

Meeting Date
December 15, 2015



AGENDA	
Section	Public Hearing
Item No.	IV. A

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Indian River Colony Requests Landscape Buffer Waiver Hearing Per Section 62-4346 (f) of Landscaping, Land Clearing & Tree Protection Code Parcel ID: 26-36-03-01-0000A.0-0000.00, 1600 Old Glory Blvd Club, Viera & Parcel ID: 26-36-10-00-00002.0-0000.00, 6845 Murrell Rd, Viera – District 4
DEPT/OFFICE:	Natural Resources Management Department (NRM)

Requested Action:

It is requested that the Board of County Commissioners: Approve a Type A Landscape Buffer Waiver for the west and north sides of the existing Indian River Colony Club Maintenance Facility and delegate final approval of the Alternative Landscape Enhancement Plan (ALEP) mitigation to the Natural Resources Management Department Director.

Summary Explanation & Background:

Indian River Colony Club (IRCC) seeks to expand their maintenance facility to include a new 12,000 SF storage building, dumpster relocation, engineered stormwater and 50+ parking spaces adjacent to Indian River Colony Club residents through site plan 15SP-00024. The engineer's request (Attachment A) indicates that this facility has been operating for 30 years for the sole purpose of serving the IRCC residents. A six-foot fence exists west of the current facility and an eight-foot fence exists east of the current facility. Additionally, 10-25' of landscaping exists north of the current facility. The engineer also indicates that providing the required 20' wide, six-foot tall opaque buffer would conflict with an existing cart path and already narrow fairway.

Sec. 62-4346 Waivers (f) of the Landscaping, Land Clearing and Tree Protection code may be considered by the Board when:

A redevelopment site cannot reasonably comply with the buffer requirements of Section 62-4342 due to adverse site conditions and compliance with the buffer requirement unduly impairs the intended use of the property. Where the buffer waiver is approved, the site shall meet opacity requirements pursuant to Section 62-4342. The applicant shall also provide visual and physical screening and buffering between potentially incompatible uses to reduce the effects of glare, noise and incompatible activities, including but not limited to circumstances where commercial, institutional, public, and industrial uses abut existing residential uses to the greatest extent feasible. The applicant must demonstrate that efforts have been taken to meet these requirements in locations where appropriate. This waiver may only be approved where acceptable mitigation is demonstrated in an Alternative Landscape Enhancement Plan (ALEP) to mitigate for the lack or reduction of buffers. For Type A buffer waivers, the ALEP must be approved as part of a public hearing process with notification to contiguous property owners. Advertising and notification costs shall be the responsibility of the applicant.

The waiver consideration, including delegation of the ALEP approval to staff, has been advertised and contiguous property owners have been notified per ordinance requirements.

Fiscal Impact: None.

Contact: Amanda Elmore 321-633-2016 x 52437 or Virginia Barker x 62435

Clerk to the Board instruction:

Exhibits Attached: **Attachment A:** Engineer Waiver Request

Contract /Agreement (If attached): Reviewed by County Attorney Yes No PR

County Manager Stockton Whitten	Assistant County Manager	Department Director/Extension Virginia Barker/X52435
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Tammy Etheridge, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

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

December 16, 2015

M E M O R A N D U M

TO: Virginia Barker, Natural Resources Management Director Attn: Amanda Elmore

RE: Item IV.A., Landscape Buffer Waiver for West and North Sides of Existing Indian River Colony Club Maintenance Facility

The Board of County Commissioners, in regular session on December 15, 2015, approved a Type A Landscape Buffer Waiver for the west and north sides of the existing Indian River Colony Club Maintenance Facility, and delegated final approval of the Alternative Landscape Enhancement Plan (ALEP) mitigation to the Natural Resources Management Director.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Etheridge, Deputy Clerk



B.S.E. CONSULTANTS, INC.
Consulting ~ Engineering ~ Land Surveying

Scott M. Glaubitz, P.E., P.L.S.
President

Hassan Kaimal, P.E.
Vice President

November 25, 2015

Via E-mail

Amanda Elmore
Environmental Resources Program Manager
Natural Resources Management Department
Brevard County Government Center
2725 Judge Fran Jamieson Way
Viera, FL 32940

**Re: Indian River Colony Club – Maintenance Facility Expansion
Request for Type A Landscape Buffer Waiver
Brevard County #15SP00024
B.S.E. File # 11265**

Dear Amanda:

This letter is to request Board consideration of a Waiver of the Type A Landscape Buffer requirement (Sec. 62-4342 (1)) for the Indian River Colony Club (IRCC) Maintenance Facility Expansion, Brevard County #15SP-00024.

IRCC proposes to expand its existing maintenance facility onto an adjacent 3.2 acre parcel. The existing maintenance facility is zoned PUD. An application has been submitted to rezone the expansion parcel from IN(L) to PUD.

Based on the following considerations, waiver of the Type A Landscape Buffer requirement is requested for the west and north sides of the existing maintenance facility.

- No residences are adjacent to the proposed expanded facility, which comprises the only clearing and new vertical construction. Two residences are adjacent to the west end of the existing maintenance facility. Several residences are located north of the existing facility, across a golf course fairway and pond. The closest of these residences is ±160 feet from the existing maintenance facility. See Aerial Exhibit, Site Plan Exhibit, and Photograph A.
- IRCC maintains a 6' opaque fence between the existing facility and the residences on the west end of facility. See Photographs B and C.
- An 8' opaque fence and 10-25 foot landscaping strip is located between the existing facility and the golf cart path that runs along the fairway. This fence and landscaping effectively screens the existing maintenance facility from view of the residences to the north. See Photograph D.
- The only proposed changes to the existing facility are incidental, and are improvements or neutral relative to existing conditions. Existing dumpsters will be moved from a location near the entrance to an enclosure on the opposite side of

Amanda Elmore
November 25, 2015
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the existing building (further from residences and out of sight). Existing employee parking will be moved 25 feet south onto the new site, further from the existing homes. Three accessible parking spaces will be added near the office. See Site Plan Exhibit.

- The expanded facility is not adjacent to the residences or within line of sight. The new building will be a one-story storage building, similar to the existing maintenance building. The new building is more than 500 feet from the residences west of the maintenance facility and more than 220 feet from the residences to the north. The vegetation maintained in the setback along the parking area and along the fence north of the existing maintenance area will screen existing residences from the new building. See Aerial Exhibit, Site Plan Exhibit, and Photograph A.
- The type and intensity of activities at the maintenance facility will not change as a result of the facility expansion. The facility expansion will provide more effective storage and parking space, farther from residences.
- Adding a 20 foot landscape buffer would block the existing cart path on the west end of the maintenance facility. This would eliminate the only possible exit from the golf course. A 20 foot landscape buffer would also obstruct the narrow fairway north of the maintenance facility.
- All nearby residences are within IRCC. The existing IRCC maintenance facility has been operating for 30 years. It is part of the common community facilities owned by the residents of IRCC, for the sole purpose of serving the IRCC community. IRCC management is accountable to a resident board of directors. Management maintains regular communication with nearby homeowners and has been responsive to homeowner concerns.

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

Very truly yours,

Scott M. Glaubitz P.E. P.L.S.

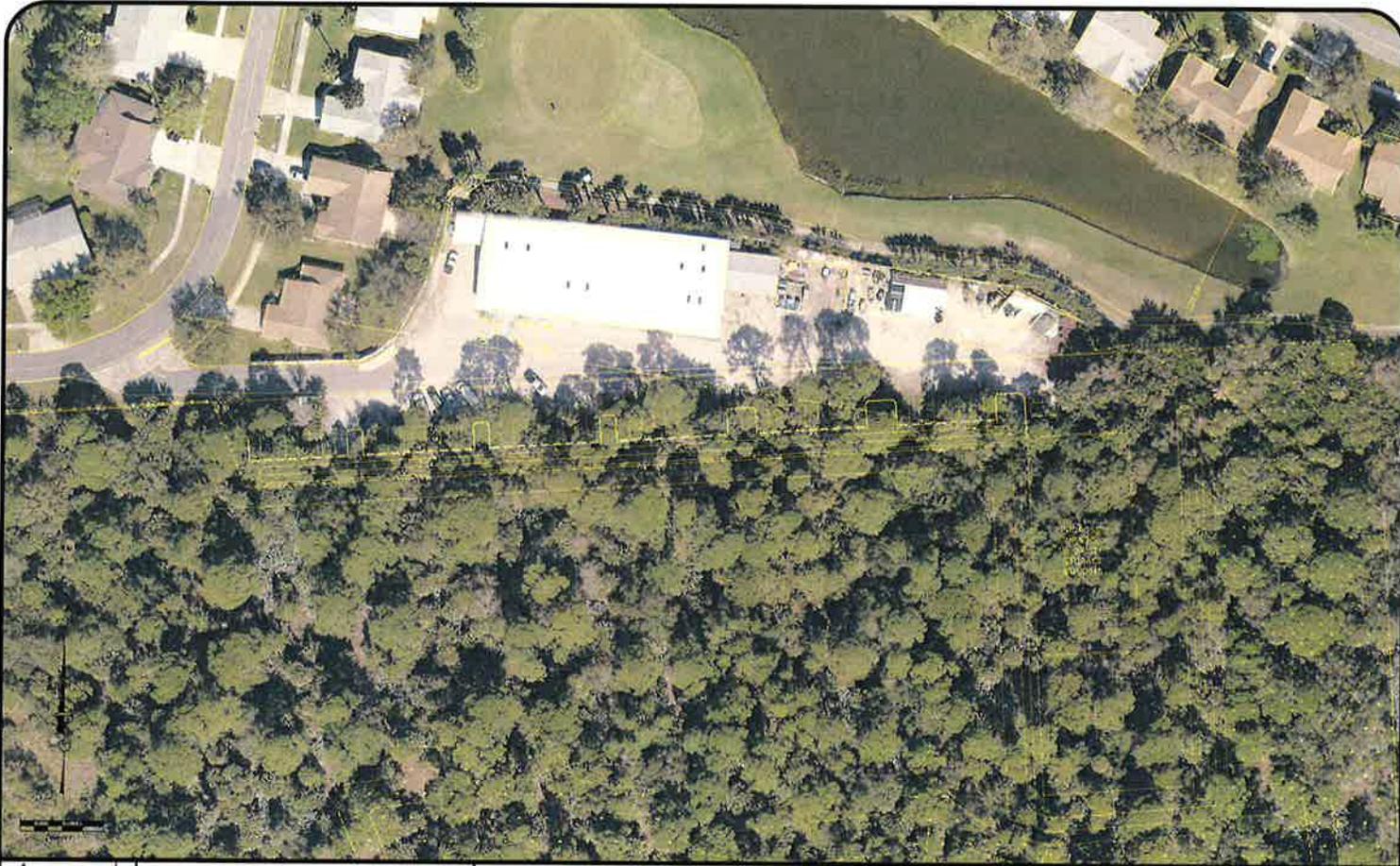
Scott M. Glaubitz, P.E., P.L.S.
President
B.S.E. Consultants, Inc.

SMG/jab
11265.county.corr.s3234.nov

cc: Ken Ludwa, P.E., Project Engineer, BSE Consultants, Inc.
John Robinson, Indian River Colony Club, Inc.

Enclosures: Aerial Exhibit
Site Plan Exhibit
Photographs

W10020174



INDIAN RIVER COLONY CLUB



B.S.E. CONSULTANTS, INC.
 CONSULTING - ENGINEERING - LAND SURVEYING
 112 SOUTH WILMINGTON CITY BOULEVARD, SUITE 4
 WILMINGTON, FLORIDA 32093 - PHONE: (904) 720-2121 FAX: (904) 720-1198
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AERIAL EXHIBIT

DATE: 01/20/17
 SHEET: 1 of 4
 PROJECT: 17004
 TITLE:

ATTACHMENT A
INDIAN RIVER COLONY CLUB



Photograph A. Aerial view of IRCC maintenance facility.

ATTACHMENT A
INDIAN RIVER COLONY CLUB



Photograph B. Fence between west end of existing IRCC maintenance facility and adjacent residences.

ATTACHMENT A
INDIAN RIVER COLONY CLUB



Photograph C. Fence between west end of existing IRCC maintenance facility and adjacent residences.



**Classified Ad Receipt
(For Info Only - NOT A BILL)**

Customer: B.O.C.C. COUNTY MANAGER'S OFF
Address: 2725 JUDGE FRAN JAMIESON WAY
MELBOURNE FL 32940
USA

Ad No.: 0000898618
Pymt Method Invoice
Net Amt: \$109.58

Run Times: 1

No. of Affidavits: 1

Run Dates: 12/04/15

Text of Ad:

AD#898618 12/4/2015
PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, ON DECEMBER 15, 2015 AT 9:00 A.M., IN THE BOARD ROOM AT 2725 JUDGE FRAN JAMIESON WAY, BUILDING C, FIRST FLOOR, VIERA, FLORIDA, 32940, WILL HOLD A PUBLIC HEARING TO CONSIDER A WAIVER OF THE REQUIRED LANDSCAPING BUFFERS PER SEC. 62-4346 OF BREVARD COUNTY CODE AND DELEGATION OF PLAN APPROVAL TO THE NATURAL RESOURCES MANAGEMENT DEPARTMENT DIRECTOR, OR DESIGNEE. THE REQUEST CONCERNS THE INDIAN RIVER COLONY CLUB MAINTENANCE FACILITY EXPANSION PROJECT AT 1600 OLD GLORY BLVD CLUB VIERA, FL 32940 & 6845 MURRELL ROAD VIERA, FL 32940. THE APPLICANT/OWNER IS INDIAN RIVER COLONY. FOR MORE INFORMATION PLEASE CONTACT THE NATURAL RESOURCES MANAGEMENT DEPARTMENT AT (321) 633-2016. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND SECTION 286.26, FLORIDA STATUTES, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE COUNTY MANAGER'S OFFICE NO LATER THAN 48 HOURS PRIOR TO MEETING AT (321)633-2001 FOR ASSISTANCE.