



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

New Business - Development and Environmental Services Group

I.1.

3/12/2024

Subject:

Appeal Request Re: Appeal to Denied Sidewalk Waiver for Storsafe of Rockledge (23WV00020) (22SP00038) (District 2)

Fiscal Impact:

None

Dept/Office:

Planning and Development/ Public Works

Requested Action:

Pursuant to Section 62-3207(b) and subsequent to staff's disapproval of sidewalk waiver 23WV00020, Storsafe of Rockledge, LLC, is requesting that the Board of County Commissioners grant approval of an appeal of staff's denial of sidewalk waiver 23WV00020 to allow 800 feet of sidewalk installation to be postponed in accordance with the attached sidewalk assessment agreement.

Summary Explanation and Background:

On November 28, 2023, the applicant, Storsafe of Rockledge, LLC, submitted a waiver to postpone the requirement to construct a sidewalk along US 1. On December 14, 2023, the waiver was evaluated based on the criteria of Section 62-2956(b)(2) and administratively denied by the recommendation of County staff. Sec. 62-2956(b)(2) Brevard County Code of Ordinances requires that the developer "provide sidewalks adjacent to roadways abutting their project" but provides that "in areas where it can be demonstrated by the applicant that there is no current or future need for sidewalks in the immediate area, the sidewalk requirement may be administratively waived, provided that a sidewalk assessment agreement is entered into by the property owner." This Section further allows for an appeal process in the case of an administrative denial of a requested waiver.

The approved Brevard Storage site development plan (22SP00038) located at 3700 S Highway US 1, containing a 104,375 square foot mini warehouse facility, abuts approximately 800 feet of 1,700 feet of frontage along South Highway US 1 owned by the applicant. The approved site plan includes the approved design of the sidewalk. The adjacent south properties, owned by the same entity, are currently undeveloped. The following concerns were raised by Public Works Engineering, Space Coast Transportation Planning Organization (SCTPO), and Planning and Development:

1. The major traffic intersection between Barnes Blvd and Highway US 1 is within approximately 800 feet of the site per the latest survey received on May 18, 2023. Pedestrian traffic tends to be high near intersections, therefore, safety tends to become a higher priority at these major intersections.

2. SCTPO noted that multiple requests for sidewalks in the area have been received during the public involvement portion of the US1 Corridor Study. SCTPO has also designated this corridor section as a listed priority in need of pedestrian improvements within the Bicycle and Pedestrian Master Plan.
3. There is an existing sidewalk along Barnes Boulevard approximately 800 feet south of the site. The abutting properties to the north and east of the subject property include single family residential development, and there are also single family residential properties along Coquina Road.

On January 16, 2024, the applicant submitted an appeal to staff's administrative denial of the sidewalk waiver. Storsafe of Rockledge, LLC is asking the Board to consider the appeal based on the following concerns raised by the applicant. Staff has assessed these concerns and provided additional information with each concern noted:

1. Applicant's response "...The property being developed has approximately 1,000 intervening feet of future development property between itself and the Coquina/US1 intersection which has no proposed sidewalks at this time."

Staff's assessment: The site plan permit includes work within 750-feet of Coquina Road/US-1 intersection. Almost 550-feet of the 750-feet is owned by the same entity / developer of the subject site plan and is undeveloped and available for future development. When developed including sidewalk together with this application's sidewalk, there would be 1,700 feet of continuous sidewalk at this location with only about 150 feet remaining to get to a major intersection (Barnes Blvd. and US 1).

2. Applicant's response "...The one (and only) parcel of land south of our property on the east side of US1 containing a sidewalk is approximately 2,000' south of the southern border of the current project area (being one of only two properties on the east side of US1 between Coquina [Road] and Viera Blvd containing a sidewalk over a distance of approximately two miles). The next closest sidewalk to the north of the subject property is over one mile distance. The construction of the requested sidewalk at this time would not serve any connectivity purposes given the large distances between the proposed sidewalk and any other pedestrian transit routes."

Staff's assessment: There are portions of sidewalk near the intersection of Barnes Boulevard, Coquina Road, and US 1. which is 1000-feet south of the development and 300-feet south of the developer owned parcels. As noted above by the SCTPO, this major intersection is a listed priority in need of pedestrian improvements within the Bicycle and Pedestrian Master Plan.

3. Applicant's response "...The County has requested a drainage easement through the proposed sidewalk area which would necessitate the County having to demolish and replace the proposed sidewalk in the future."

Staff's assessment: The sidewalk was fully designed as required for site plan approval. The design is reviewed to ensure constructability and future maintenance. The drainage easement that is referenced is a flowage/drainage easement that replaces an existing drainage easement to accommodate for historical drainage and only crosses the sidewalk at one location. There is not a current need for demolition of the drainage system. If demolition or replacement of the drainage system is required in

the future it should only affect a few sidewalk panels.

If the appeal is granted by the Board, the applicant would enter into the sidewalk assessment agreement with the County for the subject property that is under Site Plan Permit 22SP00038. In turn, the construction of the sidewalk would be delayed until the County, in its' sole discretion, determines sidewalks are necessary on the property. The County reserves its right to exercise its' authority regarding future special assessments under Florida law and County Code in lieu of installing the sidewalk at this time.

It should be noted that Board approval of this appeal only applies to the sidewalk installation and does not relieve the developer/owner from obtaining all other necessary jurisdictional permits nor postpone the construction of other infrastructure depicted on the approved site development plan 22SP00038.

Clerk to the Board Instructions:



April 16, 2024

M E M O R A N D U M

TO: Tad Calkins, Planning and Development Director

RE: Item I.1., Appeal Request for Appeal to Denied Sidewalk Waiver for Storsafe of Rockledge, LLC (23WV00020) (22SP00038)

This is to correct the memorandum of March 13, 2024. The Board of County Commissioners, in regular session on March 12, 2024, approved the appeal request by Storsafe of Rockledge, LLC, regarding the administrative denial of waiver 23WV00020; approval is subject to the developer's entry into an agreement in a form acceptable to staff and the County Attorney, providing for the construction of the sidewalk when there is a current need, but no more than one year from today's date; authorized the developer shall post a one-year surety performance bond in the amount of 110 percent of the estimated construction costs of the sidewalks based on an estimate certified by a professional engineer and determined by staff to be sufficient; authorized there shall be one extension to the one-year bond period **to be approved by the County Manager or his designee**; authorized the County Manager, or his designee, to execute the developer's agreement on behalf of the County, and to take such action to require the sidewalks to be installed as may be necessary, including forfeiture of the bond if the developer fails to install the improvements as required.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK



Kimberly Powell, Clerk to the Board

/ds

cc: County Manager
County Attorney
Public Works



March 13, 2024

MEMORANDUM

TO: Tad Calkins, Planning and Development Director

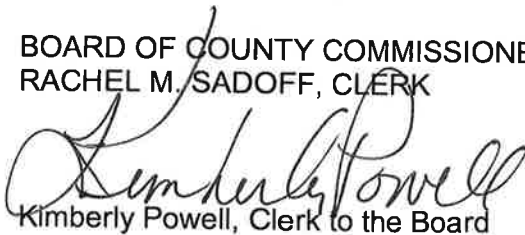
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BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

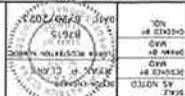

Kimberly Powell, Clerk to the Board

/ds

cc: County Manager
County Attorney
Public Works

STORSAFE STORAGE
OF ROCKLEDGE
BREVARD COUNTY
FLORIDA

GENERAL NOTES



«Kimley» Horn

	11/91	END OF
Y/N	02/01/92	SUBMARIO F WILDA LYNOS DEPT/92
Y/N	02/01/92	SUBMARIO F WILDA LYNOS DEPT/92
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GENERAL CONSTRUCTION NOTES

- [illegible]

STOIC RESOURCES STATEMENT

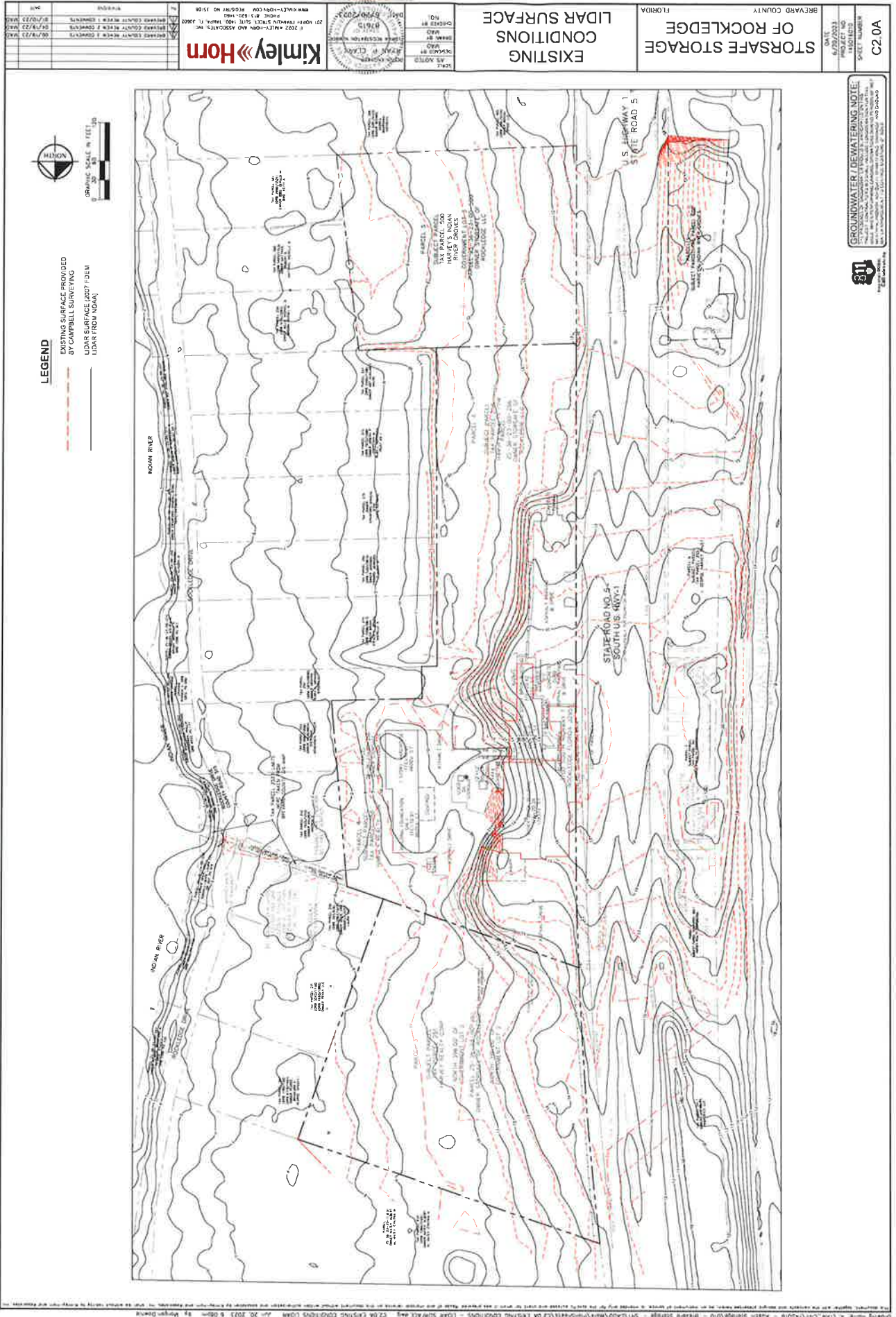
- ## STUDY RESOURCES AVAILABLE

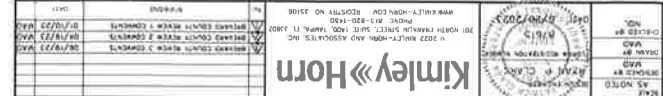
RECORD AS-BUILT SURVEY AND MINIMUM TESTING REQUIREMENTS

- [illegible]

MAINTENANCE OF TRAFFIC NOTES

1. The first step in the process of identifying a potential problem is to recognize the symptoms. This involves observing the behavior of the system and noting any unusual patterns or trends. For example, if a system is experiencing frequent crashes or slowdowns, this could indicate a problem with the hardware or software.
2. Once the symptoms have been identified, the next step is to gather information about the problem. This can be done by reviewing logs, checking the status of the system, and talking to the users who are experiencing the problem. It is important to gather as much information as possible in order to understand the problem better.
3. The third step is to analyze the information that has been gathered. This involves looking for patterns and trends in the data, and trying to identify the root cause of the problem. This can be a challenging task, but it is essential for finding a solution.
4. Once the root cause has been identified, the next step is to develop a plan to fix the problem. This plan should take into account the symptoms, the information gathered, and the root cause. It should also consider the impact of the fix on the system and the users.
5. The final step is to implement the fix and monitor the system to ensure that the problem has been resolved. This involves making changes to the system and testing the fix. It is important to monitor the system closely after the fix is implemented to ensure that the problem does not recur.





STORM WATER POLLUTION PREVENTION PLAN

SITE DESCRIPTION:

PROJECT NAME AND LOCATION:

STORM WATER POLLUTION PREVENTION PLAN
3700 S HIGHWAY 1
ROCKLEDGE, FL 32955

"SEE COVER SHEET FOR LOCATION MAP"

DEVELOPER NAME AND ADDRESS:

STORM WATER POLLUTION PREVENTION PLAN
3700 S HIGHWAY 1
ROCKLEDGE, FL 32955

PROJECT DESCRIPTION:

THE PROJECT WILL CONSIST OF SITE CLEARING AND GRUBBING, BUILDING CONSTRUCTION AND ASSOCIATED PAVING AND CRAVING.

CONTRIBUTING DRAINAGE AREA: 9.61 AC

ULTIMATE RECEIVING WATERS: INDIAN RIVER

ACTIVITIES THAT REQUIRE EROSION CONTROL:

SITE CLEARING AND GRUBBING, EXCAVATING, STABILIZED CONSTRUCTION, INFRASTRUCTURE, STORM WATER, SANITARY SINKER, AND WATER INFRASTRUCTURE, CURB AND GUTTER, ROADWAYS, AND SIDEWALKS, LANDSCAPING.

"SEE PLANS FOR THE LOCATION OF TEMPORARY SEDIMENT BARRIERS AND OTHER EROSION CONTROL MEASURES."

SEQUENCE OF MAJOR ACTIVITIES:

THE ORDER OF CONSTRUCTION IS AS FOLLOWS:

1. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE ORDER OF CONSTRUCTION.
2. INSTALL SILL FENCES AND OTHER PERIMETER CONTROLS.
3. CLEAR AND GRUB FOR SEDIMENT BASIN AND EARTH DIKE.
4. FINISH CLEARING AND GRUBBING.
5. REMOVE AND STORE TOPSOIL.
6. PROVIDE INITIAL GRADING AS REQUIRED.
7. WITHIN DAYS OF ACTIVITY.
8. INSTALL UTILITIES, STORM SEWER, CURB AND GUTTER.
9. FINISH GRADING IN THE SITE.
10. PROVIDE REQUIRED LANDSCAPING.
11. REMOVE ANY ITEMS THAT ARE NOT REQUIRED.
12. COMPLETE FINAL STABILIZATION AND FILE NOI.

TIMING OF CONTROL MEASURES:

THE INSTALLATION OF SILL FENCES AND OTHER EROSION CONTROL MEASURES SHALL BE COMPLETED PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITY. AFTER CONSTRUCTION IS COMPLETE, THE ACCUMULATED SEDIMENT SHALL BE REMOVED AND THE AREAS SHALL BE REGRADED AND SEEDING SHALL BE COMPLETED AS SHOWN ON THE PLANS.

EROSION AND SEDIMENT CONTROLS:

BEST MANAGEMENT PRACTICES SHALL BE USED FOR THIS PROJECT TO PREVENT EROSION AND SEDIMENTATION. THE LOCATION AND DETAILS OF EROSION CONTROL METHODS ARE SHOWN ON THE PLANS. THE CONTRACTOR(S) SHALL BE RESPONSIBLE FOR PLACING AND MAINTAINING ALL EROSION CONTROL MEASURES. THE CONTRACTOR(S) SHALL BE RESPONSIBLE FOR REMOVING THE EROSION CONTROL MEASURES AS REQUIRED BY LOCAL, STATE AND FEDERAL LAW. OFFSITE PROTECTION SHALL BE COVERED WITH A TARPULIN.

STORM WATER MANAGEMENT:

STORM WATER COLLECTION SHALL BE PROVIDED BY DRAINAGE INLETS FOR THE DEVELOPED AREAS. THE AREAS THAT ARE REGRADED BUT NOT DEVELOPED SHALL BE STABILIZED IMMEDIATELY AFTER REGRADE. THE ENTIRE SITE SHALL BE STABILIZED IMMEDIATELY AFTER REGRADE. THE CONTRACTOR(S) SHALL BE RESPONSIBLE FOR MAINTAINING THE TEMPORARY SEDIMENT BASINS. WHEN SLOPES HAVE BEEN STABILIZED, THE APPROPRIATE VEGETATION SHALL BE PLANTED.

STABILIZATION PRACTICES:

TEMPORARY STABILIZATION: TOPSOIL, STOCK PILES AND DISTURBED PORTIONS OF THE SITE SHALL BE COVERED WITH TEMPORARY SEED AND MULCH. AT LEAST 21 DAYS OF THE LAST CONSTRUCTION ACTIVITY IN THAT AREA. THE CONTRACTOR(S) SHALL BE RESPONSIBLE FOR MAINTAINING THE TEMPORARY STABILIZATION. PRIOR TO SEEDING, WHERE SOILS ARE AGGREGATE TONS OF PULVERIZED AGRICULTURAL LIMESTONE SHOULD BE ADDED PER ACRE AND SEDIMENTATION OF TOPSOIL SHALL BE APPLIED TO EACH ACRE. AFTER SEEDING, TOPSOIL SHALL BE APPLIED TO EACH ACRE. THE AREAS SHALL BE TEMPORARILY STABILIZED BY APPLYING GEOTEXTILE AND STONE SUB BASE UNTIL DISTURBED PORTIONS CAN BE APPLIED.

PERMANENT STABILIZATION: DISTURBED PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITY IS COMPLETED SHALL BE STABILIZED WITH PERMANENT SEED NO LATER THAN 14 DAYS AFTER THE LAST CONSTRUCTION ACTIVITY. THE APPROPRIATE PERMANENT SEED MAY BE FOUND IN TABLES 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, AND 19 OF THE EROSION DEVELOPMENT MANUAL. PRIOR TO SEEDING, WHERE SOILS ARE AGGREGATE TONS OF PULVERIZED AGRICULTURAL LIMESTONE SHOULD BE ADDED PER ACRE AND SEDIMENTATION OF TOPSOIL SHALL BE APPLIED TO EACH ACRE. AFTER SEEDING, TOPSOIL SHALL BE APPLIED TO EACH ACRE. THE AREAS SHALL BE TEMPORARILY STABILIZED BY APPLYING GEOTEXTILE AND STONE SUB BASE UNTIL DISTURBED PORTIONS CAN BE APPLIED.

STRUCTURAL PRACTICES:

EARTH DIKE: IF REQUIRED, AN EARTH DIKE SHALL BE CONSTRUCTED ALONG THE SITE PERIMETER. A PORTION OF THE DIKE SHALL DIVERT RUNOFF AROUND THE CONSTRUCTION SITE. THE REMAINING PORTION OF THE DIKE SHALL BE CONSTRUCTED TO PREVENT RUNOFF FROM THE DISTURBED AREA AND DIRECT THE RUNOFF TO THE SEDIMENT BASIN.

WASTE DISPOSAL:

WASTE MATERIALS: ALL WASTE MATERIALS SHALL BE COLLECTED AND STORED IN ACCORDANCE WITH ALL LOCAL AND STATE LAWS. THE SUPERINTENDENT SHALL BE RESPONSIBLE FOR ENSURING THAT ALL WASTE MATERIALS ARE PROPERLY HANDLED AND DISPOSED OF IN ACCORDANCE WITH ALL LOCAL AND STATE LAWS. THE SUPERINTENDENT SHALL BE RESPONSIBLE FOR ENSURING THAT ALL WASTE MATERIALS ARE PROPERLY HANDLED AND DISPOSED OF IN ACCORDANCE WITH ALL LOCAL AND STATE LAWS. THE SUPERINTENDENT SHALL BE RESPONSIBLE FOR ENSURING THAT ALL WASTE MATERIALS ARE PROPERLY HANDLED AND DISPOSED OF IN ACCORDANCE WITH ALL LOCAL AND STATE LAWS.

HAZARDOUS WASTE: HAZARDOUS WASTE MATERIALS SHALL BE DISPOSED OF IN ACCORDANCE WITH ALL LOCAL AND STATE LAWS. THE SUPERINTENDENT SHALL BE RESPONSIBLE FOR ENSURING THAT ALL HAZARDOUS WASTE MATERIALS ARE PROPERLY HANDLED AND DISPOSED OF IN ACCORDANCE WITH ALL LOCAL AND STATE LAWS. THE SUPERINTENDENT SHALL BE RESPONSIBLE FOR ENSURING THAT ALL HAZARDOUS WASTE MATERIALS ARE PROPERLY HANDLED AND DISPOSED OF IN ACCORDANCE WITH ALL LOCAL AND STATE LAWS.

SANITARY WASTE: SANITARY WASTE SHALL BE COLLECTED AND DISPOSED OF IN ACCORDANCE WITH ALL LOCAL AND STATE LAWS. THE SUPERINTENDENT SHALL BE RESPONSIBLE FOR ENSURING THAT ALL SANITARY WASTE IS PROPERLY HANDLED AND DISPOSED OF IN ACCORDANCE WITH ALL LOCAL AND STATE LAWS. THE SUPERINTENDENT SHALL BE RESPONSIBLE FOR ENSURING THAT ALL SANITARY WASTE IS PROPERLY HANDLED AND DISPOSED OF IN ACCORDANCE WITH ALL LOCAL AND STATE LAWS.

OFFSITE TRACKING:

ALL MATERIALS AND EQUIPMENT THAT ARE TRANSPORTED TO OR FROM THE PROJECT SHALL BE CLEANED OFFSITE ONCE A DAY TO REMOVE ANY EXCESS MUD, DIRT OR ROCKS RESULTING FROM CONSTRUCTION TRAFFIC. ALL TRUCKS HAVING MATERIALS ON SITE SHALL BE COVERED WITH TARPULIN.

ITEMS REQUIRING POLLUTION PREVENTION:

THE FOLLOWING ITEMS ARE EXPECTED TO BE PRESENT ON THE PROJECT SITE AT THE START OF CONSTRUCTION AND SHALL BE PROTECTED BY POLLUTION PREVENTION PRACTICES:

- ALL SEDIMENT AND EROSION CONTROL METHODS SHALL BE CHECKED DAILY AND AFTER EACH SIGNIFICANT RAINFALL BY THE SUPERINTENDENT OR ANOTHER QUALIFIED PERSON.
- ALL SEDIMENT AND EROSION CONTROL METHODS SHALL BE KEPT IN GOOD CONDITION. REPAIRS MUST BE MADE WITHIN 24 HOURS OF REPORT.
- ALL SEDIMENT AND EROSION CONTROL METHODS SHALL BE INSPECTED WHEN SEDIMENT REACHES THE HEIGHT OF THE FENCE.
- THE SILL FENCE SHALL BE INSPECTED PERIODICALLY FOR HEIGHT OF ONE THIRD THE HEIGHT OF THE FENCE.
- THE SEDIMENT BASIN(S) SHALL BE CHECKED MONTHLY FOR DEPTH OF SEDIMENT. THEY SHALL BE CLEANED WHEN SEDIMENT REACHES 10% OF TOTAL CAPACITY AND AFTER CONSTRUCTION IS COMPLETE.
- ALL BRANCHES SHALL BE INSPECTED DAILY FOR ANY BRANCHES THAT ARE PROBABLY REPAIRED.
- A MAINTENANCE REPORT SHALL BE COMPLETED DAILY AFTER EACH INSPECTION OF THE SEDIMENT AND EROSION CONTROL METHODS. THE REPORTS SHALL BE SAVED FOR AT LEAST THREE YEARS. THE REPORTS SHALL BE AVAILABLE FOR ANY AGENCY THAT HAS JURISDICTION OVER THE PROJECT.
- THE SUPERINTENDENT SHALL ORGANIZE THE TRAINING FOR INSPECTION PROCEDURES AND PROPER EROSION CONTROL METHODS FOR EMPLOYEES THAT COMPLETE INSPECTIONS AND REPORTS.

GOOD HOUSEKEEPING:

SUPERINTENDENT SHALL INSPECT PROJECT AREA DAILY FOR PROPER STORAGE, USE AND DISPOSAL OF CONSTRUCTION MATERIALS.

- STORE ONLY ENOUGH MATERIAL ON SITE FOR PROJECT COMPLETION.
- ALL SUBSTANCES SHOULD BE USED BEFORE DISPOSAL OF CONTAINER.
- PROPER CONTAINER AND IF POSSIBLE, STORED UNDER A ROOF OR PROTECTIVE COVER.
- ALL PRODUCTS SHALL NOT BE MIXED UNLESS DIRECTED BY THE MANUFACTURER.
- ALL PRODUCTS SHALL BE USED AND DISPOSED OF ACCORDING TO THE MANUFACTURER'S RECOMMENDATIONS.

HAZARDOUS PRODUCTS:

MATERIALS SHOULD BE KEPT IN ORIGINAL CONTAINER WITH LABELS UNLESS THE LABEL IS DAMAGED OR ILLEGIBLE. IF THE LABEL IS DAMAGED OR ILLEGIBLE, THE MATERIALS SHOULD BE KEPT IN ORIGINAL CONTAINER WITH LABELS UNLESS THE LABEL IS DAMAGED OR ILLEGIBLE. IF THE LABEL IS DAMAGED OR ILLEGIBLE, THE MATERIALS SHOULD BE KEPT IN ORIGINAL CONTAINER WITH LABELS UNLESS THE LABEL IS DAMAGED OR ILLEGIBLE.

PRODUCT SPECIFIC PRACTICES:

PE TIRELIUM PRODUCTS MUST BE STORED IN PROPER CONTAINERS AND CLEARLY LABELED. VEHICLES CONTAINING PE TIRELIUM PRODUCTS SHALL BE PROTECTED BY POLLUTION PREVENTION PRACTICES. PRECAUTIONS SHALL BE TAKEN TO PREVENT LEAKS OR SPILLS. THE MINIMUM AMOUNT OF FERTILIZER SHALL BE USED AND MIXED INTO THE SOIL IN ORDER TO LIMIT EXPOSURE TO STORM WATER. FERTILIZERS SHALL BE STORED IN A SECURE LOCATION AND PROTECTED FROM THE ELEMENTS. FERTILIZERS SHALL BE TRANSFERRED TO A SEALABLE PLASTIC BIN TO AVOID SPILLS.

ALL SPILLS SHALL BE CLEANED UP AS SOON AS POSSIBLE. ALL SPILLS SHALL BE CLEANED UP AS SOON AS POSSIBLE. ALL SPILLS SHALL BE CLEANED UP AS SOON AS POSSIBLE. ALL SPILLS SHALL BE CLEANED UP AS SOON AS POSSIBLE. ALL SPILLS SHALL BE CLEANED UP AS SOON AS POSSIBLE.

SPILL CONTROL PRACTICES:

IN ADDITION TO THE GOOD HOUSEKEEPING AND MATERIAL MANAGEMENT PRACTICES DISCUSSED IN PREVIOUS SECTIONS OF THIS PLAN, THE FOLLOWING PRACTICES SHALL BE FOLLOWED FOR ALL PREVENTION AND CLEANUP:

- CLEANUP INFORMATION SHALL BE POSTED ON SITE TO INFORM EMPLOYEES ABOUT CLEANUP PROCEDURES AND RESOURCES.
- THE FOLLOWING CLEANUP EQUIPMENT MUST BE KEPT ON SITE NEAR THE PROJECT: ABSORBENT PADS, SPILL KIT, TARPULIN, PANS, SAND, SAWDUST, LIQUID ABSORBERS, COGLES, AND TRASH CONTAINERS.
- ALL SPILLS SHALL BE CLEANED UP AS SOON AS POSSIBLE.
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MAINTENANCE AND INSPECTION PRACTICES:

THE FOLLOWING ARE MAINTENANCE AND INSPECTION PRACTICES THAT SHALL BE COMPLETED BY THE CONTRACTOR:

- ALL SEDIMENT AND EROSION CONTROL METHODS SHALL BE CHECKED DAILY AND AFTER EACH SIGNIFICANT RAINFALL BY THE SUPERINTENDENT OR ANOTHER QUALIFIED PERSON.
- ALL SEDIMENT AND EROSION CONTROL METHODS SHALL BE KEPT IN GOOD CONDITION. REPAIRS MUST BE MADE WITHIN 24 HOURS OF REPORT.
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STORMWATER POLLUTION PREVENTION PLAN

STORSAFE STORAGE OF ROCKLEDGE

FLORIDA
BREVARD COUNTY
DATE: 8/25/2023
PROJECT NO.: 2023-0001
SHEET NUMBER: C3.0

GROUNDWATER / DEWATERING NOTE
This project is located in an area with known groundwater. The contractor shall be responsible for monitoring groundwater levels and dewatering as needed to prevent groundwater from entering the construction site. The contractor shall be responsible for dewatering as needed to prevent groundwater from entering the construction site.



OVERALL SITE
PLAN

Kimley»Horn

YFA	CZ/01/10	SHIMANO F 8000 1/8" 100 EXHAUST
YFA	CZ/61/90	SHIMANO F 8000 1/8" 100 EXHAUST
YFA	CZ/61/90	SHIMANO F 8000 1/8" 100 EXHAUST



SITE LIGHTING NOTE:

LEGEND

PROPOSED BUILDING

EXISTING DRIVE

PROPOSED DRIVE

PROPOSED DRIVE FENCE

PROPOSED DRIVE FENCE

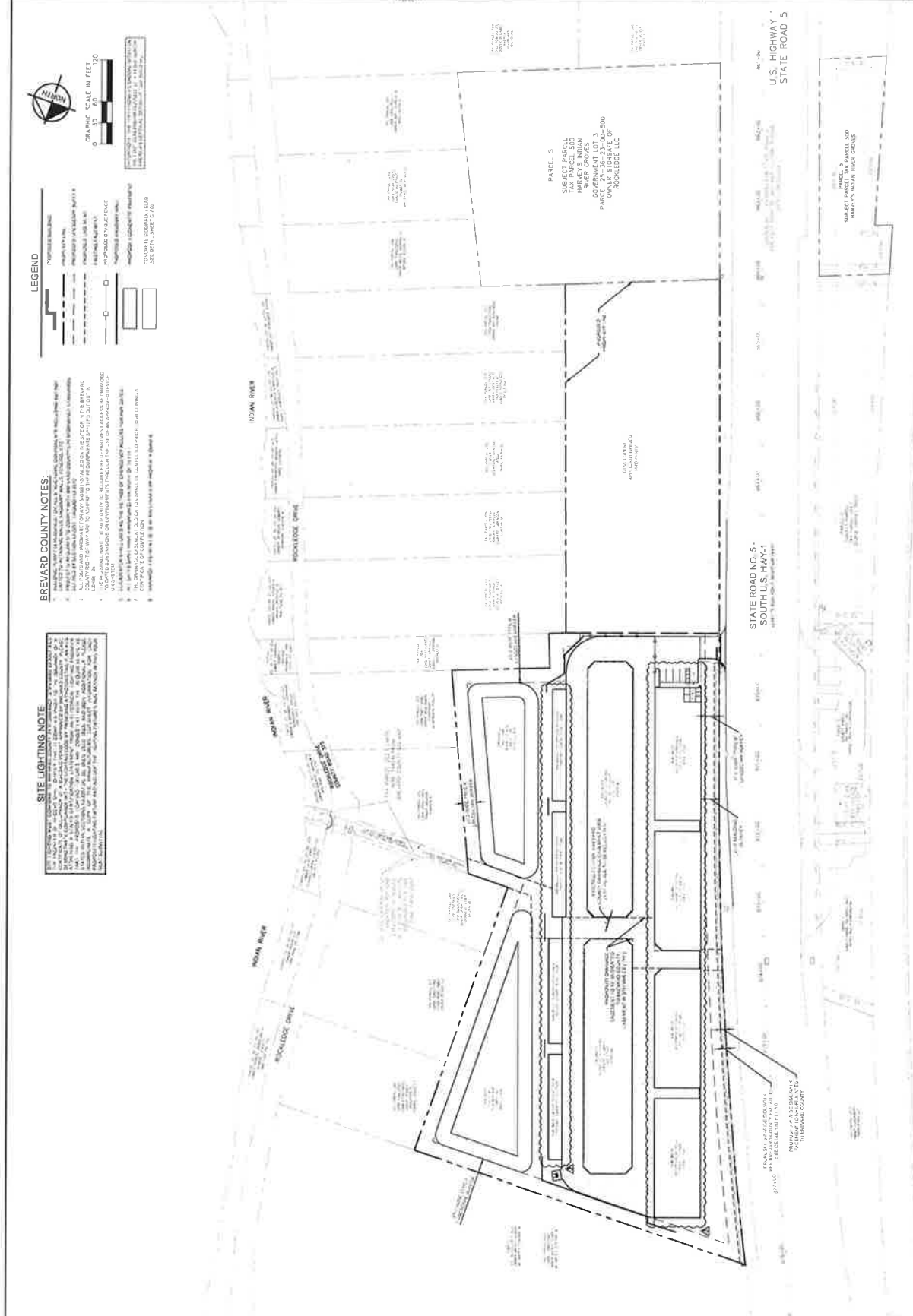
PROPOSED DRIVE FENCE

COUNCIL'S DRAINAGE SUB
LIST DETAIL SHEET C-20

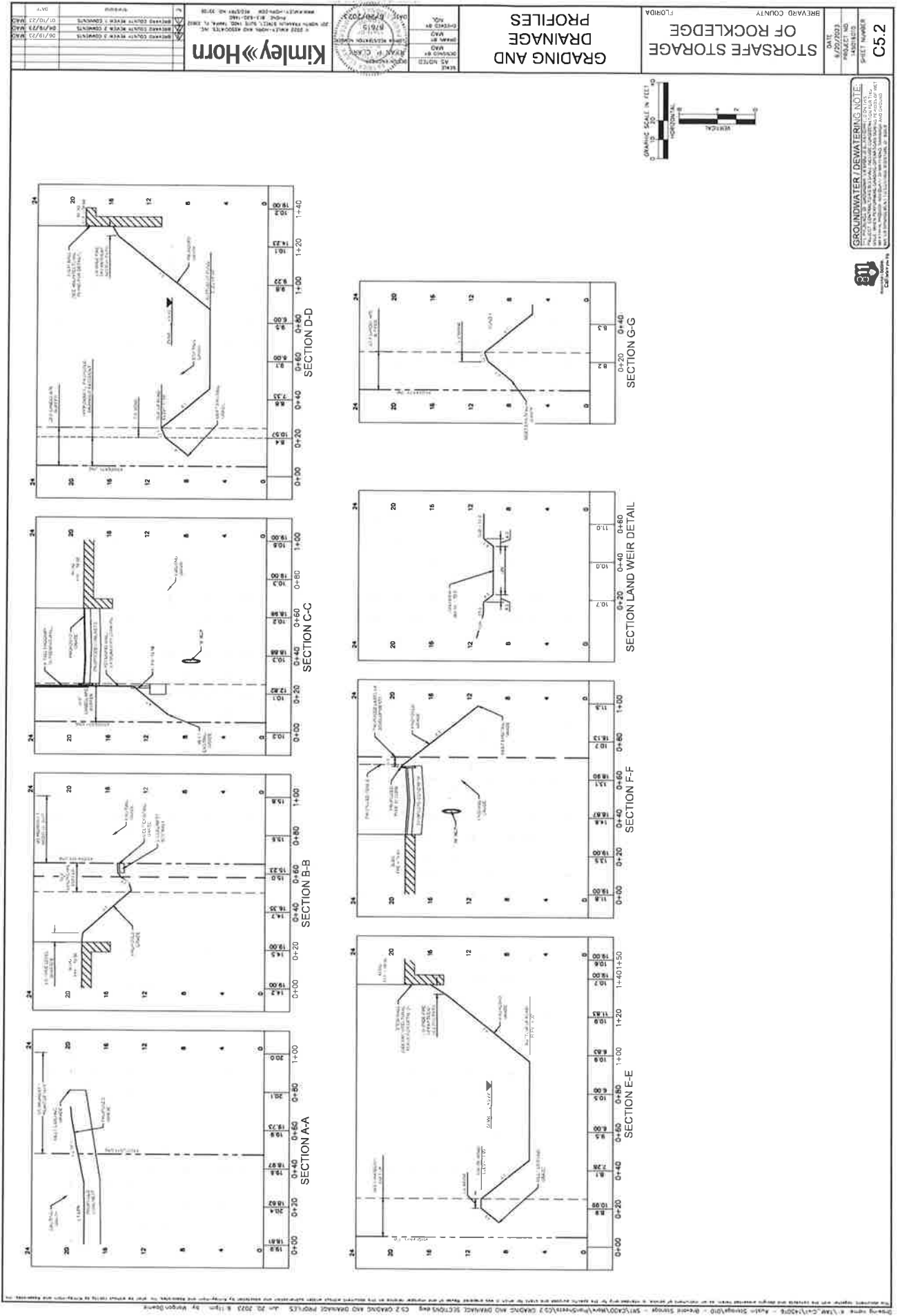
GRAPHIC SCALE IN FEET

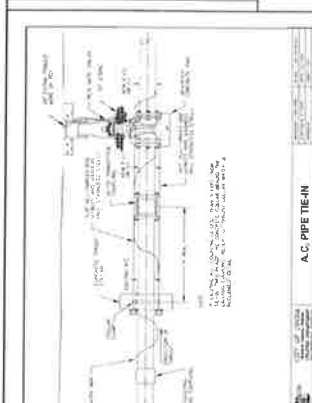
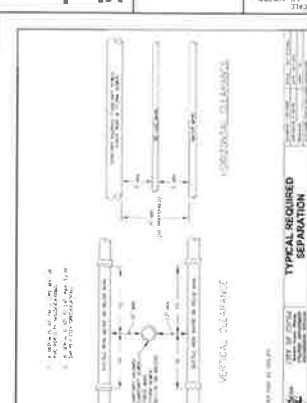
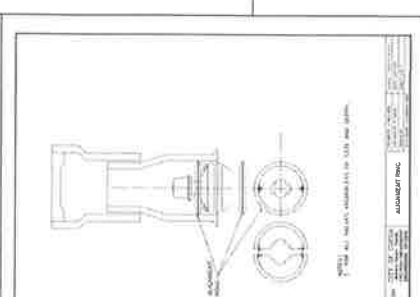
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North

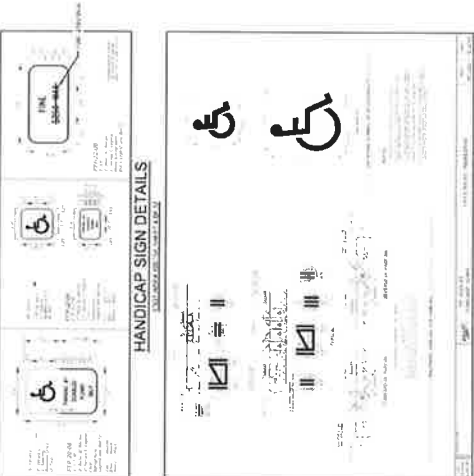


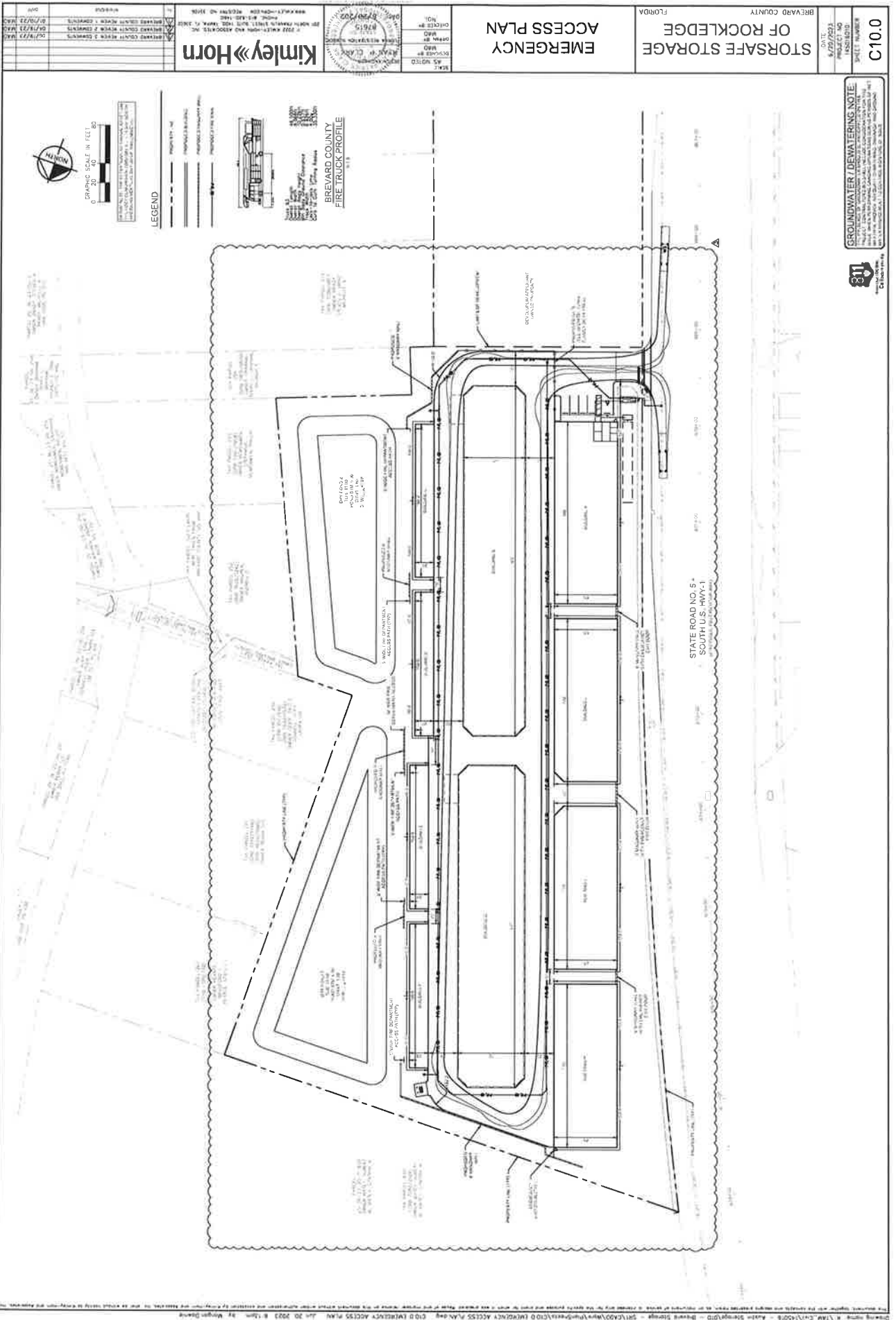




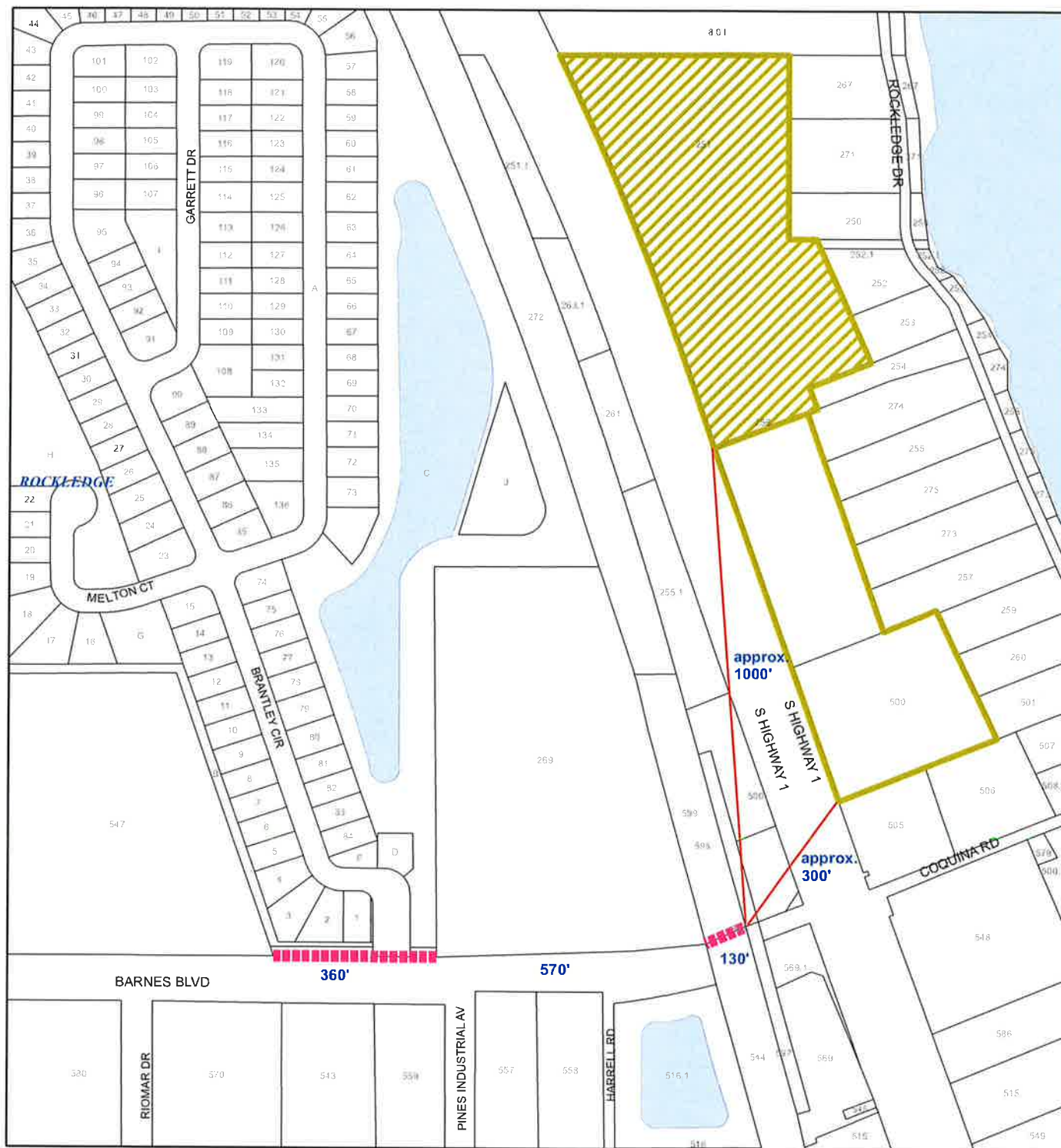








STORSAFE OF ROCKLEDGE, LLC

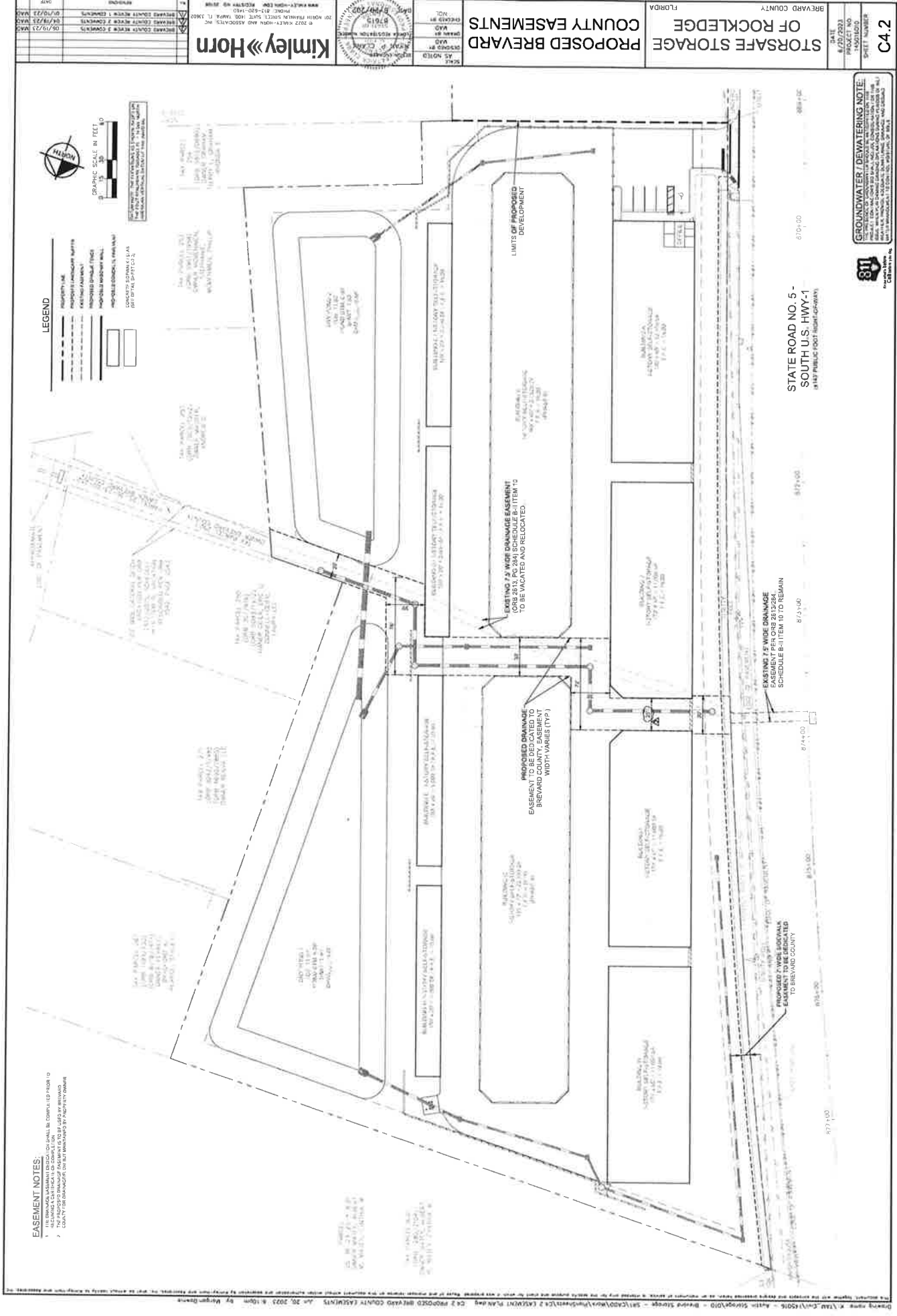


1:3,600 or 1 inch = 300 feet

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: 2/28/2024

-  STORSAFE of Rockledge, LLC Property - 23WV00020 Waiver
-  Remainder of Property Owned by StorSafe of Rockledge
-  Parcels
-  Existing Sidewalk



EASEMENT NOTES:

1. THE DRAINAGE EASEMENT DESIGNATION SHALL BE COMPLETED FROM 10
2. THE PROPOSED DRAINAGE EASEMENT IS TO BE USED BY BREVARD COUNTY FOR DRAINAGE ON ITS LANDWARD BY ADJACENT OWNER

LEGEND

- PROPERTY LINE
- PROPOSED EASEMENT
- EXISTING EASEMENT
- PROPOSED DRAINAGE EASEMENT
- EXISTING DRAINAGE EASEMENT
- PROPOSED DEVELOPMENT
- EXISTING DEVELOPMENT
- PROPOSED 7.5' WIDE DRAINAGE EASEMENT
- EXISTING 7.5' WIDE DRAINAGE EASEMENT
- PROPOSED 7.5' WIDE DRAINAGE EASEMENT
- EXISTING 7.5' WIDE DRAINAGE EASEMENT

GRAPHIC SCALE IN FEET

0 15 30 60

North Arrow

Scale

1" = 100'

Project Information

PROJECT NO. 2023-001

DATE 8/20/2023

Kimley-Horn

100 NORTH FLORIAN STREET, SUITE 100, TAMPA, FL 33602

PH: 813-251-1100

FAX: 813-251-1101

WWW.KIMLEY-HORN.COM

REGISTERED PROFESSIONAL ENGINEER

FLORIDA REG. NO. 12002

DATE 8/20/2023

BY: [Signature]

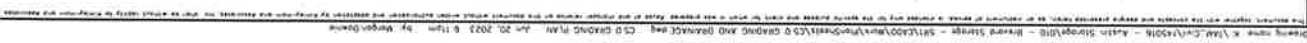
CHECKED BY: [Signature]

APPROVED BY: [Signature]

GROUNDWATER / DRAINAGE NOTE:

THE DRAINAGE EASEMENT DESIGNATION SHALL BE COMPLETED FROM 10

THE PROPOSED DRAINAGE EASEMENT IS TO BE USED BY BREVARD COUNTY FOR DRAINAGE ON ITS LANDWARD BY ADJACENT OWNER





BOARD OF COUNTY COMMISSIONERS

Planning and Development
Planning and Zoning
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940
(321) 633-2070 Phone

LAND DEVELOPMENT WAIVER APPLICATION

This form should be used for all waiver requests or appeals associated with the Code of Ordinances, Section 62, as it relates to Subdivisions, Minor Subdivisions, and Site Plans. Fees for Waivers are \$775.00.

Application Type:

☐ Subdivision Waiver

☐ Site Plan Waiver

☒ Other

Sidewalk

If other, please indicate

Tax Account Numbers:

2521533

Tax Account 1

Tax Account 2

Project Information and Site Address:

StorSafe of Rockledge

StorSafe of Rockledge, LLC

Project Name

Property Owner

3700 S. Highway 1 Rockledge

FL

32955

Street

City

State

Zip Code

Applicant Information:

Adam Freeman

StorSafe of Rockledge, LLC

Applicant Name

Company

5301 Dempster St, Ste 300

Skokie

IL

60077

Street

City

State

Zip Code

312-724-7479

afreeman@elmdalepartners.com

Primary Phone

Secondary Phone

Email Address

Engineer/Contractor (if different from applicant):

Beau Feaster

Rockbottom Specialties, Inc

Engineer or Project Manager

Company

22200 NW 117th Ct Micanopy

FL

32667

Street

City

State

Zip Code

352-234-7143

beaufeaster@yahoo.com

Primary Phone

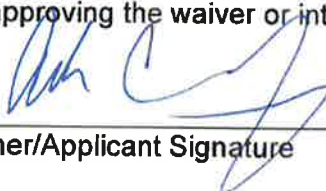
Secondary Phone

Email Address

Description of Waiver Request and Code Section:

We are requesting a waiver from sidewalk construction on FDOT Right of Way.

If you wish to appeal any decision made by County staff on the wavier, you may request that the Board of County Commissioners make a determination. The Board's decision approving or disapproving the waiver or interpretation is final.


Owner/Applicant Signature

Adam Freeman

Print Name

Land Development Application Document Submittal Requirements

Waivers for Site Plans or Subdivisions require an application, waiver criteria (listed below), an 8 ½-inch x 11 inch vicinity map, and a fee of \$775.00.

Waiver Criteria for Subdivisions and Site Plans

For a waiver to be considered and approved by staff, your request must comply with all of the following criteria. Please explain, in detail, how your request meets the following conditions.

1. The particular physical conditions, shape, or topography of the specific property involved causes an undue hardship to the applicant if the strict letter of the code is carried out.

There are no other sidewalks on this road, and the Department of Transportation does not have any plans to construction additional sidewalks in this area. This area is not used by pedestrians.

2. The granting of the waiver will not be injurious to the other adjacent property.

A waiver would not be injurious to adjacent property. If the sidewalk is constructed, it will only be in front this property. A sign will need to be placed at each end that says "Sidewalk Ends", and the sidewalk will not be used.

3. The conditions, upon which a request for waivers are based, are particular to the property for which the waiver is sought and are not generally applicable to other property and do not result from actions of the applicant.

The reason for this waiver, is that this will be the only sidewalk along US Highway 1 in this area, and as such it will become a liability.

4. The waiver is consistent with the intent and purpose of the county zoning regulations, the county land use plan, and the requirements of this article.

Yes

5. Delays attributed to state or federal permits.

No

6. Natural disasters.

No

7. County development engineer and affected agencies concur that an undue hardship was placed on the applicant. (To be filled out by County staff)

Office Use Only

Request Date

Fees

Board Date

Original Project Number

Waiver Number

Coordinator Initials

Reference Files

County Manager/Designee Approval



Planning & Development Department

2725 Judge Fran Jamieson Way
Building A, Room 115
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

December 14, 2023

Adam Freeman
StorSafe of Rockledge, LLC
5301 Dempster St, Ste 300
Skokie, IL 600077

RE: 23WV00020 - Sidewalk Waiver for Brevard Storage

Dear Mr. Freeman,

We have completed the review of your request to waive Section 62-2956(b)(2), requiring sidewalks adjacent to roadways on which a development abuts. The Transportation Planning Office has indicated there is a major intersection within 1,200' to your development, and multiple citizen requests for sidewalks within the area have been made. There also exists sidewalk less than 800' south of the site. For these reasons, we cannot approve your request for a sidewalk waiver at this time and the required sidewalks must be installed with your project.

In accordance with Section 62-3207, any request for an appeal shall be submitted in writing to the land development section within 30 calendar days of any decision or determination. The request shall contain the basis for the appeal and appropriate fees. A hearing before the board of county commissioners will be scheduled within 30 calendar days of receipt of the written request.

Sincerely,

Desirée Jackson, Associate Planner
Land Development, Planning & Development Department

Jackson, Desiree

From: Cole Oliver <coliver@rosswayswan.com>
Sent: Tuesday, January 16, 2024 7:56 PM
To: Jackson, Desiree
Cc: Jim Sayegh
Subject: Appeal of 23WV00020 Sidewalk Waiver Application / StorSafe of Rockledge - 3700 S Highway 1
Attachments: 23WV00020 idewalk Waiver Request Deficiency.pdf

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Desiree,

Good evening. I represent the Applicant StorSafe of Rockledge on the attached denial of sidewalk waiver. Please accept this email as a written request to appeal this decision, and I have called to confirm the fees to include with such. Upon confirmation of the amount due, we will deliver a check immediately.

Your letter dated December 14, 2023 states that the basis for denial of the requested waiver is that a major intersection is within 1,200' of the proposed development, multiple citizen request for sidewalks in the area have been received, and that there exists a sidewalk within 800' south of the site.

Our basis for requesting the appeal is that the property being developed has approximately 1,000 intervening feet of future development property between itself and the Coquina/US1 intersection which has no proposed sidewalks at this time. Further, the one (and only) parcel of land south of our property on the east side of US1 containing a sidewalk is approximately 2,000' south of the southern border of the current project area (being one of only two properties on the east side of US1 between Coquina Drive and Viera Blvd containing a sidewalk over a distance of approximately two miles). The next closest sidewalk to the north of the subject property is over one mile distance. The construction of the requested sidewalk at this time would not serve any connectivity purposes given the large distances between the proposed sidewalk and any other pedestrian transit routes.

Additionally, Applicant requests that the Board consider the waiver for economic reasons in that it is my understanding that the County has requested a drainage easement through the proposed sidewalk area which would necessitate the County having to demolish and replace the proposed sidewalk in the future.

In the event that the Board will not waive the sidewalk in total, the Applicant requests that the Board delay the requirement to install the sidewalk to such date that any contiguous property not owned by my client installs a connecting portion of sidewalk. My client would be willing to enter into an agreement allowing the County to lien the property in the event that such a sidewalk is not installed within a specific time frame of the County providing proof of a contiguous sidewalk.

Regards,
Cole Oliver, for StorSafe of Rockledge



BOARD OF COUNTY COMMISSIONERS

Planning and Development
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940
321-633-2070

SIDEWALK ASSESSMENT AGREEMENT

Brevard Storage

Plan Name

3700 S US HWY 1

Site Address

Rockledge

FL

32955

City

State

Zip Code

22SP00038

Plan Number

Agreement for Frontage Date

THIS SIDEWALK ASSESSMENT AGREEMENT ("Agreement") made and entered into

this _____ day of _____, 20____ by and between

_____, hereinafter referred to as "OWNER", and the

Board of County Commissioners of Brevard County, hereinafter referred to as "COUNTY".

WITNESSETH:

WHEREAS, the OWNER owns the real property and improvements thereon situated in Brevard County, Florida legally described as follows:

SEE EXHIBIT "A"

WHEREAS, sidewalk construction by the OWNER is required for the site plan/subdivision submitted by the OWNER pursuant to Chapter 62 of the Brevard County Code of Ordinances as well as the County Comprehensive Plan, but is not practical at this time; and

WHEREAS, the OWNER has demonstrated to the COUNTY that there is no current need for sidewalks in the immediate area; and

WHEREAS, the OWNER has agreed to participate in the future construction of sidewalks to the extent of their pro-rata share and has also waived any right to object to a future assessment for the said sidewalks; and

WHEREAS, the OWNER has requested a waiver of sidewalk requirement at this time pursuant to Chapter 62, Article VII, Division 4; and

WHEREAS, the parties hereto are desirous of placing their agreement in writing.

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00) and other good and valuable considerations, the receipt whereof which is hereby acknowledged, the OWNER agrees as follows:

- 1) The above recitals are true and correct and by this reference are hereby incorporated into and made an integral part of this Agreement.
- 2) The OWNER shall pay his pro-rata share for sidewalk improvements, according to Chapter 98 of the Brevard County Code of Ordinances, and as may be amended from time to time, or any other applicable ordinance or law.
- 3) The OWNER hereby agrees that should the County in its sole discretion determine sidewalks are necessary on the property described in Exhibit "A", and if the COUNTY elects under the provisions of Chapter 170 of the Florida Statutes or Chapter 98, Code of Ordinances of Brevard County, Florida, to initiate a program of special assessments for sidewalk installation against all the private property adjacent to the property described in Exhibit "A", the OWNER hereby affirmatively consents to the application of the special assessment procedures in accordance with the provisions of Chapter 170, Florida Statutes, or Chapter 98 Code of Ordinances of Brevard County, Florida, to their property in lieu of installing sidewalks at this time.
- 4) The OWNER agrees to provide to the COUNTY any easements necessary to construct and maintain sidewalks should the COUNTY choose to initiate a program of special assessments for sidewalk installation at a future date.
- 5) The OWNER however, reserves the right to apply to the Equalization Board under the provisions of Section 170.08, Florida Statutes, to request any adjustment and equalization of any assessment which would be applied against their property. The procedures of Chapter 98, Code of Ordinances of Brevard County, Florida, if applicable, may also be used by OWNER to request a modification of the amount of the assessment.
- 6) This Agreement and its covenants, terms, and conditions shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto and shall run with the lands described in Exhibit "A".
- 7) In the performance of this Agreement, the OWNER shall keep books, records, and account of all activities, related to the agreement, in compliance with generally accepted

accounting procedures. Books, records and accounts related to the performance of this agreement shall be open to inspection during regular business hours by an authorized representative of the Office and shall be retained by the OWNER for a period of three years after termination of this agreement. All records, books and accounts related to the performance of this agreement shall be subject to the applicable provisions of the Florida Public Records Act, Chapter 119, Florida Statutes.

- 8) No reports, data, programs or other materials produced, in whole or in part for the benefit and use of the County, under this agreement shall be subject to copyright by OWNER in the United States or any other country.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

Signature of Witness

Planning & Development Department, Director

Approved on _____

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me, by _____ physical presence or _____ online notarization, this _____ day of _____, 20_____

by _____ who is personally

known to me or has produced _____ as identification and who did (did not) take an oath.

Date My Commission Expires

Signature of Notary Public

Printed Name of Notary Public

Signed, Sealed and Delivered in presence of

[Signature]
Signature of Witness

[Signature]
Signature of Owner

[Signature]
Signature of Witness

STATE OF FLORIDA Stn State of Illinois
COUNTY OF BREVARD County of Cook

The foregoing instrument was acknowledged before me this 29 day of

February, 2024 by Adam Freeman who is personally

known to me or has produced _____ as identification and who did

(did not) take an oath.

7/6/2027
Date My Commission Expires

[Signature]
Signature of Notary Public

Susan L. Hayes
Printed Name of Notary Public

