



AGENDA REPORT
November 1, 2018

**Appeal Re: Transportation Impact Fee Exemption by Banana Riverfront,
LLC (District 2)**

SUBJECT:

Appeal Re: Transportation Impact Fee Exemption by Banana Riverfront, LLC (District 2)

FISCAL IMPACT:

FY18/19 – If the applicant's request is granted \$22,689.00 in impact fees will be refunded to the applicant.

DEPT/OFFICE:

Planning and Development

REQUESTED ACTION:

It is requested that the Board of County Commissioners consider authorizing an impact fee refund to Banana Riverfront, LLC for demolition of a 1,292 square foot accessory building at the Squid Lips restaurant in Cocoa Beach if completed within six months from the date of approval by the Board.

SUMMARY EXPLANATION and BACKGROUND:

On December 18, 2017 Banana Riverfront, LLC submitted a letter requesting an exemption to the transportation impact fee code for a 1,970 square foot deck addition at the Cocoa Beach Squid Lips. After a review of the information provided, the request for exemption was Administratively denied on January 11, 2018. The applicant appealed to the Board and the appeal was heard on May 8, 2018. At that meeting the applicant offered to demolish a 1,292 square foot building located on the site if it would reduce the transportation impact fees assessed on the 1,973 square foot deck addition.

The applicant subsequently paid the transportation impact fees assessed on the deck addition in order to receive a Certificate of Occupancy for the project with the understanding that the payment would be refunded if the appeal was successful. A site plan submitted by the Applicant indicating that the accessory building will be demolished has recently been approved.

The applicant has now offered to withdraw the appeal if the Board authorizes the refund of \$22,689.00 in impact fees based on a recalculation of the total impact fee assessment subsequent to: (1) issuance of required demolition permits; and (2) demolition of the 1,292 square foot accessory building within six months of being authorized by the Board. The refund would not be processed until the demolition is completed.

ATTACHMENTS:

Description

- **Site Plan**



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

November 2, 2018

M E M O R A N D U M

TO: Tad Calkins, Planning and Development Director

RE: Item I.1., Appeal for Transportation Impact Fee Exemption by Banana Riverfront, LLC

The Board of County Commissioners, in regular session on November 1, 2018, authorized an impact fee refund of \$22,689 to Banana Riverfront, LLC for demolition of a 1,292 square foot accessory building at the Squid Lips restaurant in Cocoa Beach, if completed within six months from the date of approval.

Your continued cooperation is always appreciated.

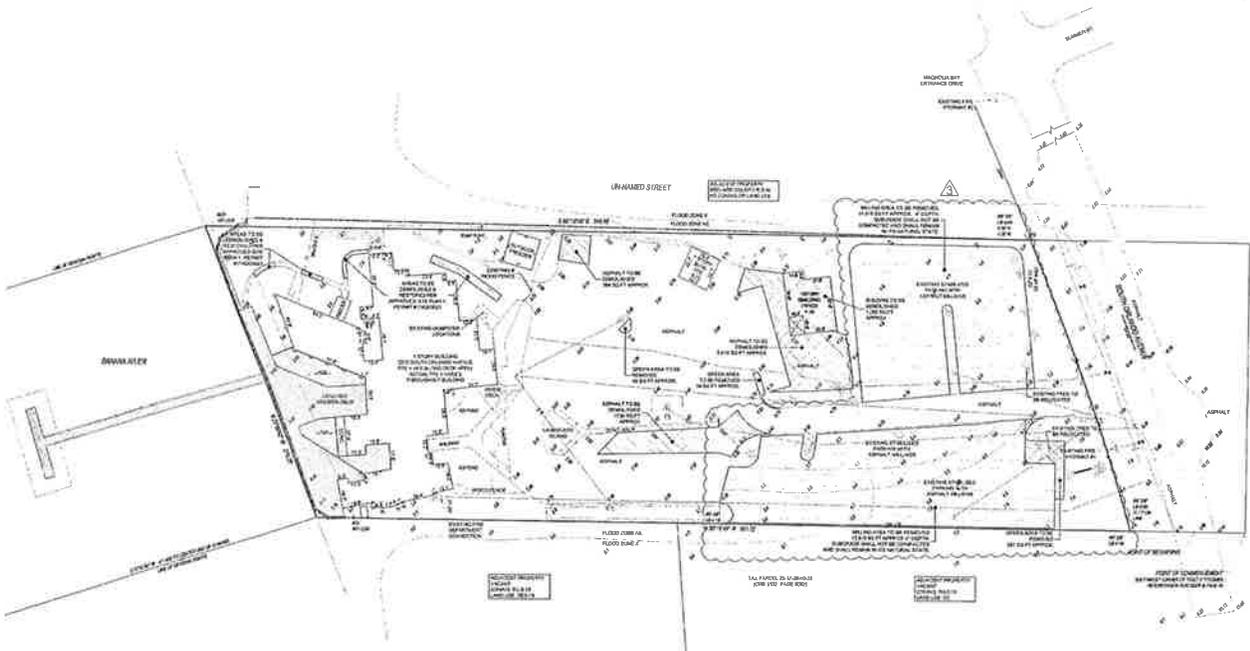
Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/kp

cc: Finance
Budget



PIPE FLOW CALCULATIONS

NO.	DESCRIPTION	AREA (SQ. FT.)	PERMITTED FLOW (GPM)	TIME TO FLOW (MIN)	COLLECTOR SIZE (IN)	PIPE FLOW CAPACITY (GPM)	PERMITTED PIPE FLOW (GPM)	ACTUAL FLOW (GPM)	ADDITIONAL FLOW (GPM)	STORMWATER (GPM)
1	RESTAURANT	1,200	1.0	1.0	12	1,000	1,000	1,000	0	0
2	OFFICE	2,500	1.0	1.0	12	1,000	1,000	1,000	0	0
3	RETAIL	1,500	1.0	1.0	12	1,000	1,000	1,000	0	0
4	STREET	100	1.0	1.0	12	1,000	1,000	1,000	0	0

NOTE: ALL FLOW CAPACITIES ARE BASED ON 1.0 CFS PER 1,000 SQ. FT. OF AREA.

DEMOLITION SUMMARY

ITEM	QUANTITY
DEMOLITION DEBRIS	450,000 CU YD
DEMOLITION WASTE	200,000 CU YD
DEMOLITION MATERIALS	1,000,000 CU YD
TOTAL DEMOLITION DEBRIS	650,000 CU YD
TOTAL DEMOLITION WASTE	200,000 CU YD
TOTAL DEMOLITION MATERIALS	1,000,000 CU YD

NOTE: ALL QUANTITIES ARE BASED ON 1.0 CFS PER 1,000 SQ. FT. OF AREA.

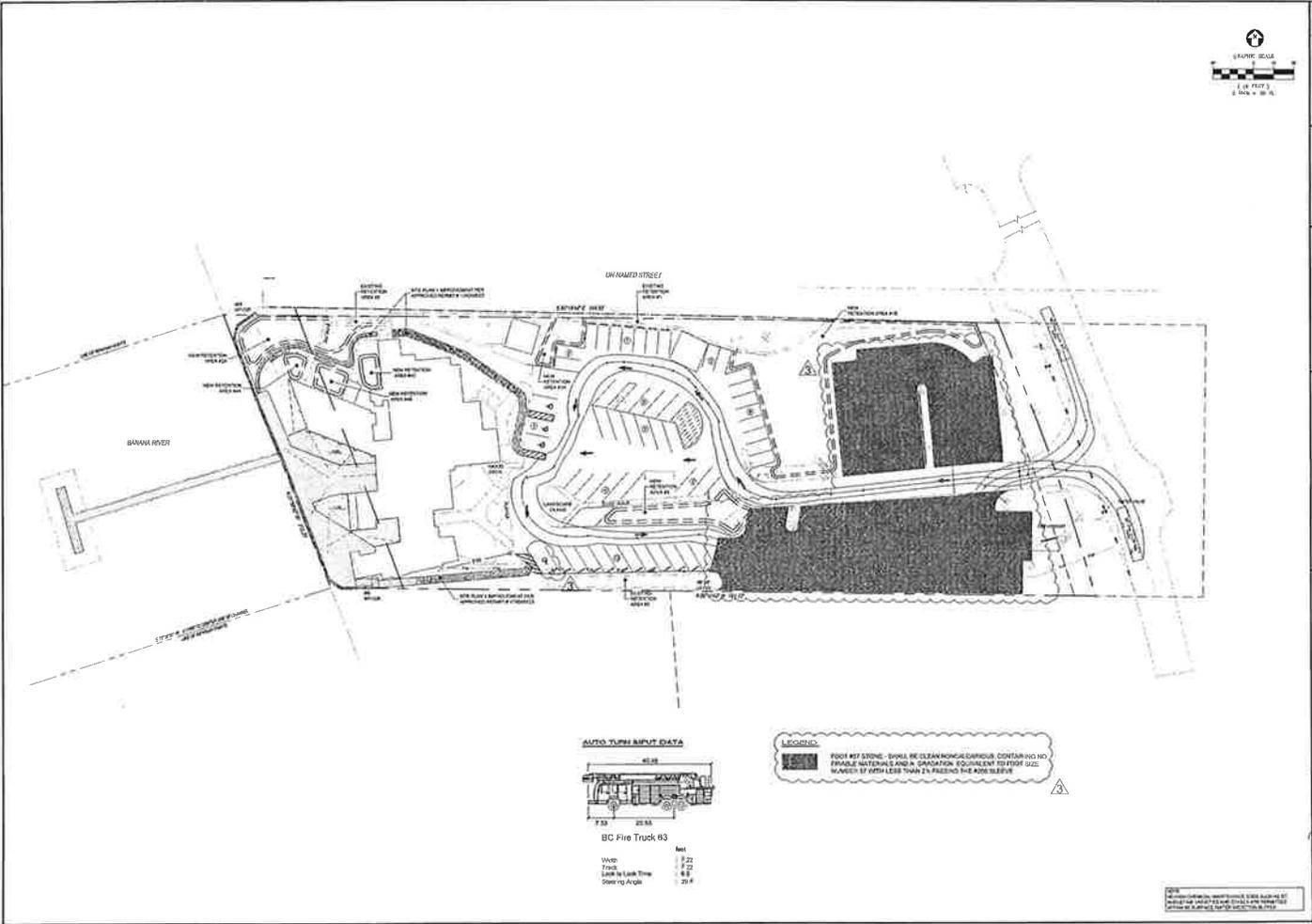
IMBV
 INDEPENDENT METEOROLOGICAL & ENVIRONMENTAL CONSULTANTS, INC.
 10000 W. 10TH AVENUE, SUITE 100
 DENVER, CO 80202
 TEL: 303.755.1100
 FAX: 303.755.1101
 WWW.IMBV.COM

EXISTING CONDITIONS & DEMOLITION PLAN

SOLID IPS
 COCOA BEACH
 BREVARD COUNTY

SCALE 1" = 10'

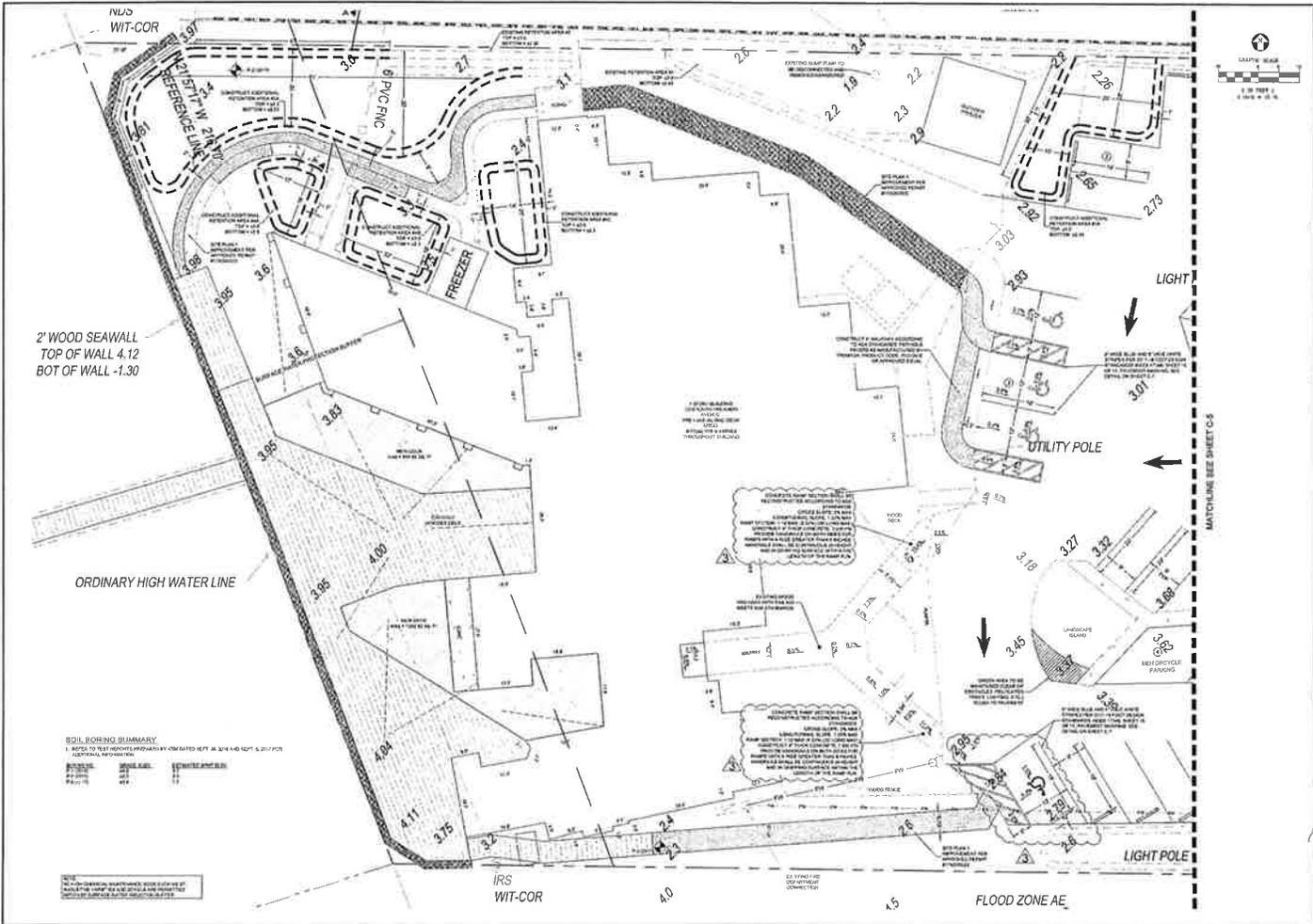
C-2



<p>MBV ENGINEERING, INC. Civil & Structural Engineering & Construction 222 Atlantic Avenue, Suite 200 Cocoa Beach, Florida 32931 Phone: 321-437-1111 Fax: 321-437-1112 www.mbveng.com</p>							
<p>PROJECT: SOLID LIPS COCOA BEACH</p>							
<p>DATE: 12/2008</p>							
<p>REVISIONS:</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>12/2008</td> <td>ISSUE FOR PERMITTING</td> </tr> </tbody> </table>		NO.	DATE	DESCRIPTION	1	12/2008	ISSUE FOR PERMITTING
NO.	DATE	DESCRIPTION					
1	12/2008	ISSUE FOR PERMITTING					
<p>DESIGNED BY: [Name]</p>	<p>CHECKED BY: [Name]</p>						
<p>DRAWN BY: [Name]</p>	<p>DATE: 12/2008</p>						



C-3

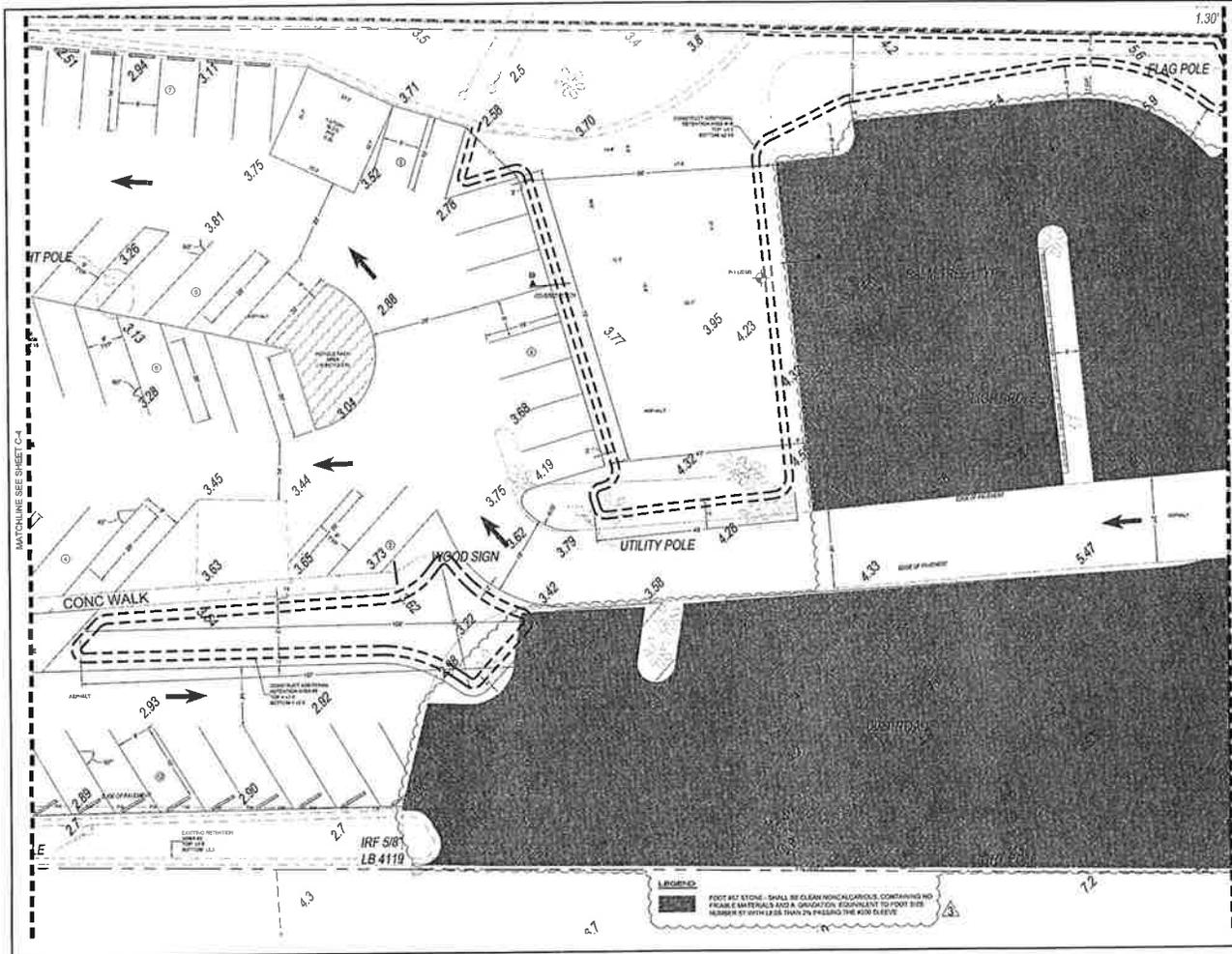


SOIL BORING SUMMARY

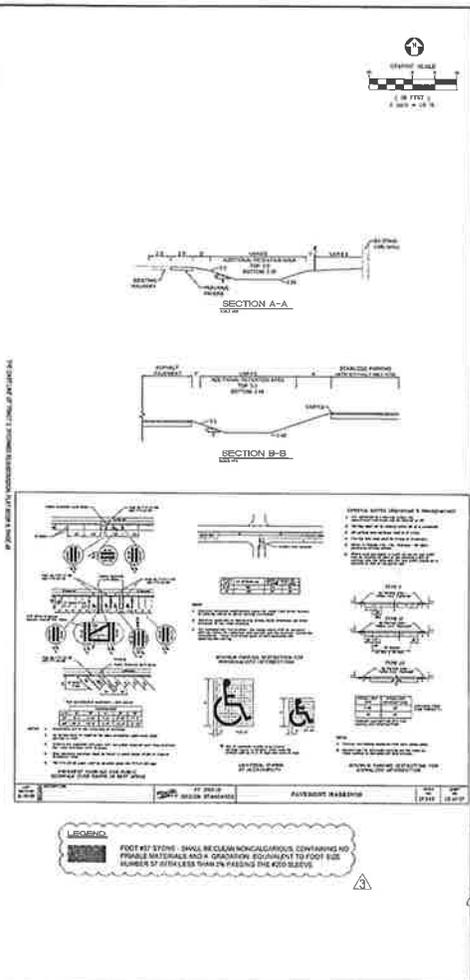
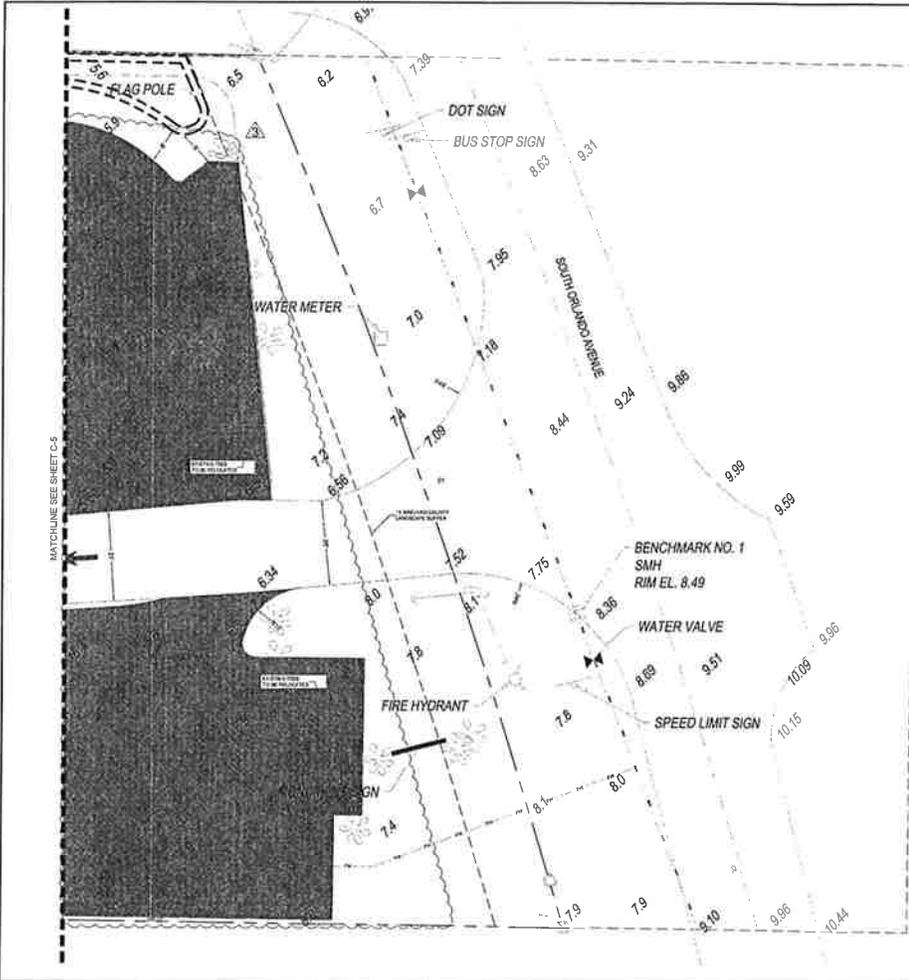
1. REFER TO TEST REPORTS PREPARED BY CONSULTING GEOTECHNICAL ENGINEERS AT 1014 AND 1017 PCH FOR ADDITIONAL INFORMATION

BORING NO.	DEPTH (FEET)	SOIL TYPE	REMARKS
3.01	0.00 - 1.00	CLAY	...
3.02	0.00 - 1.00	CLAY	...
3.03	0.00 - 1.00	CLAY	...
3.04	0.00 - 1.00	CLAY	...
3.05	0.00 - 1.00	CLAY	...
3.06	0.00 - 1.00	CLAY	...
3.07	0.00 - 1.00	CLAY	...
3.08	0.00 - 1.00	CLAY	...
3.09	0.00 - 1.00	CLAY	...
3.10	0.00 - 1.00	CLAY	...
3.11	0.00 - 1.00	CLAY	...
3.12	0.00 - 1.00	CLAY	...
3.13	0.00 - 1.00	CLAY	...
3.14	0.00 - 1.00	CLAY	...
3.15	0.00 - 1.00	CLAY	...
3.16	0.00 - 1.00	CLAY	...
3.17	0.00 - 1.00	CLAY	...
3.18	0.00 - 1.00	CLAY	...
3.19	0.00 - 1.00	CLAY	...
3.20	0.00 - 1.00	CLAY	...
3.21	0.00 - 1.00	CLAY	...
3.22	0.00 - 1.00	CLAY	...
3.23	0.00 - 1.00	CLAY	...
3.24	0.00 - 1.00	CLAY	...
3.25	0.00 - 1.00	CLAY	...
3.26	0.00 - 1.00	CLAY	...
3.27	0.00 - 1.00	CLAY	...
3.28	0.00 - 1.00	CLAY	...
3.29	0.00 - 1.00	CLAY	...
3.30	0.00 - 1.00	CLAY	...
3.31	0.00 - 1.00	CLAY	...
3.32	0.00 - 1.00	CLAY	...
3.33	0.00 - 1.00	CLAY	...
3.34	0.00 - 1.00	CLAY	...
3.35	0.00 - 1.00	CLAY	...
3.36	0.00 - 1.00	CLAY	...
3.37	0.00 - 1.00	CLAY	...
3.38	0.00 - 1.00	CLAY	...
3.39	0.00 - 1.00	CLAY	...
3.40	0.00 - 1.00	CLAY	...
3.41	0.00 - 1.00	CLAY	...
3.42	0.00 - 1.00	CLAY	...
3.43	0.00 - 1.00	CLAY	...
3.44	0.00 - 1.00	CLAY	...
3.45	0.00 - 1.00	CLAY	...
3.46	0.00 - 1.00	CLAY	...
3.47	0.00 - 1.00	CLAY	...
3.48	0.00 - 1.00	CLAY	...
3.49	0.00 - 1.00	CLAY	...
3.50	0.00 - 1.00	CLAY	...

<p>GRAPHIC SCALE</p> <p>1" = 10' 0"</p>
<p>DATE</p> <p>11/11/11</p> <p>BY</p> <p>...</p> <p>CHECKED</p> <p>...</p> <p>APPROVED</p> <p>...</p>
<p>PROJECT</p> <p>PROPOSED DRAINAGE IMPROVEMENT PLAN</p> <p>LOCATION</p> <p>SQUID LIPS COCOA BEACH</p>
<p>SCALE</p> <p>AS SHOWN</p>
<p>PROJECT NO.</p> <p>...</p> <p>DRAWING NO.</p> <p>C-4</p>



<p>IMBV ENGINEERING, INC. ONE FORTUNA SQUARE, SUITE 100 DUBLIN, CALIFORNIA 94568 TEL: 925.835.1234 FAX: 925.835.1235</p>	
PROJECT NO.	DATE
DESCRIPTION	SCALE
DESIGNED BY	CHECKED BY
DRAWN BY	APPROVED BY
DATE	
<p>PROPOSED DRAINAGE IMPROVEMENT PLAN 2</p>	
<p>SOLID LIPS COCOA BEACH</p>	
<p>SHEET C-5</p>	



	<table border="1"> <tr> <td>DATE</td> <td>10/10/2018</td> </tr> <tr> <td>PROJECT</td> <td>PROPOSED DRAINAGE IMPROVEMENT PLAN 3</td> </tr> <tr> <td>CLIENT</td> <td>SOUNDLIPS COCOA BEACH</td> </tr> <tr> <td>DESIGNER</td> <td>EMBY ENGINEERING, INC.</td> </tr> <tr> <td>SCALE</td> <td>AS SHOWN</td> </tr> </table>	DATE	10/10/2018	PROJECT	PROPOSED DRAINAGE IMPROVEMENT PLAN 3	CLIENT	SOUNDLIPS COCOA BEACH	DESIGNER	EMBY ENGINEERING, INC.	SCALE	AS SHOWN
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	<p>C-6</p>										

