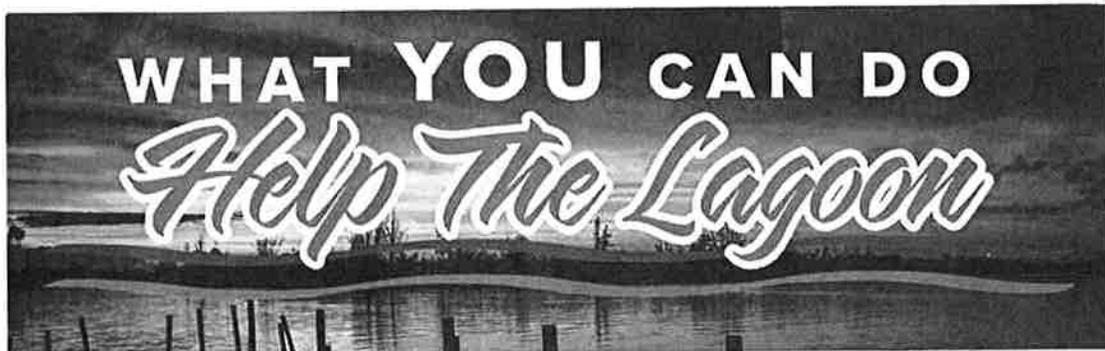
We are formally opposed to any Zoning changes which would allow more than the originally allowed 1 Unit per 2.5 Acres on this parcel. Please do what is right, for all of us.

Regards,

Richard & Catherine Mozzetta

Objection
18PZ00166 & 167
Robertson
(Submitted 05/20/19)





.....
***Support leaders and
candidates who put the
environment first***
.....

VOLUNTEER

- Support **nonprofits** helping the Lagoon
- Join a local **City Sustainability Board**
- Pick up trash with **Keep Brevard Beautiful**
- Help plant living shorelines, oyster reefs & mangroves

Get Active:

- KeepBrevardBeautiful.org/get-active
- SaveTheIRL.org/volunteer
- Web2.Fit.Edu/indian-river-lagoon
- RestoreOurShores.org/volunteer-we-need-you/#howyoucanhelp



EVERYONE!

Recycle and keep Lagoon free of trash

- Use **reusable bags** at the grocery or paper ones
- Use as little **plastic** as possible

Plant native plants that don't need water or fertilizer

- **Minimize pesticide use** and dispose of toxic chemicals correctly
- **Stop septic leaks:** Inspect your drain field as well as your septic tank
- Wash your car at a **carwash** — keeps soap & chemicals out of the Lagoon
- Only **clean water** down street sewers or drains — no trash, no grass, no oil or soap
- If you can, **go Solar** for your home



With Nick Sanzone, Dylan Hansen and the Satellite Beach Sustainability Board

WHAT YOU CAN DO

Help The Lagoon



YOUR YARD

Plant a lagoon-friendly lawn

- When mowing, blow grass clippings back on the lawn
- Obey the **summer fertilizer ban June 1 – Sept 30**
- Minimize watering your lawn
If you have re-use water, you need less or no fertilizer

BOATERS

Practice proper boat fueling technique



- Use marine pump out facilities
- Don't empty your tank into canals or the Lagoon
- Use marine approved cleaning products



DOG OWNERS

Scoop the poop! — dog waste has lots of bacteria. Pick up, put in trash.

SMOKERS

- Just say **ZERO** cigarette butts on the beach and trails

Let's ensure small children and pets and wildlife don't have toxins from filters in their way to play.

IF YOU LIVE ON THE LAGOON

- Plant a living shoreline
- Grow oysters on your dock
- RestoreOurShores.org/volunteer-we-need-you/#howyoucanhelp



Remember: Obey the law.
Don't cut mangroves without a permit

RESTAURANTS/BUSINESSES

- Please use alternatives to styrofoam & plastic
- If you're a restaurant, join Litter Quitter:

Join Up:

- KeepBrevardBeautiful.org/our-programs/litter-quitler



DINERS

Help your favorite places to dine understand there's a local desire for them to provide better alternatives.

- Bring your own receptacles for leftovers
- Just say: "No Straw, please."

Start a trend.

v12/2018

