

RESOLUTION NO. 14PZ-00110

On motion by Commissioner Barfield, seconded by Commissioner Smith, the following resolution was adopted by a unanimous vote:

WHEREAS, SHIRLEY P. & CLARENCE E. WATKINS, AND GEORGE E. (JR.) & MELODY M. MORSE has requested a change of classification from GU (General Use) to RU-1-11 (Single-Family Residential), with a BDP (Binding Development Plan) limited to 14 single-family residential homes, on property described as: SEE ATTACHED

Section 30, Township 24 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 with a BDP limited to 14 single-family residential homes; 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 with a BDP limited to 14 single-family residential homes, and that the Developer/Owner shall place \$20,000 into an escrow account for re-milling and re-surfacing of Yount Drive to be used by the County in the event that construction activity degrades the road, as determined by the County. This amount shall be proportionately adjusted based on the State maintained asphalt price index using the index on the effective date of this agreement, but in no case shall be reduced below \$20,000; now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested change of classification from, GU to RU-1-11, be APPROVED with a Binding Development Plan, recorded in ORB 7415, Pages 2307 through 2311, dated 07/23/15, limited to 14 single-family residential homes, and that the Developer/Owner shall place \$20,000 into an escrow account for re-milling and re-surfacing of Yount Drive to be used by the County in the event that construction activity degrades the road, as determined by the County. This amount shall be proportionately adjusted based on the State maintained asphalt price index using the index on the effective date of this agreement, but in no case shall be reduced below \$20,000, and that the zoning classification relating to the above described property be changed, 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 July 23, 2015.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida

by Robin Fisher, Chairman
Brevard County Commission

As approved by Brevard County Commission on July 21, 2015.

ATTEST:

SCOTT ELLIS, CLERK
(SEAL)



(P&Z Hearing – March 9, 2015)
(BCC Zoning Hearing – April 2, 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.

14PZ-00110

Legal Description

All that part of Government Lot 1, **Section 30, Township 24 South, Range 37 East**, which lies west of Pelican Creek; less and except the west 300 ft. of the following described lands: A parcel of land being a portion of Government Lot 1 of Section 30, Township 24 South, Range 37 East, Brevard County, Florida, being more particularly described as follows: Begin at the southwest corner of said Government Lot 1 and run N89deg51'35"E, along the south line of said Government Lot 1, a distance of 970 ft. more or less to the ordinary high water line of/for the Banana River (sometimes referred to as Pelican Creek); thence return to the point of beginning, and run N00deg02'19"E, along the west line of said Government Lot 1, a distance of 693.83 ft. to an intersection with the centerline of Carmen St. (a 50 ft. wide right-of-way); thence departing said west line, run S89deg57'41"E, perpendicular to said west line, a distance of 50 ft.; thence S00deg02'19"W, parallel with said west line, a distance of 150 ft.; thence N89deg51'35"E, parallel with the aforesaid south line of Government Lot 1 and along a line that is within an existing canal, a distance of 562.58 ft.; thence S00deg08'25"E, a distance of 30 ft., more or less to the intersection of the ordinary high water line of the canal waters with the ordinary high water line of the Banana River (sometimes referred to as Pelican Creek); thence southeasterly, meandering the ordinary high water line of/for the Banana River, to an intersection with the first course of this description. (15.2 acres) Located at the terminus of Yount Dr. and Carmen St., approx. 0.12 mile east of the Banana River (1580 Carmen St., Merritt Island)

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

WHEREAS, PRN INVESTMENTS – requests a CUP (Conditional Use Permit) for Alcoholic Beverages (beer & wine only) for On-Premises Consumption in Conjunction with a Restaurant, in a BU-2 (Retail, Warehousing, and Wholesale Commercial) zoning classification, on property described as Unit 3 of Lot 10.01, Highland Park Subdivision, Section 2, as recorded in Plat Book 10, Page 12, of the Public Records of Brevard County. **Section 36, Township 24, Range 36.** (0.06 acre) Located on the north side of E. Merritt Island Causeway, approx. 0.18 mile east of Plumosa St. (700 E. Merritt Island Cswy., Merritt Island)

Section 36, Township 24 S, Range 36 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 for Alcoholic Beverages (beer & wine only) for On-Premises Consumption in Conjunction with a Restaurant, in a BU-2 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 April 2, 2015.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida



by Robin Fisher, Chairman
Brevard County Commission
As approved by Brevard County Commission on April 2, 2015.

ATTEST:



SCOTT ELLIS, CLERK
(SEAL)

(P&Z Hearing – March 9, 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.

On motion by Commissioner Anderson, seconded by Commissioner Infantini, the following resolution was adopted by a unanimous vote:

WHEREAS, DEE SMITH has requested a change of classification from AU (Agricultural Residential) to RU-2-4 (Low Density Multi-Family Residential) on property described as Tax Parcel 534, as recorded in ORB 2939, Page 1191, Public Records of Brevard County, Florida. (1.73 acres +/-). Located on the south side of LaGrange Rd., approx. 260 ft. west of U.S. 1. (2425 LaGrange Rd., Titusville)

Section 28, Township 21 S, Range 35 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 with a BDP (Binding Development Plan) limited to four (4) units; 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 with a BDP limited to four (4) units; now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested change of classification from AU to RU-2-4, be APPROVED with a Binding Development Plan, recorded in ORB 7336, Pages 1142 through 1145, dated 04/03/15, limited to four (4) units, and that the zoning classification relating to the above described property be changed, 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 April 3, 2015.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida

by Robin Fisher, Chairman
Brevard County Commission
As approved by Brevard County Commission on March 31, 2015.



ATTEST



SCOTT ELLIS, CLERK
(SEAL)

(P&Z/LPA Hearing -- January 5, 2015)
(BCC Zoning Hearing -- February 5, 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.

RESOLUTION NO. 15PZ00012

On motion by Commissioner Smith, seconded by Commissioner Barfield, the following resolution was adopted by a unanimous vote:

WHEREAS, at the direction of the Board of County Commissioners of Brevard County and pursuant to the provisions of Future Land Use Policy 10.3, Brevard County Comprehensive Plan, as adopted on September 8, 1988, et seq., the following proposed changes were submitted for administrative Rezoning.

CURRENT ZONING: PUD (Planned Unit Development)

PROPOSED ZONING: GML(H) (Government Managed Lands – High-Intensity)

on property owned by Brevard County and State of Florida, and described as Section 35, Township 24, Range 36, Sub. #30, Lots C and C.01, and Tax Parcel 269, all as recorded in ORB 6193, Pages 1249 – 1251, in the Public Records of Brevard County, Florida. (2.74 acres) Located on the northwest corner of S.R. 520 and Myrtice Ave. (Lot C = 580 W. Merritt Island Cswy., Lot C.01 and Tax Parcel 269 = No assigned address. In the Merritt Island area); 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 change of classification from PUD (Planned Unit Development) to GML(H) (Government Managed Lands – High-Intensity) be APPROVED, and that the zoning classification relating to the above described property be changed to GML(H), 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 April 2, 2015.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida



by Robin Fisher, Chairman
Brevard County Commission
As approved by Brevard County Commission on August 2, 2015.



ATTEST:

SCOTT ELLIS, CLERK
(SEAL)

(P&Z Hearing – March 9, 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.

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

WHEREAS, GLEN E. AND DAWN M. SPACE – requests a CUP (Conditional Use Permit) for Alcoholic Beverages (beer & wine only) for On-Premises Consumption in Conjunction with a Restaurant, in a BU-1-A (Restricted Neighborhood Commercial) zoning classification, on property described as Tract A, Port St. John Unit 1, as recorded in Plat Book 13, Page 126, and ORB 6653, Pages 968-969, of the Public Records of Brevard County, Florida. **Section 13, Township 23, Range 35.** (0.8 acres) Located on the northwest corner of Fay Blvd., and Arabella Lane (926 Fay Blvd., Port St. John)

Section 13, Township 23 S, Range 35 E, and,

WHEREAS, a public hearing of the Port St. John Dependent Special District Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the Port St. John Dependent Special District Board recommended that the application be approved; and,

WHEREAS, the Board, after considering said application and the Port St. John Dependent Special District 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 for Alcoholic Beverages (beer & wine only) for On-Premises Consumption in Conjunction with a Restaurant, in a BU-1-A 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 April 2, 2015.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida



by Robin Fisher, Chairman
Brevard County Commission
As approved by Brevard County Commission on April 2, 2015.

ATTEST:



SCOTT ELLIS, CLERK
(SEAL)

(PSJ Hearing – March 11, 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.