

D2 Disclosures for 03/07/19 BOCC Meeting (P&Z agenda items)

Public Hearing Item #9 (Removal of an existing BDP)

- On Feb 28, 2019, Commissioner Lober spoke with Rodney Honeycutt, P.E. and Barbara J. Tulske, P.E., who are trying to develop the property.

Public Hearing Item #15 (Property on N. Tropical Trail)

- On Feb 4, 2019, D2 received an e-mail from Mark Gordon, who expressed his interest in having the same type of rezoning (if approved) for his property at 1145 N Tropical Trail.
- On Feb 19, 2019, the Commissioner met with neighbor John Mason Re: Rezoning of property. Mr. Mason expressed his concerns about the request.

Public Hearing Item #16 (Property on Fleming Grant Road, Micco)

- On March 3, 2019, D2 received an e-mail from Henry Beck (9735 Fleming Grant Rd), expressing his concerns about the proposal.
- On March 3, 2019, D2 received an e-mail from Anne Briggs (9735 Fleming Grant Road), urging the commissioners to please vote against the proposal.
- On March 4, 2019, D2 received an e-mail from the Micco Homeowners Association opposing any change to the future land use map.
- On March 6, 2019, D2 received an e-mail from Don Currier (9837 Oyster Point Lane), expressing his opposition to amending the plan.
- On Feb 21, D2 received an e-mail from Mitzi and Gene Plunket (9640 Mockingbird Lane) seeking to deny the proposal

Public Hearing Item #17 (Appeal of Ordinance Interpretation)

- On Feb 19, 2019, Commissioner Lober met with Bruce Moia, a developer who supports the appeal regarding Watermark Investors.



BOARD OF COUNTY COMMISSIONERS

Rita Pritchett, District 1 Commissioner

2000 South Washington Avenue, Ste. 2

Titusville, FL 32780

(321) 607-6901



D1.commissioner@brevardfl.gov

Planning and Development
Zoning Meeting March 7, 2019
Douglas and Cindy Robertson (Micco) (18PZ00166)

Commissioner Pritchett spoke to Ken Chapin on the phone regarding the above item on March 4, 2019.

Mr. Chapin feels this Future Land Use is inconsistent with the neighborhood. The property was just purchased recently and the buyers knew what the FIU was when purchased. He is concerned that this many homes will have a negative effect on the lagoon, as the property borders the Sebastian River. Would like to see 1 unit per 1 acre as a compromise, but does not feel the applicants are willing to compromise.

February 19, 2019

TO: Brevard County Commissioners

FROM: Donna L. Beladi

I am writing this letter in regard to the proposed rezoning being considered on the 20 acres on Fleming Grant in Brevard County. The first house due West of that tract, on Mockingbird Lane, along the waterfront belongs to my mother's estate, of which I am a trustee; and the house next to that along the riverfront is owned by my husband and me. Both homes are within 500 feet of this tract of land.

I find this development plan to be most unfortunate. This plan will allow the developer to put four homes right up against the waterfront. This is totally out of character with the rest of the waterfront area long the north fork of the Sebastian River. Today it is mostly a natural shoreline, with a few homes set back from the river. So as the public comes by that pristine area for fishing and boating, there will be these homes jammed in along the shore. Much of this property near the water is extremely marshy, with erosion and sinkhole areas along the shoreline a constant problem.

I don't know how the developer plans to deal with the issue of access to the riverfront for people in this new development, as has been an issue on Mockingbird Lane. I am not against any development of the area, but want to see larger lot sizes so as not to bring additional problems. Another 20 homes will bring 40 cars on average to an area that already backs up when trains are coming through, and trains are going to be increasing in frequency. Fleming Grant is a single lane road where cars have to go into oncoming traffic to go around garbage trucks, mail trucks or any city workers trimming trees, because there are no berms along the roadside.

I am hoping Brevard County will make a wise decision and plan for our neighborhoods to be designed in a way that does not create problems for the future. Please keep the current development plan in place which allows for a 1:2.5 ratio for new homes. This decision would support the people in this neighborhood and not the single developer looking to pack the area with homes, regardless of impact to the environment.

Sincerely,

Donna L. Beladi
Trustee for 9691 Mockingbird Lane
Owner of 9695 Mockingbird Lane

Furru, Christine

From: Linda McLain <lmclain45@yahoo.com>
Sent: Wednesday, February 20, 2019 9:12 AM
To: Commissioner, D3; Jones, Jennifer
Subject: 18PZ00166 Robertson 20 Acre parcel

Dear Commissioner Tobia and Ms. Jones

This letter is being written to express my opposition to the above petition asking for the comprehensive land use plan to be amended to allow 20 1 acre homes on this parcel of land which now only allows 1 home per 2.5 acres. I am a resident of Micco since 1961, a licensed Realtor specializing in this area since 1976 and I live right across the street from this proposed project. I am on a parcel of land approx 2.6 acres and my neighbors on both sides of me are on larger parcels.

We live in a very rural area that Brevard County often overlooks. We have no county water, no county sewer and no projection to ever receive them. We have major issues every time it rains hard with drainage. We have septic tanks that won't function in heavy rain and my most recent cost to put in a lift station system in Micco cost me \$10,500 with a constant threat of the pump needing replacement at a cost of \$1500. I spend an average of \$36. a month for chemicals to treat my well water so that I can use it in my home. In a time when millions of dollars are being spent to clean up the lagoon and a recent cost of 3.5 million dollars to build the 2100 acre stormwater basin north of us to clean up Barefoot Bay runoff, I cannot even imagine why the county would consider increasing the density of the 20 acre parcel being petitioned.

The current comp plan was adopted in 1988 and since that time NO parcels of land between Fleming Grant Rd and the Sebastian River have been allowed to be subdivided into smaller parcels than 2.5 acres to keep them in compliance. This 20 acres fronts on the river, contains 4 acres of wetlands, gopher turtles all over it and is just too environmentally sensitive to allow it to be maximized for development. The current comp plan allows for 8 homes. That is enough for this owner who recently purchased it after a feasibility period to check this all out. I am trusting our county to reject this application. Thank you.

Sincerely,

Linda McLain Brannan
9675 Fleming Grant Rd
Micco, FL 32976
772-664-2274

Furru, Christine

From: Robin Carroll <RH20Bug@aol.com>
Sent: Wednesday, February 20, 2019 12:57 PM
To: Jones, Jennifer; Commissioner, D3
Subject: RE: 18PZ00166 Robertson 20 Acres

Dear Planning and Zoning Department

Subject: 18PZ00166 robertson 20 acres

My husband and I are residents and tax payers. We live in the Fleming Grant area of Micco. We live here because we like the rural setting. We do not want to allow for development that falls outside of the current zoning regulations.

This is a quality of life issue with us. We do not want an increase in density and change the flavor of our neighborhood. An increase in density will put a burden on our fragile environment.

This 20 acre property is directly on the North Fork of the Sebastian River and the land is low and has jurisdictional wetlands, has a wetland assessment been completed and how much buildable land is there?

We have some environmental concerns for the health of our lagoon with this proposed increase in density. The impact of additional well and septic systems over the current density regulations may put stress on the drawdowns of our existing wells and aquifer. Additional septic systems may harm our already ailing lagoon's health.

The drainage in this area is already stretched to the max and increasing the density will just exacerbate the problem with the current water shed. The additional traffic will impact our equine community, our wildlife and our children. The additional cars will put stress on our already inadequate roads that serve the Fleming Grant area, Little Hollywood and the Main Street areas of Micco.

The purchaser of this property may have no idea about the history of this fine neighborhood and the current quality of life it offers. The purchaser should have been aware of the current zoning regulations and the proposal to increase density is not in the interest of the current tax paying residents,

Please consider how we taxpayers and voters feel about our neighborhood, neighbors, and the quality of life we have due to this rural setting. Please do not allow the change in zoning regulations.

One final note, this increase in density will not have an effect of the general tax base of the area, as it is now we get very little for our tax dollars. Please do not increase the density for this parcel of land.
The Fleming Grant Area Neighbors

disclosure
030519 @ 24p

74
7/2/19

From: Woodard, Patrick
To: Jones, Jennifer; Sterk, Erin
Cc: Tice, Molly
Subject: District 4 Disclosure of Ex Parte Communication for the March 7 Zoning Meeting
Date: Wednesday, March 6, 2019 10:42:00 AM
Attachments: Urgent Zoning Change Request for 20 Acre Parcel in Micco.msg
FW March 7 BOCC Agenda - Item H.16.msg
Parcel #18PZ00166 Robertson 20 Acres Fleming Grant Road Micco.msg
Ref Parcel #18PZ00166 Robertson 20 Acres Fleming Grant Road Micco.msg
Robertson Parcel-Fleming Grant Road.msg

Jennifer,

On behalf of Commissioner Smith, please see the attached email communications concerning items on the 3/7/2019 zoning meeting. Also, Mr. Jon Mason of 530 Timuguana Dr. came to the office to speak with the Commissioner to oppose the approval of 18PZ00130.

Regards,

Pat Woodard



Pat Woodard
Chief Legislative Aide to Commissioner Smith
Brevard County, District 4
321.633.2044 | F:321.633.2121 Patrick.Woodard@brevardfl.gov

2725 Judge Fran Jamieson Way, Bldg. C - Suite 214,
Viera, FL 32940



Please note:

Florida has a very broad public records law. Most written communications to or from the offices of elected officials are public records available to the public and media upon request. Your email communications may, therefore, be subject to public disclosure.

From: Mitzi Plunkett
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: Urgent: Zoning Change Request for 20 Acre Parcel in Micco
Date: Thursday, February 21, 2019 9:54:58 AM
Importance: High

Dear Commissioners:

I am writing to ask you to deny the request to change the zoning request east of Mockingbird Lane to 4 houses per acre. I recently purchased a house in the area in last 6 months on Mockingbird Lane as I wanted to live in a rural area and not an area with tons of housing and development. I think the current zoning should stay in place as that was the reason I bought in Micco.

The nice community can certainly not sustain any more traffic on the tiny windy road that leads to the area and the development will surely be a detriment to the area's natural environment and wildlife that I see every day. Additionally, the housing will cause an severe and dangerous environmental impact to the river and the marine life as well.

I am urging you to keep our rural area in tact and deny the zoning change request for the 20 acre parcel.

I also encourage you to come visit my home and see how beautiful the area is with all the wildlife and clean river.

Thank you again for not voting for the change of the zoning please.

Sincerely,

Mitzi and Gene Plunkett
9640 Mockingbird Lane
Micco, FL 32976

MHOA

MICCO HOME OWNERS ASSOCIATION, INC.

MHOA OFFICERS

Chelle Woods,
President

Ted Beck,
Vice President

Anne Briggs,
Secretary

Henriette Daulton,
Treasurer

DIRECTORS

Jan Black
Jim Dunn
Sue Olson
Joan Legue
Wilma Weglein

Contact Us:
Miccohomeowners
@aol.com

TO: Brevard County Commissioners

RE: Robertson parcel ID 30G-38-19-HP-*-10 on Fleming Grant Road, Micco.

DATE: March 4, 2019

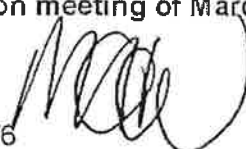
Dear Commissioners;

Micco Homeowners Association opposes any change to the Brevard County Future Land Use Map currently designated for 1 unit per 2.5 acres along Fleming Grant Road. Specifically, we oppose the request to change the land use designation on a 20.39 acre parcel owned by Douglas Robertson to increase density to 1 unit per acre. The reasons for our opposition are:

- Direct access to St Sebastian River which flows into the Indian River Lagoon. Taxpayers are spending millions of dollars every year to undue the damage development has done to the delicate ecosystems in the Indian River Lagoon.
- Density increases will increase Storm Water runoff, septic leakage, pesticides and fertilizer runoff into the St Sebastian River damaging its ecological balance and further injuring the Indian River Lagoon.
- Robertson subject property on Fleming Grant Road is in an AE FLOOD ZONE with a high probability of FREQUENT flood waters carrying the above-mentioned runoff materials into the St Sebastian River.
- Robertson property requested increase in density is NOT COMPATIBLE with the current FLUM designations for this area. Development in 1955 on Mockingbird Lane should NOT be used as a standard of density today.
- Density increases now will set a precedent for every other developer on Fleming Grant Road. Fleming Grant residents must go through two other neighborhoods to reach US Highway 1. This area of Micco does not have the infrastructure to support that much density and traffic increase.

Please vote NO at your Commission meeting of March 7, 2019. Thank you.

Sincerely,
Chelle Woods, MHOA President
9912 Riverview Drive Micco, FL 32976



D1 commission - 311 240-1000 us, D2 commission - 311 240-1000 us, D3 commission - 311 240-1000 us, D4 commission - 311 240-1000 us, D5 commission - 311 240-1000 us

From: Anne Briggs
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: Parcel #18PZ00166 Robertson 20 Acres, Fleming Grant Road, Micco
Date: Sunday, March 3, 2019 6:45:42 PM

Dear Commissioners Isnardi, Tobia, Smith, Lober and Pritchett,

Ref: Parcel #18PZ00166 Robertson 20 Acres, Fleming Grant Road, Micco

I would like to register my opposition to the petition to amend the comp plan for this land.

My husband and I are residents of Fleming Grant Road in Micco. We have lived on this road for 8 years. We purchased our property because of the rural nature of the area: quiet, plenty of space between neighbors, the incredibly varied wildlife and the proximity of the beautiful St. Sebastian River.

I was dismayed to learn of the requested zoning change to this nearby 20-acre vacant lot from 2.5 acres per house to 1 acre per house. No matter how carefully and skillfully engineered, one house per acre can only negatively impact the residents and the ecology of the area. The increased risk of flooding in the neighborhood, and the risk of stormwater runoff and sewage going into the Sebastian River/IR Lagoon is surely not worth yet another housing development. The Comp Plan of 1988, which zoned the river side properties on Fleming Grant Road at 2.5 acres per house, was meant to protect the river and the complicated ecology to which it is connected.

Brevard County's Mission Statement includes the goal of "protecting the environment and conserving our valuable natural resources." This is a worthy goal, which would be accomplished by keeping the 1988 zoning restrictions in effect.

I urge you to please vote against allowing this amendment to the Comprehensive Plan.

Thank you for your consideration.

Anne Briggs

9735 Fleming Grant Road, Micco 32976

From: Ted Beck
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: Ref: Parcel #18PZ00166 Robertson 20 Acres, Fleming Grant Road, Micco
Date: Sunday, March 3, 2019 6:53:04 PM

My name is Henry Beck, my wife and I live at 9735 Fleming Grant Rd, about a quarter mile east of the 20 acres in question. We bought our house in 2011 and our one-acre property had been vacant and neglected for 3 years. We renovated the house and grounds with our own hands took pleasure exploring our new neighborhood, cycling the local streets and kayaking the beautiful waterways. We were so impressed by the diversity of wildlife we made an offer to buy an additional 3+ acres of vacant land north of us in order to protect the habitat of the creatures we admire every day in our backyard.

I am opposed to changing the zoning of Parcel # 18PZ00166 Robertson 20 Acre because of the precedent it will set for further subdivisions in the area. Zoning change could dramatically increase the population density as well as destroy habitat for existing wildlife. I have no problem with the buying and selling of land for profit, but if this zoning change is approved there will be no end to hearings about this issue.

On the north side of Fleming Grant Rd there is a serious concern about stormwater flooding. In October 2017 waters rose around our house well beyond the area indicated on the FEMA flood zone map. We feared the water level would reach our back door and into our home. The culverts on Fleming Grant Rd. are not maintained properly in my opinion and are not diverting the storm water the Mockingbird Lane retention pond as intended. I observed and photographed the residential property east and west of the 20 acres in question having major flooding in 2017 as well.

The FEMA flood zone maps are prone to error. This 20-acre parcel is in a flood zone. I have serious doubts that storm water run-off could be 100 percent contained, despite what the engineer says. If he is wrong the error would endanger the surrounding homes and the Sebastian River itself.

The "Old Florida" feel that attracts visitors and brings joy to our neighbors is a delicate balance. Increased density will erode what is magical about Fleming Grant Rd. Once our "Old Florida" is gone, there will be no getting it back. **I urge you not to consider this amendment.**

From: Bruce M
To: Commissioner, D4
Subject: FW: March 7 BOCC Agenda - Item H.16
Date: Tuesday, March 5, 2019 2:35:36 PM

Hi Commissioner,

Let me know if you would like to discuss this item prior to Thursday's meeting. It is being met with quite the opposition.

Bruce A. Moia, P.E.

President , MBV Engineering, Inc.

1250 W. Eau Gallie Blvd., Unit L, Melbourne, FL 32935

P: 321.253.1510 C: 321.243.0583 F: 321.253.0911

Conference:218.895.1236 Passcode:723343

BruceM@mbveng.com www.mbveng.com

www.linkedin.com/pub/bruce-moia/14/6a7/58a

****Celebrating 35 Years in Business****

2017 Best Places to Work Award Recipient – CareerSource

2016 Small Business of the Year – IRC Chamber of Commerce

2013 Consultant of the Year – APWA

Also with offices in Vero : 772.569.0035 and Ft. Pierce: 772.468.9055

E-mail Logos 2017

