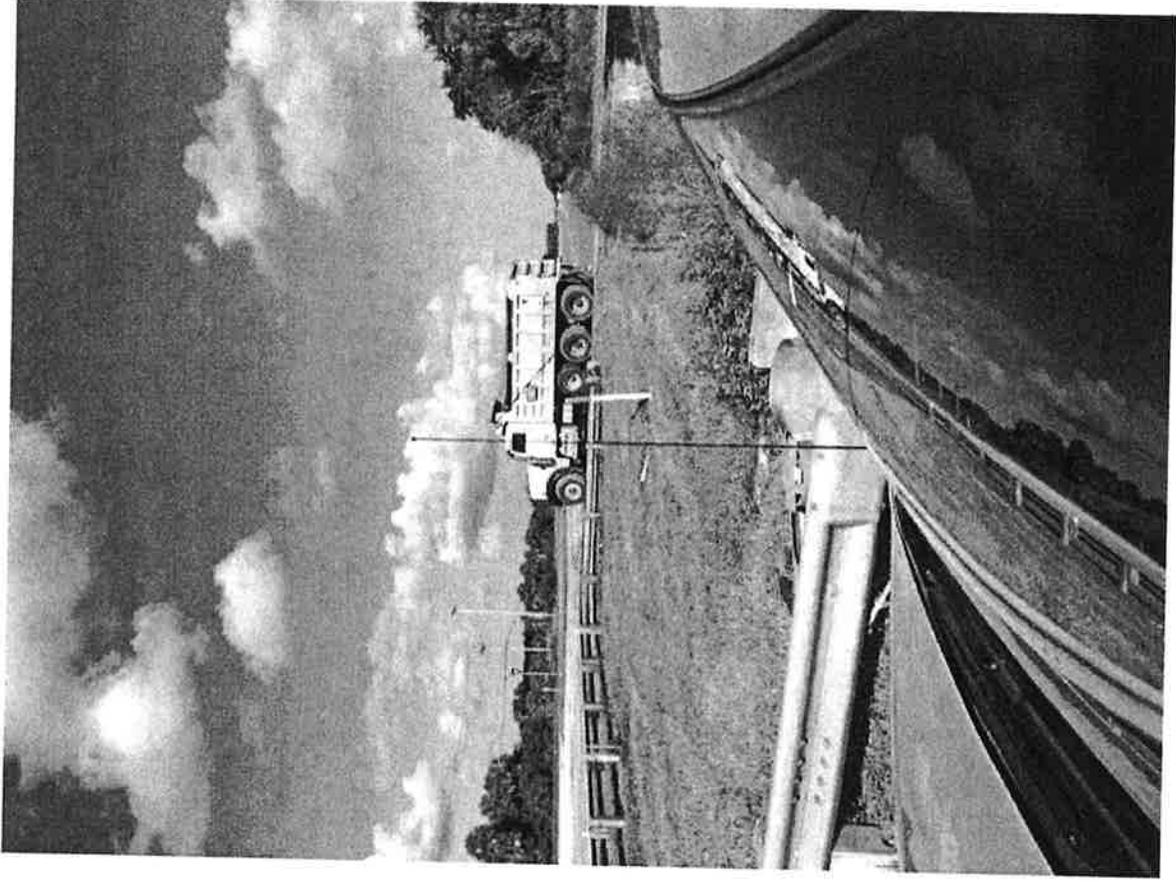


ORIGINAL



Access Road at City of
Cocoa Water Treatment
Plant - Osceola County -
Highway 520



Colgin Property - 6500
Highway 520 Cocoa -
Brevard County

Colgin Property -
6500 Highway 520
Cocoa - Brevard
County





Colgin Property - 6500
Highway 520 Cocoa -
Brevard County

2018 Roll Details – Real Estate Account At 6450 HIGHWAY 520, COCOA [Print this page](#)

Real Estate Account #2441238 [Parcel details](#) [Latest bill](#) [Full bill history](#)

2018 2017 2016 2015 ... 2005
 PAID PAID PAID PAID PAID

[Get Bills by Email](#)

PAID 2018-11-17 \$3,357.45
 Receipt #000-19-00027606
[Click to print receipt](#)

Owner: NEW ALBANY LLC
 265 S ATLANTIC AVE
 COCOA BCH, FL 32931-0000
Situs: 6450 HIGHWAY 520
 COCOA

Account number: 2441238
 Alternate Key: 2441238
 Millage code: 1600
 Millage rate: 14.4287

Assessed value: 216,410
 School assessed value: 216,410



Location is not guaranteed to be accurate.

2018 Annual bill [View](#)

Ad valorem: \$3,122.52
 Non-ad valorem: \$374.82
Total Discountable: 3497.34
 No Discount NAVA: 0.00
 Total tax: \$3,497.34

Legal description

E 1/2 OF W 1/2 OF W 1/2 OF SW 1/4
 & THAT PART OF E 1/2 OF W 1/2 OF
 W 1/2 OF W 1/2 OF SEC 28 LYING N
 OF ST RD 520 PAR'S 251, 503 IN
 SEC 28

Location

GIS - Property Appraiser

Geo number: 24.3521-00-502
 Property class: 6120
 Township: 24
 Range: 35
 Section: 21
 Block: 502
 Value code: 20
 Use code: 6120
 Total acres: 52.530



BOARD OF COUNTY COMMISSIONERS

Planning & Development Department

2725 Judge Fran Jamieson Way

Building A, Room 114

Viera, Florida 32940

Large Scale Comprehensive Plan Amendment Transmittal Package 2019-2

Phone (321) 633-2070 • Fax (321) 633-2074

Website: www.brevardcounty.us/PlanningDev/Home

**Large Scale Comprehensive Plan Amendment
Ray L. Colgin 2019-2.1**

**PROPOSED COMPREHENSIVE PLAN AMENDMENT 2019-2.1
FUTURE LAND USE MAP SERIES
FUTURE LAND USE ELEMENT**

Request: 2019-2.1
Large Scale Comprehensive Plan Amendment (LSCPA) Future
Land Use (FLU) Map Amendment (19PZ00075)

Owner / Applicant: Ray L. Colgin

Location: Legal Description On file
Tax Acct Parcel #2441237

Acreage: ± 52.53 acres

**Existing Land
Use Designation:** Residential 1 (RES 1)

**Proposed Land
Use Designation:** Residential 2 (RES 2)

**Existing Zoning
Classification:** Agricultural (AU)

**Proposed Zoning
Classification:** Single Family Residential (RU-1-11)

FUTURE LAND USE MAP AMENDMENT

Description:

The applicant is seeking a Large Scale Comprehensive Plan Amendment to change the Future Land Use designation from Residential 1 (RES 1) to Residential 2 (RES 2) on a 52.53 acre parcel of land for the purpose of developing up to 105 single-family residences. The subject property is located on the north side of State Road 520 approximately one-half mile west of the intersection of State Road 520 and State Road 524. The property currently is developed with one manufactured home with a Future Land Use designation of Residential 1 (RES 1) limiting development to one dwelling unit per acre since the original Comprehensive Plan's adoption in 1988. The requested Residential 2 (RES 2) Future Land Use designation would permit the development of up to two (2) dwelling units per acre.

The proposed Residential 2 (RES 2) is being sought in an area where parcels on the south side of State Road 520 retain a Residential 2 (RES 2) Future Land Use designation. This area to the south is currently undeveloped. To the east of the subject

parcel is a modular office building with a Future Land Use designation of Residential 1 (RES 1). To the north of the subject parcel is Brevard County owned land with a Residential 1 (RES 1) Future Land Use designation. This parcel is adjacent to an approximately 957 acre County Land Fill Facility with a Future Land Use designation of Public Facilities (PUB). To the west of the subject site across a 90 foot right-of-way are vacant parcels of land with a Future Land Use designation of Residential 1 (RES 1).

Surrounding Uses	Current Use	Zoning	Future Land Use
North	Vacant	RR-1, AU	RES 1
East	Manufactured Building	RR-1	RES 1
South	Vacant	GU	RES 2
West	Vacant	BU-1, AU, GU, ARR, AGR and RRMH-1	RES 1

Availability of Public Facilities and Services:

Potable Water: The subject property is located within a water utility service area.

Sanitary Sewer: The subject property is located within Brevard County’s sanitary sewer service area.

Solid Waste: Brevard County provides solid waste collection and disposal for this area.

Parks & Recreation: The proposed land use amendment would not exceed existing park land level of service for the Central Planning Area.

Drainage: All necessary drainage and stormwater management facilities must be provided on-site by the developer and approved during the subdivision and land development review process.

Transportation: The subject property is located on the north side of State Road 520 (SR 520) (segment 320B from SR 524 to Friday Road). The segment was identified with a non-deficiency and is not nearing maximum capacity. The Maximum Acceptable Volume (MAV) is 41,790 with an Average Daily Trips (ADT) of 14,884. The segment has a current operating volume of 35.62%.

	ADT	PM PEAK		
Trips from Existing Zoning	495	52	Segment Number	320B
Trips from Proposed Zoning	990	104	Segment Name	SR 520 From SR 524 to Friday Road
Maximum Acceptable Volume (MAV)	41,790	3,761	Acceptable LOS	D
Current Volume	14,884	1,340	Directional Split	0.5
Volume With Proposed Development	29,971	2,700	ITE CODE	
Current Volume / MAV	35.62%	35.62%	210	
Volume / MAV with Proposal	71.72%	71.79%		
Current LOS	C	C		
LOS With Proposal	C	C		

Findings
 Non-Deficiency
 Deficiency

Public Schools: At this time, Fairglen Elementary School is not projected to have enough capacity for the total of projected and potential students from the 52.53 acre Development. Because there is a shortfall of available capacity in the concurrency service area of this 52.53 acre development, the capacity of adjacent concurrency service areas must be considered.

Considering the adjacent elementary school concurrency service areas, there is sufficient capacity for the total projected student membership to accommodate the 52.53 acre development.

Conclusion: The preliminary concurrency analysis at the first level of review did not indicate that the proposed development would cause a deficiency of adopted levels of service. Further review will be completed at site plan review.

Environmental Resources:

The subject site has areas of mapped SJRWMD and NWI wetlands. Per SJRWMD, there have been unpermitted wetland impacts at the site; resulting from the spreading of biosolids. Development of the property may afford the applicant an opportunity to mitigate wetlands. However, it is unknown at this time the amount of wetlands that may be mitigated, and the amount that will be required to be restored.

In addition, portions of the parcel are also located within a mapped Special Flood Hazard Area (SFHA) within the riverine floodplain. NRM recommends that applicant delineate potential wetlands and determine riverine floodplain profile prior to any planning as these features may affect site plan design. NRM reserves the right to assess consistency with environmental ordinances at all applicable future stages of development. Applicant is encouraged to contact NRM at 321-633-2016.

Historic Resources:

There are no previously recorded cultural or historic resources on this property according to the Florida Master Site File.

Comprehensive Plan Policies/Comprehensive Plan Analysis:

Staff findings of fact are shown in italics.

Notice: *The Comprehensive Plan establishes the broadest framework for reviewing development applications and provides the initial level of review in a three layer screening process. The second level of review entails assessment of the development application's consistency with Brevard County's zoning regulations. The third layer of review assesses whether the development application conforms with site planning/land development standards of the Brevard County Land Development Code. While each of these layers individually affords its own evaluative value, all three layers must be cumulatively considered when assessing the appropriateness of a specific development proposal.*

Future Land Use Element Policies

The following policies pertain to this future land use planning activity.

Residential 2 (maximum of 2 units per acre)

Policy 1.8

The Residential 2 (RES 2) land use designation permits lower density residential development with a maximum density of up to two (2) units per acre, except as otherwise may be provided for within this element. The Residential 2 (RES 2) land use designation may be considered for lands within the following generalized locations, unless otherwise limited by this Comprehensive Plan:

Criteria:

- A. Areas adjacent to existing Residential 2 (RES 2) land use designation; or

The subject parcel to the south across State Road 520 is adjacent to a cluster of approximately 721 acres of undeveloped land with a Future Land Use designation of Residential 2 (RES 2).

- B. Areas which serve as a transition between existing land uses or land use designations with density greater than two units per acre and areas with density of less than two units per acre; or

The subject parcel does not serve as a transition between higher and lower densities of greater than and less than two dwelling units per acre.

- C. Unincorporated areas which are adjacent to incorporated areas and may be considered a logical transition for Residential 2 (RES 2).

The subject parcel is not located adjacent to an incorporated area that may be considered a logical transition to Residential 2 (RES 2).

- D. Up to a 25% density bonus to permit up to 2.5 dwelling units per acre may be considered where the Planned Unit Development (PUD) concept is utilized, where deemed compatible by the County with adjacent development, provided that minimum infrastructure requirements set forth in Policy 1.2 are available. Such higher densities should be relegated to interior portions of the Planned Unit Development (PUD) tract, away from perimeters, to enhance blending with adjacent Future Land Use Element areas and to maximize the integration of open space within the development and promote inter-connectivity with surrounding uses. This density bonus shall not be utilized for properties within the Coastal High Hazard Area (CHHA).

The subject parcel is not within the Coastal High Hazard Area (CHHA) and would be able to be considered for a Planned Unit Development (PUD) and has met the minimum infrastructure requirements set forth in Policy 1.2 as described below.

Public Facilities and Services Requirements

Policy 1.2

Minimum public facilities and services requirements should increase as residential density allowances become higher. The following criteria shall serve as guidelines for approving new residential land use designations:

Criteria:

- A. Adequate roadways, solid waste disposal, drainage and recreation facilities to serve the needs of associated development shall be available concurrent with development in all residential land use designations.

The preliminary transportation concurrency analysis did not indicate that the proposed development would cause a deficiency of adopted levels of service. This portion of State Road 520 from State Road 524 to Friday Road is at 35.62% of the maximum acceptable volume (MAV) and would increase to 71.72% if the Future Land Use and subsequent Rezoning were to be approved.

- B. Fire and police protection and emergency medical services to serve the needs of associated development shall be available concurrent with development in all residential land use designations in accordance with policies set forth in the 'Service Delivery, Concurrency and Growth' section of this Future Land Use Element.

Based upon a first review for Concurrency, the subject site with a Future Land Use change to Residential 2 (RES 2) would not have a deficiency in service delivery by the Fire Department.

- C. In the Residential 30, Residential 15, Residential 10, Residential 6 and Residential 4 land use designations, centralized potable water and wastewater treatment shall be available concurrent with the impact of the development.

Not applicable.

The subject parcel proposes Residential 2 (RES 2) Future Land Use designation. However, the City of Cocoa has water availability and Brevard County has Sewer Service availability located approximately one half mile east at the intersection of State Road 520 and State Road 524.

- D. Where public water service is available, residential development proposals with densities greater than four units per acre shall be required to connect to a centralized sewer system.

Not applicable.

The proposed density is two units per acre. However, there is sewer service to this parcel.

- E. Where public water service is not available, residential development proposals with densities greater than two units per acre shall be required to connect to a centralized sewer system.

Not applicable, as public water is available.

- F. The County shall not extend public utilities and services outside of established service areas to accommodate new development in Residential 2, Residential 1 and Residential 1:2.5 land use designations, unless an overriding public benefit can be demonstrated. This criterion is not intended to preclude acceptance of dedicated facilities and services by the County through MSBU's, MSTU's and other means through which the recipients pay for the service or facility.

Not applicable.

Summary

This request is for an amendment to the Future Land Use designation from Residential 1 (RES 1) to Residential 2 (RES 2) on a 52.53 acre property for the purpose of developing up to 105 single-family residences. The surrounding area is largely characterized by a mixture of low density residential, public facilities and public conservation land uses. To the north, east and west the Future Land Use designation is Residential 1 (RES 1) which limits density to one (1) dwelling unit per acre. Also, adjacent on the south west portion of this parcel is a cluster of approximately 38 acres of commercial land uses along the north side of State Road 520 (SR 520) and Canaveral Groves.

The subject property is proposed to be served with both potable water and is located with access from an urban major collector roadway, which intersects with State Road 524 approximately one half mile to the east. The preliminary concurrency analysis at the first level of review did not indicate that the proposed development would cause a deficiency of adopted levels of service.

The applicant has stated that he will be submitting a companion rezoning application proposing a change from Agricultural Residential (AU) to Single Family Residential (RU-1-11). The current zoning of Agricultural Residential (AU) is consistent with the proposed Future Land Use designation of Residential 2 (RES 2). If the applicant seeks to change the Zoning of the property to Single Family Residential (RU-1-11), the applicant will need to prepare a Binding Development Plan that allows only up to two (2) dwelling units per acre in order to remain consistent with the proposed Future Land Use designation of Residential 2 (RES 2).

If you have any questions, please contact Cheryl W. Campbell, Planner III, of the Planning & Development Department at (321) 633-2070 ext. 58271 or via email to Cheryl.Campbell@brevardfl.gov

NATURAL RESOURCES MANAGEMENT DEPARTMENT
Land Use Review & Summary
Item # 19PZ00075

Applicant: Ray Colgin; Chad Genoni

Future Land Use Request: Res 1 to Res 2

Note: Applicant wants to increase density for single family subdivision

LPA Hearing Date: 08/19/19; **BCC Hearing Date:** 09/05/19

LPA Hearing Date: 11/18/19; **BCC Hearing Date:** 12/05/19

Tax ID No: 2441237

- This is a preliminary review based on best available data maps reviewed by the Natural Resources Management Department (NRM) and does not include a site inspection to verify the accuracy of the mapped information.
- In that the rezoning process is not the appropriate venue for site plan review, specific site designs submitted with the rezoning request will be deemed conceptual. Board comments relative to specific site design do not provide vested rights or waivers from Federal, State or County regulations.
- **This review does not guarantee whether or not the proposed use, specific site design, or development of the property can be permitted under current Federal, State, or County Regulations.**

Substantial Natural Resources Land Use Issues:

As detailed below, the subject site has areas of mapped SJRWMD and NWI wetlands. In addition, portions of the parcel are also located within a mapped Special Flood Hazard Area (SFHA) within the riverine floodplain. NRM recommends that applicant delineate potential wetlands and determine riverine floodplain profile prior to any planning as these features may affect site plan design. NRM reserves the right to assess consistency with environmental ordinances at all applicable future stages of development. Applicant is encouraged to contact NRM at 321-633-2016.

Summary of Mapped Natural Resources Present on the Subject Property:

- NWI Wetlands
- SJRWMD Wetlands
- Hydric Soils
- Floodplain

Land Use Comments:

Wetlands and Hydric Soils

The subject parcel contains mapped areas of NWI and SJRWMD wetlands, and hydric soils (Anclote sand – frequently ponded, Malabar sand, and Holopaw sand) as shown on the NWI Wetlands, SJRWMD Florida Land Use & Cover Codes and USDA Soil Conservation Service Soils Survey maps, respectively; indicators that hydric soils and wetlands may be present. Per Section 62-3694(c)(1), residential land uses within

wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. For subdivisions greater than five acres in area, the preceding limitation of one dwelling unit per five (5) acres within wetlands may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of the total non-commercial and non-industrial acreage on a cumulative basis as set forth in Section 65-3694(c)(6). Any permitted wetland impacts must meet the requirements of Sections 62-3694(e) and 62-3696. A wetland determination/delineation will be required prior to any land clearing activities, plan or permit submittal, and applicant is encouraged to contact NRM at (321) 633-2016.

Floodplain

Portions of the western and southern areas of the parcel are mapped as being within a Special Flood Hazard Area (riverine floodplain) as identified by the Federal Emergency Management Agency and as shown on the FEMA Flood Map. Additional impervious area increases stormwater runoff that can adversely impact nearby properties unless addressed on-site. Chapter 62, Article X, Division 6 states, "No site alteration shall adversely affect the existing surface water flow pattern." Chapter 62, Article X, Division 5, Section 62-3723 (2) states, "Development within floodplain areas shall not have adverse impacts upon adjoining properties." The property is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance.

Per Section 62-3724(1), There shall be no net change in the rate and volume of floodwater discharged from the pre-development 100-year, 25-year, 10-year or mean annual riverine floodplain. Residential density within the riverine floodplain is based on whether floodplain is designated 100-year, 25-year, 10-year or mean annual riverine floodplain. Depending on riverine floodplain designation, compensatory storage may be required. Additional detailed flood modeling has been performed for the West Cocoa area by Brevard County and shall also be used for floodplain, compensatory storage, and density determinations. The modeling and/or elevation information as well as topographic LiDAR are available upon request. Applicant is encouraged to contact Natural Resources Stormwater Department at 321-633-2016 for floodplain modeling information available for this area.

Landscape requirements

Aerials indicate Heritage/Specimen Trees and/or Protected trees may reside on the parcel. Per Brevard County Landscaping, Land Clearing and Tree Protection ordinance, Section 62-4331(3), the purpose and intent of the ordinance is to encourage the protection of Heritage Specimen Trees. In addition, per Section 62-4341(18), Specimen and Protected Trees shall be preserved or relocated on site to the Greatest Extent Feasible. Per Section 62-4332, Definitions, Greatest Extent Feasible shall include, but not be limited to, relocation of roads, buildings, ponds, increasing building height to reduce building footprint or reducing Vehicular Use Areas. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for preservation and canopy coverage requirements. Applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.

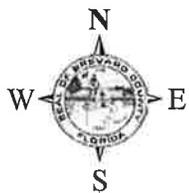
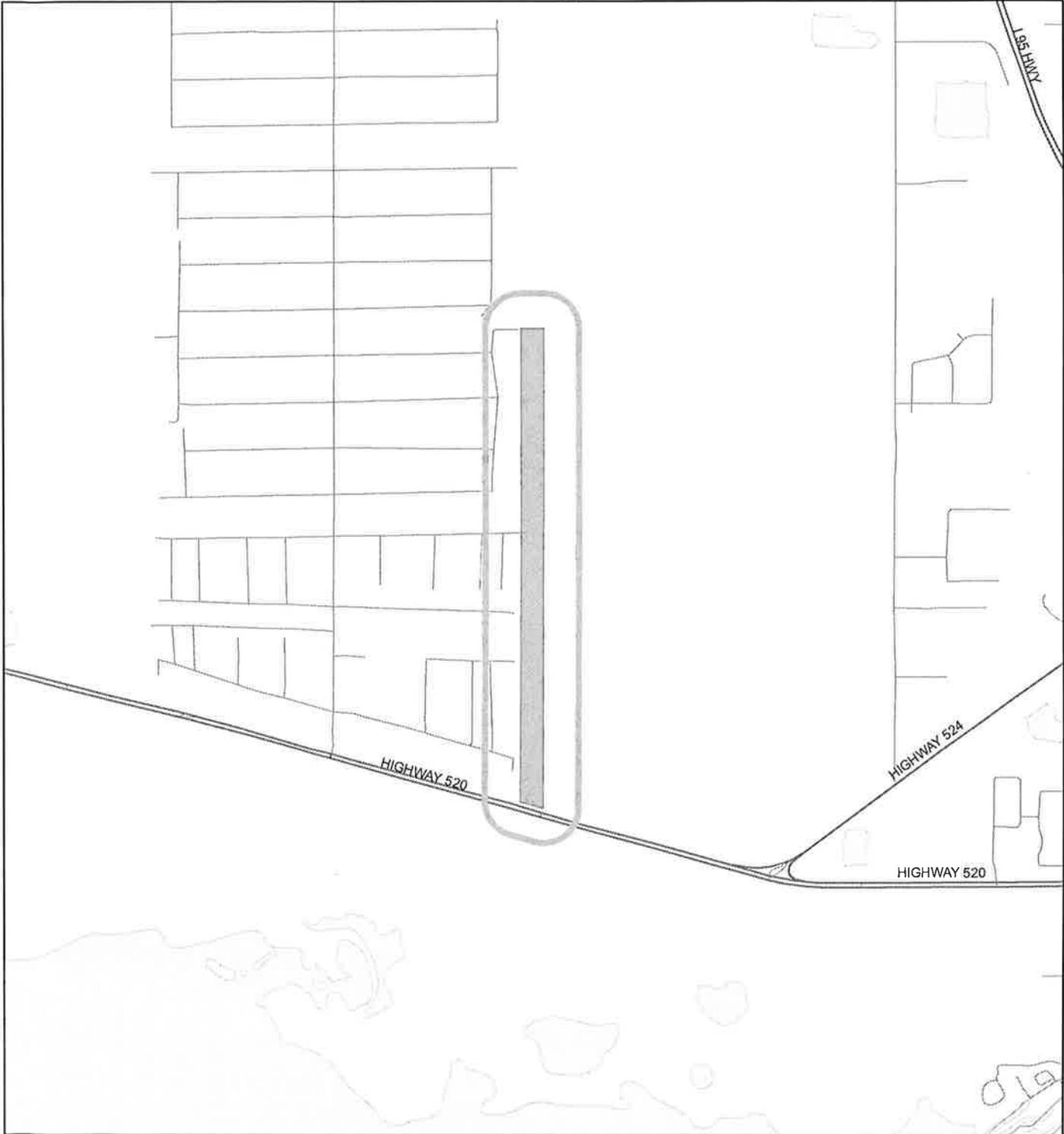
Protected Species

Federally and/or state protected species may be present on properties with aquifer recharge soils. Should any protected species be present, the applicant should obtain any necessary permits or clearance letters from the Florida Fish and Wildlife Conservation Commission and/or U.S. Fish and Wildlife Service prior to any plan, permit submittal, or development activity, including land clearing, as applicable.

LSCPA
Ray L. Colgin
Transmittal 2019-2.1
Supporting Maps

LOCATION MAP

Comprehensive Plan Amendment
19PZ00075 - Colgin/Genoni



1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 500 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

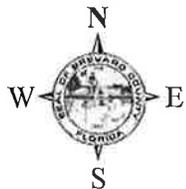
Produced by BoCC - GIS Date: 7/2/2019

Buffer

Subject Property

FUTURE LAND USE MAP

Comprehensive Plan Amendment
19PZ00075 - Colgin/Genoni



1:12,000 or 1 inch = 1,000 feet

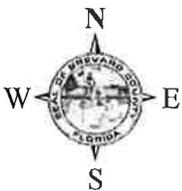
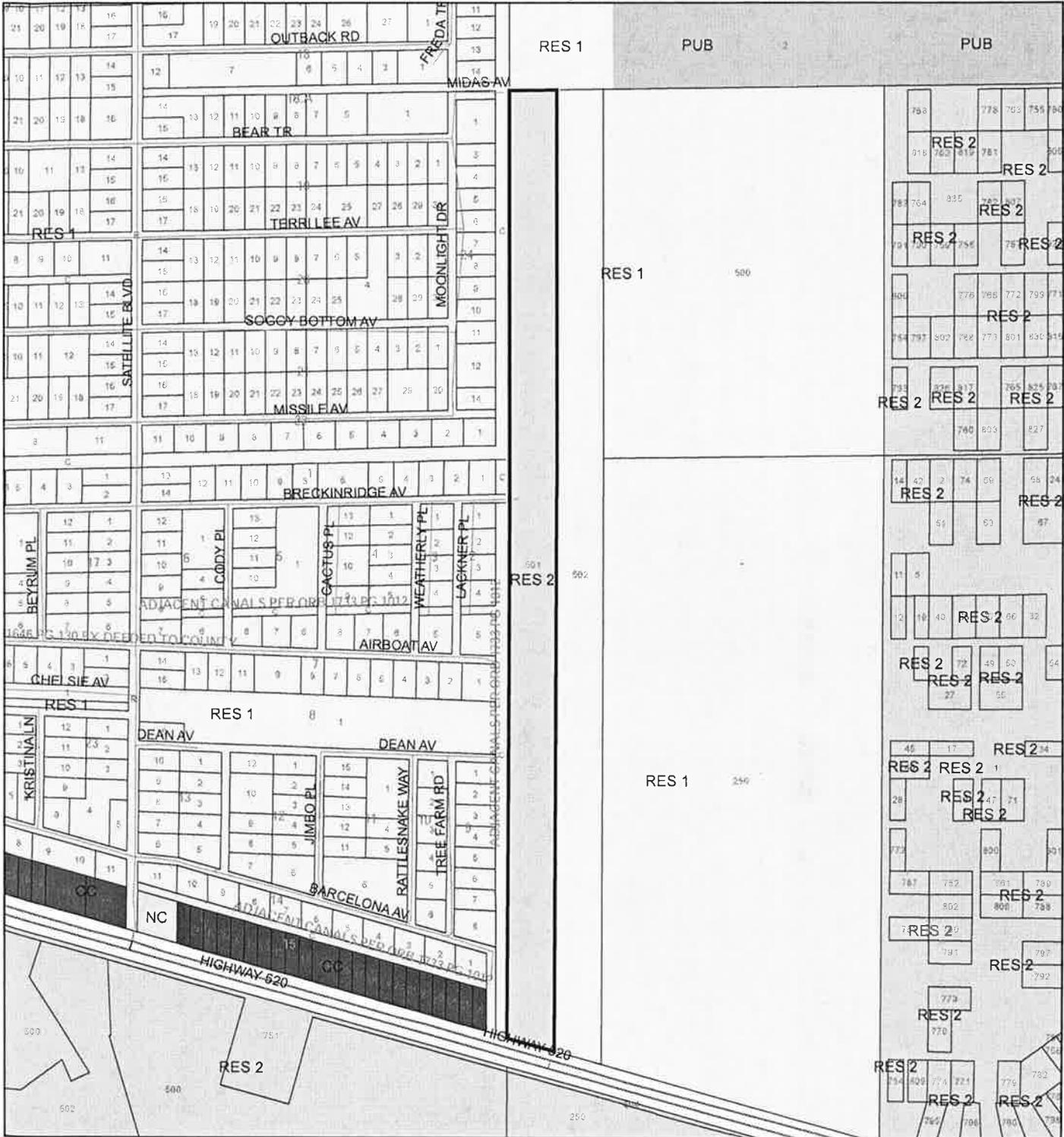
— Subject Property
□ Parcels

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 7/2/2019

PROPOSED FUTURE LAND USE MAP

Comprehensive Plan Amendment
19PZ00075 - Colgin/Genoni



1:12,000 or 1 inch = 1,000 feet

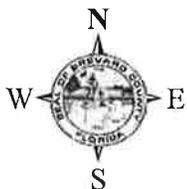
- Subject Property
- Parcels

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 7/2/2019

AERIAL MAP

Comprehensive Plan Amendment
19PZ00075 - Colgin/Genoni



1:12,000 or 1 inch = 1,000 feet

PHOTO YEAR: 2019

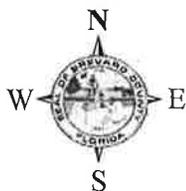
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 7/2/2019

-  Subject Property
-  Parcels

NWI WETLANDS MAP

Comprehensive Plan Amendment
19PZ00075 - Colgin/Genoni

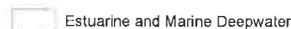
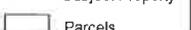


1:12,000 or 1 inch = 1,000 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

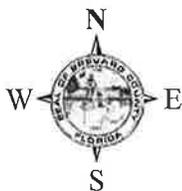
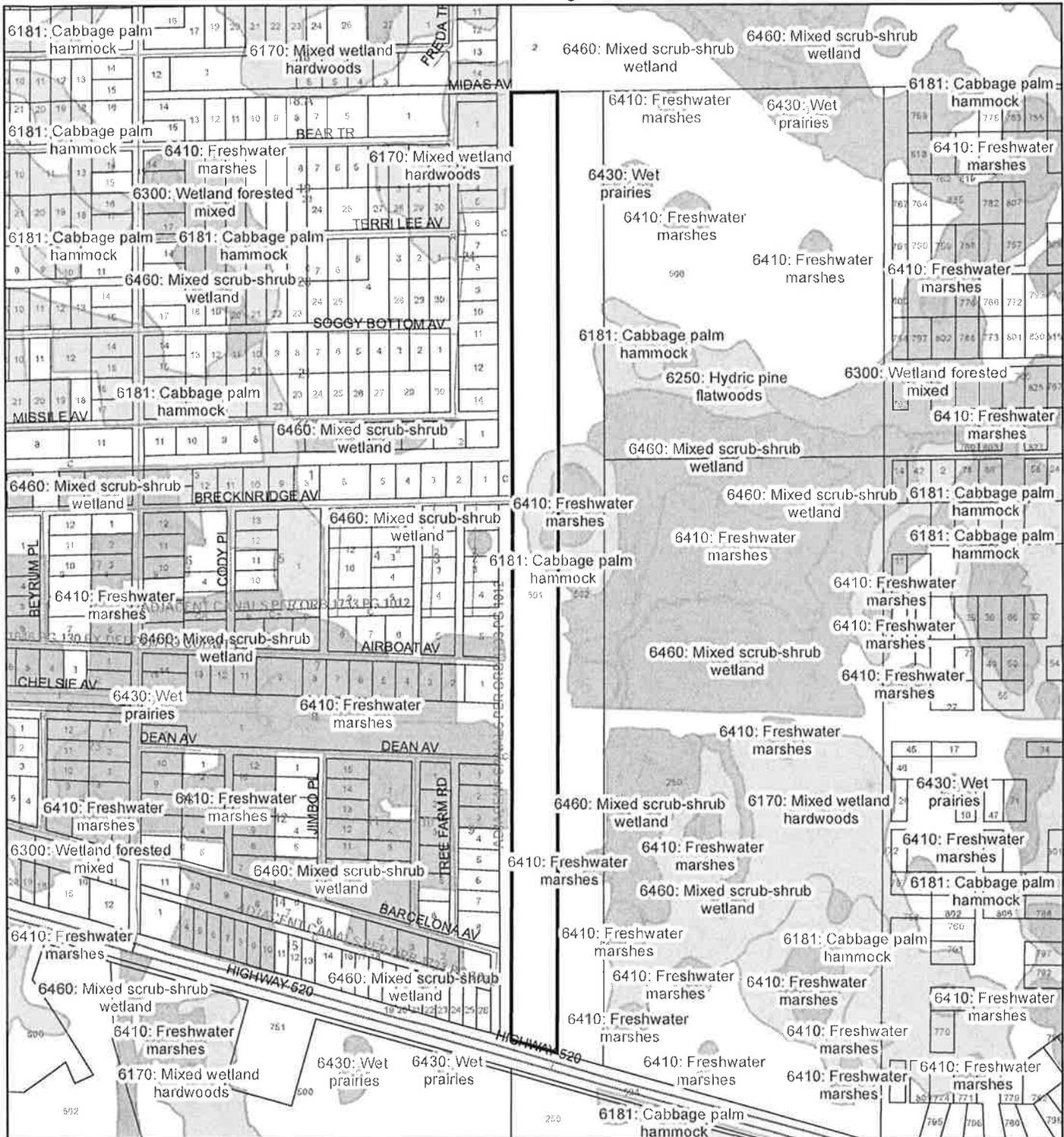
Produced by BoCC - GIS Date: 7/2/2019

National Wetlands Inventory (NWI)

- | | | | |
|--|---|---|------------------|
|  | Estuarine and Marine Deepwater |  | Freshwater Pond |
|  | Estuarine and Marine Wetland |  | Lake |
|  | Freshwater Emergent Wetland |  | Other |
|  | Freshwater Forested/Shrub Wetland |  | Riverine |
| |  | | Subject Property |
| |  | | Parcels |

SJRWMD FLUCCS WETLANDS - 6000 Series MAP

Comprehensive Plan Amendment
19PZ00075 - Colgin/Genoni



1:12,000 or 1 inch = 1,000 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

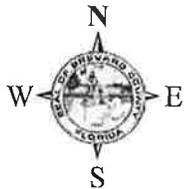
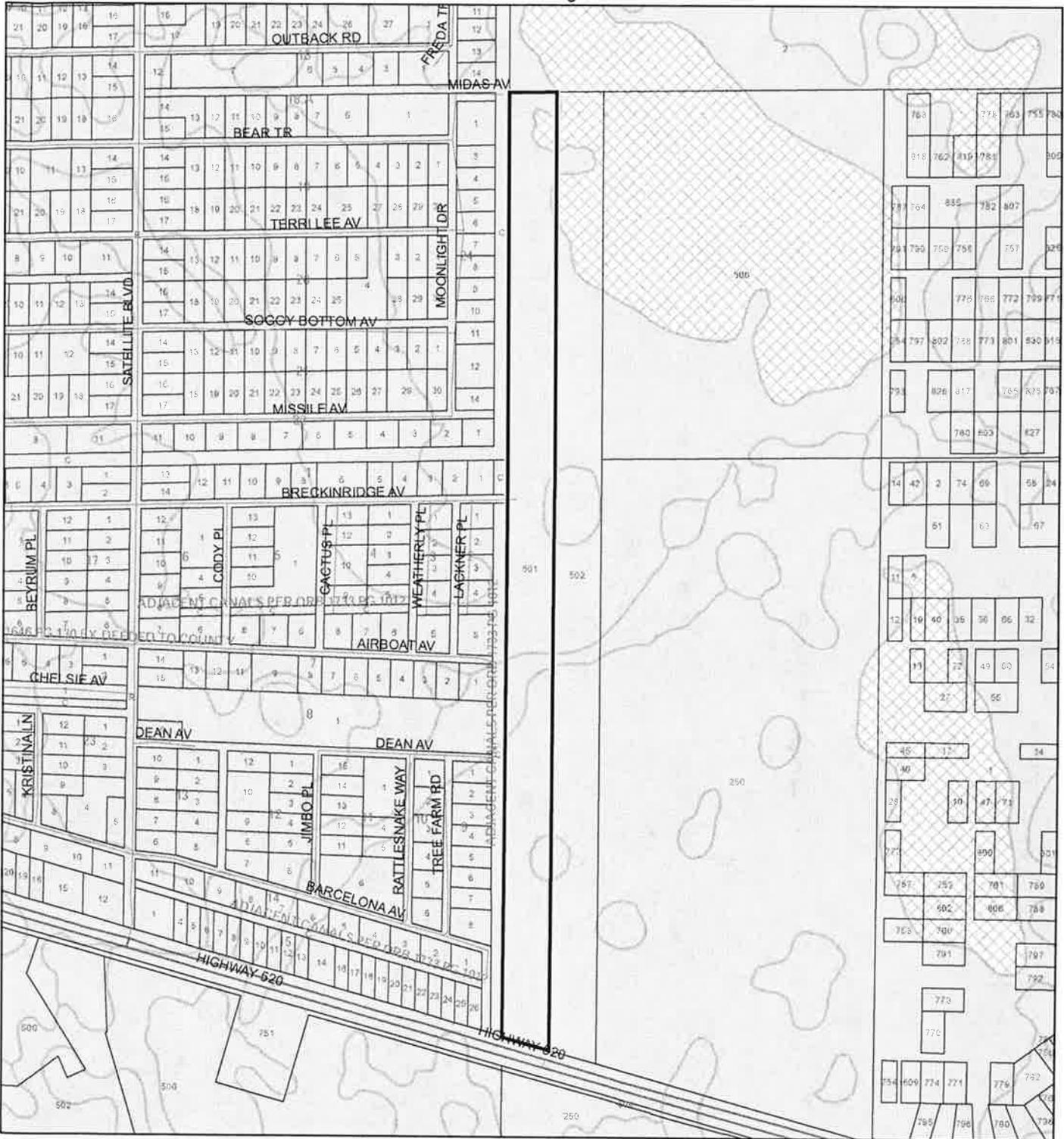
Produced by BoCC - GIS Date: 7/2/2019

SJRWMD FLUCCS WETLANDS

-  Wetland Hardwood Forests - Series 6100
-  Wetland Coniferous Forest - Series 6200
-  Wetland Forested Mixed - Series 6300
-  Vegetated Non-Forested Wetlands - Series 6400
-  Non-Vegetated Wetland - Series 6500
-  Subject Property
-  Parcels

USDA SCSSS SOILS MAP

Comprehensive Plan Amendment
19PZ00075 - Colgin/Genoni



1:12,000 or 1 inch = 1,000 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 7/2/2019

USDA SCSSS Soils

- Aquifer and Hydric
- Aquifer
- Hydric
- None

- Subject Property
- Parcels

FEMA FLOOD ZONES MAP

Comprehensive Plan Amendment
19PZ00075 - Colgin/Genoni



1:12,000 or 1 inch = 1,000 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 7/2/2019

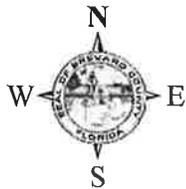
FEMA Flood Zones

- | | | |
|---|------------|----------------------|
| A | AO | X |
| AE | Open Water | X Protected By Levee |
| AH | VE | |
| 0.2 Percent Annual Chance Flood Hazard | | |
| 0.2 Percent Annual Chance Flood Hazard Contained in Channel | | |
| Subject Property | Parcels | |

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

Comprehensive Plan Amendment

19PZ00075 - Colgin/Genoni



1:12,000 or 1 inch = 1,000 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 7/2/2019

 Subject Property

 Parcels

Septic Overlay

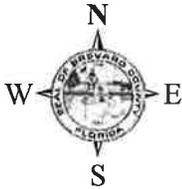
 40 Meters

 60 Meters

 All Distances

EAGLE NESTS MAP

Comprehensive Plan Amendment
19PZ00075 - Colgin/Genoni



1:12,000 or 1 inch = 1,000 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

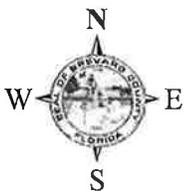
Produced by BoCC - GIS Date: 7/2/2019

-  Subject Property
-  Parcels
-  Eagle Nests FWS 2010

SCRUB JAY OCCUPANCY MAP

Comprehensive Plan Amendment

19PZ00075 - Colgin/Genoni



1:12,000 or 1 inch = 1,000 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

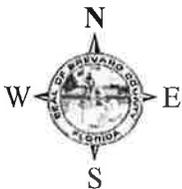
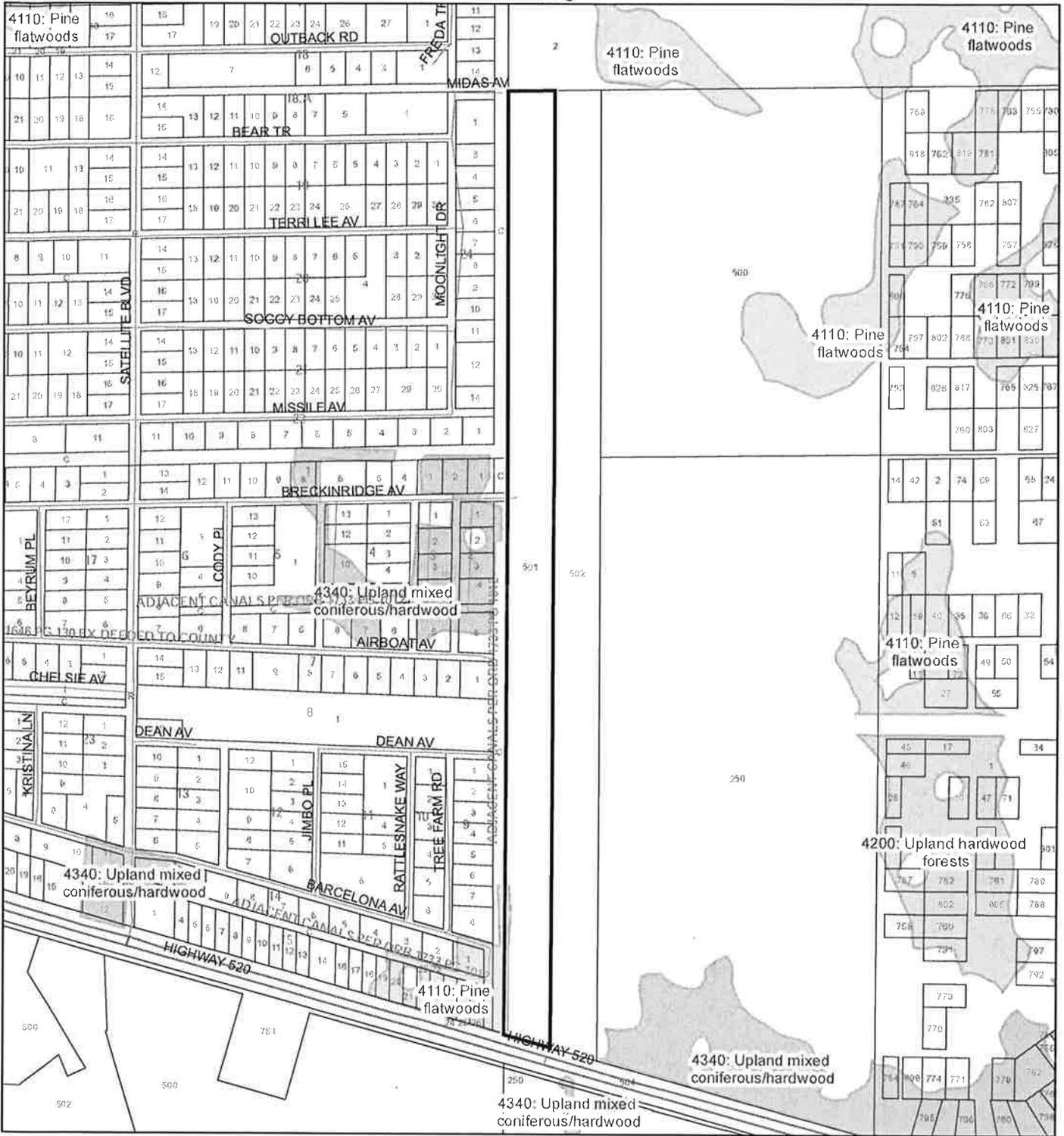
Produced by BoCC - GIS Date: 7/2/2019

-  Subject Property
-  Parcels
-  Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

Comprehensive Plan Amendment

19PZ00075 - Colgin/Genoni



1:12,000 or 1 inch = 1,000 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 7/2/2019

SJRWMD FLUCCS Upland Forests

-  Upland Coniferous Forest - 4100 Series
-  Upland Hardwood Forest - 4200 Series
-  Upland Mixed Forest - 4300 Series
-  Tree Plantations - 4400 Series

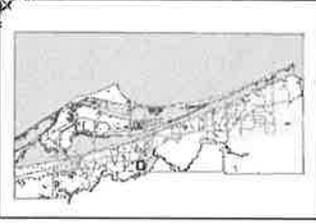
 Subject Property

 Parcels

Brevard Adopted Future Land Use

- COMMERCIAL
- NEIGHBORHOOD COMMERCIAL
- COMMUNITY COMMERCIAL
- PUBLIC
- PUBLIC
- RECREATION
- RESIDENTIAL
- RESIDENTIAL 1
- RESIDENTIAL 2
- Subject to 19200075
- Section Line
- Parcels
- Tax Parcel
- Water
- Lakes, Rivers & Streams

24 3521 & 28

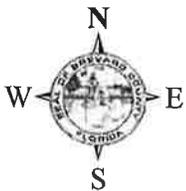


7/8/2019



RADIUS MAP

Comprehensive Plan Amendment
19PZ00075 - Colgin/Genoni



1:28,543 or 1 inch = 2,379 feet

Buffer Distance: 500 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 7/2/2019

-  Buffer
-  Subject Property
-  Notify Property
-  Parcels

**LSCPA
Ray L. Colgin
Transmittal 2019-2.1
Applicant Submittals**



1. Type of Application:

_____ Small-scale Comprehensive Plan Future Land Use Map Amendment

X Large-scale Future Land Use Map Amendment

_____ Comprehensive Plan Text Amendment

Plan Element(s) of Text Amendment request: _____

2. Applicant: Chad Genoni for Beachland Managers, LLC **Staff Planner :** _____

3. Comprehensive Plan Amendment Information:

Adopted Future Land Use Designation: RES 1

Requested Future Land Use Designation: Res 4 RES 2

Existing Zoning: AU (Ru 1-11 proposed)

Proposed Text Amendment (if applicable): Attach the proposed text amendment in a strike-thru/underlined format along with one copy on a CD in Microsoft Word, rtf or text format.

4. Description of Request/Justification: Must include a written statement explaining the rational and the appropriate data and analysis necessary to support the proposed change.

Text amendment supplemental information shall include any goal, objective, policy, implementation strategy, directive and any supporting data and analysis, including maps, figures and tables, and; (1) Identification of the particular element of the plan on which the request is based; and, (2) Citation of the existing language which is proposed to be changed; and, (3) Proposed rewording of the existing language or the wording of proposed new text.

The applicant believes the development of subject site will allow for sustainable development trends to emerge along the West SR 520 corridor entering Brevard County. Development patterns to the West as well as to the East have proven to be unsustainable due to lack of public roadways to support development. THE large area to the West of the site is a semi-platted area once a part of Canaveral Groves. Most of these lots are not buildable because of environmental constraints and zoning inconsistencies.

The subject site appears to be free of environmental constraints and has only a small area of land within the flood zone. The lots will be serviced by a paved private road.

(use additional sheets if necessary)

(4)

THIS INSTRUMENT PREPARED BY AND RETURN TO:
Penny W. Bell
Glow Title & Escrow
125 East Merritt Island Causeway, Suite 119
Merritt Island, FL 32952
Parcel ID: 24-35-21-00-501



CFN 2005301383 11-01-2005 12:16 pm
OR Book/Page: 5558 / 4793

Space Above This Line For Recording Data

THIS CORRECTIVE WARRANTY DEED, made the 27 day of October, 2005 by D. E. Bebout, individually and as Trustee of the D. E. Bebout, MD, Defined Benefit Pension Plan and Trust, herein called the grantor, to Ray L. Colgin, whose post office address is 6500 Highway 520, Cocoa, FL 32926, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantors, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in Brevard County, State of Florida, viz.:

PARCEL 1

The West 1/2 of the West 1/2 of the West 1/2 of the Southwest 1/4 of Section 21, Township 24 South, Range 35 East, and a portion of the West 1/2 of the West 1/2 of the West 1/2 of Section 28, Township 24 South, Range 35 East lying North of State Road No. 520, less the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 thereof, all lying in Brevard County, Florida, the same being more particularly described as follows:

Begin at the Northwest corner of said Southwest 1/4 of Section 21; thence N 89° 25'24" E along the North line of said West 1/2 of the West 1/2 of the West 1/2 of the Southwest 1/4 of Section 21, a distance of 332.37 feet to the Northeast corner of said West 1/2 of the West 1/2 of the West 1/2 of the Southwest 1/4 of Section 21; thence S 00° 02'00" W along the East line of said West 1/2 of the West 1/2 of the West 1/2 of the Southwest 1/4 of Section 21, a distance of 2646.50 feet to the Southeast corner of said West 1/2 of the West 1/2 of the West 1/2 of the Southwest 1/4 of Section 21; thence S 89° 20'32" W along the South line of said West 1/2 of the West 1/2 of the West 1/2 of the Southwest 1/4 of Section 21, a distance of 331.58 feet to the Southwest corner of said Section 21; thence N 00° 00'59" E along the West line of said Southwest 1/4 of Section 21, a distance of 2646.10 feet to the Northwest corner of the Southwest 1/4 of Section 21 and the POINT OF BEGINNING, together with the following described parcel of land:

Commence at the Northwest corner of said Section 28; thence S 00° 05'00" W along the West line of the Northwest 1/4 of said Section 28, a distance of 326.44 feet to the Southwest corner of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 28 and the POINT OF BEGINNING; thence N 00° 35'20" E along the South line of said Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 28, a distance of 331.72 feet to the Southeast corner of said Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 28; thence S 00° 03'27" E, a distance of 3915.28 to the Northerly right of way line of State Road No. 520, a 200 foot wide right of way; thence N 74° 04'00" W along said Northerly right of way line, a distance of 354.56 feet to the West line of said Southwest 1/4 of Section 28; thence N 00° 03'26" E along said West line, a distance of 1530.40 feet to the Northwest corner of said Southwest 1/4 of Section 28; thence N 00° 05'40" E along said West line of the Northwest 1/4 of Section 28, a distance of 2285.09 feet to the Southwest corner of said Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 28 and the POINT OF BEGINNING.

Scott Ellis
Clerk Of Courts, Brevard County
#Pgs: 2
#Names: 4
Trust: 1.50
Rec: 17.00
Mfg: 0.00
Excise: 0.00
nt Tax: 0.00
Serv: 0.00

PARCEL 2

The Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 28, Township 24 South, Range 35 East, Brevard County, Florida, the same being more particularly described as follows:

Begin at the Northwest corner of said Section 28; thence N 89° 29'32" E along the North line of said Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 28, a distance of 331.58 feet to the Northeast corner of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 28; thence S 00° 04'11" E along the East line of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 28, a distance of 327.00 feet to the Southeast corner of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 28; thence S 89° 35'20" W along the South line of said Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 28, a distance of 331.72 feet to the West line of said Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 28; thence N 00° 05'40" E along said West line, a distance of 326.44 feet to said Northwest corner of Section 28 and the POINT OF BEGINNING ("Property").

THIS CORRECTIVE WARRANTY DEED IS BEING RECORDED FOR THE FOLLOWING



PURPOSE, AND FOR NO OTHER:

1. ON OCTOBER 17, 1990, JEFFREY COLGIN, A SINGLE MAN, AND D. E. BEBOUT, INDIVIDUALLY AND AS TRUSTEE OF THE D.E. BEBOUT, M.D., DEFINED BENEFIT PENSION PLAN AND TRUST CONVEYED THE PROPERTY BY DEED TO RACHEL COLGIN AND JEFFREY COLGIN, AS TRUSTEES OF THE 1990 COLGIN REVOCABLE TRUST ("COLGIN TRUST"), RECORDED IN OFFICIAL RECORDS BOOK 3093, PAGE 2554, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
2. ON DECEMBER 7, 1992, D. E. BEBOUT, MD, DEFINED BENEFIT PENSION PLAN AND TRUST ("PENSION TRUST") CONVEYED THE PROPERTY BY DEED TO THE BANK OF NEWPORT AS CUSTODIAN FBO: D. E. BEBOUT/BPS#1204218-01 ("CUSTODIAN"), RECORDED IN OFFICIAL RECORDS BOOK 3260, PAGE 3273, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
3. AT THE TIME OF THE SECOND CONVEYANCE, THE PENSION TRUST HAD NO INTEREST IN THE PROPERTY, AS ALL INTEREST HAD PREVIOUSLY BEEN CONVEYED TO THE COLGIN TRUST AND ACKNOWLEDGES THAT THE WRONG LEGAL DESCRIPTION WAS ATTACHED TO THE DEED.
4. THE LAND THAT SHOULD HAVE BEEN CONVEYED BY DEED TO THE "CUSTODIAN" IS DESCRIBED IN THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 5481, AT PAGE 1876, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, the grantors hereby covenant with said grantees that the grantors are lawfully seized of said land in fee simple; that the grantors have good right and lawful authority to sell and convey said land, and hereby warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1990.

IN WITNESS WHEREOF, the said grantors have signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Glenn Greco
Witness #1 Signature

JOANN GRECO
Witness #1 Printed Name

Debra S. Jenkins
Witness #2 Signature

Debra S. Jenkins
Witness #2 Printed Name

D. E. Bebout

D. E. Bebout, individually and as Trustee of the
D. E. Bebout, MD, Defined Benefit Pension
Plan and Trust
10336 Prestwick Road, Boynton Beach, FL 33436



CFN 2005391383
OR Book/Page: 5558 / 4794

STATE OF FLORIDA

COUNTY OF Palm Beach

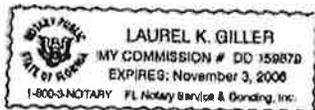
The foregoing instrument was acknowledged before me this 21 day of October, 2005 by D.E. Bebout, who is personally known to me or I produced Fla. Driver's License as identification and did not take an oath.

My commission expires:

Laurel K. Giller
Notary Public

Seal

Laurel K. Giller
Print Notary Name



Laurel K. Giller
6



School Board of Brevard County
School Facility Planning and Concurrency Application
(School Impact Analysis)

AUTHORIZATION TO ACT AS AGENT

I, Roy L. Colgin (Owner) authorize Chad Genoni with Beachland Managers, LLC (Agent) to act as applicant, representing me in Public Hearings before Brevard County (Local Government) pertaining to Preliminary and Final Development Requests, and other matters pertaining to School Concurrency.

Roy L. Colgin P.O.A.

Owner Signature

Roy L. Colgin

State of Florida, County of Brevard

Sworn and subscribed to before me

This 28 day of May 2019

Florida Drivers License

(Form of Identification)

Katherine Watson Bouck

Notary Public

My Commission Expires:



SCHOOL BOARD USE ONLY
Date / Time Stamp: _____

FORM "A"
AUTHORIZATION TO ACT AS APPLICANT

I, Roy L. Colgin authorize Chad Genoni with Beachland Managers, LLC to
act as applicant, representing me in Public Hearings before Brevard County pertaining to Land Use.

Roy L. Colgin
Signature

State of Florida, County of Brevard
Sworn and subscribed to before me

Roy L. Colgin

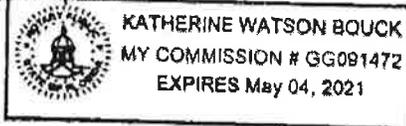
This 28 day of May 2019

Katherine Watson Bouck
Notary Public

Florida Drivers License
Form of Identification

My Commission Expires:

Rev. 5/27/99



5

RAMCO FORM 45

Hobner of Attorney

From
RAY COLVIN
To
Melvin Colvin

Date SEPT 20, 1997

Power of Attorney

Know All Men By These Presents:

That RAY COLGIN
ha made, constituted and appointed, and by these presents do MELVIN COLGIN hereby make, constitute and appoint
lawful attorney for and in name, place and stead true and

giving and granting unto MELVIN COLGIN said attorney full
power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be
done in and about the premises as fully, to all intents and purposes, as might or could do if personally
present, with full power of substitution and revocation, hereby ratifying and confirming all that said attorney or
substitute shall lawfully do or cause to be done by virtue hereof.

In Witness Whereof, I have hereunto set my hand and seal this 20
day of SEPTEMBER, A.D. 1997.

Signed, sealed and delivered in the presence of:

Lorraine E. Hoffman
Witness Signature

LORRAINE E. HOFFMAN
Printed Name

X RAY COLGIN
Signature

RAY COLGIN
Printed Name



Witness Signature

Post Office Address

Printed Name

STATE OF FLORIDA)

COUNTY OF BROWARD)

RAY COLGIN

I hereby Certify that on this day, before me, an officer duly authorized
to administer oaths and take acknowledgments, personally appeared

known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that
executed the same, and an oath was not taken. (Check one) Said person(s) is/are personally known to me. Said person(s) provided the
following type of identification: PH. ID. CARD

NOTARY RUBBER STAMP SEAL



FRANCINE GUMORA
MY COMMISSION # CC490478 EXPIRES
October 20, 1999
BONDED THRU TROY FAIN INSURANCE, INC.

Witness my hand and official seal in the County and State last aforesaid
this 20th day of SEPTEMBER, A.D. 1997

Francine Gumora
Notary Signature

FRANCINE GUMORA
Printed Name

10

Return to: (enclose self-addressed stamped envelope)

Name:

Address:

This Instrument Prepared by:

Name:

Address:

Property Appraiser Parcel Identification

Folio Number(s):

24-35-21-00-501

Grantor(s) S.S. # (s)

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

Power of Attorney

Know All Men By These Presents:

That RAY COLGIN
has made, constituted and appointed, and by these presents do MEVIN COLGIN hereby make, constitute and appoint
MEVIN COLGIN true and
lawful attorney for and in name, place and stead

giving and granting unto MEVIN COLGIN said attorney full
power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be
done in and about the premises as fully, to all intents and purposes, as might or could do if personally
present, with full power of substitution and revocation, hereby ratifying and confirming all that
 said attorney or
 substitute shall lawfully do or cause to be done by virtue hereof.

In Witness Whereof, I have hereunto set my hand and seal this 20
day of SEPTEMBER, A.D. 1997.

Signed, sealed and delivered in the presence of:

Lorraine E. Hoffman
Witness Signature
LORRAINE E. HOFFMAN
Printed Name

X RAY COLGIN
Signature
RAY COLGIN
Printed Name

Witness Signatures

Post Office Address





Brevard County Property Appraiser

Titusville • Merritt Island • Viera • Melbourne • Palm Bay

PROPERTY DETAILS

Phone: (321) 264-6700

<https://www.bcpao.us>

Account 2441237
 Owners Colgin, Ray L
 Mailing Address 6500 Highway 520 Cocoa FL 32926
 Site Address 6500 Highway 520 Cocoa FL 32926
 Parcel ID 24-35-21-00-501
 Property Use 6110 - Grazing Land - Soil Capability Class II - With Res
 Exemptions None
 Taxing District 1800 - Unincorp District 1
 Total Acres 52.53
 Subdivision --
 Site Code 0001 - No Other Code Appl.
 Plat Book/Page --
 Land Description W 1/2 Of W 1/2 Of W 1/2 Of SW 1/4 & That Part Of W 1/2 Of W 1/2 Of W 1/2 Of W 1/2 Lying N Of St Rd 520 IN Sec 28 Par's 251 & 501 IN Sec 28



VALUE SUMMARY

Category	2018	2017	2016
Market Value	\$96,520	\$124,410	\$105,510
Agricultural Land Value	\$10,380	\$10,380	\$10,380
Assessed Value Non-School	\$15,530	\$43,420	\$24,520
Assessed Value School	\$15,530	\$43,420	\$24,520
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$15,530	\$43,420	\$24,520
Taxable Value School	\$15,530	\$43,420	\$24,520

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
10/21/2005	--	WD	Improved	5558/4793
12/30/1994	--	WD	Vacant	3440/4259
12/01/1994	\$46,000	01	Vacant	3440/4257
11/30/1990	\$50,000	WD	--	3093/2554

BUILDINGS

PROPERTY DATA CARD #1

Building Use: 0264 - Manufactured Home Not Suitable For Occupancy

Materials	Details	
Exterior Wall: Vinyl/Aluminum	Year Built	2008
Frame: Wood Frame	Story Height	8
Roof: Asph/Asb Shngl	Floors	1
Roof Structure: Hip/Gable	Residential Units	1
	Commercial Units	

Sub-Areas	Extra Features	
Base Area (1st) 784	Garage Detached	448
Total Base Area 784		
Total Sub Area 784		

(14)

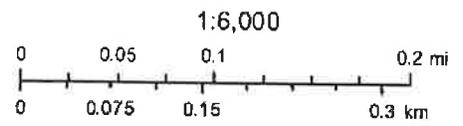


- Future Landuse
- Section

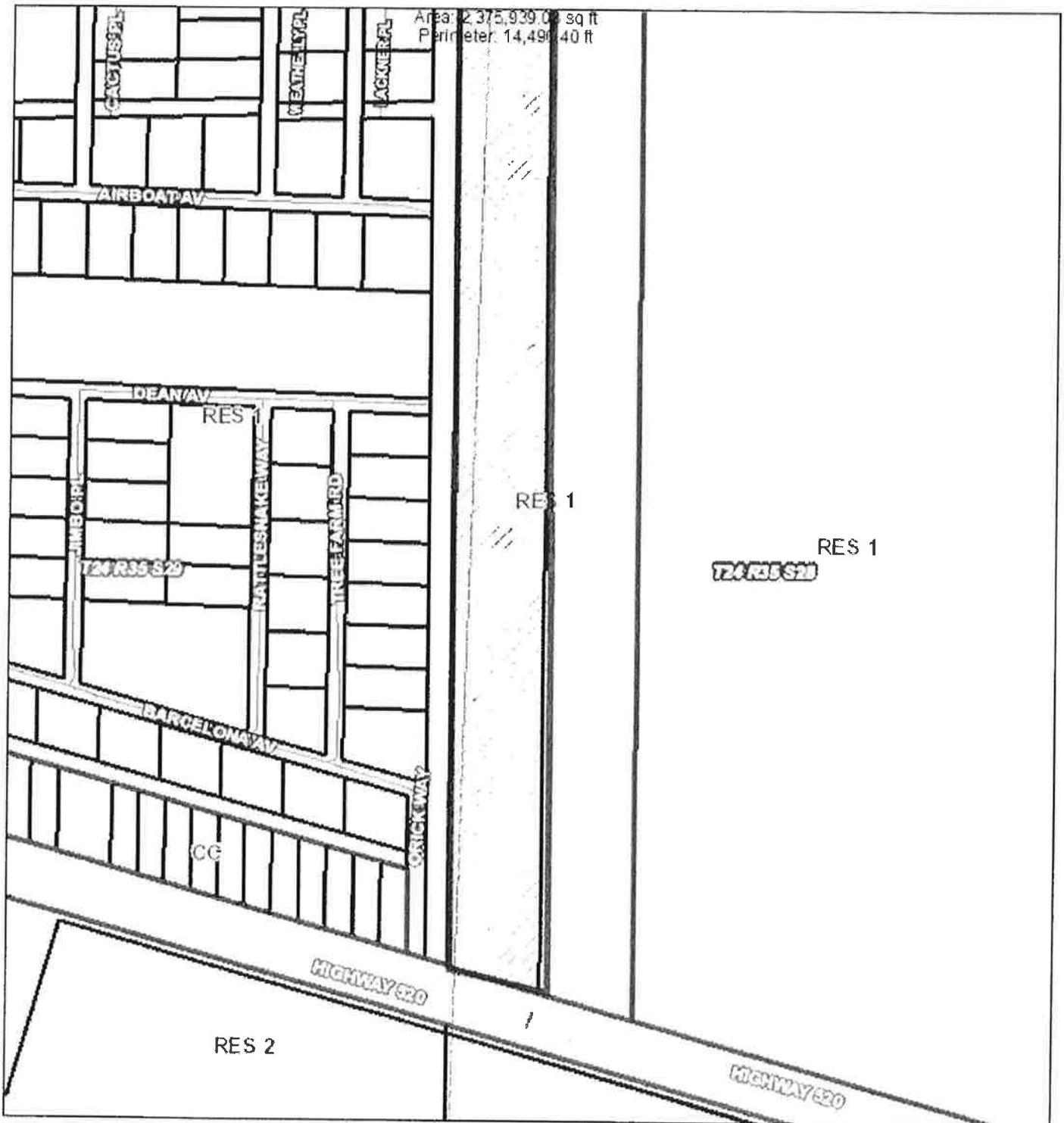
City (Large Scale)

- CAPE CANAVERAL
- COCOA
- COCOA BEACH
- GRANT VALKARIA

June 11 2019



19PZ00075 Tax Acct. 2441237

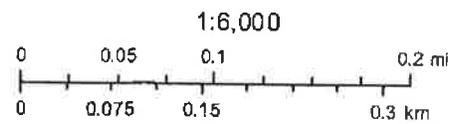


- Future Landuse
- Section

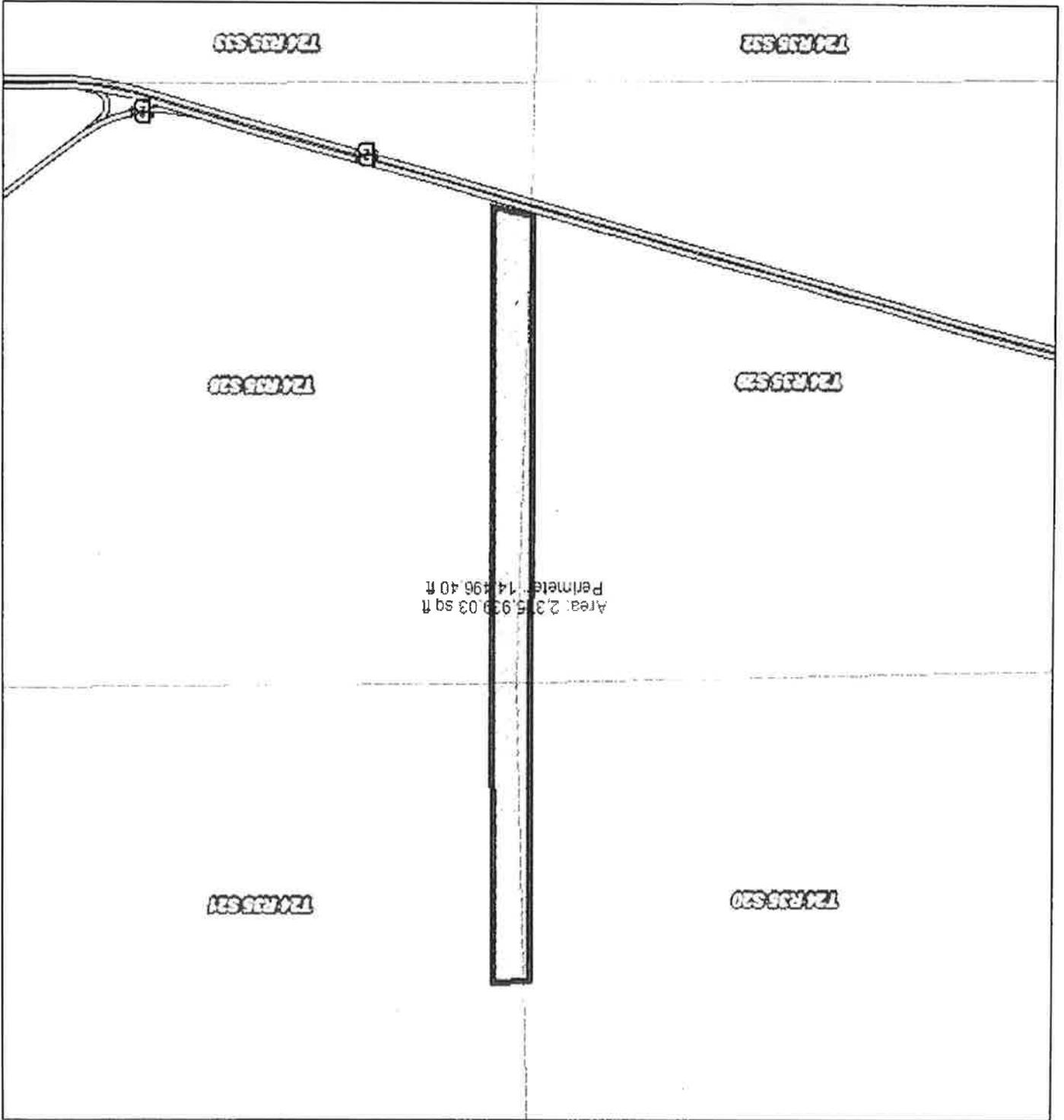
City (Large Scale)

- CAPE CANAVERAL
- COCOA
- COCOA BEACH
- GRANT VALKARIA

June 11 2019



19PZ00075 Tax Acct. 2441237



LSCPA
Ray L. Colgin
Transmittal 2019-2.1
School Concurrency

School Board of Brevard County

2700 Judge Fran Jamieson Way • Viera, FL 32940-6699
 Mark W. Mullins, Ed.D., Superintendent



June 11, 2019

Ms. Cheryl Campbell
 Planning & Development Department
 Brevard County Board of County Commissioners
 2726 Judge Fran Jamieson Way
 Viera, Florida 32940

RE: Proposed SR520 52Acres Development
 School Impact Analysis – Capacity Determination CD-2019-09

Dear Ms. Campbell,

We received a completed *School Facility Planning & Concurrency Application* for the referenced development. The subject property is Tax Account 2441237 (Parcel ID: 24-35-21-00-501) containing approximately 52.53 acres in Unincorporated District 1, Brevard County, Florida. The proposed single-family development includes 105 homes. The School Impact Analysis of this proposed development has been undertaken and the following information is provided for your use.

The calculations used to analyze the prospective student impact are consistent with the methodology outlined in Section 13.2 of the *Interlocal Agreement for Public School Facility Planning & School Concurrency (ILA-2014)*. The following capacity analysis is performed using capacities/projected students as shown in years 2017-18 to 2022-23 of the *Brevard County Public Schools Financially Feasible Plan for School Years 2017-2018 to 2022-23* which is attached for reference.

Students Generated	Student Generation Rates	Calculated Students Generated	Rounded Number of Students
Elementary	0.28	29.1	29
Middle	0.08	8.4	8
High	0.16	16.8	17
Total	0.52		54

Single Family Homes 105

Planning & Project Management

Facilities Services

Phone: (321) 633-1000 x450 • FAX: (321) 633-4646

An Equal Opportunity Employer

**FISH Capacity (including relocatables) from the
Financially Feasible Plan Data and Analysis for School Years 2018-19 to 2023-24**

School	2019-20	2020-21	2021-22	2022-23	2023-24
Fairglen	789	789	789	789	789
Cocoa	1,782	2,052	2,052	2,052	2,052

Projected Student Membership

School	2019-20	2020-21	2021-22	2022-23	2023-24
Fairglen	675	680	705	732	745
Cocoa	1,582	1,670	1,762	1,882	1,929

Students Generated by Previously Issued SCADL Reservations

School	2019-20	2020-21	2021-22	2022-23	2023-24
Fairglen	-	26	26	26	26
Cocoa	35	73	73	73	73

**Cumulative Students Generated by
Proposed Development**

School	2019-20	2020-21	2021-22	2022-23	2023-24
Fairglen	4	8	13	18	29
Cocoa	3	7	11	15	25

**Total Projected Student Membership (includes
Cumulative Impact of Proposed Development)**

School	2019-20	2020-21	2021-22	2022-23	2023-24
Fairglen	679	714	744	776	800
Cocoa	1,620	1,750	1,846	1,970	2,027

**Projected Available Capacity =
FISH Capacity - Total Projected Student Membership**

School	2019-20	2020-21	2021-22	2022-23	2023-24
Fairglen	110	75	45	13	(11)
Cocoa	162	302	206	82	25

At this time, Fairglen Elementary School is not projected to have enough capacity for the total of projected and potential students from the SR520 52Acres Development. Because there is a shortfall of available capacity in the concurrency service area of the SR520 52Acres Development, the capacity of adjacent concurrency service areas must be considered.

The adjacent elementary school concurrency service areas are Saturn Elementary School, Cambridge Elementary School, Enterprise Elementary School, Challenger 7 Elementary School and Atlantis Elementary School. A table of capacities of the *Adjacent Schools Concurrency Service Areas* that could accommodate the impacts of the SR520 52Acres Development is shown:

**FISH Capacity (including relocatables) from the
Financially Feasible Plan Data and Analysis for School Years 2018-19 to 2023-24**

School	2019-20	2020-21	2021-22	2022-23	2023-24
Cambridge	765	765	765	765	765

Projected Student Membership

School	2019-20	2020-21	2021-22	2022-23	2023-24
Cambridge	659	641	624	616	623

Students Generated by Previously Issued SCADL Reservations

School	2019-20	2020-21	2021-22	2022-23	2023-24
Cambridge	-	-	-	-	-

**Cumulative Students Generated by
Proposed Development**

School	2019-20	2020-21	2021-22	2022-23	2023-24
Cambridge	4	8	13	18	29

**Total Projected Student Membership (includes
Cumulative Impact of Proposed Development)**

School	2019-20	2020-21	2021-22	2022-23	2023-24
Cambridge	663	649	637	634	652

**Projected Available Capacity =
FISH Capacity - Total Projected Student Membership**

School	2019-20	2020-21	2021-22	2022-23	2023-24
Cambridge	102	116	128	131	113

Considering the adjacent elementary school concurrency service areas, there is sufficient capacity for the total projected student membership to accommodate the SR520 52Acres Development.

This is a **non-binding** review; a *Concurrency Determination* must be performed by the School District prior to a Final Development Order and the issuance of a Concurrency Evaluation Finding of Nondeficiency by the Local Government.

We appreciate the opportunity to review this proposed project. Please let us know if you require additional information.

Sincerely,



David G. Lindemann, AICP
Manager – Facilities Planning & Intergovernmental Coordination
Planning & Project Management, Facilities Services

Enclosure: *Brevard County Public Schools Financially Feasible Plan for School Years
2017-2018 to 2022-23*
Copy: Susan Hann, Assistant Superintendent of Facility Services
File CD-2019-09



Brevard County Public Schools Financially Feasible Plan To Maintain Utilization Rates Lower than the 100% Level of Service Data and Analysis for School Years 2018-19 to 2023-24

School	Type	Grades	Utilization Factor	School Year 2018-19			School Year 2019-20			School Year 2020-21			School Year 2021-22			School Year 2022-23			School Year 2023-24		
				FISH Capacity	10/12/18 Member-ship	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization
Summary																					
Highest Utilization Elementary Schools: 107% 95% 99% 99%																					
Highest Utilization Middle Schools: 87% 92% 92% 100%																					
Highest Utilization Jr./Sr. High Schools: 88% 86% 86% 92%																					
Highest Utilization High Schools: 55% 95% 98% 100%																					
Elementary School Concurrency Service Areas																					
New Central Elementary	Elementary	K-6	100%	-	-	0%	-	-	970	513	51%	970	639	66%	970	788	81%	970	788	81%	
Allen	Elementary	PK-6	100%	751	711	94%	751	717	751	703	93%	751	725	97%	751	716	94%	751	703	84%	
Andersen	Elementary	K-6	100%	884	720	81%	884	705	884	686	78%	884	686	78%	884	686	78%	884	706	80%	
Apollonia	Elementary	K-6	100%	902	847	94%	902	861	902	872	97%	902	895	99%	902	901	100%	902	905	99%	
Atlanta	Elementary	PK-6	100%	739	713	96%	739	663	739	668	90%	739	663	90%	739	658	89%	739	641	87%	
Audubon	Elementary	PK-6	100%	761	536	70%	761	538	761	490	64%	761	485	64%	761	476	63%	761	483	63%	
Cambridge	Elementary	PK-6	100%	765	681	89%	765	639	765	641	84%	765	624	81%	765	616	81%	765	623	81%	
Cape View	Elementary	PK-6	100%	548	381	70%	548	388	548	348	64%	548	328	60%	548	320	58%	548	327	60%	
Carroll	Elementary	K-6	100%	751	664	88%	751	631	751	637	85%	751	597	79%	751	585	78%	751	581	77%	
Challenger 7	Elementary	PK-6	100%	573	571	100%	573	577	573	567	99%	573	555	97%	573	548	96%	573	527	92%	
Columbia	Elementary	PK-6	100%	751	478	64%	751	449	751	439	58%	751	446	59%	751	447	60%	751	437	58%	
Coquina	Elementary	K-6	100%	1,154	515	45%	1,154	462	1,154	427	37%	1,154	404	35%	1,154	374	33%	1,154	357	31%	
Croton	Elementary	PK-6	100%	795	552	69%	795	538	795	559	70%	795	621	78%	795	626	79%	795	621	78%	
Discovery	Elementary	PK-6	100%	980	664	68%	980	606	980	587	60%	980	577	59%	980	562	57%	980	552	56%	
Endeavour	Elementary	PK-6	100%	990	662	67%	990	649	990	619	63%	990	590	60%	990	569	57%	990	573	58%	
Enterprise	Elementary	K-6	100%	729	599	82%	729	620	729	605	83%	729	615	84%	729	632	87%	729	643	88%	
Faeglen	Elementary	PK-6	100%	789	661	84%	789	675	789	680	86%	789	705	89%	789	732	94%	789	745	94%	
Gemini	Elementary	K-6	100%	711	468	66%	711	467	711	451	64%	711	430	60%	711	417	59%	711	418	59%	
Goilview	Elementary	PK-6	100%	777	555	71%	777	517	777	501	64%	777	510	66%	777	512	66%	777	503	65%	
Harbor City	Elementary	PK-6	100%	629	371	59%	629	365	629	347	55%	629	345	55%	629	366	58%	629	362	58%	
Holland	Elementary	PK-6	100%	603	497	82%	603	510	603	510	84%	603	507	84%	603	509	84%	603	511	84%	
Imperial Estates	Elementary	PK-6	100%	729	639	88%	729	630	729	636	87%	729	636	87%	729	629	86%	729	631	87%	
Indianic	Elementary	K-6	100%	798	740	93%	798	737	798	741	93%	798	740	93%	798	736	92%	798	765	95%	
Jupiter	Elementary	PK-6	100%	930	728	78%	930	685	930	749	81%	930	750	81%	930	828	89%	930	856	92%	
Locklear	Elementary	PK-6	100%	892	647	73%	892	674	892	659	74%	892	655	73%	892	684	77%	892	677	76%	
Longleaf	Elementary	PK-6	100%	790	647	82%	790	646	790	618	78%	790	605	77%	790	591	75%	790	588	74%	
Manatee	Elementary	K-6	100%	954	949	99%	954	954	954	905	95%	954	901	94%	954	803	84%	954	782	82%	
McAuliffe	Elementary	PK-6	100%	918	777	85%	918	763	918	685	75%	918	655	71%	918	604	66%	918	589	64%	
Meadowlane Intermediate	Elementary	3-6	100%	1,114	868	78%	1,114	847	1,114	851	76%	1,114	886	80%	1,114	943	85%	1,114	978	89%	
Meadowlane Primary	Elementary	K-6	100%	824	626	76%	824	637	824	668	81%	824	682	83%	824	702	85%	824	704	85%	
Mila	Elementary	PK-6	100%	707	465	66%	707	449	707	442	63%	707	447	63%	707	447	63%	707	483	69%	
Mims	Elementary	PK-6	100%	725	479	66%	725	472	725	450	62%	725	458	63%	725	478	66%	725	478	66%	
Oak Park	Elementary	PK-6	100%	968	723	75%	968	675	968	658	68%	968	637	66%	968	629	65%	968	620	64%	
Ocean Breeze	Elementary	PK-6	100%	654	532	81%	654	524	654	511	78%	654	497	76%	654	480	73%	654	490	75%	
Palm Bay	Elementary	PK-6	100%	1,005	615	61%	1,005	607	1,005	622	62%	1,005	598	60%	1,005	649	65%	1,005	683	68%	
Pinewood	Elementary	PK-6	100%	859	517	60%	859	506	859	506	59%	859	512	60%	859	518	61%	859	530	62%	
Port Malabar	Elementary	PK-6	100%	852	688	81%	852	662	852	632	74%	852	607	71%	852	613	72%	852	604	71%	
Quest	Elementary	PK-6	100%	1,022	1,089	107%	1,022	1,144	1,022	1,088	107%	1,022	1,088	107%	1,022	1,088	107%	1,022	1,088	107%	
Riviera	Elementary	PK-6	100%	777	692	89%	777	687	777	771	99%	777	771	99%	777	865	110%	777	874	111%	
Roosevelt	Elementary	PK-6	100%	599	380	63%	599	360	599	338	56%	599	331	55%	599	324	54%	599	322	54%	
Sabal	Elementary	K-6	100%	785	538	69%	785	533	785	516	66%	785	507	65%	785	494	63%	785	485	62%	
Saurin	Elementary	PK-6	100%	976	853	87%	976	877	976	884	91%	976	933	96%	976	987	101%	976	1,070	110%	
Sea Park	Elementary	PK-6	100%	461	321	70%	461	333	461	301	65%	461	302	66%	461	335	73%	461	350	76%	
Shenwood	Elementary	PK-6	100%	609	456	75%	609	442	609	426	70%	609	410	67%	609	407	67%	609	423	69%	
South Lake	Elementary	K-6	100%	481	311	65%	481	348	481	348	73%	481	348	73%	481	348	73%	481	348	73%	
Surprise	Elementary	PK-6	100%	913	820	90%	913	800	913	803	88%	913	844	92%	913	883	97%	913	935	102%	
Suntree	Elementary	K-6	100%	755	675	90%	755	655	755	656	87%	755	655	87%	755	655	87%	755	657	88%	
Surfside	Elementary	K-6	100%	541	460	85%	541	456	541	442	82%	541	421	78%	541	420	78%	541	392	72%	
Tropical	Elementary	K-6	100%	910	825	91%	910	821	910	826	90%	910	839	92%	910	832	91%	910	832	91%	
Turner	Elementary	PK-6	100%	874	562	64%	874	519	874	521	60%	874	509	58%	874	502	57%	874	516	59%	
University Park	Elementary	PK-6	100%	811	473	58%	811	488	811	566	70%	811	672	83%	811	721	89%	811	703	87%	
Westside	Elementary	K-6	100%	857	769	90%	857	724	857	733	86%	857	737	86%	857	829	97%	857	862	99%	
Williams	Elementary	PK-6	100%	715	582	81%	715	598	715	524	73%	715	550	77%	715	521	73%	715	508	71%	
Elementary Totals				41,610	33,169		41,654	32,732	42,824	32,477		42,956	32,693	43,044	33,156		43,264	33,392	43,264	33,392	

Middle School Concurrency Service Areas																			
	7-8	7-8	7-8	7-8	7-8	7-8	7-8	7-8	7-8	7-8	7-8	7-8							
Central	1,525	1,193	76%	1,525	1,165	76%	1,525	1,269	83%	1,525	1,230	81%	1,525	1,195	78%	1,525	1,207	78%	
DeLaura	939	819	87%	939	828	88%	939	833	89%	939	860	92%	939	874	93%	939	832	89%	
Howser	659	506	77%	659	500	76%	659	512	78%	659	512	78%	659	502	76%	659	484	75%	
Jackson	654	548	84%	654	548	84%	654	504	77%	654	537	82%	654	564	86%	654	698	107%	
Jennison	854	680	79%	854	662	78%	854	631	74%	854	595	70%	854	573	67%	854	530	62%	
Johnson	1,000	736	74%	1,000	746	75%	1,000	816	82%	1,000	797	80%	1,000	764	76%	1,000	761	76%	
Kennedy	813	621	76%	813	621	76%	813	675	83%	813	688	85%	813	739	91%	813	717	88%	
Madison	743	492	66%	743	496	67%	743	491	66%	743	465	63%	743	455	61%	743	475	64%	
McNair	611	480	79%	611	480	79%	611	539	88%	611	528	86%	611	552	90%	611	569	93%	
Southwest	1,177	833	71%	1,177	836	71%	1,177	944	80%	1,177	957	81%	1,177	930	79%	1,177	929	79%	
Stone	1,024	791	77%	1,024	824	80%	1,024	961	94%	1,024	1,041	102%	1,024	975	95%	1,024	985	96%	
Middle Totals	9,999	7,669	77%	9,999	7,823	78%	9,999	8,275	83%	9,999	8,310	83%	9,999	8,223	82%	9,999	10,078	101%	9,999

Junior / Senior High School Concurrency Service Areas																					
	JK / Sr High	PK, 7-12	7-12	JK / Sr High	PK, 7-12	7-12	JK / Sr High	PK, 7-12	7-12	JK / Sr High	PK, 7-12	7-12	JK / Sr High	PK, 7-12	7-12	JK / Sr High	PK, 7-12	7-12	JK / Sr High	PK, 7-12	7-12
Cocoa	1,782	1,577	88%	1,782	1,582	89%	1,782	1,670	94%	1,782	1,782	100%	1,782	1,882	106%	1,782	1,926	108%	1,782	1,926	108%
Cocoa Beach	1,466	1,013	69%	1,466	1,007	69%	1,466	977	67%	1,466	975	67%	1,466	950	65%	1,466	924	63%	1,466	924	63%
Space Coast	1,857	1,596	86%	1,857	1,590	86%	1,857	1,588	85%	1,857	1,558	84%	1,857	1,513	81%	1,857	1,507	81%	1,857	1,507	81%
Jr / Sr High Totals	5,105	4,176	82%	5,105	4,179	82%	5,105	4,235	83%	5,105	4,293	84%	5,105	4,345	85%	5,105	5,375	105%	5,105	5,375	105%

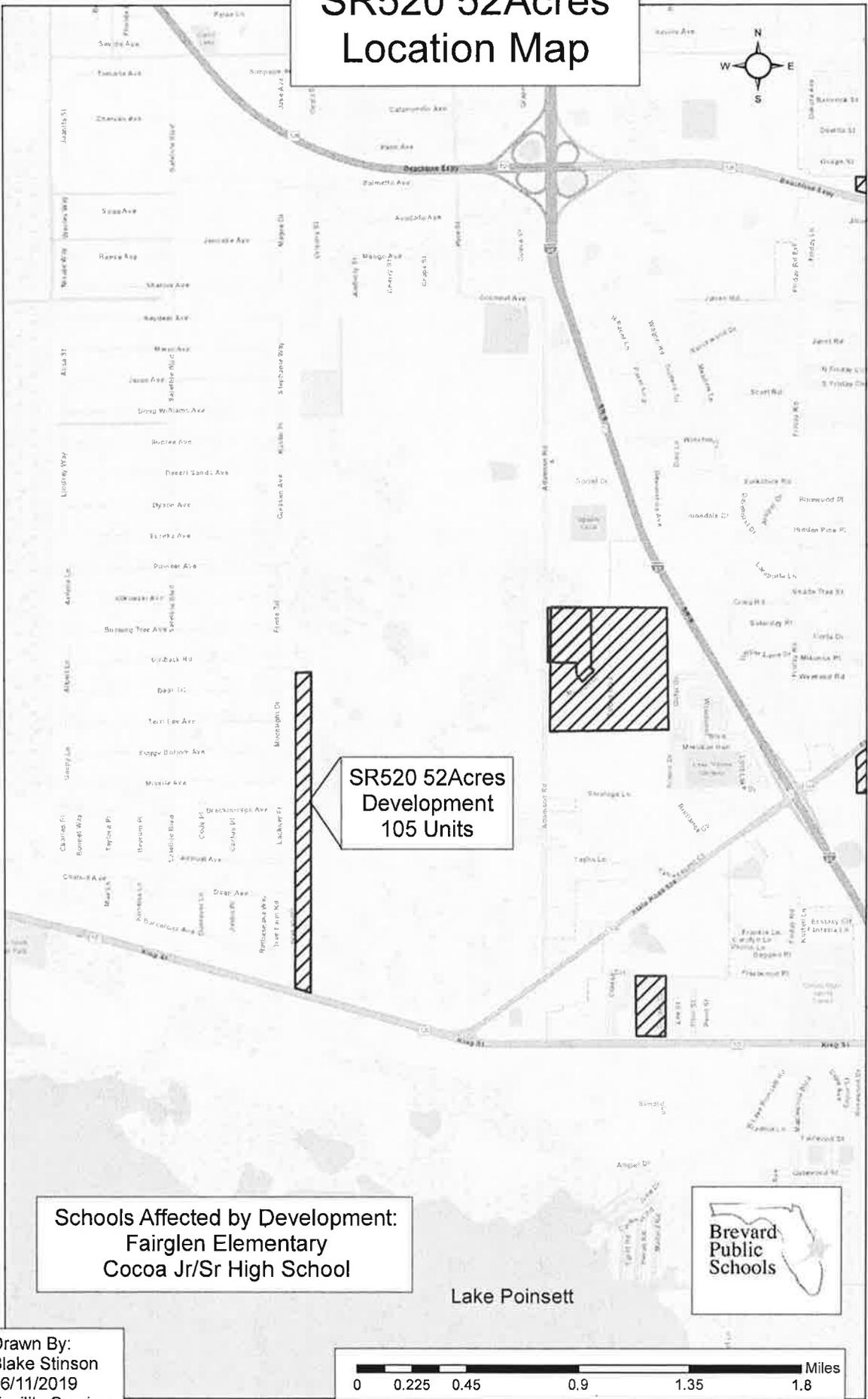
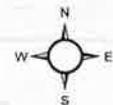
Senior High School Concurrency Service Areas																					
	9-12	9-12	9-12	9-12	9-12	9-12	9-12	9-12	9-12	9-12	9-12	9-12	9-12	9-12	9-12	9-12	9-12	9-12	9-12	9-12	9-12
Astronaut	1,446	1,076	74%	1,446	1,081	75%	1,446	1,101	76%	1,446	1,144	79%	1,446	1,176	81%	1,446	1,189	82%	1,446	1,189	82%
Bayside	2,235	1,676	75%	2,235	1,650	74%	2,235	1,691	76%	2,235	1,790	80%	2,235	1,901	85%	2,235	2,009	90%	2,235	2,009	90%
Eau Gallie	2,332	1,676	72%	2,332	1,687	73%	2,332	1,693	73%	2,332	1,770	76%	2,332	1,809	78%	2,332	1,832	79%	2,332	1,832	79%
Heritage	2,314	1,831	79%	2,314	1,807	78%	2,314	1,850	80%	2,314	1,868	81%	2,314	2,041	88%	2,314	2,069	90%	2,314	2,069	90%
Melbourne	2,356	2,113	90%	2,356	2,134	91%	2,356	2,168	93%	2,356	2,353	100%	2,356	2,474	105%	2,356	2,617	111%	2,356	2,617	111%
Merritt Island	1,915	1,542	81%	1,915	1,566	82%	1,915	1,571	82%	1,915	1,577	82%	1,915	1,586	83%	1,915	1,583	83%	1,915	1,583	83%
Palm Bay	2,613	1,543	59%	2,613	1,563	60%	2,613	1,705	65%	2,613	1,796	69%	2,613	2,011	77%	2,613	2,134	82%	2,613	2,134	82%
Roadside	1,701	1,516	89%	1,701	1,520	89%	1,701	1,541	90%	1,701	1,583	93%	1,701	1,599	94%	1,701	1,657	97%	1,701	1,657	97%
Satellite	1,516	1,328	88%	1,516	1,345	89%	1,516	1,371	91%	1,516	1,383	91%	1,516	1,387	91%	1,516	1,392	91%	1,516	1,392	91%
Titusville	1,872	1,381	74%	1,872	1,343	72%	1,872	1,411	75%	1,872	1,458	78%	1,872	1,590	85%	1,872	1,672	90%	1,872	1,672	90%
Viera	2,277	2,157	95%	2,277	2,195	97%	2,277	2,263	100%	2,277	2,445	108%	2,277	2,605	115%	2,277	2,680	118%	2,277	2,680	118%
High Totals	22,477	17,859	79%	22,477	17,900	79%	22,477	18,402	82%	22,477	19,263	86%	22,477	20,172	90%	22,477	23,141	103%	22,477	23,141	103%

Schools of Choice (Not Concurrency Service Areas)																					
	Elementary	K-6	100%																		
Freedom 7	475	387	81%	475	414	87%	475	414	87%	475	414	87%	475	414	87%	475	414	87%	475	414	87%
Stevenson	569	506	89%	569	509	89%	569	509	89%	569	509	89%	569	509	89%	569	509	89%	569	509	89%
West Melbourne	618	553	89%	618	552	89%	618	552	89%	618	552	89%	618	552	89%	618	552	89%	618	552	89%
Edgewood	1,072	948	88%	1,072	950	89%	1,072	950	89%	1,072	950	89%	1,072	950	89%	1,072	950	89%	1,072	950	89%
West Shore	1,284	953	75%	1,284	956	75%	1,284	956	75%	1,284	956	75%	1,284	956	75%	1,284	956	75%	1,284	956	75%
Schools of Choice	3,998	3,347	84%	3,998	3,381	85%															
Brevard Totals	83,389	66,230	79%	83,433	66,015	79%	83,433	66,770	80%	83,433	67,940	81%	83,433	69,277	83%	83,433	70,000	84%	83,433	70,000	84%

Notes

- FISH Capacity is the sum of the factored permanent capacity and the factored relocatable capacity. Permanent and relocatable capacities for 2018-19 are reported from the FISH database as of October 10, 2018.
- Student Membership is reported from the Fall Final Membership Count (10/12/18).
- Davis Demographics School/Site Enrollment Forecasting Extension for AcoGIS estimates future student populations by analyzing the following data:
 - Development Projections from Brevard County Local Government - Jurisdictions
 - Brevard County School Concurrency Student Generation Multipliers (SGM)
 - Fall Membership student addresses and corresponding concurrency service areas
 - Student Mobility Rates / Cohort Survival Rates
 - Brevard County Birth rates by zip code
- Davis Demographics estimates are then adjusted using the following factors:
 - PK (Pre-Kindergarten) and AH (daycare for students with infants) enrollment number are assumed to be constant
 - Current From/To attendance patterns are assumed to remain constant.
 - Nonrelocated student addresses are assumed to continue in their attendance schools.
 - Charter School Growth.
- In order to maintain utilization rates lower than the 100% Level of Service, Permanent Capacity and Relocatable Classrooms are assumed to add future student stations as necessary.
- Relocatable Classrooms are assumed to add future student stations as listed below:
 - Primary relocatable classrooms (Grades K-3) = 18 student stations, Intermediate (Grades 4-8) relocatable classrooms = 22 student stations, and High School (Grades 9-12) relocatable classrooms = 25 student stations
 - Intermediate relocatable classrooms are proposed to be added at Apollo Elementary, Challenger 7 Elementary, Coquina Elementary, Imperial Estates Elementary, Pinewood Elementary, Quest Elementary, Saturn Elementary, Sunrise Elementary, DeLaura Middle School, Jocklin Middle School and Kennedy Middle (Total of 42 Classrooms).
 - High school relocatable classrooms are proposed to be added at Viera High (Total of 8 Classrooms)
- Redistricting was approved for the 2019-20 school year and the projected enrollment for 2019-20 is adjusted for those areas. Future redistricting is planned for a new central area elementary school in 2020-21.
- The following proposals for additional permanent capacity are included in this analysis:
 - A 12 classroom addition at Cocoa Jr/Sr High School is assumed to add 300 student stations starting in 2019-20
 - A new central area elementary is assumed to add 970 student stations starting in 2020-21. Student enrollment projections were adjusted for the 2020-21 school year.

SR520 52Acres Location Map

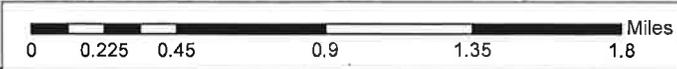


SR520 52Acres
Development
105 Units

Schools Affected by Development:
Fairglen Elementary
Cocoa Jr/Sr High School



Drawn By:
Blake Stinson
06/11/2019
Facility Services



**LSCPA
Ray L. Colgin
Transmittal 2019-2.1
Ordinance**

ORDINANCE NO. 19__

ORDINANCE AMENDING ARTICLE III, CHAPTER 62, OF THE CODE OF ORDINANCES OF BREVARD COUNTY; ENTITLED "THE COMPREHENSIVE PLAN", SETTING FORTH PLAN AMENDMENT 2019-2.1; AMENDING SECTION 62-501, ENTITLED "CONTENTS OF THE PLAN"; SPECIFICALLY AMENDING SECTION 62-501, PART XI, ENTITLED FUTURE LAND USE ELEMENT AND FUTURE LAND USE MAP SERIES; PROVIDING FOR INTERNAL CONSISTENCY WITH THESE AMENDMENTS; PROVIDING LEGAL STATUS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.3161 et. seq., Florida Statutes (1987) established the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, Section 163.3167, Florida Statutes, requires each County in the State of Florida to prepare and adopt a Comprehensive Plan as scheduled by the Department of Community Affairs; and

WHEREAS, on September 8, 1988, the Board of County Commissioners of Brevard County, Florida, approved Ordinance No. 88-27, adopting the 1988 Brevard County Comprehensive Plan, hereafter referred to as the 1988 Plan; and

WHEREAS, Sections 163.3184 and 163.3187, and 163.3189, Florida Statutes, established the process for the amendment of comprehensive plans pursuant to which Brevard County has established procedures for amending the 1988 Plan; and

WHEREAS, Brevard County initiated amendments and accepted application for amendments to the Comprehensive Plan on June 30, 2019, for adoption as the Fall Cycle Large Scale Comprehensive Plan Amendment 2019-2.1; and

WHEREAS, the Board of County Commissioners of Brevard County, Florida, have provided for the broad dissemination of proposals and alternatives, opportunity for written comments, public hearings after due public notice, provisions for open discussion, communication programs and consideration of and response to public comments concerning the provisions contained in the 1988 Plan and amendments thereto; and

WHEREAS, Section 62-181, Brevard County Code designated the Brevard County Planning and Zoning Board as the Local Planning Agency for the unincorporated areas of Brevard County, Florida, and set forth the duties and responsibilities of said local planning agency; and

WHEREAS, on November 18, 2019, the Brevard County Local Planning Agency held a duly noticed public hearing on Plan Amendment 2019-2.1, and considered the findings and advice of the Technical Advisory Groups, and all interested parties submitting comments; and

WHEREAS, on December 5, 2019, the Brevard County Board of County Commissioners held a duly noticed public hearing, and considered the findings and recommendations, and all interested parties submitting written or oral comments, and the recommendations of the Local Planning Agency, and upon thorough and complete consideration and deliberation, approved the adoption of Plan Amendment 2019-2.1; and

WHEREAS, Plan Amendment 2019-2.1 adopted by this Ordinance complies with the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, Plan Amendment 2019-2.1 adopted by this Ordinance is based upon findings of fact as included in the data and analysis.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, as follows:

Section 1. Authority. This ordinance is adopted in compliance with, and pursuant to the Local Government Comprehensive Planning and Land Development Regulations Act, Sections 163.3184 and 163.3187, Florida Statutes.

Section 2. Purpose and Intent. It is hereby declared to be the purpose and intent of this Ordinance to clarify, expand, correct, update, modify and otherwise further the provisions of the 1988 Brevard County Comprehensive Plan.

Section 3. Adoption of Comprehensive Plan Amendments. Pursuant to Plan Amendment 2019-2.1 to the 1988 Comprehensive Plan, Article III, Chapter 62-504, Brevard County Code, the 1988 Brevard County Comprehensive Plan is hereby amended as specifically shown in Exhibit A. Exhibit A is hereby incorporated into and made part of this Ordinance.

Section 4. Legal Status of the Plan Amendments. After and from the effective date of this Ordinance, the plan amendment, Plan Amendment 2019-2.1, shall amend the 1988 Comprehensive Plan and become part of that plan and the plan amendment shall retain the legal status of the 1988 Brevard County Comprehensive Plan established in Chapter 62-504 of the Code of Laws and Ordinances of Brevard County, Florida, as amended.

Section 5. Severability. If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this Ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

Section 6. Effective Date. The plan amendment shall become effective once the state land planning agency issues a final order determining the adopted amendment to be in compliance in accordance with Florida Statutes, Section 163.3184(9), or until the Administration Commission issues a final order determining the amendment to be in compliance in accordance with Florida Statutes, Section 163.3184(10). A certified copy of the ordinance shall be filed with the Office of the Secretary of the State, State of Florida, within ten days of enactment.

DONE AND ADOPTED in regular session, this ___ day of _____, 2019.

ATTEST

**BOARD OF COUNTY COMMISSIONERS OF
BREVARD COUNTY, FLORIDA**

By: _____

Scott Ellis, Clerk

Kristine Isnardi, Chair

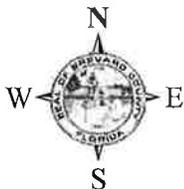
Approved by the Board on _____, 2019.

**LSCPA
Ray L. Colgin
Transmittal 2019-2.1
Exhibit A**

PROPOSED FUTURE LAND USE MAP

Comprehensive Plan Amendment

19PZ00075 - Colgin/Genoni



1:12,000 or 1 inch = 1,000 feet

— Subject Property

□ Parcels

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 7/2/2019

LSCPA
Ray L. Colgin
Transmittal 2019-2.1
Public Comment

**Legal Advertisements,
Citizen Courtesy Sheets, Misc.**

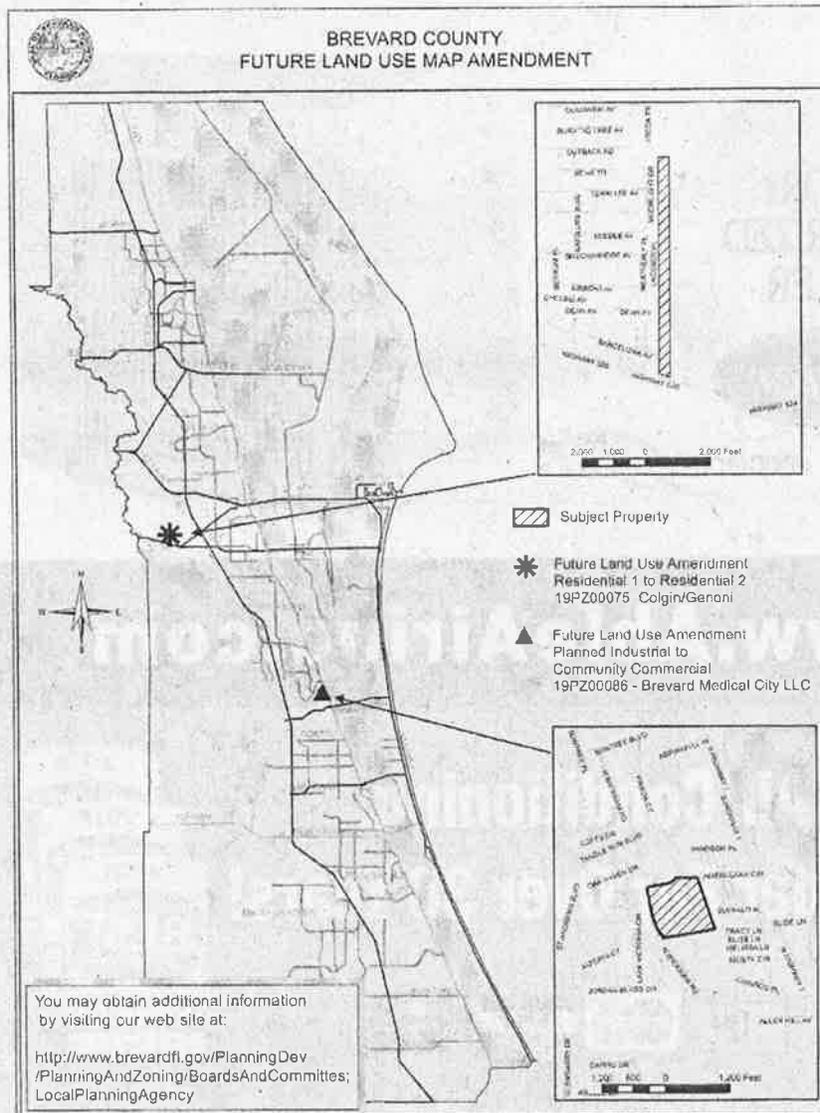
PUBLIC HEARING NOTICE

The Brevard County Board of County Commissioners will consider two ordinances amending Article III, Chapter 62, of the Code of Ordinances of Brevard County, entitled "The Comprehensive Plan", setting forth the transmittal of the Plan Amendment Cycle 2019-2; amending Section 62-501, entitled Contents of the Plan; specifically amending Section 62-501 as described below; and provisions which require amendments to maintain internal consistency with this amendment; providing legal status; providing a severability clause; and providing an effective date.

At a public hearing on Thursday, September 5, 2019, at 5:00 p.m., the Brevard County Board of County Commissioners will consider the transmittal of the 2019-2 Comprehensive Plan Amendments. This meeting will be held in the Commission Room, First Floor, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Vero, Florida. Said Plan Amendment 2019-2 consists of the following proposals:

a. Plan Amendment 2019-2.1 – a proposal initiated by Ray L. Colgin, to amend Part XI, the Future Land Use Element, to change the Future Land Use Map Series designation from RES 1 (Residential 1) to RES 2 (Residential 2). The property is 52.53 acres, located on the north side of State Road 520, approximately 0.64 mile west of the intersection of State Road 524 and State Road 520. (6500 State Road 520, Cocoa).

b. Plan Amendment 2019-2.2 – a proposal initiated by Brevard Medical City, LLC, to amend Part XI, the Future Land Use Element, to change the Future Land Use Map Series designation from PI (Planned Industrial) to CC (Community Commercial). The property is 16.33 +/- acres, located at the intersection of North Wickham Road and Hardoon Lane. (No assigned address. In the Melbourne area.)



All persons for or against said items can be heard at said time and place. If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, such a person will need a record of this proceeding and that, for such purposes, such person may need to ensure that a verbatim record of this proceeding is made, at his/her expense, which record includes testimony and evidence upon which any appeal is to be based. In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this proceeding should contact the Planning & Development Department no later than five (5) days prior to the meeting at 321-633-2069 for assistance. Planning & Development Department – Tad Calkins, Director.

LOCAL PLANNING AGENCY/PLANNING AND ZONING BOARD MINUTES

The Brevard County Local Planning Agency/Planning & Zoning Board met in regular session on Monday, August 19, 2019, at 3:00 p.m., in the Commission Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

The meeting was called to order by Vice Chair Peter Filiberto, at 3:00 p.m.

Board members present were: Ian Golden; Ron Bartcher; Rochelle Lawandales; Brian Hodgers; Ben Glover; Ron McLellan; Mark Wadsworth; Peter Filiberto, Vice Chair; and Bruce Moia.

Rochelle Lawandales was present to vote on Item 1 only; and Ron McLellan was present to vote on Items 1 and Plan Amendment 2.1 only.

Staff members present were: Amanda Elmore, Interim Planning and Zoning Manager; Jad Brewer, Assistant County Attorney; George Ritchie, Planner III; Steve Swanke, Program Manager; Darcie McGee, Assistant Director, Natural Resources Management; Cheryl Campbell, Comprehensive Planner; and Jennifer Jones, Special Projects Coordinator III.

Excerpt of Complete Minutes

Plan Amendment 2019-2.1

A proposal initiated by Ray L. Colgin, to amend Part XI, the Future Land Use Element, to change the Future Land Use Map Series designation from RES 1 (Residential 1) to RES 2 (Residential 2). The property is 52.53 acres, located on the north side of State Road 520, approximately 0.64 mile west of the intersection of State Road 524 and State Road 520. (6500 State Road 520, Cocoa)

(All documents submitted to the board can be found in file 19PZ00075, located in the Planning and Development Department)

Chad Genoni, Beachland Managers, stated what is being proposed is a comprehensive plan amendment for two units per acre to allow for flexibility in the planning of a single-family subdivision. He noted issues related to sewer, water, access, and drainage, will be site plan issues that will be dealt with in the site plan process. He said the surrounding area to the north is Residential 1; there is an agritourism venue there now operating as a business; and the staff comments indicate it is a modular office building, but it is more than that. He stated that in doing research, it appears the Residential 1 designation was adopted because there weren't many services in the area, but there is now water, and sewer service is a half-mile away, but he is not 100% sure if they will tie into sewer. He said it is concluded in the staff comments that a future land use change would not cause a deficiency in the levels of service, and the comprehensive plan analysis meets Policy 1.8(a) and 1.2.

Ron Bartcher asked if Mr. Genoni said he would or would not connect to sewer. Mr. Genoni replied at this point, he is not 100% sure if they are going to connect to sewer. He said originally, they were planning on septic tanks, but they were hoping to get through to the zoning phase to determine what it would be allowed. Mr. Bartcher asked if he thinks he will have an answer when he comes back for the rezoning request. Mr. Genoni replied yes. Mr. Bartcher asked if there is a plan yet for lot sizes for the proposed development. Mr. Genoni replied no, not at this point.

Public comment:

Gary Dana, 6450 State Road 520, Cocoa, stated he spoke recently to Mr. Genoni, and although he does not have any objections to the rezoning, there are some issues he would like to make known. He said just below the subject property is the St. Johns River; he owns nearby properties that are

zoned agricultural, and he does agritourism on his property with a barn that he rents out for events. He said his concern is the flow of water that comes across the property from east to west. On the subject property are piles of waste lime out of Orange County from the Cocoa water system and being placed in Brevard County; the lime is used as a filter for the water to collect heavy metals; and it's almost an impermeable substance, so it doesn't allow water to pass through, so it's blocking the low area of the property. Initially, Mr. Colgin built a road and a canal to the west side, and a ditch, and that's when some of the water was diverted, and he was doing that in order to not allow sewage. He said Mr. Colgin had a blocked drainage pipe as well, and since the blocking of that drain pipe, which occurred a year and a half ago the problems with drainage have escalated. On the east side of the property is a canal that was developed to protect the Satellite Boulevard area, and there is a canal along the front of the property.

Rochelle Lawandales' absence was noted at 4:09 p.m.

Mark Wadsworth asked Mr. Dana if his major concern is with water. Mr. Dana replied his major concern is with the flow of water and proposed development. If access is blocked from the natural flow, water problems will be created upstream, and that is what is currently happening. He noted that some of the activity has happened prior to today, and asked who will be regulating the property. He said another concern would be a fencing issue because there is a barbed wire fence and residential will be next to it.

Charles Billias, 119 Chipola Road, Cocoa Beach, stated he is the former Utilities Director for Cocoa Beach, and as director, he brought in the reuse process for the east coast of Florida. He stated there is a state statute that says if you can hook up to sewer it's a requirement, because a lot of people don't realize there are waterborne viruses that can survive a septic tank, and the St. Johns River is not too far away from the subject property. He said he is concerned not only for that, but also for the nutrients that are going to be pushed toward the river. He stated the applicant told the board he was not sure if the development will be on sewer, but everyone knows he will install septic tanks because it's a lot cheaper. He said he doesn't have a problem with the permit process, but if it is permitted, then he feels the developer should be required to hook up to sewer. He asked how many units are being proposed for the development. He noted he is also concerned with flooding, which also needs to be addressed.

Mr. Genoni stated the maximum units being proposed is 105. He said he plans to work with Mr. Dana over the next several months to come up with a long-term solution to the drainage concerns.

Motion by Brian Rodgers, seconded by Ben Glover, to approve transmittal of Plan Amendment 2019-2.2, based on the conforming area to the east of the subject property. The motion passed unanimously.

**PROPOSED COMPREHENSIVE PLAN AMENDMENT 2019-2.1
FUTURE LAND USE MAP SERIES
FUTURE LAND USE ELEMENT**

Request: 2019-2.1
Large Scale Comprehensive Plan Amendment (LSCPA) Future
Land Use (FLU) Map Amendment (19PZ00075)

Owner / Applicant: Ray L. Colgin

Location: Legal Description On file
Tax Acct Parcel #2441237

Acreage: ± 52.53 acres

**Existing Land
Use Designation:** Residential 1 (RES 1)

**Proposed Land
Use Designation:** Residential 2 (RES 2)

**Existing Zoning
Classification:** Agricultural (AU)

**Proposed Zoning
Classification:** Single Family Residential (RU-1-11)

FUTURE LAND USE MAP AMENDMENT

Description:

The applicant is seeking a Large Scale Comprehensive Plan Amendment to change the Future Land Use designation from Residential 1 (RES 1) to Residential 2 (RES 2) on a 52.53 acre parcel of land for the purpose of developing up to 105 single-family residences. The subject property is located on the north side of State Road 520 approximately one-half mile west of the intersection of State Road 520 and State Road 524. The property currently is developed with one manufactured home with a Future Land Use designation of Residential 1 (RES 1) limiting development to one dwelling unit per acre since the original Comprehensive Plan's adoption in 1988. The requested Residential 2 (RES 2) Future Land Use designation would permit the development of up to two (2) dwelling units per acre.

The proposed Residential 1 (RES 1) is being sought in an area where parcels on the south side of State Road 520 retain a Residential 2 (RES 2) Future Land Use designation. This area to the south is currently undeveloped. To the east of the subject

parcel is a modular office building with a Future Land Use designation of Residential 1 (RES 1). To the north of the subject parcel is Brevard County owned land with a Residential 1 (RES 1) Future Land Use designation. This parcel is adjacent to an approximately 957 acre County Land Fill Facility with a Future Land Use designation of Public Facilities (PUB). To the west of the subject site across a 90 foot right-of-way are vacant parcels of land with a Future Land Use designation of Residential 1 (RES 1).

Surrounding Uses	Current Use	Zoning	Future Land Use
North	Vacant	RR-1, AU	RES 1
East	Manufactured Building	RR-1	RES 1
South	Vacant	GU	RES 2
West	Vacant	BU-1, AU, GU, ARR, AGR and RRMH-1	RES 1

Availability of Public Facilities and Services:

Potable Water: The subject property is located within a water utility service area.

Sanitary Sewer: The subject property is located within Brevard County’s sanitary sewer service area.

Solid Waste: Brevard County provides solid waste collection and disposal for this area.

Parks & Recreation: The proposed land use amendment would not exceed existing park land level of service for the Central Planning Area.

Drainage: All necessary drainage and stormwater management facilities must be provided on-site by the developer and approved during the subdivision and land development review process.

Transportation: The subject property is located on the north side of State Road 520 (SR 520) (segment 320B from SR 524 to Friday Road). The segment was identified with a non-deficiency and is not nearing maximum capacity. The Maximum Acceptable Volume (MAV) is 41,790 with an Average Daily Trips (ADT) of 14,884. The segment has a current operating volume of 35.62%.

	ADT	PM PEAK		
Trips from Existing Zoning	495	52	Segment Number	320B
Trips from Proposed Zoning	990	104	Segment Name	SR 520 From SR 524 to Friday Road
Maximum Acceptable Volume (MAV)	41,790	3,761	Acceptable LOS	D
Current Volume	14,884	1,340	Directional Split	0.5
Volume With Proposed Development	29,971	2,700	ITE CODE	
Current Volume / MAV	35.62%	35.62%	210	
Volume / MAV with Proposal	71.72%	71.79%		
Current LOS	C	C		
LOS With Proposal	C	C		

Findings
 Non-Deficiency
 Deficiency

Public Schools: At this time, Fairglen Elementary School is not projected to have enough capacity for the total of projected and potential students from the 52.53 acre Development. Because there is a shortfall of available capacity in the concurrency service area of this 52.53 acre development, the capacity of adjacent concurrency service areas must be considered.

Considering the adjacent elementary school concurrency service areas, there is sufficient capacity for the total projected student membership to accommodate the 52.53 acre development.

Conclusion: The preliminary concurrency analysis at the first level of review did not indicate that the proposed development would cause a deficiency of adopted levels of service. Further review will be completed at site plan review.

Environmental Resources:

The subject site has areas of mapped SJRWMD and NWI wetlands. Per SJRWMD, there have been unpermitted wetland impacts at the site; resulting from the spreading of biosolids. Development of the property may afford the applicant an opportunity to mitigate wetlands. However, it is unknown at this time the amount of wetlands that may be mitigated, and the amount that will be required to be restored.

In addition, portions of the parcel are also located within a mapped Special Flood Hazard Area (SFHA) within the riverine floodplain. NRM recommends that applicant delineate potential wetlands and determine riverine floodplain profile prior to any planning as these features may affect site plan design. NRM reserves the right to assess consistency with environmental ordinances at all applicable future stages of development. Applicant is encouraged to contact NRM at 321-633-2016.

Historic Resources:

There are no previously recorded cultural or historic resources on this property according to the Florida Master Site File.

Comprehensive Plan Policies/Comprehensive Plan Analysis:

Staff findings of fact are shown in italics.

Notice: *The Comprehensive Plan establishes the broadest framework for reviewing development applications and provides the initial level of review in a three layer screening process. The second level of review entails assessment of the development application's consistency with Brevard County's zoning regulations. The third layer of review assesses whether the development application conforms with site planning/land development standards of the Brevard County Land Development Code. While each of these layers individually affords its own evaluative value, all three layers must be cumulatively considered when assessing the appropriateness of a specific development proposal.*

Future Land Use Element Policies

The following policies pertain to this future land use planning activity.

Residential 2 (maximum of 2 units per acre)

Policy 1.8

The Residential 2 (RES 2) land use designation permits lower density residential development with a maximum density of up to two (2) units per acre, except as otherwise may be provided for within this element. The Residential 2 (RES 2) land use designation may be considered for lands within the following generalized locations, unless otherwise limited by this Comprehensive Plan:

Criteria:

- A. Areas adjacent to existing Residential 2 (RES 2) land use designation; or

The subject parcel to the south across State Road 520 is adjacent to a cluster of approximately 721 acres of undeveloped land with a Future Land Use designation of Residential 2 (RES 2).

- B. Areas which serve as a transition between existing land uses or land use designations with density greater than two units per acre and areas with density of less than two units per acre; or

The subject parcel does not serve as a transition between higher and lower densities of greater than and less than two dwelling units per acre.

- C. Unincorporated areas which are adjacent to incorporated areas and may be considered a logical transition for Residential 2 (RES 2).

The subject parcel is not located adjacent to an incorporated area that may be considered a logical transition to Residential 2 (RES 2).

- D. Up to a 25% density bonus to permit up to 2.5 dwelling units per acre may be considered where the Planned Unit Development (PUD) concept is utilized, where deemed compatible by the County with adjacent development, provided that minimum infrastructure requirements set forth in Policy 1.2 are available. Such higher densities should be relegated to interior portions of the Planned Unit Development (PUD) tract, away from perimeters, to enhance blending with adjacent Future Land Use Element areas and to maximize the integration of open space within the development and promote inter-connectivity with surrounding uses. This density bonus shall not be utilized for properties within the Coastal High Hazard Area (CHHA).

The subject parcel is not within the Coastal High Hazard Area (CHHA) and would be able to be considered for a Planned Unit Development (PUD) and has met the minimum infrastructure requirements set forth in Policy 1.2 as described below.

Public Facilities and Services Requirements

Policy 1.2

Minimum public facilities and services requirements should increase as residential density allowances become higher. The following criteria shall serve as guidelines for approving new residential land use designations:

Criteria:

- A. Adequate roadways, solid waste disposal, drainage and recreation facilities to serve the needs of associated development shall be available concurrent with development in all residential land use designations.

The preliminary transportation concurrency analysis did not indicate that the proposed development would cause a deficiency of adopted levels of service. This portion of State Road 520 from State Road 524 to Friday Road is at 35.62% of the maximum acceptable volume (MAV) and would increase to 71.72% if the Future Land Use and subsequent Rezoning were to be approved.

- B. Fire and police protection and emergency medical services to serve the needs of associated development shall be available concurrent with development in all residential land use designations in accordance with policies set forth in the 'Service Delivery, Concurrency and Growth 'section of this Future Land Use Element.

Based upon a first review for Concurrency, the subject site with a Future Land Use change to Residential 2 (RES 2) would not have a deficiency in service delivery by the Fire Department.

- C. In the Residential 30, Residential 15, Residential 10, Residential 6 and Residential 4 land use designations, centralized potable water and wastewater treatment shall be available concurrent with the impact of the development.

Not applicable.

The subject parcel proposes Residential 2 (RES 2) Future Land Use designation. However, the City of Cocoa has water availability and Brevard County has Sewer Service availability located approximately one half mile east at the intersection of State Road 520 and State Road 524.

- D. Where public water service is available, residential development proposals with densities greater than four units per acre shall be required to connect to a centralized sewer system.

Not applicable.

The proposed density is two units per acre. However, there is sewer service to this parcel.

- E. Where public water service is not available, residential development proposals with densities greater than two units per acre shall be required to connect to a centralized sewer system.

Not applicable, as public water is available.

- F. The County shall not extend public utilities and services outside of established service areas to accommodate new development in Residential 2, Residential 1 and Residential 1:2.5 land use designations, unless an overriding public benefit can be demonstrated. This criterion is not intended to preclude acceptance of dedicated facilities and services by the County through MSBU's, MSTU's and other means through which the recipients pay for the service or facility.

Not applicable.

Summary

This request is for an amendment to the Future Land Use designation from Residential 1 (RES 1) to Residential 2 (RES 2) on a 52.53 acre property for the purpose of developing up to 105 single-family residences. The surrounding area is largely characterized by a mixture of low density residential, public facilities and public conservation land uses. To the north, east and west the Future Land Use designation is Residential 1 (RES 1) which limits density to one (1) dwelling unit per acre. Also, adjacent on the south west portion of this parcel is a cluster of approximately 38 acres of commercial land uses along the north side of State Road 520 (SR 520) and Canaveral Groves.

The subject property is proposed to be served with both potable water and is located with access from an urban major collector roadway, which intersects with State Road 524 approximately one half mile to the east. The preliminary concurrency analysis at the first level of review did not indicate that the proposed development would cause a deficiency of adopted levels of service.

The applicant has stated that he will be submitting a companion rezoning application proposing a change from Agricultural Residential (AU) to Single Family Residential (RU-1-11). The current zoning of Agricultural Residential (AU) is consistent with the proposed Future Land Use designation of Residential 2 (RES 2). If the applicant seeks to change the Zoning of the property to Single Family Residential (RU-1-11), the applicant will need to prepare a Binding Development Plan that allows only up to two (2) dwelling units per acre in order to remain consistent with the proposed Future Land Use designation of Residential 2 (RES 2).

If you have any questions, please contact Cheryl W. Campbell, Planner III, of the Planning & Development Department at (321) 633-2070 ext. 58271 or via email to Cheryl.Campbell@brevardfl.gov

**NATURAL RESOURCES MANAGEMENT DEPARTMENT
Land Use Review & Summary
Item # 19PZ00075**

Applicant: Ray Colgin; Chad Genoni

Future Land Use Request: Res 1 to Res 2

Note: Applicant wants to increase density for single family subdivision

LPA Hearing Date: 08/19/19; **BCC Hearing Date:** 09/05/19

LPA Hearing Date: 11/18/19; **BCC Hearing Date:** 12/05/19

Tax ID No: 2441237

- This is a preliminary review based on best available data maps reviewed by the Natural Resources Management Department (NRM) and does not include a site inspection to verify the accuracy of the mapped information.
- In that the rezoning process is not the appropriate venue for site plan review, specific site designs submitted with the rezoning request will be deemed conceptual. Board comments relative to specific site design do not provide vested rights or waivers from Federal, State or County regulations.
- **This review does not guarantee whether or not the proposed use, specific site design, or development of the property can be permitted under current Federal, State, or County Regulations.**

Substantial Natural Resources Land Use Issues:

As detailed below, the subject site has areas of mapped SJRWMD and NWI wetlands. In addition, portions of the parcel are also located within a mapped Special Flood Hazard Area (SFHA) within the riverine floodplain. NRM recommends that applicant delineate potential wetlands and determine riverine floodplain profile prior to any planning as these features may affect site plan design. NRM reserves the right to assess consistency with environmental ordinances at all applicable future stages of development. Applicant is encouraged to contact NRM at 321-633-2016.

Summary of Mapped Natural Resources Present on the Subject Property:

- NWI Wetlands
- SJRWMD Wetlands
- Hydric Soils
- Floodplain

Land Use Comments:

Wetlands and Hydric Soils

The subject parcel contains mapped areas of NWI and SJRWMD wetlands, and hydric soils (Anclote sand – frequently ponded, Malabar sand, and Holopaw sand) as shown on the NWI Wetlands, SJRWMD Florida Land Use & Cover Codes and USDA Soil Conservation Service Soils Survey maps, respectively; indicators that hydric soils and wetlands may be present. Per Section 62-3694(c)(1), residential land uses within

wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. For subdivisions greater than five acres in area, the preceding limitation of one dwelling unit per five (5) acres within wetlands may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of the total non-commercial and non-industrial acreage on a cumulative basis as set forth in Section 65-3694(c)(6). Any permitted wetland impacts must meet the requirements of Sections 62-3694(e) and 62-3696. A wetland determination/delineation will be required prior to any land clearing activities, plan or permit submittal, and applicant is encouraged to contact NRM at (321) 633-2016.

Floodplain

Portions of the western and southern areas of the parcel are mapped as being within a Special Flood Hazard Area (riverine floodplain) as identified by the Federal Emergency Management Agency and as shown on the FEMA Flood Map. Additional impervious area increases stormwater runoff that can adversely impact nearby properties unless addressed on-site. Chapter 62, Article X, Division 6 states, "No site alteration shall adversely affect the existing surface water flow pattern." Chapter 62, Article X, Division 5, Section 62-3723 (2) states, "Development within floodplain areas shall not have adverse impacts upon adjoining properties." The property is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance.

Per Section 62-3724(1), There shall be no net change in the rate and volume of floodwater discharged from the pre-development 100-year, 25-year, 10-year or mean annual riverine floodplain. Residential density within the riverine floodplain is based on whether floodplain is designated 100-year, 25-year, 10-year or mean annual riverine floodplain. Depending on riverine floodplain designation, compensatory storage may be required. Additional detailed flood modeling has been performed for the West Cocoa area by Brevard County and shall also be used for floodplain, compensatory storage, and density determinations. The modeling and/or elevation information as well as topographic LiDAR are available upon request. Applicant is encouraged to contact Natural Resources Stormwater Department at 321-633-2016 for floodplain modeling information available for this area.

Landscape requirements

Aerials indicate Heritage/Specimen Trees and/or Protected trees may reside on the parcel. Per Brevard County Landscaping, Land Clearing and Tree Protection ordinance, Section 62-4331(3), the purpose and intent of the ordinance is to encourage the protection of Heritage Specimen Trees. In addition, per Section 62-4341(18), Specimen and Protected Trees shall be preserved or relocated on site to the Greatest Extent Feasible. Per Section 62-4332, Definitions, Greatest Extent Feasible shall include, but not be limited to, relocation of roads, buildings, ponds, increasing building height to reduce building footprint or reducing Vehicular Use Areas. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for preservation and canopy coverage requirements. Applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.

Protected Species

Federally and/or state protected species may be present on properties with aquifer recharge soils. Should any protected species be present, the applicant should obtain any necessary permits or clearance letters from the Florida Fish and Wildlife Conservation Commission and/or U.S. Fish and Wildlife Service prior to any plan, permit submittal, or development activity, including land clearing, as applicable.

Surface Water Drainage Concern – Current and Future Development

Complaint for Brevard County Planning and Development/Zoning Dept
Future Land Use Map Amendment Colgin/Genoni – 19PZ00075

Parcel ID 24-35-21-00-501

Complainant:

Parcel ID 24-35-21-00-502

Gary Dana

New Albany LLC/Sterling Stables of Brevard

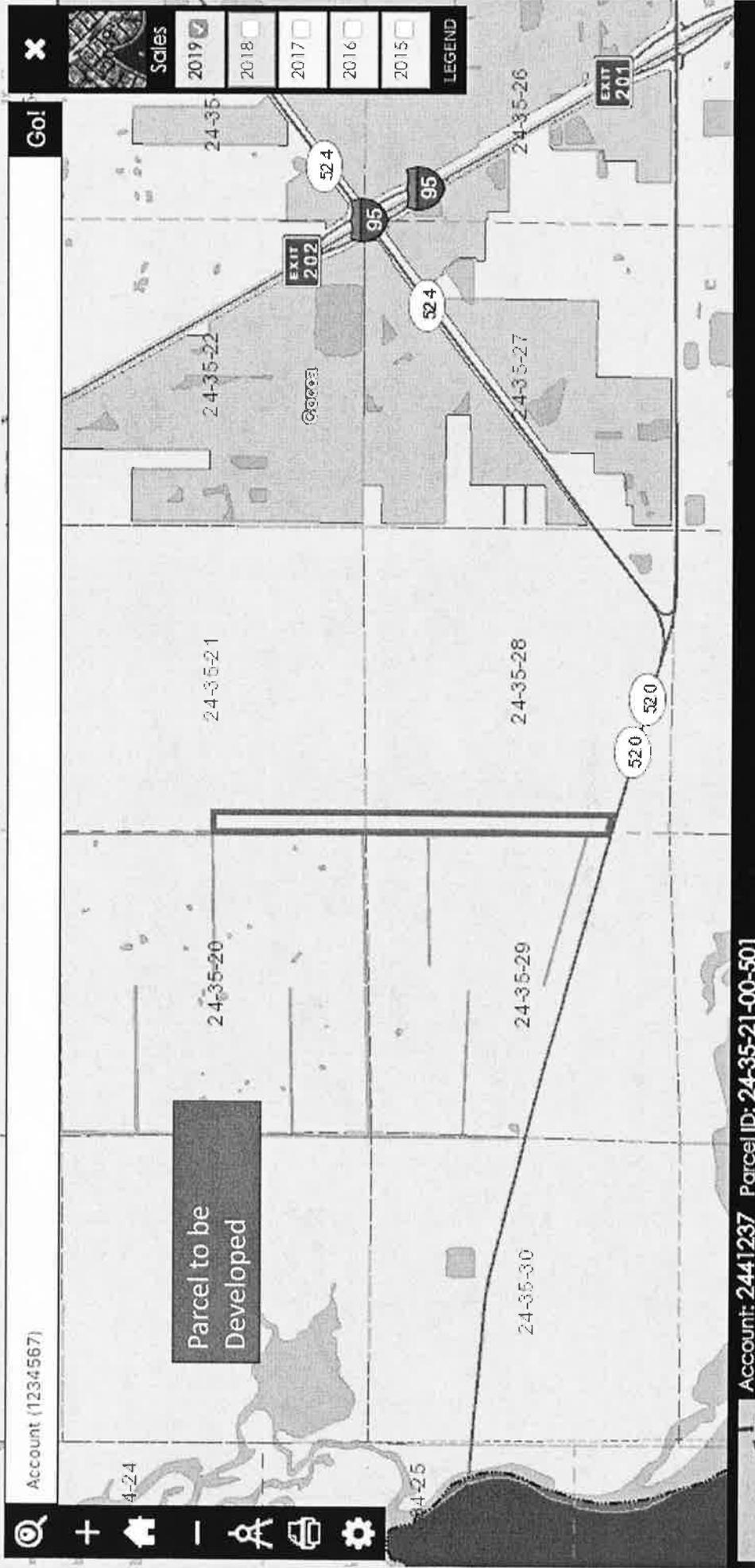
Barn Venue/Wedding Barn and Pasture for Events -Agritourism

Approximately 30 Head of Cattle and 2 Horses

MapView

EagleView

StreetView



MapView

EagleView

StreetView



Account (1234567)

Go!

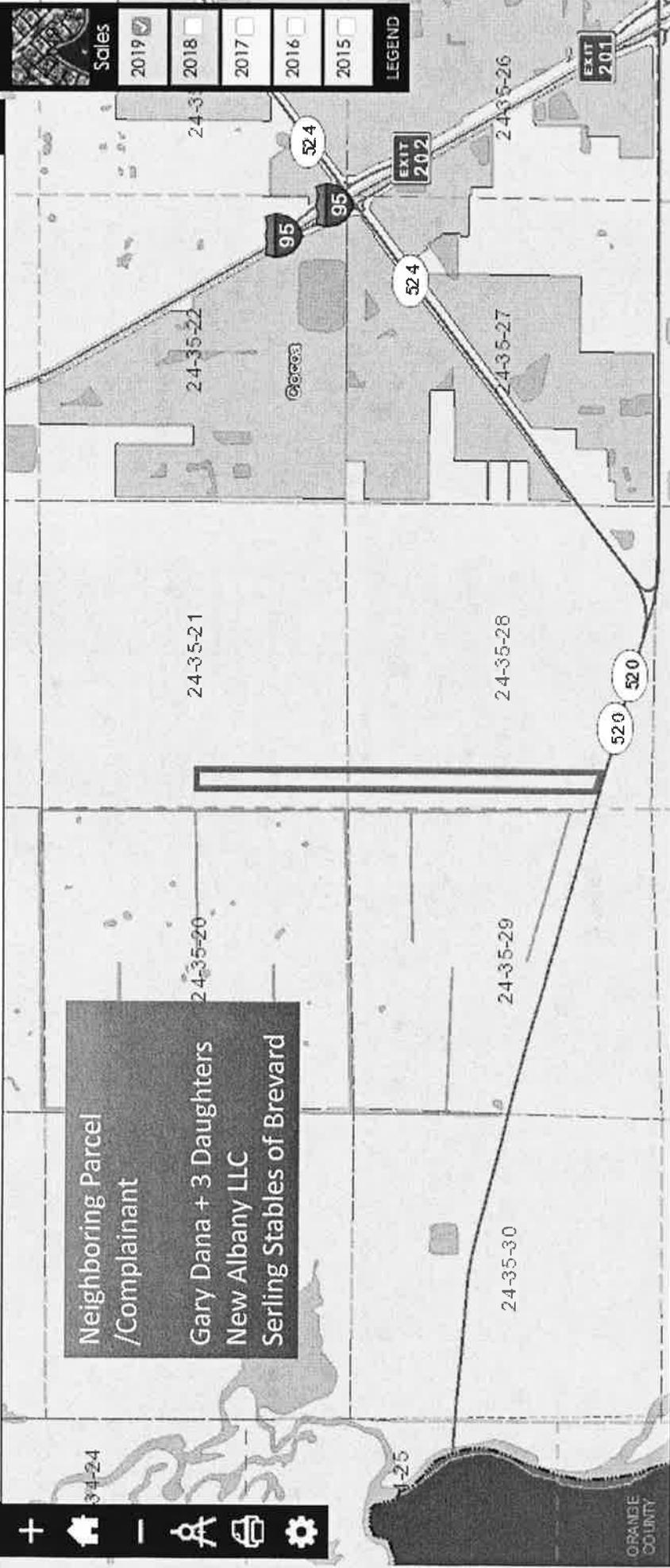
Sales

2019	<input checked="" type="checkbox"/>
2018	<input type="checkbox"/>
2017	<input type="checkbox"/>
2016	<input type="checkbox"/>
2015	<input type="checkbox"/>

LEGEND

Neighboring Parcel
/Complainant

Gary Dana + 3 Daughters
New Albany LLC
Serling Stables of Brevard



Account: 2441238 Parcel ID: 24-35-21-00-502

ORANGE COUNTY

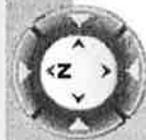
Map Subject Property ②

Open Map in N

MapView

EagleView

StreetView



+

-

02/17/2019

<

1 of 65

>

Select Date

☰

📍

🏠



ACCOUNT: 2441237

ORICK WAY





Search

Results

Details

Maps

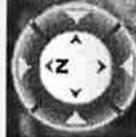
Map Subject Property ?

Open Map in New Window

MapView

EagleView

StreetView



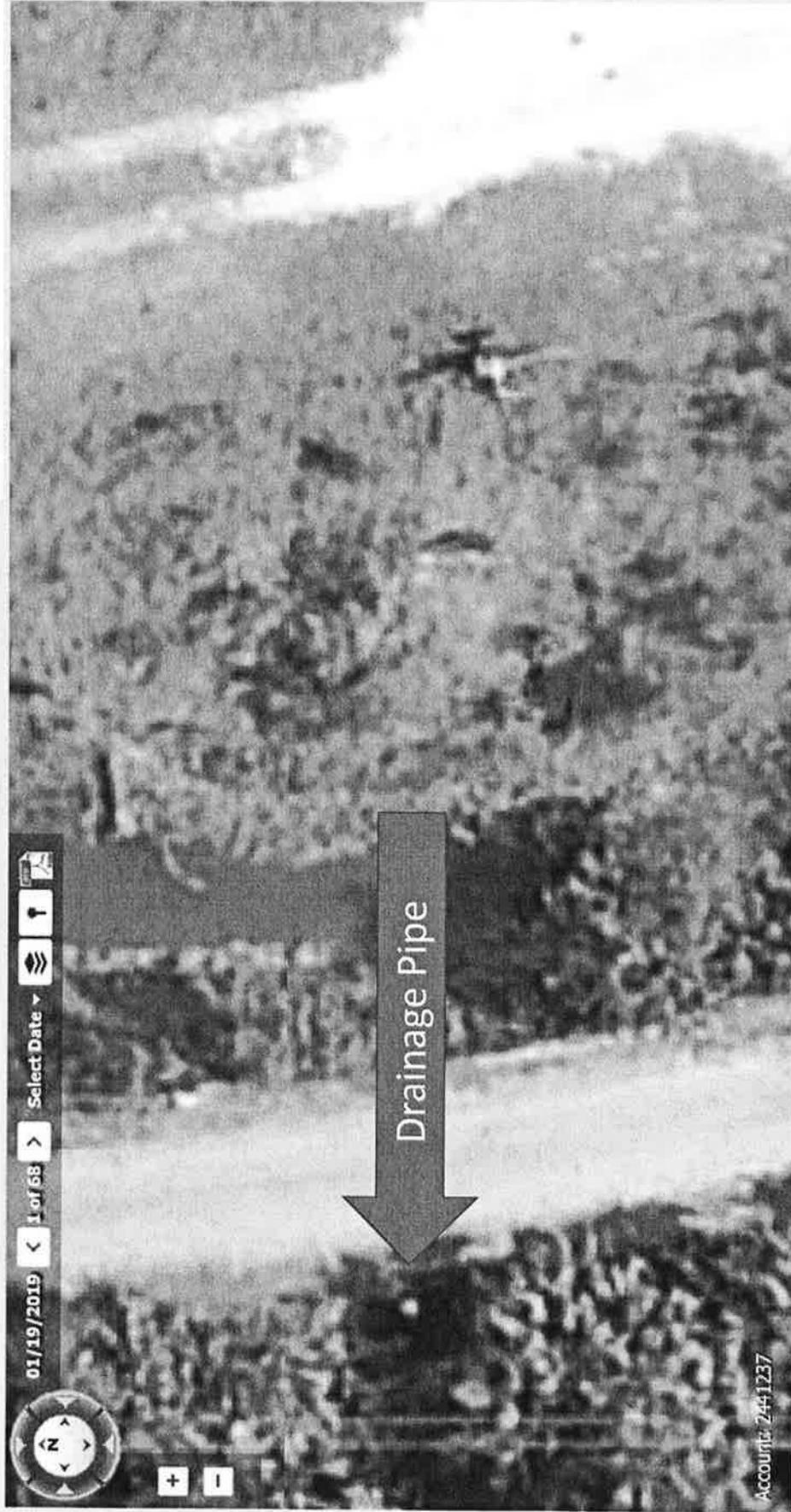
01/19/2019



1 of 68



Select Date



Account #: 2441237

From: Marc Van Heden <mrvanheden@srwmd.com>
Subject: Stirling stables inspection item #1329599
Date: June 7, 2017 at 11:07:02 AM EDT
To: "gdozdiana@gmail.com" <gdozdiana@gmail.com>
Cc: Kristian Holmberg <Kholmberg@srwmd.com>, "Regulatory Compliance Data Submittal" <ComplianceSupport@srwmd.com>



Property Lines Added

Brown = Higher Elevation

Blue = Low Elevation

White = Standing Water

Map Date prior to the Lime
Dirt Piles or Dike/Ditch
system

History:

1. 6450 Highway 520 and 6500 Highway 520 Cocoa, FL were/are both AG zoned lands with 6450 parcel along the Eastern (upland) side of parcel 6500. Western side of 6500 is St John's River side.
2. State of Florida developed a Canal on the on Western side of parcel 6500 many decades ago (allowing runoff, and protecting Satellite Road Residential area from runoff from East side.
3. Mel Colgin/Circle C Ranch filled the front 5+ acres of his land with "lime waste" from the City of Cocoa Water Treatment plant. Blocking natural flow of water. Creating raised "nonpermeable" landfill in very low area.
4. Mel Colgin developed a road and ditch on Western side of parcel 6500, and it included a large drainage pipe maintained by Mel Colgin/Circle C Ranch for run off into a State Canal for decades. Location was approximately 100-200 yards from the Highway 520 and on the Western property line.
5. In 2017, the Circle C Ranch was no longer able to obtain a sewage dumping permit on the property by the State of Florida. They applied to EPA for permit, and could not meet qualifications. Mel was upset with Gary Dana/owner of parcel 6500 because of numerous complaints of violations, as well as, put up a fence – to keep Mel from dumping on property. Mel Colgin was trespassed by the Brevard County Sherriff's Dept for dumping on parcel at 6500.
6. The Circle C Ranch/parcel 6500 then dug a ditch and dike along the Eastern property line blocking the natural flow of water.
7. The Circle C Ranch/parcel 6500 then accepted thousands of yards of "waste lime" to fill the low areas on Parcel 6500 and altering the natural long established flow of water.
8. Water is now unable to naturally drain westward, causing flooded fields on parcel 6450.
9. Parcel 6500 placed for sale and being proposed for development into Residential Neighborhood.

Concerns

1. Current changes already affecting surface water drainage – Brevard County Government advice on how to handle/improve?
2. Future development worsening surface water drainage and flooding fields and rendering all eastern properties with un-natural flooding
3. Wedding Barn Venue/Agritourism on property and affecting long established business
4. Planned future events including outdoor concerts and festivals (how will development affect these?) Concert in field, corn maze, pumpkin patch
5. New unforeseen regulations between Zoning types cause any unforeseen costs – Fencing?

Proposal:

Not opposed to re-zoning or future land/residential development if :

A. No impact on business:

Agriculture – cattle grazing and farming (current barbed wire on border)

Agritourism – Barn Event and Wedding Venue, outdoor events in fields (concerts/corn maze/pumpkin patch/special events/tents)

B. Surface water runoff can be corrected (?Engineered Easements/Drainage pipes or ditches?) and that development does not worsen the surface water runoff

1. Insure site plans/plots include water runoff easements to handle current surface water runoff from East to West
2. Or allow special permitting if needed for the affected properties to engineer changes of water flow drainage systems at the cost of the developer
3. If any regulatory fencing to border between AU and Residential land (currently 5 wire Barbed Wire), then the cost be bared by the developer of residential land.
4. Special Notice to the Developer and future Homeowners that AU land with prior Barn Venue Agritourism and outside events. Still following all County codes, but exempt from changes if any specific concern for location of the neighboring residential zoning.

Flooded field , water
trapped at Western
Border by adjacent dike
that is covered by
bushes just over fence-
line



Flooded field , water
trapped at Western
Border by adjacent dike
that is covered by bushes
just over fence-line



Mel Colgin trespass warning

**BREVARD COUNTY SHERIFF'S OFFICE
TRESPASS WARNING**

CR NUMBER: 17-0-1001 DATE: 07/12/17 TIME: 1415
ADDRESS OF OCCURRENCE: 6450 Hwy 520 Cocoa, FL 32926
LOCATION OF OCCURRENCE (Business Name): Starling Shells
OWNER OR AGENT: Cy Dora PHONE NUMBER (C.O.) 682 - 0464
ADDRESS: 6450 Hwy 520 Cocoa, FL 32926 RACE/SEX: W/M DOB: 05/05/1966

SUSPECT:
(Last) Colgin (First) Melvin (M.I.) F
RACE: W SEX: M HEIGHT: 510 WEIGHT: 220 EYES: Blue DOB: 10/22/53
ADDRESS: 6500 Hwy 520
CITY: Cocoa STATE: FL ZIP: 32926
OCCUPATION: Retired EMPLOYER: Retired

A WARNING has been given to the suspect named above, pursuant to 810.08 or 810.09 F.S. Informing said suspect that they are no longer authorized, licensed, or invited to remain on these premises; that he/she is barred from said premises as an undesirable person; and that should they return to the premises, they will be subject to arrest for the crime of Trespass.

I have read, or had read to me, the above warning, and I understand that if I return to the premises mentioned above, I will be subject to arrest for the crime of Trespass, 810.08 or 810.09 Florida Statutes.

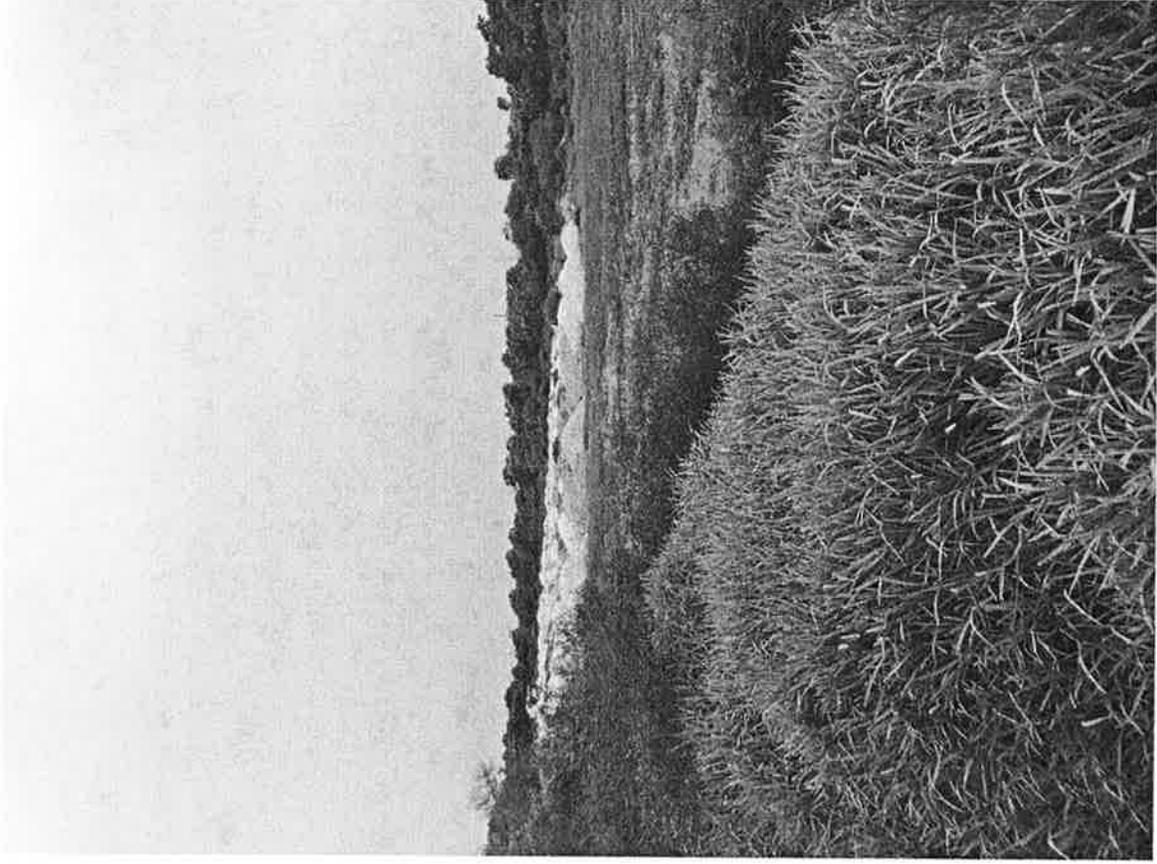
WE HEREBY CERTIFY that the above warning was issued to the above named suspect.
[Signature] (Suspect)
[Signature] (Owner or Agent)
[Signature] (Officer/ID#)

NOTE TO OWNER OR AGENT: This warning is to be kept accessible and legible by you, so that the suspect can be arrested for Trespass at a later date, should (s)he re-appear onto your property.

NARRATIVE:
[Redacted Area]

REV 08/06

Dike and Lime Piles ,
blocking water



Looking over Dike and into
Ditch, evidence of prior Lime
Fill in pastures (thick white) =
nonpermeable to water

