



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.3.

1/14/2025

Subject:

Preliminary Development Plan Amendment, Re: North Viera Planned Unit Development (PUD) Minor Amendment #7. (24PUD00006) (District 4)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

Staff is seeking the Board's confirmation that a proposed amendment to the North Viera PUD is not considered substantial and is within the administrative authority provided to the Zoning Official by Brevard County Code of Ordinances.

Summary Explanation and Background:

Section 62-1448 (c) provides that the Zoning Official has the authority to approve minor (i.e. non-substantial) changes to Board approved PUDs, such as the North Viera PUD. However, Board approval is required when proposing substantial changes; substantial changes include increasing the density or intensity of the project, decreasing the amount of buffer areas from adjacent property, or decreasing the amount of common open space.

Section 62-1446 (b) provides that the average density permitted in each PUD shall be established by the Board. Section 62-1446 (c) establishes the required minimum common recreation and open space.

The proposed amendment adds two residential lots and reduces the open space by 1.12 acres within Tract "A" of Tract BB,V which is internal to the North Viera PUD. Viera Tracts "BB&V" Phases 4 and 5, of Viera North P.U.D. recorded in Plat Book 40, Page 60 notes Tract "A" as 2.86 acres. "To be utilized for recreation purposes and are reserved by The Viera Company, its successors and assigns, which may include Indian River Colony Club an owners association or the Viera East Community Development District (V.E.C.D.D.)." The Viera North P.U.D. Preliminary Development Plan notes IRCC/Tract A/2.86 acres as neighborhood park.

The current allotment is 321 single-family residential lots within Tract BB,V. Under the proposal, the residential units increase from 309 to a total of 311 single-family residential lots, which falls within their current allotment. Staff has determined this request is de minimis and does not constitute a substantial change. The additional residential lots remain within the current allotment, thus allowing it to fall within the purview of the Zoning Official for administrative approval.

The open space decreases from 560.73 acres to 559.61 acres which is approximately 0.2%, and the result of the change far exceeds the required 254.90 acres of active/passive open space recreation. The decrease of the active/passive open space recreation is to accommodate the increase of residential lots in Tract BB,V. Staff has carefully reviewed this request and has concluded that it does not represent a substantial change. The reduction in open space does not adversely affect the required open space or decrease the amount of buffer areas from adjacent property.

Staff is seeking the Board's concurrence that proposed changes are not substantial and fall within staff's administrative authority.

Clerk to the Board Instructions:

None



January 15, 2025

MEMORANDUM

TO: Tad Calkins, Planning and Development Director

RE: Item F.3., Preliminary Development Plan Amendment for North Viera Planned Unit Development (PUD) Minor Amendment #7

The Board of County Commissioners, in regular session on January 14, 2025, confirmed a proposed amendment to the North Viera PUD is not considered substantial and is within the administrative authority provided to the Zoning Official by Brevard County Code of Ordinances.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board

/kl



Dana Blickley, CFA, Brevard County Property Appraiser

Titusville • Viera • Melbourne • Palm Bay

(321) 264-6700

www.BCPAO.us

Disclaimer

REAL PROPERTY DETAILS

Account 2522738 - Roll Year 2024

Owners INDIAN RIVER COLONY CLUB INC
Mailing Address 1936 FREEDOM DR MELBOURNE FL 32940
Site Address 1462 GOLDRUSH AVE MELBOURNE FL 32940
Parcel ID 25-36-35-QE-A
Taxing District 430Y - VIERA/UNINCORP DISTRICT 4
Exemptions NONE
Property Use 0913 - IMPROVED RESIDENTIAL COMMON AREA
Total Acres 2.87
Site Code 0001 - NO OTHER CODE APPL.
Plat Book/Page 0040/0060
Subdivision VIERA TRACTS "BB & V" PHASES 4 & 5 OF VIERA NORTH P.U.D.
Land Description VIERA TRACTS "BB & V" PHASES 4 & 5 OF VIERA NORTH P.U.D. TRACT A RECREATION PURPOSES



VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$30	\$10	\$10
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$10	\$10	\$10
Assessed Value School	\$30	\$10	\$10
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$10	\$10	\$10
Taxable Value School	\$30	\$10	\$10

SALES / TRANSFERS

Date	Price	Type	Instrument
05/23/1997	—	QC	3679/4689
08/01/1995	—	QC	3499/2446

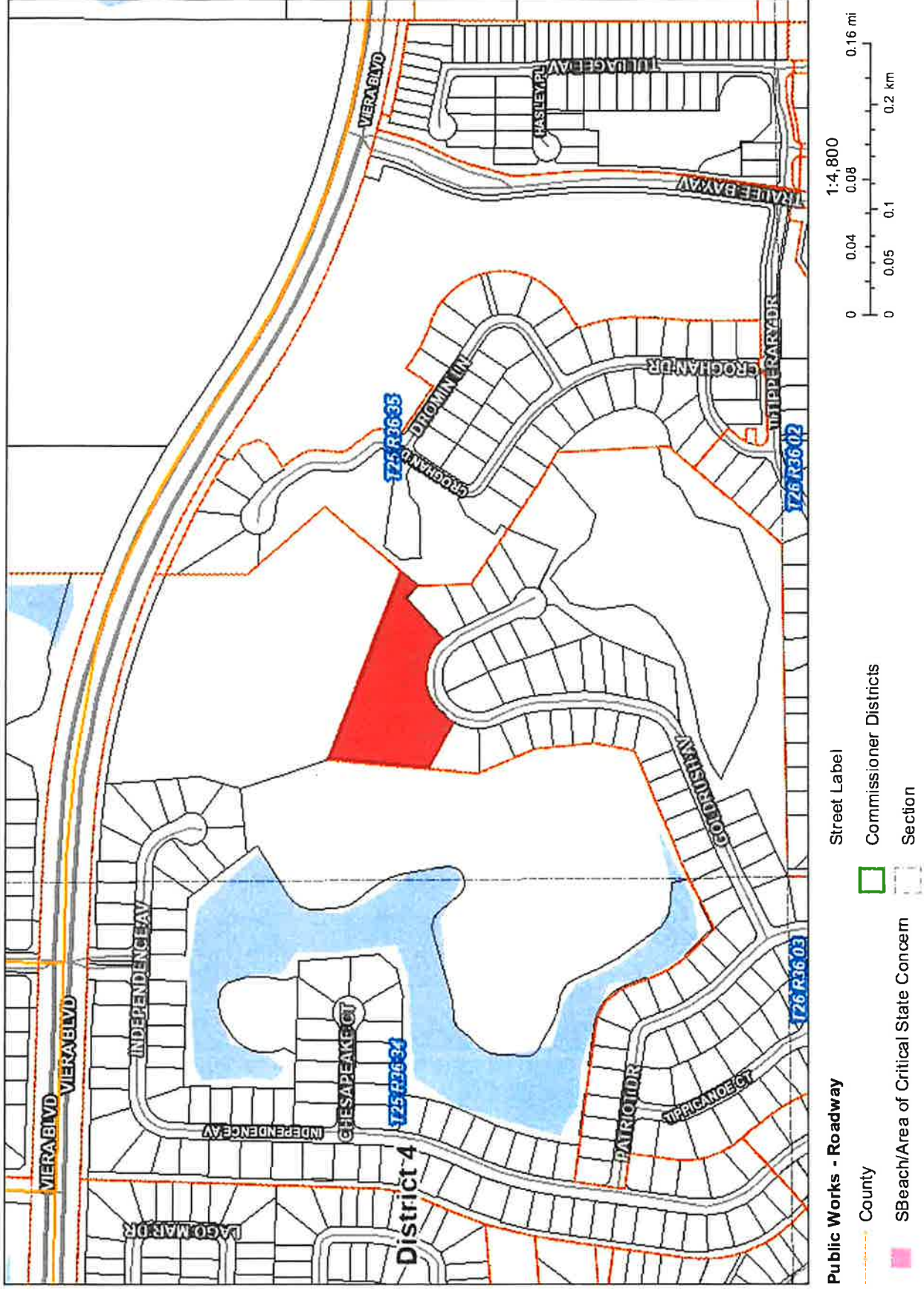
BUILDINGS

PROPERTY DATA CARD #1

Building Use: --

Materials		Details	
Exterior Wall:	STUCCO	Year Built	1995
Frame:	WOOD FRAME	Story Height	8
Roof:	ASPH/ASB SHNGL	Floors	1
Roof Structure:	HIP/GABLE	Residential Units	1
		Commercial Units	0
Sub-Areas		Extra Features	
Base Area (1st)	600	Fence - Chain Link 6'	1,076
Total Base Area	600		
Total Sub Area	600		

IRCC 24PUD000006





7380 Murrell Road, Suite 201 | Viera, Florida 32940
P: 321.242.1200 | F: 321.253.1800 | **VIERA.com**

May 9, 2023
VIA ELECTRONIC MAIL

Tad Calkins, Director
Brevard County Planning & Development Services
2725 Judge Fran Jamieson Way
Building A – Room 119
Viera, FL 32940

Re: Tract A, Plat of **VIERA TRACTS “BB&V”, PHASES 4 AND 5, OF VIERA NORTH P.U.D.**, Plat Book 40, Page 60, Public Records of Brevard County, Florida (the “**Platted Land**”), attached hereto as Exhibit “A”

**CONFIRMATION OF ENTITLEMENT ALLOCATION UNDER THE
VIERA DRI DEVELOPMENT ORDER**

Dear Mr. Calkins:

Pursuant to the 6th Minor Amendment of the North Viera PUD’s Preliminary Development Plan approved by Brevard County on January 15, 2020, this letter shall confirm that The Viera Company, as the master developer of Viera under the Viera DRI Development Order, approves of the of the proposed re-plat of Tract A, plat of Viera Tracts “BB&V”, Phases 4 and 5, of Viera North P.U.D., Plat Book 40, Page 60 as shown on the attached Exhibit “A”.

The proposed re-plat layout, provided by Allen Engineering, is attached hereto as Exhibit “B”. It is our understanding this will create 3 additional residential lots for the Indian River Colony Club subdivision. Given that no more than 309 residences have been constructed and the subdivision is built-out, the potential addition of 3 residences will not exceed the initial 321 residences initially entitled per the plat referenced above.

THE VIERA COMPANY

Todd J. Pokrywa, President

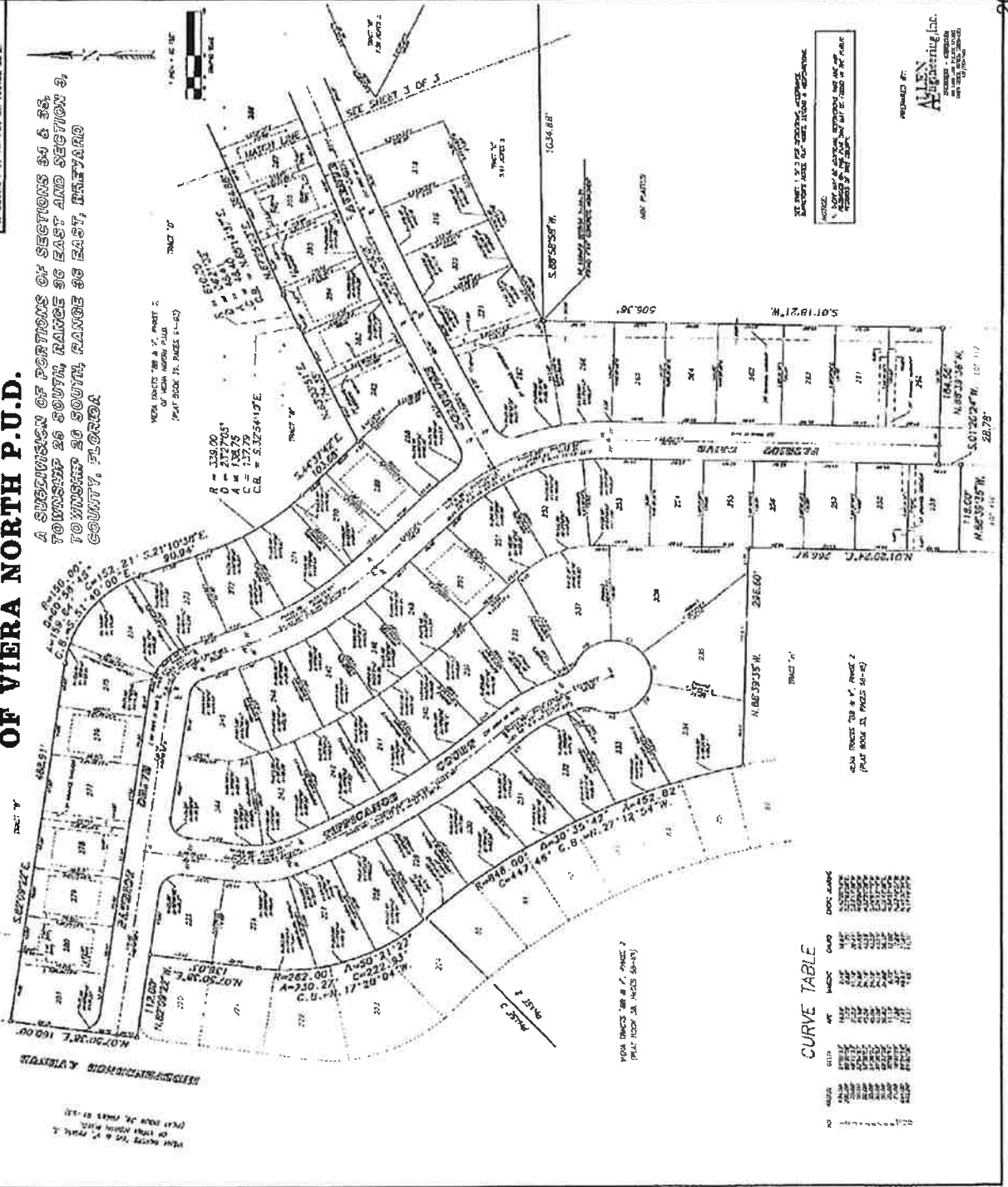
TJP/crs
Copies with exhibits:

Jeffrey Ball, Brevard County (via email)
Jane Hart, Brevard County (via email)
Jay Decator, Esq., The Viera Company (via email)
Karen Prosser, The Viera Company (via email)
Dalton Wainwright, Allen Engineering (via email)

A Master Planned Community. A Living Inspiration.

PLAT BOOK 43 PAGE 61
SHEET 2 OF 3
SECTIONS 34&35, TWP. 25 S., RANGE 38 E.
& SECTION 3, TWP. 29 S., RANGE 38 E.

A SUBDIVISION OF PORTIONS OF SECTIONS 34 & 35,
TOWNSHIP 26 SOUTH, RANGE 36 EAST AND SECTION 3,
TOWNSHIP 26 SOUTH, RANGE 36 EAST, PALMARD
COUNTY, FLORIDA

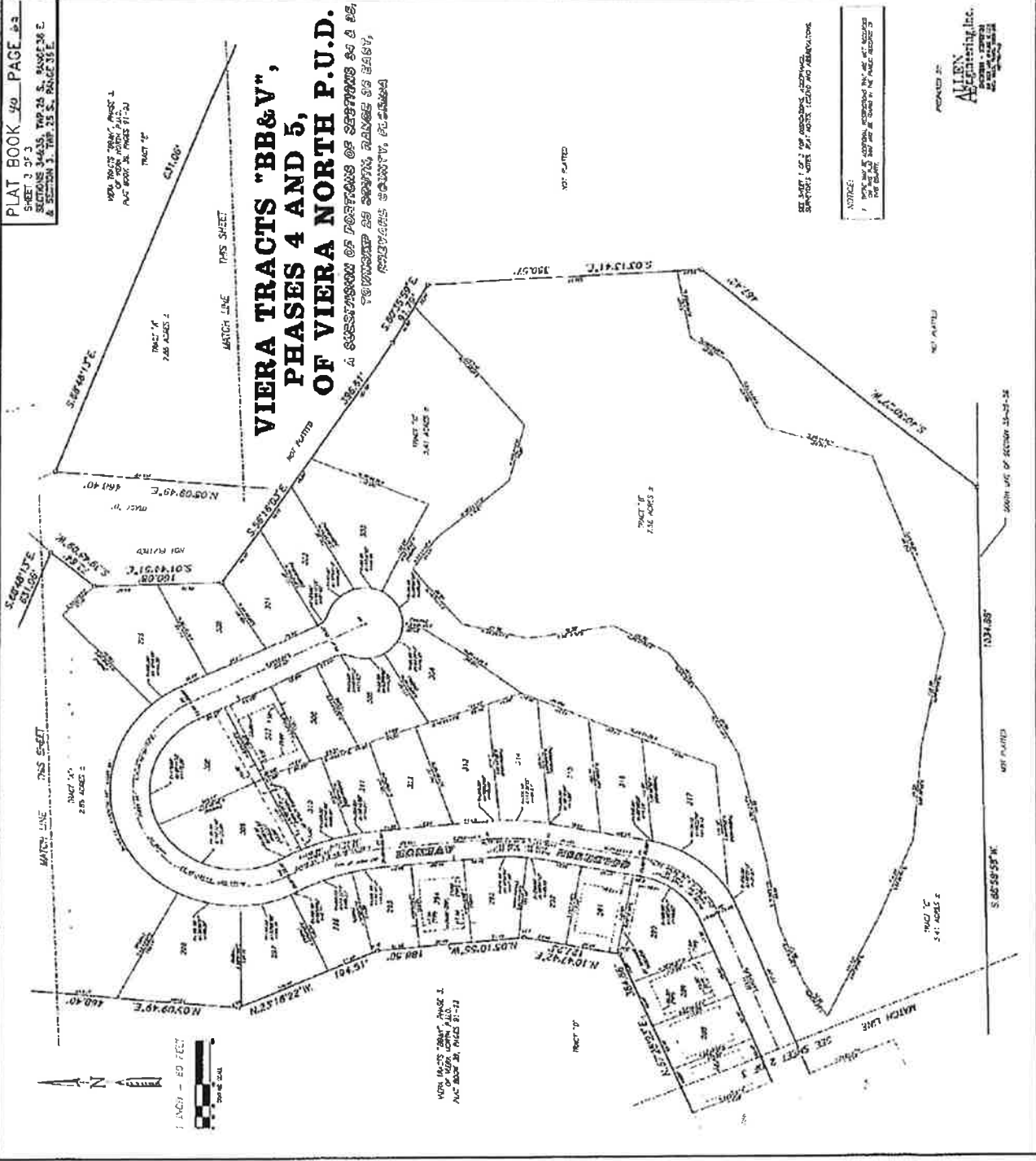


1. The first step is to identify the problem.

NOTICE: DO NOT POSTERIZE MATERIALS IN ANY MANNER.

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PLAT BOOK 40 PAGE 40-2
SHEET 3 OF 3
SECTIONS 34-35, TWP 25 S., RANGE 28 E.
& SECTION 3, TWP 25 S., RANGE 28 E.



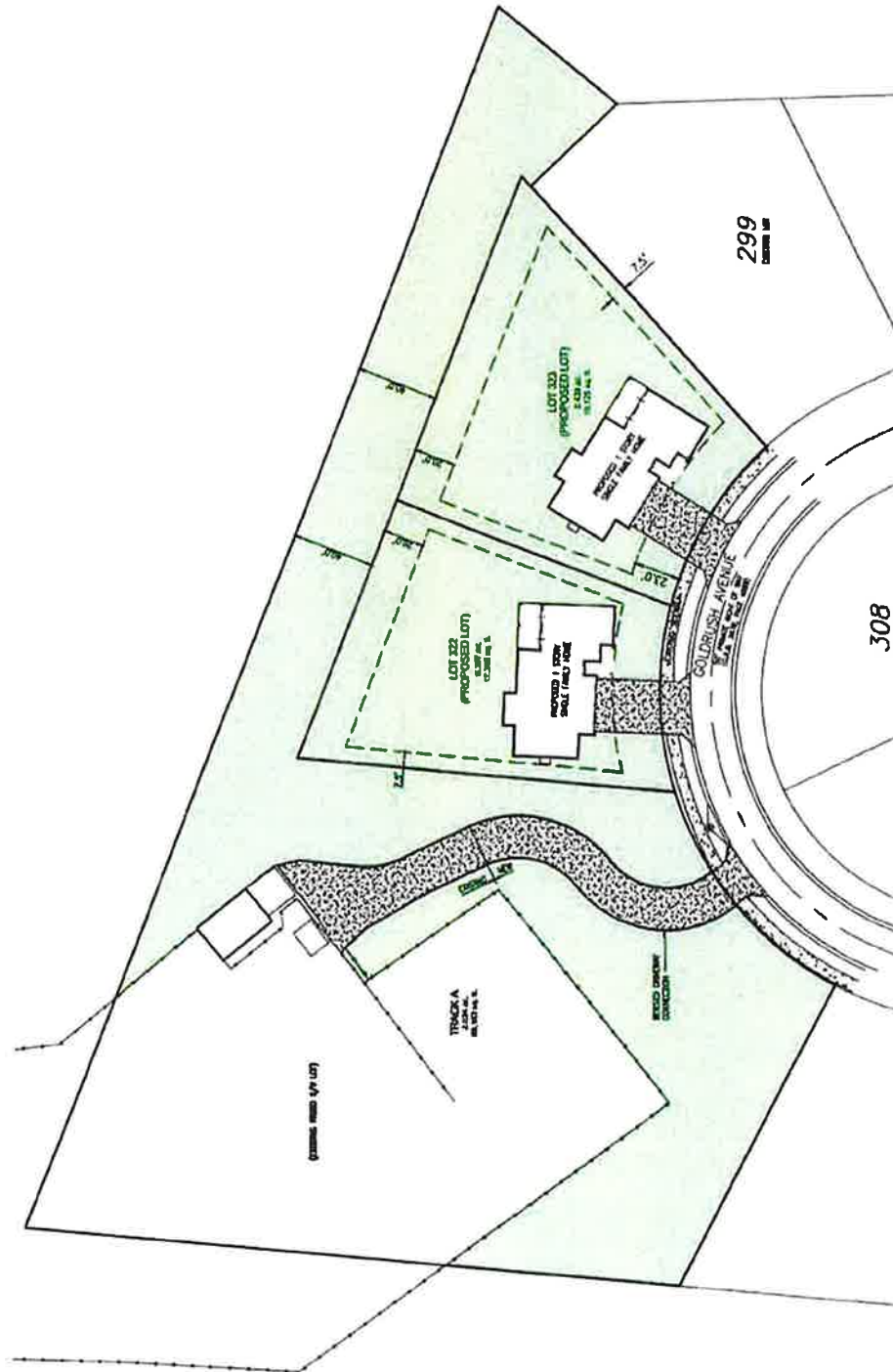
NOTICE: THIS MAP WAS PREPARED BY THE SURVEYOR OF THE STATE OF FLORIDA, AND IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD.

NOTICE: THE SURVEYOR OF THE STATE OF FLORIDA, HAS REVIEWED THIS MAP, AND IS OF THE OPINION THAT IT IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD.

APPROVED BY:
ALLEN
Surveying, Inc.
1000 N. W. 10th Ave., Suite 100
Fort Lauderdale, FL 33304
Phone: (305) 555-1234

EXHIBIT "B"

Proposed Re-Plat of Tract A, Plat of Viera Tracts "BB&V", Phases 4 and 5, of
Viera North P.U.D., Plat Book 40, Page 60, Public Records of Brevard County, Florida



ALLEN ENGINEERING, INC.

CIVIL ENGINEERS • SURVEYORS

106 Dixie Lane • Cocoa Beach, FL 32931 • Tel: 321-783-7443 • Fax: 321-783-5902 • www.AllenEng.net

September 18th, 2024

Brevard County
Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 115
Viera, FL 32940

Re: North Viera PUD – Amendment #7

To whom it may concern,

Allen Engineering is in receipt of comments requesting additional information from the County for the above referenced submittal dated July 22nd, 2024. The resubmittal package includes the following:

- Viera North PUD Preliminary Development Plan
- Preliminary Development Plan of Tract A
- Entitlement Letter

Comments have been addressed as noted below.

PLANNING & ZONING

1. Update the Viera North PUD 2020 Preliminary Development Plan
 - a. Tract A 2.86 AC (IRCC) noted as Neighborhood Parks. Update the acreage devoted as Neighborhood Park – open space reduction of 1.12 acres
 - b. See attached North Viera PDP. We have circled areas with notes of requested revisions.

The Viera North PUD Preliminary Development Plan has been revised per the agreed upon markup that was sent via email from Trina Gilliam on 8/22/24 to Dalton Wainwright.

Note that neighborhood park-open space has been reduced by 0.84 acres per changes made to address Comment #2.

2. PDP submittal for IRCC indicated 2 single-family residential units however proposed open space Tract 1A has no connective to open space Tract A. Please address.

Please see revised preliminary development plan for Tract A. Tract 1A has been deleted. Tract A now runs along the rear of the proposed lots. The County stated that the minimum allowable width is 40', that requirement is met.

3. Exhibit "B" in Entitlement Letter to County shows proposed Re-Plat of Tract A with three new lots and no open space Tract 1A. Please ensure Exhibit "B" matches proposed PDP

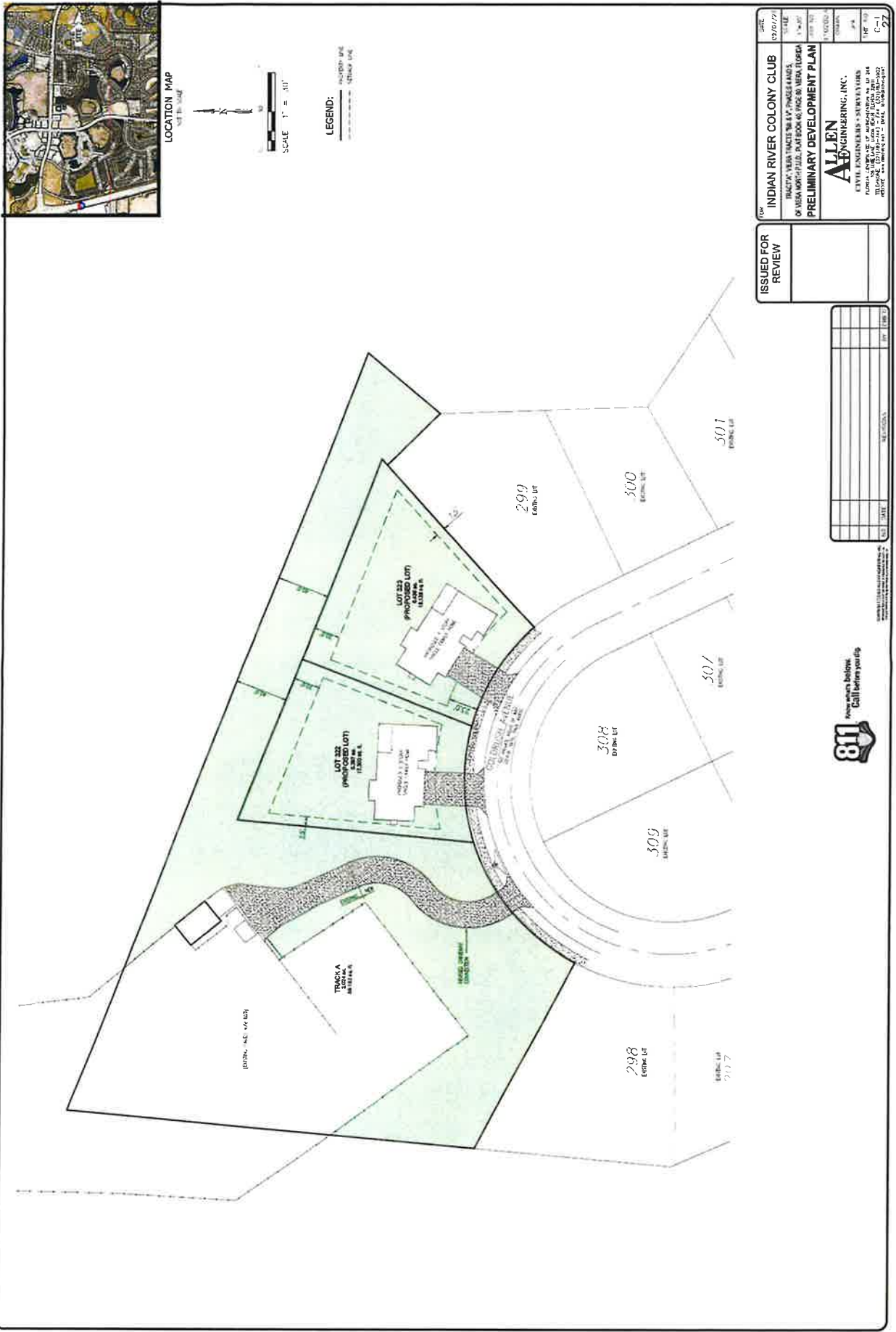
Exhibit B of the entitlement letter revised accordingly.

Hopefully we have included everything to address the County's comments. If you need anything else or if you have any questions, please do not hesitate to reach out. Thank you in advance.

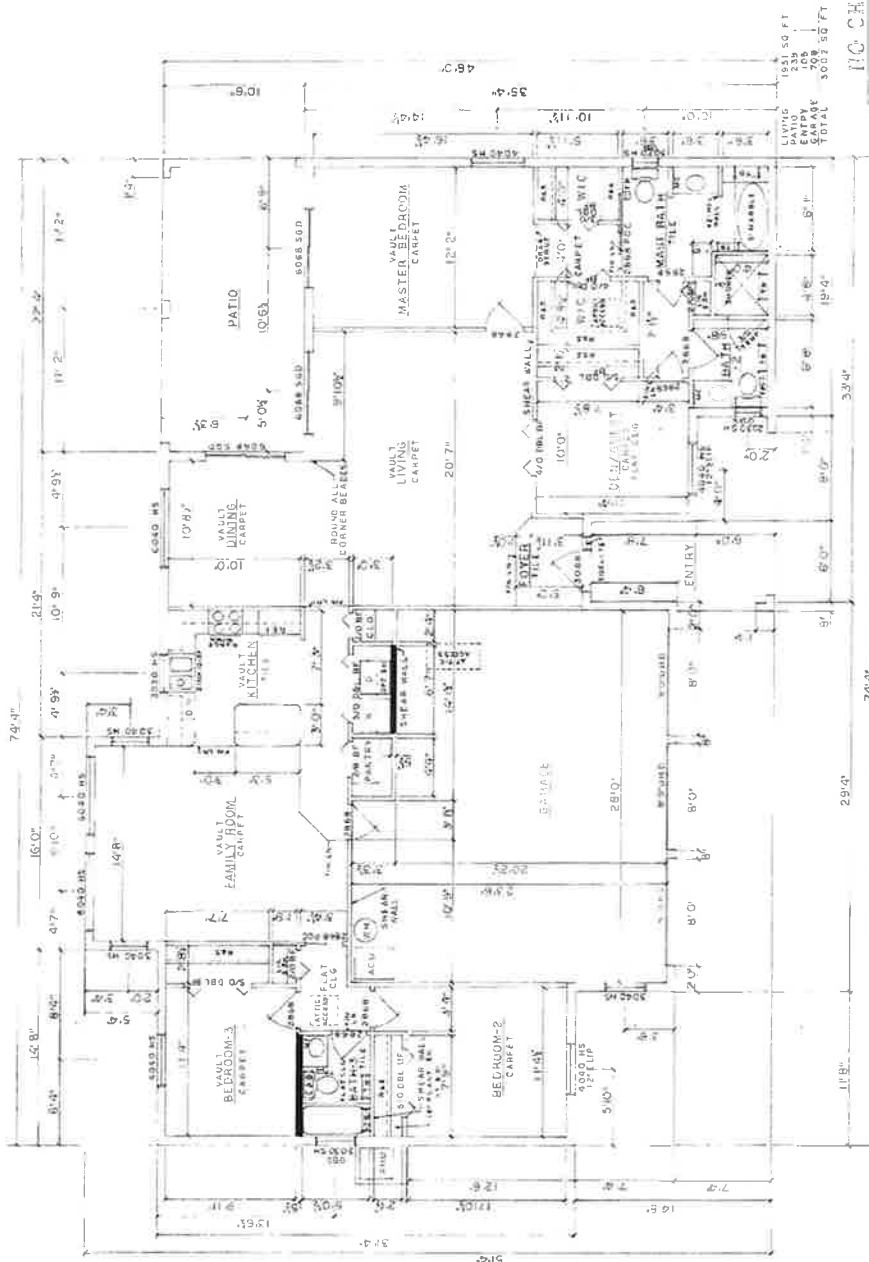
Regards,

Dalton Wainwright

Dalton J. Wainwright, P.E.



THE MONTELEIR REV. FLOOR PLAN
 6205 MURKILL RD
 Melbourne, FL 32940
 (407) 255-6000



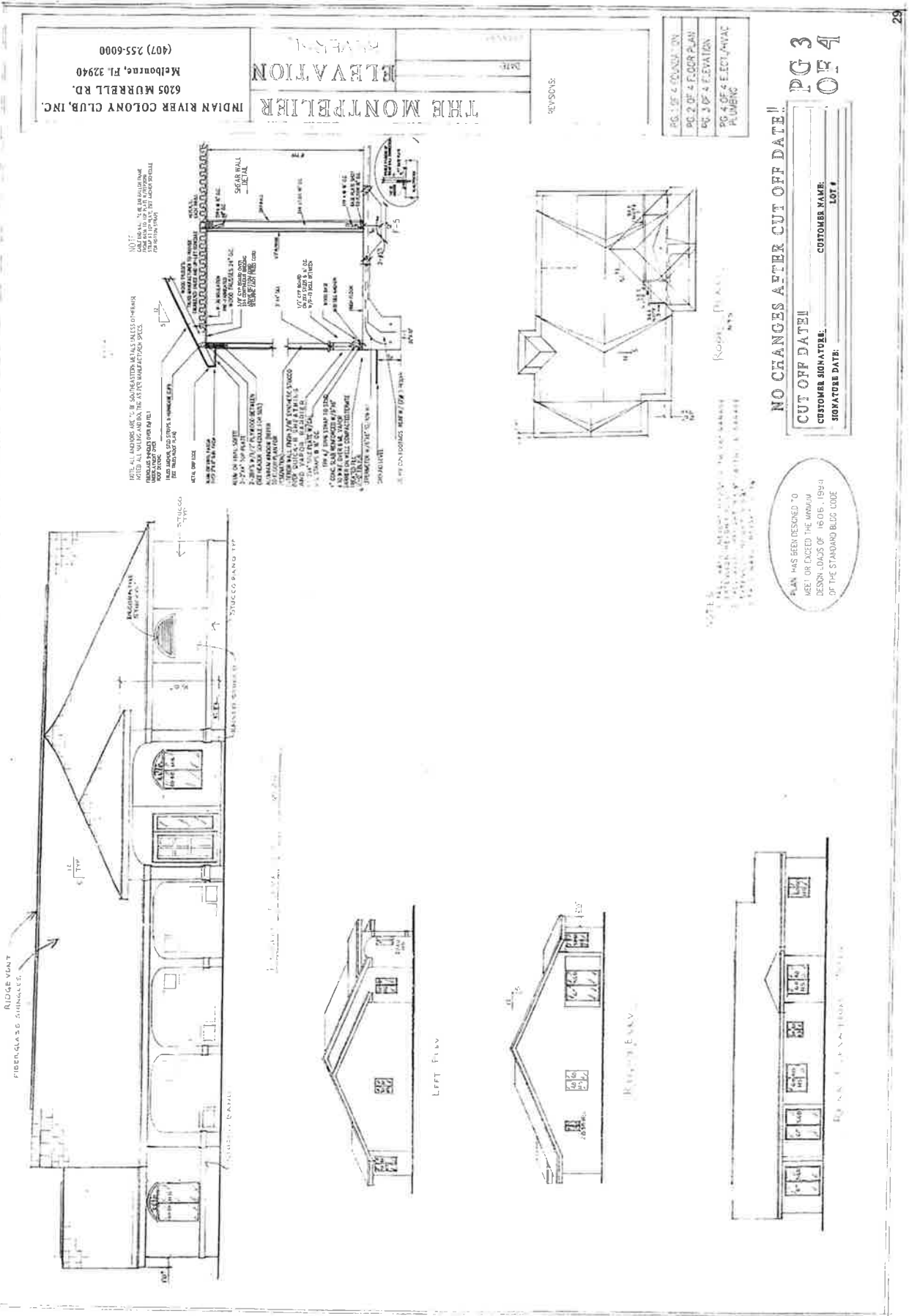
NO CHANGES AFTER CUT OFF DATE

CUT OFF DATE: _____
 CUSTOMER SIGNATURE: _____
 SIGNATURE DATE: _____

PG 2 OF 5

1/4" = 1'-0"

FLOOR PLAN



INDIAN RIVER COLONY CLUB, INC.
6205 MURRELL RD.
McAlhonnore, FL 32940
(407) 255-6000

THE MONTELLER
ELEVATION

PG. 1 OF 4 FOUNDATION
PG. 2 OF 4 FLOOR PLAN
PG. 3 OF 4 ELEVATION
PG. 4 OF 4 ELECT./HVAC
PLUMBING

NO CHANGES AFTER CUT OFF DATE!!

PG 3
OF 4

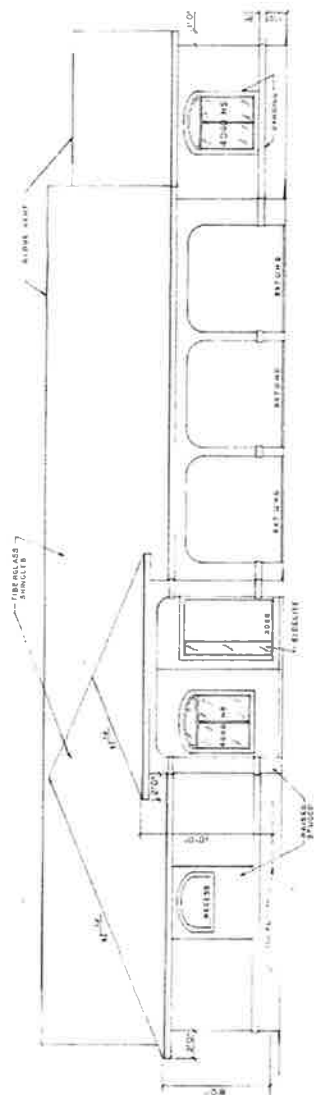
CUT OFF DATE:
CUSTOMER SIGNATURE:
SIGNATURE DATE:
LOT #

PLAN HAS BEEN DESIGNED TO
MEET OR EXCEED THE MINIMUM
DESIGN LOADS OF 16.0 PSF, 19.2 PSF
OF THE STANDARD BUILDING CODE

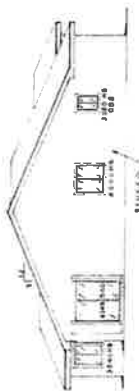
INDIAN RIVER COLONY CLUB, INC.
6205 MURRELL RD.
McAlister, FL 32940
(407) 255-6000

THE MONTELLIER
ELEVATION

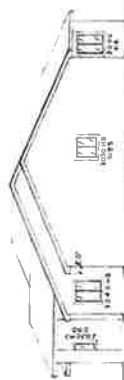
PLAN



FRONT ELEVATION
SCALE: 1/8"=1'-0"



LEFT
SCALE: 1/8"=1'-0"



RIGHT



REAR

NO CHANGES AFTER CUT OFF DATE

CUT OFF DATE: _____

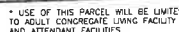
CUSTOMER SIGNATURE: _____

SIGNATURE DATE: _____

CUSTOMER NAME: _____

LOT # _____

PC 3 OF 5

[illegible][illegible]

Sheet 3 of 4