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October 2, 2015

MEMORANDUM

TO: Cynthia Fox, Planning and Zoning Manager

RE: Board Actions on Planning and Zoning Board Recommendations of September 21, 2015, and Port St. John Recommendations of September 9, 2015

The Board of County Commissioners, in regular session on October 1, 2015, took action on Planning and Zoning Board recommendations of September 21, 2015, and Port St. John Recommendations of September 9, 2015.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Etheridge, Deputy Clerk

/af

Encl. (1)

cc: Planning and Development Director
Natural Resources Management Director
County Attorney

**PLANNING AND ZONING BOARD RECOMMENDATIONS OF SEPTEMBER 21, 2015; AND
PORT ST. JOHN RECOMMENDATIONS OF SEPTEMBER 9, 2015**

- III.B.1. Dilesh Enterprises, LLC. Infantini/Smith, approved as recommended.
- III.B.2. Southeastern Metro Savings, LLC. Smith/Infantini, approved with an amended BDP limited to manufacturing, compounding, processing, packing, storage, treatment, or assembly of electronics; professional, scientific, photographic and optical instruments; technical and scientific products and materials; and retaining existing buffers established by BDP recorded in ORB 4502, Pages 2171 – 2176, of the Public Records of Brevard County.
- III.B.3. Rotation Holdings, LLC. Smtih/Barfield, approved with a BDP prohibiting motorcycle repairs on the property, providing an 8-foot tall concrete wall along the east (rear) property line; and limiting usage of the eastern 241 ft. of the property for long-term secured recreation vehicles, boats, trailer, vehicles storage parking lot.
- III.B.4. Gary K. and Carol Lynn Bartlett, Trustees. Infantini/Smith, approved with a BDP limited to a childcare facility and a pre-kindergarten school; and denied the Small Scale Plan Amendment with finding that zoning is a transitional use pursuant to Policy 2.14 of the Future Land Use Element.

On motion by Commissioner Infantini, seconded by Commissioner Smith, the following resolution was adopted by a unanimous vote; and,

WHEREAS, DILESH ENTERPRISES, LLC – requests a CUP (Conditional Use Permit) for Alcoholic Beverages (full liquor) for On-Premises Consumption in Conjunction with a Restaurant, in a TU-1 (General Tourist Commercial) zoning classification, on property described as Lot 7 of the Frank J. Krajic Subdivision, as recorded in ORB 3514, Pages 1835 – 1841, of the Public Records of Brevard County, Florida. (1.3 acres) Located on the west side of Hwy A1A, between North Court and South Court. (2910 N. Hwy A1A, Indialantic)

Section 13, Township 27 S, Range 37 E, and,

WHEREAS, a public hearing of the Brevard County Planning & Zoning Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the Brevard County Planning & Zoning Board recommended that the application be approved; and,

WHEREAS, the Board, after considering said application and the Brevard County Planning & Zoning Board’s recommendation, and hearing all interested parties, and after due and proper consideration having been given to the matter, find that the application should be Approved; now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested CUP (Conditional Use Permit) for Alcoholic Beverages (full liquor) for On-Premises Consumption in Conjunction with a Restaurant, in a TU-1 (General Tourist Commercial) zoning classification, be APPROVED, and the Planning & Zoning Director, or designee, is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

BE IT FURTHER RESOLVED that this resolution shall become effective as of October 1, 2015.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida

by Robin Fisher, Chairman
Brevard County Commission

As approved by Brevard County Commission on October 1, 2015.

ATTEST:

SCOTT ELLIS, CLERK
(SEAL)

(P&Z Hearing – September 21, 2015)

Please note: A Conditional Use Permit will generally expire on the three year anniversary of its approval if the use is not established prior to that date. Conditional Use Permits for Towers and Antennas shall expire if a site plan for the tower is not submitted within one (1) year of approval or if construction does not commence within two years of approval. A PUD Preliminary Development Plan expires if a final development plan is not filed within three years.

THE GRANTING OF THIS ZONING DOES NOT GUARANTEE PHYSICAL DEVELOPMENT OF THE PROPERTY. AT THE TIME OF DEVELOPMENT, SAID DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CRITERIA OF THE BREVARD COUNTY COMPREHENSIVE PLAN AND OTHER APPLICABLE LAWS AND ORDINANCES.