



Zoning

Brevard County Board Of County Commissioners Governing Board Of The Brevard Mosquito Control District Governing Board Of The Barefoot Bay Water And Sewer District

**2725 Judge Fran Jamieson Way
Viera, FL 32940**

**Agenda
Thursday, October 1, 2020**

If you wish to speak to any item on the agenda, please fill out a speaker card . Persons addressing the Board shall have three minutes to complete his/her comments on each public hearing agenda item for which he/she has filled out a card.

The Board of County Commissioners requests that speakers appearing under the Public Comment section of the agenda limit their comments and/or presentations to matters under the Board's jurisdiction. It is the responsibility of the Chair to determine the time limit on comments under Public Comment and other agenda items that are not Quasi-Judicial Public Hearings. In Quasi-Judicial proceedings, fifteen (15) minutes shall be allowed for applicants and five (5) minutes for other speakers.

- A. CALL TO ORDER 5:00 PM**
- B. MOMENT OF SILENCE**
- C. PLEDGE OF ALLEGIANCE: Commissioner Rita Pritchett, District 1**
- D. MINUTES FOR APPROVAL:**
- E. RESOLUTIONS, AWARDS AND PRESENTATIONS**
- F. CONSENT AGENDA (The entire Consent Agenda will be passed in one motion to include everything under Section F.)**

Development and Environmental Services Group

Natural Resources Management

- F.1. Memorandum of Agreement with the East Central Florida Regional Planning Council to assist Brevard County with addressing deficiencies in the County's 2017 Evaluation and Appraisal Report (EAR), as identified by the Florida Department of Economic Opportunity (DEO).**
- F.2. Florida Department of Environmental Protection grant of \$70,000 for the East Central Florida Regional Planning Council to assist Brevard County with addressing deficiencies in the County's 2017 Comprehensive Plan Evaluation and Appraisal Report, as identified by the Florida Department of Economic Opportunity.**

Planning and Development

F.3 DELETED

County Manager

F.4. Launch the Vote Art Contest

G. PUBLIC COMMENTS

H. PUBLIC HEARINGS

H.1. Carmen Fanczi (Michael Maguire) requests a change of zoning classification from AU to EU. (20Z00013) (Tax Account 2511450) (District 2)

H.2. Brevard Medical City, LLC, requests Adoption of the 2019-2.2 Large Scale Comprehensive Plan Amendment to change the Future Land Use designation from Planned Industrial to Community Commercial. (19PZ00086) (Tax Accounts 2632155, 3014505, and 3012173) (District 4)

H.3. Brevard Medical City, LLC; Brevard Medical City Owners Association, Inc.; and Chateau Madeleine, LLC, requests a change of zoning classification from PUD and PIP to all PUD with retention of CUP for alcoholic beverages (full liquor) at an ALF (Assisted Living Facility) with waiver request for building separation between existing and proposed ALF expansion. (20Z00014) (Tax Accounts 2632155, 3014505, 3012173 (part), and 2603505) (District 4)

I. UNFINISHED BUSINESS

J. NEW BUSINESS

Add Ons

J.1. Financial Incentive for Constituent Reporting of Waste Management Missed Pickups, District 2

K. PUBLIC COMMENTS

L. BOARD REPORTS

L.1. Frank Abbate, County Manager

L.2. Eden Bentley, County Attorney

L.3. Rita Pritchett, Commissioner District 1, Vice Chair

L.4. Bryan Lober, Commissioner District 2, Chair

L.5. John Tobia, Commissioner District 3

L.6. Curt Smith, Commissioner District 4

L.7. Kristine Isnardi, Commissioner District 5

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations or an interpreter to participate in the proceedings, please notify the County Manager's Office no later than 48 hours prior to the meeting at (321) 633-2010.

Assisted listening system receivers are available for the hearing impaired and can be obtained from SCGTV staff at the meeting. We respectfully request that ALL ELECTRONIC ITEMS and CELL PHONE REMAIN OFF while the County Commission is in session. Thank You.

This meeting will be broadcast live on Space Coast Government Television (SCGTV) on Spectrum Cable Channel 499, Comcast (North Brevard) Cable Channel 51, and Comcast (South Brevard) Cable Channel 13 and AT&T U-verse Channel 99. SCGTV will also replay this meeting during the coming month on its 24-hour video server nights, weekends, and holidays. Check the SCGTV website for daily program updates at <http://www.brevardfl.gov>. The Agenda may be viewed at: <http://www.brevardfl.gov/Board Meetings>

In accordance with Resolution 2014-219 Section VIII (8.1) the agenda shall provide a section for public comment limited to thirty (30) minutes following approval of the consent agenda during each regular County Commission meeting. The purpose of public comment is to allow individuals to comment on any topic relating to County business which is not on the meeting agenda. Individuals delivering public comment shall be restricted to a three-minute time limit on their presentation. During this thirty (30) minute segment of public comment, speakers will be heard in the order in which they turned in a speaker card asking to be heard. Any speaker not heard during the first thirty (30) minute segment will be heard during a second public comment segment held at the conclusion of business specified on the regular Commission agenda. With the exception of emergency items, the Board will take no action under the Public Comment section, but can refer the matter to another meeting agenda.

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**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS ON 2020-10-01 5:00
PM - ZONING**

**2725 Judge Fran Jamieson Way
Viera, FL, 32940
Regular Agenda
Thursday, October 1, 2020**

**IF YOU WISH TO SPEAK TO ANY ITEM ON THE AGENDA, PLEASE FILL OUT A
SPEAKER CARD. PERSONS ADDRESSING THE BOARD SHALL HAVE FIVE
MINUTES TO COMPLETE HIS/HER COMMENTS ON EACH PUBLIC HEARING
AGENDA ITEM FOR WHICH HE/SHE HAS FILLED OUT A CARD.**

**THE BOARD OF COUNTY COMMISSIONERS REQUESTS THAT SPEAKERS
APPEARING UNDER THE PUBLIC COMMENT SECTION OF THE AGENDA LIMIT
THEIR COMMENTS AND/OR PRESENTATIONS TO MATTERS UNDER THE
BOARD'S JURISDICTION. IT IS THE RESPONSIBILITY OF THE CHAIR TO
DETERMINE THE TIME LIMIT ON COMMENTS UNDER PUBLIC COMMENT AND
OTHER AGENDA ITEMS THAT ARE NOT PUBLIC HEARINGS.**

A. CALL TO ORDER 5:00 PM

B. MOMENT OF SILENCE

C. PLEDGE OF ALLEGIANCE - Commissioner Rita Pritchett, District 1

F. CONSENT AGENDA

(The entire Consent Agenda will be passed in one motion to include everything
under Section F.)

Development and Environmental Services Group

Natural Resources Management

- F.1. 2132 Memorandum of Agreement with the East Central Florida
Regional Planning Council to assist Brevard County with
addressing deficiencies in the County's 2017 Evaluation and
Appraisal Report (EAR), as identified by the Florida Department of
Economic Opportunity (DEO).**

Staff requests that the Board authorize the County Manager to execute a Memorandum of Agreement (MOA) with the East Central Florida Regional Planning Council (ECFRPC) to assist Brevard County with addressing deficiencies in the County's 2017 Evaluation and Appraisal Report (EAR), as identified by the Florida Department of Economic Opportunity (DEO) per SB 1094 (Laws of Florida No. 2015-69), an act relating to the peril of flood requirements for the Coastal Management element of local Comprehensive Plans.

Legislation Text

AO29 signed ECFRPC MOA.pdf

ECFRPC MOA Subcontract.pdf

BREVARD COUNTY ORC REPORT 17-3ER.pdf

- F.2. 2133 Florida Department of Environmental Protection grant of \$70,000 for the East Central Florida Regional Planning Council to assist Brevard County with addressing deficiencies in the County's 2017 Comprehensive Plan Evaluation and Appraisal Report, as identified by the Florida Department of Economic Opportunity.

Staff requests that the Board authorize the County Manager to execute a contract with the Florida Department of Environmental Protection (FDEP) to receive \$70,000 in grant funding for the East Central Florida Regional Planning Council (ECFRPC) to assist Brevard County with addressing deficiencies in the County's 2017 Comprehensive Plan Evaluation and Appraisal Report (EAR), as identified by the Florida Department of Economic Opportunity (DEO). No match is required for this grant.

Legislation Text

AO29 signed DEPgrant.pdf

FDEP Grant Contract

Planning and Development

- F.3. 2095 Staff Direction, Re: Temporary Outdoor Restaurant Seating in Accordance with the Governor's Executive Order 20-139.

Planning and Development

Legislation Text

Administrative Services Group

County Manager**F.4. 2149 Launch the Vote Art Contest**

Planning and Development

Commissioner Smith will sponsor a Resolution for the winners of the Launch the Vote Art Contest.

Legislation Text

2020 Launch the Vote Resolution.pdf

G. PUBLIC COMMENTS**H. PUBLIC HEARINGS**

H.1.2122 Carmen Fanczi (Michael Maguire) requests a change of zoning classification from AU to EU. (20Z00013) (Tax Account 2511450) (District 2)

It is requested that Board of County Commissioners conduct a public hearing to consider a change of zoning classification from AU (Agricultural Residential) to EU (Estate Use Residential).

Legislation Text

Administrative Policies of the Future Land Use Element.pdf

Staff Comments

GIS Maps

School Concurrency

Public Comment

P&Z Minutes

H.2.2124 Brevard Medical City, LLC, requests Adoption of the 2019-2.2 Large Scale Comprehensive Plan Amendment to change the Future Land Use designation from Planned Industrial to Community Commercial. (19PZ00086) (Tax Accounts 2632155, 3014505, and 3012173) (District 4)

It is requested that the Board of County Commissioners conduct a public hearing to consider adoption of the 2019-2.2 Large Scale Comprehensive Plan Amendment for Brevard Medical City, LLC, to change the Future Land Use designation from Planned Industrial to Community Commercial.

Legislation TextAdministrative Policies of the Future Land Use Element.pdfAddendum to Staff CommentsRevised GIS Maps09-21-20 LPA Minutes

H.3.2125 Brevard Medical City, LLC; Brevard Medical City Owners Association, Inc.; and Chateau Madeleine, LLC, requests a change of zoning classification from PUD and PIP to all PUD with retention of CUP for alcoholic beverages (full liquor) at an ALF (Assisted Living Facility) with waiver request for building separation between existing and proposed ALF expansion. (20Z00014) (Tax Accounts 2632155, 3014505, 3012173 (part), and 2603505) (District 4)

It is requested that the Board of County Commissioners conduct a public hearing to consider a change of zoning classification from PUD and PIP to all PUD with retention of CUP for alcoholic beverages (full liquor) at an ALF (Assisted Living Facility) with waiver request for building separation between existing and proposed ALF expansion.

Legislation TextAdministrative Policies of the Future Land Use Element.pdfStaff CommentsGIS MapsPDP Site Plan.pdf09-21-20 P&Z Minutes**K. PUBLIC COMMENTS****L. BOARD REPORTS****L.1. Frank Abbate, County Manager****L.2. Eden Bentley, County Attorney****L.3. Rita Pritchett, Commissioner District 1, Vice Chair****L.4. Bryan Lober, Commissioner District 2, Chair**

L.5. John Tobia, Commissioner District 3**L.6. Curt Smith, Commissioner District 4****L.7. Kristine Isnardi, Commissioner District 5**

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In accordance with Resolution 2014219 Section VIII (8.1) the agenda shall provide a section for public comment limited to thirty (30) minutes following approval of the consent agenda during each regular County Commission meeting. The purpose of public comment is to allow individuals to comment on any topic relating to County business which is not on the meeting agenda. Individuals delivering public comment shall be restricted to a threeminute time limit on their presentation. During this thirty (30) minute segment of public comment, speakers will be heard in the order in which they turned in a speaker card asking to be heard. Any speaker not heard during the first thirty (30) minute segment will be heard during a second public comment segment held at the conclusion of business specified on the regular Commission agenda. With the exception of emergency items, the Board will take no action under the Public Comment section, but can refer the matter to another meeting agenda.



October 2, 2020

M E M O R A N D U M

TO: Tad Calkins, Planning and Development Director Attn: Jeffrey Ball

RE: Board Actions on Planning and Zoning Board Recommendations

The Board of County Commissioners, in regular session on October 1, 2020, took action on Planning and Zoning Board Recommendations.

Your continued cooperation is always appreciated.

Sincerely,

**BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK**

Kimberly Powell
Kimberly Powell, Clerk to the Board

Encl. (1)

cc: Jennifer Jones, Zoning
County Attorney

PLANNING AND ZONING BOARD RECOMMENDATIONS

- Item H.1. Carmen Fanczi. Smith/Lober. Approved changing zoning classification from AU to SEU; directed staff not to administratively grant any waivers of any development standards without the express approval of the Board of County Commissioners; and for staff to be further directed to apply the most stringent, lawful standards in analyzing any such waiver proposal or proposals.
- Item H.2. Brevard Medical City, LLC. Smith/Lober. Adopted Ordinance No. 20-17, the Comprehensive Plan, setting forth Plan Amendment 2019-2.2 Large Scale Comprehensive Plan Amendment as recommended.
- Item H.3. Brevard Medical City, LLC; Brevard Medical City Owners Association, Inc.; and Chateau Madeleine, LLC. Smith/Lober. Approved changing zoning classification from PUD and PIP to all PUD with retention of CUP for alcoholic beverages (full liquor) at an Assisted Living Facility (ALF) with waiver request for building separation between existing and proposed ALF expansion as recommended.