

**III. PUBLIC HEARINGS**  
**C. ADMINISTRATIVE REZONINGS**  
**PLANNING & ZONING BOARD and LOCAL PLANNING AGENCY AGENDA**  
**MONDAY, March 10, 2014 – 3:00 P.M.**  
**&**  
**BOARD OF COUNTY COMMISSIONERS**  
**THURSDAY, May 29, 2014- 5:00 P.M.**  
**&**  
**BOARD OF COUNTY COMMISSIONERS**  
**THURSDAY, August 7, 2014 – 5:00 P.M.**  
**All at the**  
**BREVARD COUNTY GOVERNMENT CENTER**  
**2725 Judge Fran Jamieson Way, Bldg. C, Viera, Florida**

The Board of County Commissioners may approve or deny the requested classification, or may approve a classification of lesser intensity than that requested.

**DISTRICT 1**

**III.C.1 (13PZ-00110) Section 22, Township 20G, Range 34, Sub. #A1, Block 7, Lot 1, on 20.57 acres; and Section 35, Township 20, Range 34, Parcel 3, owned by the State of Florida (DOT) - 18.3 acres, located on the west side of I-95, between Gandy Road and Hidden Lakes (In the Mims area. No assigned address)**

CURRENT ZONING: GU (General Use)

PROPOSED ZONING: (GML(I) (Government Managed Lands - Institutional). OWNER: State of Florida (DOT).

P&Z Recommendation: Ott/Thodey – Approved. Vote was unanimous.

**BCC ACTION of 05/29/14: Fisher/Nelson – APPROVED. Vote was unanimous.**

**BCC ACTION of 08/07/14 :**

**III. PUBLIC HEARINGS**  
**B. NORTH MERRITT ISLAND DEPENDENT SPECIAL DISTRICT BOARD**

**Thursday, March 13, 2014 – 6:00 P.M.**  
Merritt Island Service Complex  
2575 N. Courtenay Pkwy., 2<sup>nd</sup> Floor, Merritt Island, Florida

&

**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS**  
**Thursday, April 3, 2014 - 5:00 P.M.**  
Brevard County Government Center  
2725 Judge Fran Jamieson Way, Bldg. C, Viera, Florida

The Board of County Commissioners may approve or deny the requested classification, or may approve a classification of lesser intensity than that requested.

**DISTRICT 2**

**III.B.4. (14PZ-00005) – COURTENAY VENTURES, LLC - (Joe Mayer) – requests a change of classification from BU-1 to RU-1-13 on 5.68 acres, located on the east side of N. Courtenay Pkwy., approx. 490 ft. south of Chase Hammock Rd. (No assigned address. In the N. Merritt Island area.)**

NMI Recommendation: McFarland/Lindhorst – Denied. Vote was unanimous.

**BCC ACTION: Fisher/Anderson – APPROVED, with a Binding Development Plan, recorded on May 6, 2014, in ORB 7120, Pages 693 – 696, limited to 12 units, ingress and egress to one access along North Courtenay Pkwy, and a 15-foot buffer along the perimeter of the property. Vote was unanimous. 14PZ-00005.**

**III.B.5. (14PZ-00008) – LGH GROVE, LLC AND HARVEY'S INDIAN RIVER GROVES, INC. – (Ken Fulmer/Del Avery) – request a change of classification from AU and BU-1 to EU-2 with a BDP on 111.03 acres, located on the north side of Hall Rd., approx. 1,020 ft. east of N. Courtenay Pkwy. (Tax Parcel 505: 320 E. Hall Rd., Merritt Island; Tax Parcel 264: No assigned address. In the N. Merritt Island area; Tax Parcel 270: 4870 N. Courtenay Pkwy., Merritt Island; Tax Parcel 274: No assigned address. In the N. Merritt Island area; Tax Parcel 275: No assigned address. In the N. Merritt Island area)**

NMI Recommendation: McFarland/Hillberg – Approved as RR-1, with a BDP limiting ingress and egress to one access at North Courtenay Parkway, and one access at Hall Road. Vote was unanimous.

**BCC ACTION: Nelson/Infantini – TABLED to the 08/07/14 Zoning meeting. Vote was unanimous.**

**III. PUBLIC HEARINGS**  
**B. PLANNING & ZONING BOARD and LOCAL PLANNING AGENCY AGENDA**  
**MONDAY, MAY 5, 2014 – 3:00 P.M.**  
**&**  
**BOARD OF COUNTY COMMISSIONERS**  
**THURSDAY, MAY 29, 2014- 5:00 P.M.**

both at the  
**BREVARD COUNTY GOVERNMENT CENTER**  
**2725 Judge Fran Jamieson Way, Bldg. C, Viera, Florida**

The Board of County Commissioners may approve or deny the requested classification, or may approve a classification of lesser intensity than that requested.

**LPA AGENDA:**

1. Four ordinances amending Article III, Chapter 62, of the Code of Ordinances of Brevard County; entitled "The Comprehensive Plan", setting forth the adoption of the Spring Plan Amendment Cycle 2014-1; 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.

a. **Plan Amendment 2014- 1.1** - a proposal initiated by Majestic Oak Estates, LLC, to amend Part XI, the Future Land Use Element, to change the Future Land Use Map Series designation from Residential 2 for approximately 50.1 acres to Residential 4 for approximately 47.15 acres, and to Community Commercial for approximately 2.95 acres located on the north side of SR 46, west of the intersection of Turpentine Road.

LPA Recommendation: Ott/Thodey – Approved. Vote was unanimous.

**BCC ACTION: Nelson/Fisher – APPROVED. Vote was 3:1 with Infantini voting nay.**

b. **Plan Amendment 2014-1.2** - a public proposal to amend Part XI, the Future Land Use Element, to change the Future Land Use Map Series designation from Agriculture for approximately 20.57 acres and Residential 2 for approximately 18.3 acres to Public for the Interstate 95 rest stop located on the west side of I-95, south of mile marker 231.

LPA Recommendation: Ott/Thodey – Approved. Vote was unanimous.

**BCC ACTION: Nelson/Fisher – APPROVED. Vote was unanimous.**

c. **Plan Amendment 2014-1.3.a - e** - a public proposal to amend Part XI, the Future Land Use Element, to change the Future Land Use Map Series designation from (2014-1.3.a) Residential 1 (1.15 acres) located on the east side of Vermont St. north of Coolidge Ave; from (2014-1.3.b) Neighborhood Commercial (17.33 acres) located on the west side of Elmwood Place; from (2014-1.3.c) Residential 4 (61.8 acres) located on the north side of Parrish Rd east of US 1; from (2014-1.3.d) Private Conservation (15.36 acres) located west of the intersection of Martin Blvd and Jason St; from (2014-1.3.e) Industrial (6.67 acres) located on north side of Barnes Blvd and the Riomar Dr.; for a total area of approximately 102.31 acres to Public Conservation for properties acquired by the Environmentally Endangered Lands Program.

LPA Recommendation: Ott/Thodey – Approved. Vote was unanimous.

**BCC ACTION: Nelson/Fisher – APPROVED. Vote was unanimous.**

d. **Plan Amendment 2014-1.4** - a public proposal to amend Part I, the Conservation Element and Conservation Element Map Series, and Part XV, the Glossary, to adopt the findings of the 2013 Wetlands Study.

LPA Recommendation: Ott/Thodey – Approved. Vote was unanimous.

**BCC ACTION: Nelson/Fisher – APPROVED. Vote was unanimous.**

**P&Z AGENDA:**

**DISTRICT 1**

**III.B.1. (14PZ-00021) – COCOA EXPO SPORTS CENTER, LLC – (Scott Glaubitz) – requests the following:**  
**Tax Parcel 516** (.53 acres) 1.) A change of classification from TR-1 to BU-1, with a Small Scale Plan Amendment (14S.02) to change the Future Land Use from NC to CC; 2.) CUP for Alcoholic Beverages for On-Premises Consumption; 3.) CUP for Commercial Entertainment and Amusement Enterprises, with waivers to: a.) the required 300-foot minimum setback to an existing residential development or area designated by the County Comprehensive Land Use Plan for Residential Development; and b.) to the 75 ft. required perimeter setback for athletic fields and ancillary improvements; 4.) CUP for a light source to exceed 50 footcandles; and 5.) Acceptance of a modified BDP to include this property.

**Tax Parcel 502** (47.87 acres) 1.) CUP for a light source to exceed 50 footcandles; and 2.) Amendment to existing BDP (Binding Development Plan). (48.4 acres total) Located on the east side of Friday Rd., approx. 490 feet north of S.R. 520 (Tax Parcel 516: 420 Friday Rd., Cocoa; Tax Parcel 502: 500 Friday Rd., Cocoa)

*LPA Recommendation: Moia/McLellan – Approved. Vote was unanimous.*

*P&Z Recommendation: Moia/McLellan – Approved with the condition that Tax Parcels 515 and 524 have a Type A buffer. Vote was unanimous.*

**THIS ITEM HAS BEEN TABLED AT THE REQUEST OF STAFF TO THE 08/07/14 ZONING MEETING**

**III.B.2. (14PZ-00022) – COCOA EXPO SPORTS CENTER, LLC – (Scott Glaubitz) – requests the following:**  
**Tax Parcel 758** (2.36 acres) 1.) CUP for Alcoholic Beverages for On-Premises Consumption; 2.) CUP for Commercial Entertainment and Amusement Enterprises, with waivers to: a.) the required 300-foot minimum setback to an existing residential development or area designated by the County Comprehensive Land Use Plan for Residential Development; and b.) to the required 75 ft. perimeter setback for athletic fields, parking, and ancillary improvements; 3.) CUP for a light source to exceed 50 footcandles; and 4.) Acceptance of a modified BDP to include this property.

**Tax Parcel 762** (.86 acres) 1.) A change of classification from TR-1 to BU-1 and a Small Scale Plan Amendment (14S.03) to change the Future Land Use from NC to CC; 2.) CUP for Alcoholic Beverages for On-Premises Consumption; 3.) CUP for Commercial Entertainment and Amusement Enterprises, with waivers to: a.) the required 300-foot minimum setback to an existing residential development or area designated by the County Comprehensive Land Use Plan for Residential Development; and b.) to the required 75 ft. perimeter setback for athletic fields, parking, and ancillary improvements; 4.) CUP for a light source to exceed 50 footcandles; and 5.) Acceptance of a modified BDP to include this property.

**Remainder of Tax Parcel 762** (4.5 acres) 1.) CUP for Alcoholic Beverages for On-Premises Consumption; 2.) CUP for Commercial Entertainment and Amusement Enterprises, with waivers to: a.) the required 300-foot minimum setback to an existing residential development or area designated by the County Comprehensive Land Use Plan for Residential Development; and b.) to the required 75 ft. perimeter setback for athletic fields, parking, and ancillary improvements; 3.) CUP for a light source to exceed 50 footcandles; and 4.) Acceptance of a modified BDP to include this property.

**Tax Parcel 817** (.48 acres) 1.) A change of classification from AU to BU-1 and a Small Scale Plan Amendment (14S.03) to change the Future Land Use on that portion with an NC designation to CC; 2.) CUP for Alcoholic Beverages for On-Premises Consumption; 3.) CUP for Commercial Entertainment and Amusement Enterprises, with waivers to: a.) the required 300-foot minimum setback to an existing residential development or an area designated by the County Comprehensive Land Use Plan for Residential Development; and b.) to the required 75 ft. perimeter setback for athletic fields, parking, and ancillary improvements; 4.) CUP for a light source to exceed 50 footcandles; and 5.) Acceptance of a modified BDP to include this property.

**(III.B.2. Continued)**

**Remainder of Tax Parcel 817** (1.76 acres) 1.) CUP for Alcoholic Beverages for On-Premises Consumption; 2.) CUP for Commercial Entertainment and Amusement Enterprises, with waivers to: a.) the required 300-foot minimum setback to an existing residential development or area designated by the County Comprehensive Land Use Plan for Residential Development; and b.) to the required 75 ft. perimeter setback for athletic fields, parking, and ancillary improvements; 3.) CUP for a light source to exceed 50 footcandles; and 4.) Acceptance of a modified BDP to include this property.

**Tax Parcel 760** (5.45 acres) 1.) CUP for Alcoholic Beverages for On-Premises Consumption; 2.) CUP for Commercial Entertainment and Amusement Enterprises, with waivers to: a.) the required 300-foot minimum setback to an existing residential development or area designated by the County Comprehensive Land Use Plan for Residential Development; and b.) to the required 75 ft. perimeter setback for athletic fields, parking, and ancillary improvements; 3.) CUP for a light source to exceed 50 footcandles; and 4.) Amendment to an existing BDP. (15.5 acres total) Located on the northwest corner of S.R. 520 and Friday Rd., Cocoa. (Tax Parcel 758: 5120 Highway 520, Cocoa. Parcel 762: No assigned address. Parcel 817: No assigned address. Parcel 760: 335 Friday Rd., Cocoa)

*LPA Recommendation: Thodey/Moia – Approved. Vote was unanimous.*

*P&Z Recommendation: Thodey/Moia – Approved. Vote was unanimous.*

**THIS ITEM HAS BEEN TABLED AT THE REQUEST OF STAFF TO THE 08/07/14 ZONING MEETING**

**III.B.3. (14PZ-00033) – JOSEPH K. AND ANNETTE G. DITTMER** – request a change of classification from GU to AU(L) on 1.01 acres, located on the north side of Caraway Street, approx. 154 feet west of Cherokee Ave. (3222 Caraway St., Cocoa)

*P&Z Recommendation: Ott/Barber – Denied. Vote was unanimous.*

**THIS ITEM HAS BEEN AUTOMATICALLY TABLED BY THE APPLICANT TO THE 08/07/14 ZONING MEETING (Letter received 05/15/14)**

**III.B.4. (14PZ-00034) – MAJESTIC OAK ESTATES, LTD** – (Rodney Honeycutt) – requests a change of classification from TR-1 to TR-3, with a BDP limiting density to 185 units, (46.54 acres); and TR-1 and BU-1 to All BU-1 (5.04 acres), on 51.47 acres total, located on the north side of S.R. 46, approx. 0.20 mile west of Cambridge Dr. (No assigned address. In the Mims area.)

*P&Z Recommendation: McLellan/Ott – Approved. Vote was unanimous.*

**BCC ACTION: Fisher/Nelson – APPROVED with a BDP limiting density to 185 units. Vote was 3:1, with Infantini voting nay. BDP TO BE SCHEDULED AS A CONSENT ITEM ON A SUBSEQUENT BCC AGENDA, PER POLICY BCC-52. RESOLUTION NUMBER TO BE ASSIGNED UPON RECEIPT OF RECORDED BDP.**

## DISTRICT 2

**III.B.5. (14PZ-00030) – RIVER FLY-IN LLC – (Wasim Niazi) – requests an amendment to existing BDP in a PUD zoning classification on 13.03 acres, located on the south side of Cone Rd., approx. 0.25 mile east of Plumosa St. (No assigned address. In the Merritt Island)**

P&Z Recommendation: Barber/Moia – Approved. Vote was unanimous.

**BCC ACTION: Fisher/Nelson – APPROVED with BDP. BDP must be approved by TICO prior to being brought back to the Board of County Commissioners for approval. BDP TO BE SCHEDULED AS A CONSENT ITEM ON A SUBSEQUENT BCC AGENDA, PER POLICY BCC-52. RESOLUTION NUMBER TO BE ASSIGNED UPON RECEIPT OF RECORDED BDP.**

**III.B.6. (14PZ-00031) – CHARLES C. CHANDLER, SR., TRUSTEE – requests a Small Scale Plan Amendment (14S.04) to change the Future Land Use from NC to CC; and a change of classification from GU to BU-2 on 0.23 acre, located on the southeast corner of N. Banana River Dr. and Dover Ave. (2775 N. Banana River Dr., Merritt Island)**

*LPA Recommendation: Moia/Thodey – Approved. Vote was 8:2, with Ott and Barber voting nay.*

P&Z Recommendation: Moia/Thodey – Approved. Vote was 8:2, with Ott and Barber voting nay.

**BCC ACTION: Nelson/Fisher – APPROVED. Vote was unanimous. 14PZ-00031.**

## DISTRICT 4

**III.B.7. (14PZ-00027) – ROBERT A. SCHEPPERLE – requests a change of classification from GU to RP on 0.45 acre, located on the east side of U.S. Hwy 1, approx. .36 mile south of Pineda Cswy. (5525 N. Hwy 1, Melbourne)**

P&Z Recommendation: McLellan/Ott – Approved. Vote was unanimous.

**BCC ACTION: Infantini/Fisher – APPROVED. Vote was unanimous. 14PZ-00027.**

**III.B.8. (14PZ-00029) – EPT MELBOURNE, INC. – (Cecelia Bonifay) – requests a CUP for Alcoholic Beverages for On-Premises Consumption in conjunction with a movie theater, in a PUD zoning classification, on 2.66 acres, located on the south side of Town Center Ave., approx. .26 mile east of Lake Andrew Dr. (2241 Town Center Ave, Melbourne)**

P&Z Recommendation: Barber/Moia – Approved. Vote was unanimous.

**BCC ACTION: Nelson/Infantini – APPROVED. Vote was unanimous. 14PZ-00029.**

**III.B.9. (14PZ-00032) – CP VENTURE FIVE – AV LLC – (Michael Kastrinakis) – requests a CUP for Alcoholic Beverages for On-Premises Consumption in conjunction with a restaurant, in a PUD zoning classification, on 0.039 acre, located approx. 0.18 mile east of Lake Andrew Dr., and approx. 400 ft. north of Town Center Ave. (2270 Town Center Ave, Ste 113, Melbourne)**

P&Z Recommendation: McLellan/LaMarr – Approved. Vote was unanimous.

**BCC ACTION: Fisher/Infantini – APPROVED. Vote was unanimous. 14PZ-00032.**

**III.B.10. (14PZ-00043) – THE VIERA COMPANY** – (Hassan Kamal) – requests an amendment to Alternative Development Standards for Zero Lot Line Development, and waive 4 ft. height limitation for wing walls encroaching into the side setback area, in a PUD (Planned Unit Development) DRI (Development of Regional Impact) zoning classification, on 169.72 acres, located on the west side of Lake Andrew Dr., approx. .17 mile south of Judge Fran Jamieson Way. (No assigned address. In the Viera area)

P&Z Recommendation: McLellan/Cannon – Approved. Vote was unanimous.

**BCC ACTION: Nelson/Fisher – Approved. Vote was unanimous. 14PZ-00043.**

#### **DISTRICT 5**

**III.B.11. (14PZ-00042) – UNIVEST PARTNERS OF BREVARD, INC.** – (Stephen Miley) – requests a change of classification from BU-2 (Retail, Warehousing, and Wholesale Commercial) to AU (Agricultural Residential) on 2.75 acres, located on the west side of John Rodes Blvd., approx. .35 mile south of Ellis Rd. (No assigned address. In the Melbourne area)

P&Z Recommendation: Ott/Aydelotte – Approved. Vote was unanimous.

**BCC ACTION: Fisher/Nelson – APPROVED. Vote was unanimous. 14PZ-00042.**

**In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations or an interpreter to participate in the proceedings, please notify the Planning and Development Department no later than 48 hours prior to the meeting at (321) 633-2069.**

**Assisted listening system receivers are available for the hearing impaired and can be obtained from SCGTV Staff at the meeting. We respectfully request that ALL ELECTRONIC ITEMS and CELL PHONES REMAIN OFF during the meeting. Thank you.**

**This meeting will be broadcast live on Space Coast Government Television (SCGTV) on Bright House Networks Cable Channel 199, Comcast (North Brevard) Cable Channel 51, and Comcast (South Brevard) Cable Channel 13.**