

Meeting Date
October 10, 2017



AGENDA	
Section	Consent
Item No.	<i>II-A.6</i>

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	APPROVAL RE: SUNSET OF BOARD POLICY BCC-89, FLAG STEM AND EASEMENT REVIEW <i>PR</i> FISCAL IMPACT: NONE
DEPT/OFFICE:	PLANNING & DEVELOPMENT DEPARTMENT/LAND DEVELOPMENT

Requested Action:
It is requested that the Board of County Commissioners approve the sunset and repeal of Board Policy BCC-89, Flag Stem and Easement Review.

Summary Explanation & Background:

Pursuant to Board Policy BCC-89, a procedure was established in 2006 for the review and approval of flag stem and easement lots creating a total of 3 or more lots from one parent parcel of land. The objective of the policy was to provide a review process that was not provided for in the code. The policy was further approved in December 2009.

Ordinance 10-19 was adopted by the Board in October of 2010 which created the minor subdivision requirements for the subdivision of 3 or more lots. These code changes provide for a formal review process for the creation of 3 or more lots that is in alignment with state statute. The code changes also addressed Board concerns regarding the creation of new lots which do not abut a county maintained road. Subsequently, the revisions to the code have made the Board Policy BCC-89 obsolete.

Contact: Rebecca Ragain, Assistant Director

321-633-2072 Ext. 5-2362

Clerk to the Board Instructions:

Exhibits Attached:

Contract /Agreement (If attached): Reviewed by County Attorney		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
County Manager	Assistant County Manager	<i>[Signature]</i>		Department Director / Extension			
Frank Abbate <i>[Signature]</i>	John Denninghoff			Tad Calkins			
	Interim Assistant County Manager			Planning & Development Department Ext. 5-2069			
	Jim Liesenfelt			<i>[Signature]</i>			

BOARD OF COUNTY COMMISSIONERS

AGENDA: SUBORDINATION OF UTILITY INTEREST FOR EASEMENTS
801 AND 802 FROM FLORIDA POWER AND LIGHT ON PROPERTY
LOCATED ALONG WICKHAM ROAD, MELBOURNE - DISTRICT 4

AGENCY: PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION

AGENCY CONTACT: BLAISE M. MANCINI, LAND ACQUISITION SPECIALIST

CONTACT PHONE: 321-690-6847 (52886)

	<u>REVIEW</u>		
	<u>APPROVE</u>	<u>DISAPPROVE</u>	<u>DATE</u>
<u>LAND ACQUISITION</u> Dan P. Jones, Supervisor	<u>DPS</u>	_____	<u>9/7/17</u>
<u>COUNTY ATTORNEY</u> Eden Bentley, Deputy County Attorney	<u>see attached</u>	_____	<u>9/7/17</u>
<u>PUBLIC WORKS</u> Andrew Holmes, Interim Director	<u>ALL</u>	_____	<u>9/21/17</u>

AGENDA DUE DATE: September 12, 2017 for the **OCTOBER 10, 2017 BOARD MEETING**

PLEASE CALL: DEBBIE CRUZ AT 690-6847 WHEN READY FOR PICK UP.

THANK YOU.

BOARD OF COUNTY COMMISSIONERS

AGENDA: SUBORDINATION OF UTILITY INTEREST FOR EASEMENTS
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<u>COUNTY ATTORNEY</u> Eden Bentley, Deputy County Attorney	<u>Need proof Meier Wise can bind FPL EB 9/15/17</u>	<u> </u>	<u> </u>
<u>PUBLIC WORKS</u> Andrew Holmes, Interim Director	<u> </u>	<u> </u>	<u> </u>

AGENDA DUE DATE: September 12, 2017 for the OCTOBER 10, 2017 BOARD MEETING

PLEASE CALL: DEBBIE CRUZ AT 690-6847 WHEN READY FOR PICK UP.

THANK YOU.



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

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

October 11, 2017

MEMORANDUM

TO: Frank Abbate, County Manager

RE: Item II.A.6., Board Policy BCC-89, Flag Stem and Easement Review for Sunset and Repeal

The Board of County Commissioners, in regular session on October 10, 2017, approved the sunset and repeal of Board Policy BCC-89, Flag Stem and Easement Review.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/ds

cc: Planning and Development Director

POLICY

TITLE: Flag Stem and Easement Review

NUMBER: BCC- 89

CANCELS: September 19, 2006

APPROVED: December 15, 2009

ORIGINATOR: Planning & Development Department

REVIEW: December 15, 2012

I. OBJECTIVE

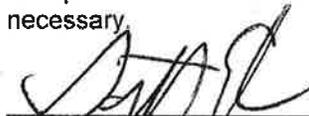
To establish a procedure for the review and approval of flag stem and easement lots creating a total of 3 or more lots from one parent parcel of land.

II. DIRECTIVES

- A. Where a flag stem and/or easement application is received that is proposing a division of 3 or more lots, Land Development will act as the coordinating agency and conduct a review with input from all affected agencies.
- B. Review agencies will include, but not be limited to the following: Natural Resource Management Office, Planning and Development, Roadway and Landscaping, Address Assignment, Fire Safety, and Stormwater Utility. Each agency will be responsible for reviewing the conceptual lot creation as it affects the applicable code requirements.
- C. The review will be processed through Land Development and handled in the same fashion as applications for site plans, subdivisions and unpaved roads.
- D. Staff will have 15 calendar days from the date of receipt to complete the review and all comments will be computerized and forwarded to the applicant. Revisions will be resubmitted to Land Development and subsequent review will be conducted, as appropriate.
- E. Upon approval by all affected agencies, staff shall schedule the flag stem/easement lot approval on a regularly scheduled Board of County Commissioners' meeting.
- F. After Board approval is obtained, application must be made for the lots by submitting all required information as necessary by code.

III. EFFECTIVE DATE

This procedure shall take effect on December 15, 2009 and may be updated by staff, as necessary.



Scott Ellis, Clerk



Mary Bolin, Chairman
Board of County Commissioners
Brevard County, Florida

As approved by the Board on December 15, 2009

SUNSET REVIEW

BCC-31

POLICY NUMBER AND NAME (OR)
ADMINISTRATIVE ORDER NUMBER AND NAME:

Flag Stem and Easement Review
BCC-89

Department: Planning and Development

Please review with recommendations to the County Manager (and/or) Advisory Board.

Citizen Group: Recommendation to be submitted to the Board of County Commissioners

County Commission: To receive results of Department and Citizen Group reviews:

REVIEW TO INCLUDE (BUT NOT LIMITED TO):

1. What is the need being met and who benefits: (Quantify)
Ordinance 10-19 was adopted, replacing this policy. BCC-89 is no longer in compliance with Code.
2. Is this Policy/Administrative Order duplicative? Yes No
If yes, please explain.
3. Can another agency perform this function? Yes No
If yes, please explain.
4. County Funding Yes No
5. Should this Policy/Administrative Order be
 Eliminated
 Modified
 Continued
6. Is there an acceptable alternative? Yes No
If yes, please explain - Code was revised.

The date(s) the Citizen Group/Advisory Board will review. N/A

The date the Board of County Commissioners will review results. _____

Rebecca Ragain, Assistant Director
Name Title

10/02/17
Date

RECEIVED

OCT - 2 2017

County Manager's
Office