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|------------------------|
| Meeting Date |
| October 5, 2017 |



| AGENDA | |
|----------|---------------|
| Section | Consent |
| Item No. | II A 2 |

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

| | |
|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| SUBJECT: | WAIVER REQUEST SUBDIVISION SIGN RE: PANTHER RIDGE <i>PR</i> WAIVER # 17WV00012 DEVELOPER: D.R. HORTON, INC. DISTRICT 1 FISCAL IMPACT: NONE |
| DEPT/OFFICE: | PLANNING & DEVELOPMENT DEPARTMENT/LAND DEVELOPMENT |

Requested Action:
 The applicant is requesting a waiver of Section 62-2889(b)(5) of the subdivision sign requirements to allow entrance features including a 10.5ft. high, 375 square foot subdivision sign, and three columns 17ft. in height.

Summary Explanation & Background:
 Section 62-2889(b)(5) limits subdivision signs to no higher than four feet in height, and no greater than 100 square feet overall. The developer is requesting a waiver to construct larger entrance features at the Panther Ridge subdivision in Sharpes. The proposed entrance features include a 10.5ft. tall, monument wall and sign of approximately 375 square feet, a 4.5ft. tall decorative wall of approximately 167 square feet, and three 17ft. high freestanding columns of approximately 112 square feet. There will also be an interior gate with a 6ft. wall and four 7.5ft. columns.

Panther Ridge is a new subdivision located in Sharpes on the west side of N. US Highway 1, across from Fairview Avenue, containing 224 units on 56.17 acres. The proposed subdivision entry way and sign will be on Puma Valley Way at the intersection with N. US Highway 1.

Staff has not granted approval of waiver request #17WV00012, and pursuant to Section 62-3207 of the Code, requests that it be evaluated by the Board of County Commissioners. Section 62-3207 outlines the criteria that the Board should consider (below). The applicant's response is shown in **bold** and staff observations are *italicized*:

Reference: 17SD00006, 17WV00012
 Contact: Rebecca Ragain, Assistant Director 321-633-2072 Ext. 5-2362

Clerk to the Board Instructions:

Exhibits Attached: Location map, Application, Letter and email from applicant, plans

| | | | | | |
|-----------------------------------------------------------------------|-----|--------------------------|----|--------------------------|-----------------------------|
| Contract /Agreement (If attached): Reviewed by County Attorney | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | PR <input type="checkbox"/> |
|-----------------------------------------------------------------------|-----|--------------------------|----|--------------------------|-----------------------------|

| | | |
|-------------------------|----------------------------------------------------|-------------------------------------------------------------------------------------------------|
| County Manager | Assistant County Manager John Denninghoff | Department Director / Extension Tad Calkins Planning & Development Department Ext. 5-2069 |
| Frank Abbate <i>FBA</i> | Interim Assistant County Manager Jim Liesenfelt | <i>[Signature]</i> |

Criteria 1: The particular physical condition, shape or topography of the specific property involved causes an undue hardship to the applicant if the strict letter of the code is carried out.

The main entrance of Panther Ridge is located on US Hwy 1. Panther Ridge has over 200 single family homes proposed, and the scale of the project would be best served by the size of entrance feature proposed. The county 4ft. height limit does not provide the height elevation needed for this type of entrance feature. There is over 1300ft. of frontage on US1.

Staff has reviewed the sight distance and the proposed location of the entrance features do not interfere with the sight zone from either the northbound or southbound directions. The proposed columns in the right-of-way are approved based on Puma Valley Way being a private road.

Criteria 2: The granting of the waiver will not be injurious to the other adjacent property.

The entrance feature is extremely attractive and will enhance appearance along US Hwy 1. It will not have any negative impact on any adjacent property owners since there are none within 500 feet to the north and 750 feet to the south.

Staff finds that the property to the north along N. US Highway 1 is zoned BU-1 and contains a mix of commercial uses and vacant lots. Immediately to the south is the Walter Butler Community Center, zoned RU 2-4. Additional properties to the south contain a mix of uses and are predominately zoned BU-1 and TU-1. The proposed subdivision is also located across from additional commercial uses in BU-1 zoning.

Criteria 3: The conditions upon which a request for waiver are based, are particular to the property for which the waiver is sought and are not generally applicable to other property and do not result from actions of the applicant.

The entrance feature will be 500 feet away from adjoining property to the north and 750 feet away from the property to the south. Panther Ridge, with over 200 homes and 1300ft. of frontage on US Hwy 1, needs a large entrance feature to support a community of this size.

Staff finds that other parcels in this area have less than 1300ft. of frontage on US Hwy 1, and are comprised of a mix of commercial uses and vacant lots. Most residential development nearby does not front directly on US Hwy 1. Another residential development is currently in review about a mile south of the Panther Ridge site. That property will have approximately 1270ft. of frontage on US Hwy 1.

Criteria 4: The waiver is consistent with the intent and purpose of the county zoning regulations, the county land use plan and the requirements of this article.

The proposed waiver to allow additional height on the entrance features is consistent with the intent of the county zoning.

Staff defers to the Board of County Commissioners.

Criteria 5 & 6: Delays attributed to state or federal permits & natural disasters.

N/A

Criteria not applicable to this application.

Criteria 7: County land development engineer and affected agencies concur that undue hardship was placed on the applicant.

Staff defers to the Board of County Commissioners.



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

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

October 6, 2017

M E M O R A N D U M

TO: Tad Calkins, Planning and Development Director Attn: Rebecca Ragain

RE: Item II.A.2., Waiver Request #17WV00012 of Subdivision Sign for Panther Ridge – D.R. Horton, Inc.

The Board of County Commissioners, in regular session on October 5, 2017, approved waiver request #17WV00012 by D.R. Horton, Inc., of Section 62-2889(b)(5) of the subdivision sign requirements to allow for entrance features including a 10.5 foot high, 375 square foot subdivision sign, and three columns 17 feet in height at Panther Ridge.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/kp

BREVARD COUNTY LAND DEVELOPMENT WAIVER APPLICATION

This form should be used for all waiver requests or appeals associated with the Code of Ordinances, Section 62 as it relates specifically to Unpaved Roads, Subdivisions, Minor Subdivisions, and Site Plans.

APPLICATION TYPE

- SUBDIVISION WAIVER
- UNPAVED ROAD WAIVER
- SITE PLAN WAIVER
- OTHER

Land Development Use Only

Request Date: 8/30/2017 Fees \$ 775.00 Board Date: _____
Original Project # 17SD00006 Waiver # 17WV00012
Coordinator Initials: TKM Reference Files: _____
County Manager/Designee approval _____

Tax Parcel Identification: Twp. 23 Rng. 36 Sec. 31 S/D _____ Blk/Par 12 Lot(s) _____ (List all parcels)

Tax Account # ('s): 2317662, _____, _____ (List all account numbers)

Project Name: PANTHER RIDGE Property Owner: Sharpes Executive Golf Course, Inc

Site Address: 4245 N Highway 1, Cocoa, Fl 32927

ALL CORRESPONDENCE TO BE PROVIDED TO APPLICANT AT THIS ADDRESS:

Name: Richard Kern Company: Honeycutt and Associates, Inc

Address: 3700 S. Washington Ave. E-Mail rick@honeycutt.cc

City: TITUSVILLE State FL Zip 32780

Phone 321 2676233 Fax _____ Cell _____

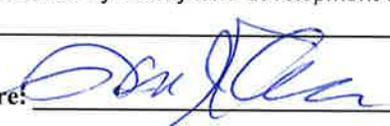
ENGINEER/CONTRACTOR (if different from applicant):

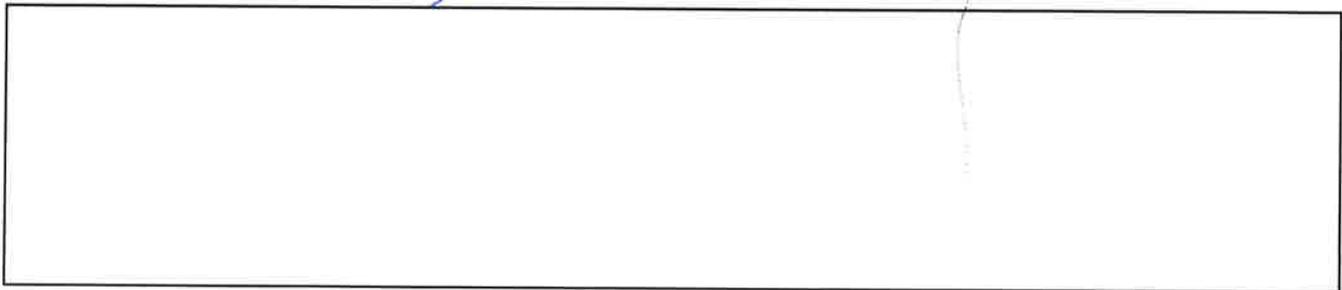
Company Name: Honeycutt and Associates, Inc Eng. or Proj. Mgr.: Richard Kern

Address: 3700 S. Washington Ave. Ph # (321) 267-6233 Fax (_____) _____

DESCRIPTION OF WAIVER REQUEST AND CODE SECTION:

A waiver is requested to allow entrance features, 10'5" high walls, 17' high columns and 10'5" high subdivision sign, a height in excess of the 4.0' maximum allowed by county land development code.

Owner/Applicant Signature:  Print Name: Richard Kern



If you wish to appeal any decision made by the county staff on the waiver, you may request the Board of County Commissioners to make a determination. Their decision approving or disapproving the waiver or interpretation is final.

Fees for Waivers are \$775.

APPLICATION FEES: A schedule of fees and charges for review is established and adopted by the Board of County Commissioners of Brevard County, Florida, and may, from time to time, be amended.

PLEASE MAKE CHECKS PAYABLE TO: THE BOARD OF COUNTY COMMISSIONERS

AUG 30 2017

LAND DEVELOPMENT APPLICATIONS – DOCUMENT SUBMITTAL REQUIREMENTS

| Application type | Application | Waiver Criteria below | Alternative Plan Design | | | | 8 1/2 x 11 vicinity map | | Fees |
|----------------------|-------------|-----------------------|-------------------------|--|---|---|-------------------------|---|------|
| Waiver - Site Plan | 1 | Y | - | | - | - | 1 | - | Y |
| Waiver - Subdivision | 1 | Y | - | | | | 1 | | Y |
| | | | | | | | | | |

WAIVER CRITERIA (SUBDIVISION, UNPAVED ROADS & SITE PLANS)

For a waiver to be considered and approved by staff, your request must comply with all of the following criteria. Please explain, in detail, how your request meets the following conditions:

- The particular physical conditions, shape or topography of the specific property involved causes an undue hardship to the applicant if the strict letter of the code is carried out.
The main entrance of Panther Ridge is located on US Hwy 1, Panther Ridge has over 200 single family homes proposed and the scale of the project would be best served by the size of entrance feature proposed. The county 4' height limit does not provide the height elevation needed for this type of entrance feature. There is over 1300 ft of frontage on US 1.
- The granting of the waiver will not be injurious to the other adjacent property.
The entrance feature is extremely attractive and will enhance the appearance along US Hwy 1. It will not have any negative impact on any adjacent property owners since there are none within 500 feet to the north and 750 too the south.
- The conditions, upon which a request for waiver are based, are particular to the property for which the waiver is sought and are not generally applicable to other property and do not result from actions of the applicant.
The entrance feature will be 500 feet away from the adjoining property to the north and 750 feet from the property to the south. Panther Ridge with over 200 homes and over 1300 lf of frontage on US Hwy 1, needs a large entrnace feature to support a community of this size.
- The waiver is consistent with the intent and purpose of the county zoning regulations, the county land use plan of the county and the requirements of this article.
The proposed waiver to allow additional height on the entrance features is consistent with the intent of the county zoning
- Delays attributed to state or federal permits.
Not applicable
- Natural disasters.
Not applicable
- County development engineer and affected agencies concur that an undue hardship was placed on the applicant. (To be filled out by County staff)



Honeycutt & Associates, Inc.

ENGINEERS • SURVEYORS • PLANNERS

3700 S. Washington Avenue, Titusville FL 32780

email : mail@honeycutt.cc

Phone : 321-267-6233

Fax : 321-269-7847

August 30, 2017

Ms. Tania Ramos Minor
Brevard County Land Development
2725 Judge Fran Jamieson Way
Viera, Fl 32940

RE; ENTRANCE WALL HEIGHT WAIVER REQUEST

Dear Tania:

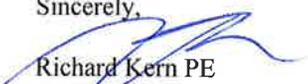
Attached is a request for a height waiver for the entrance feature for Panther Ridge.

Application
Drawings
\$775 check

County code limits the height of the walls and sign to 4'. Panther Ridge is proposing the following heights.

| | |
|-----------------------|-------|
| Columns | 17'0" |
| Sign wall | 10'5" |
| Interior gate walls | 6'0" |
| Interior gate columns | 7'6" |

Sincerely,

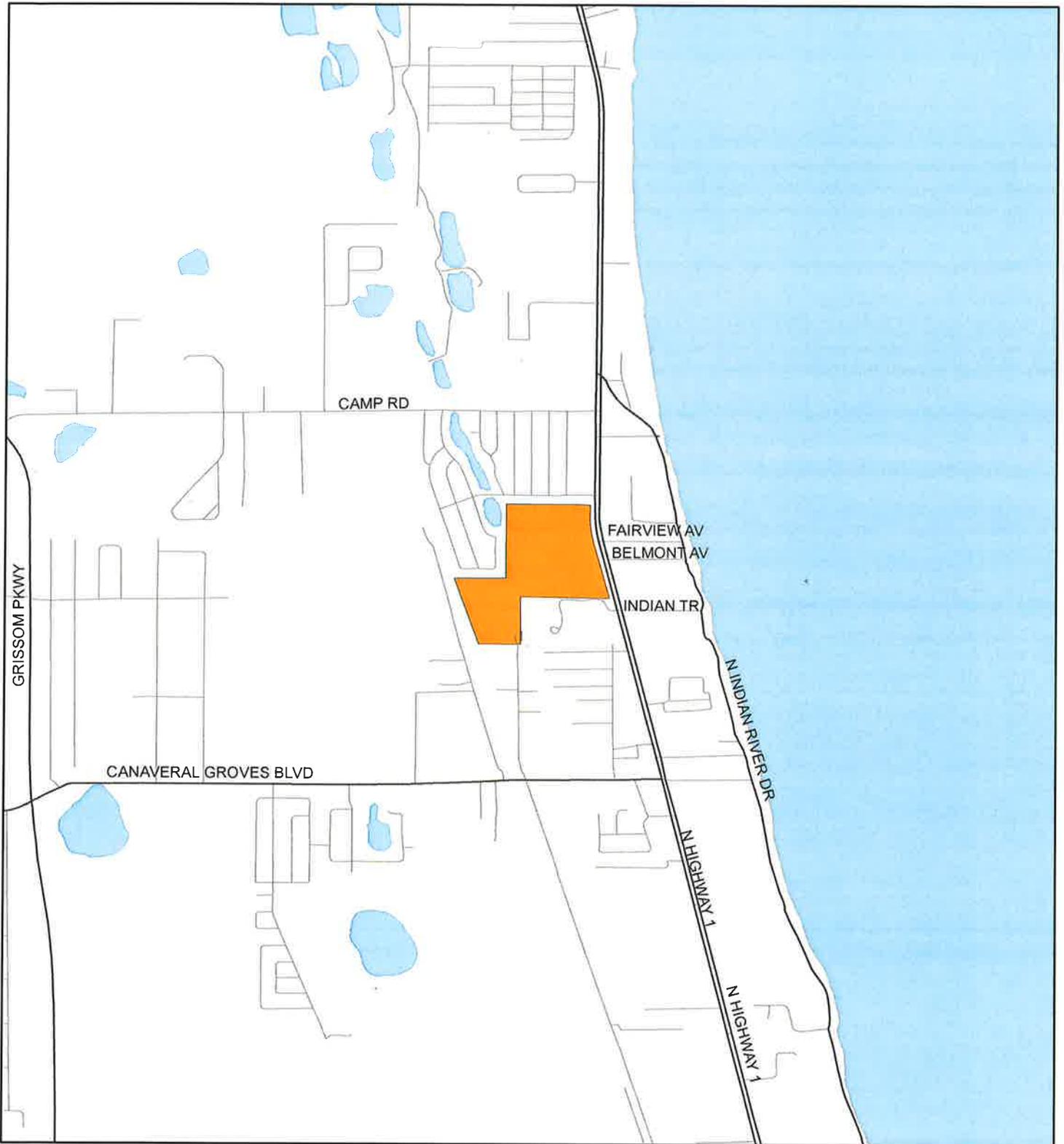

Richard Kern PE
HONEYCUTT AND ASSOCIATES, INC.

AUG 30 2017

LOCATION MAP

PANTHER RIDGE

17SD00006



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

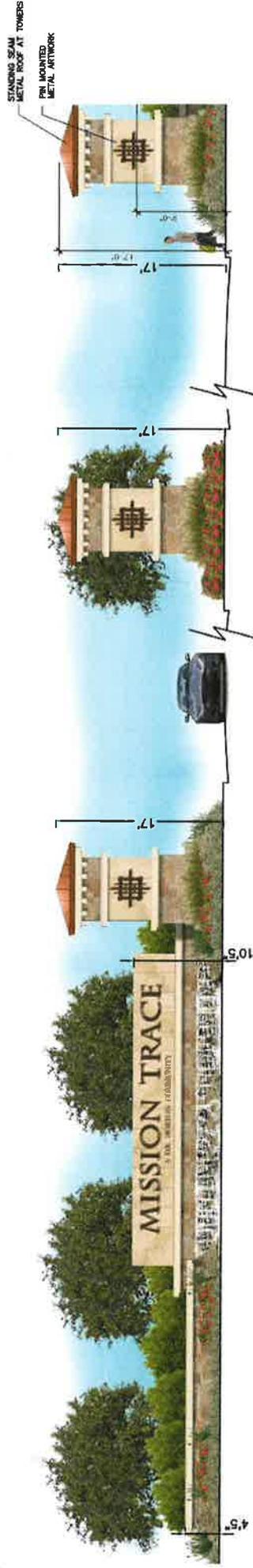
 Subject Property

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 the Brevard County Planning and Zoning Office - GIS Section Date: 9/7/2017



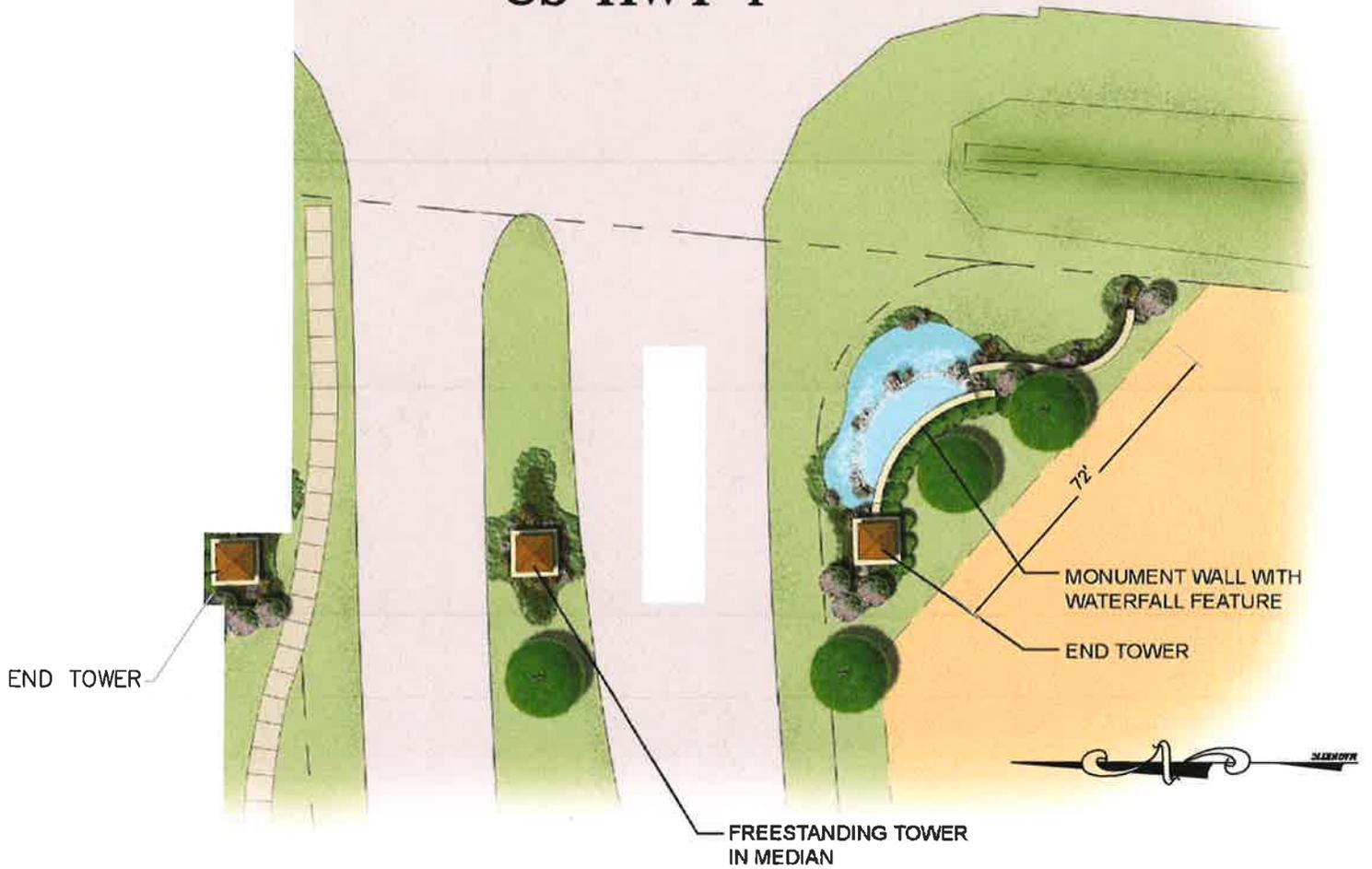
PANTHER RIDGE MEDIAN COLUMN



PROJECT NAME TO BE
PANTHER RIDGE

PANTHER RIDGE MAIN ENTRANCE ELEVATION

US HWY 1



ENTRANCE PLAN VIEW PANTHER RIDGE

NTS



PROJECT NAME TO BE
PANTHER RIDGE
ENTRANCE SIGN WALL ELEVATION

US HWY 1

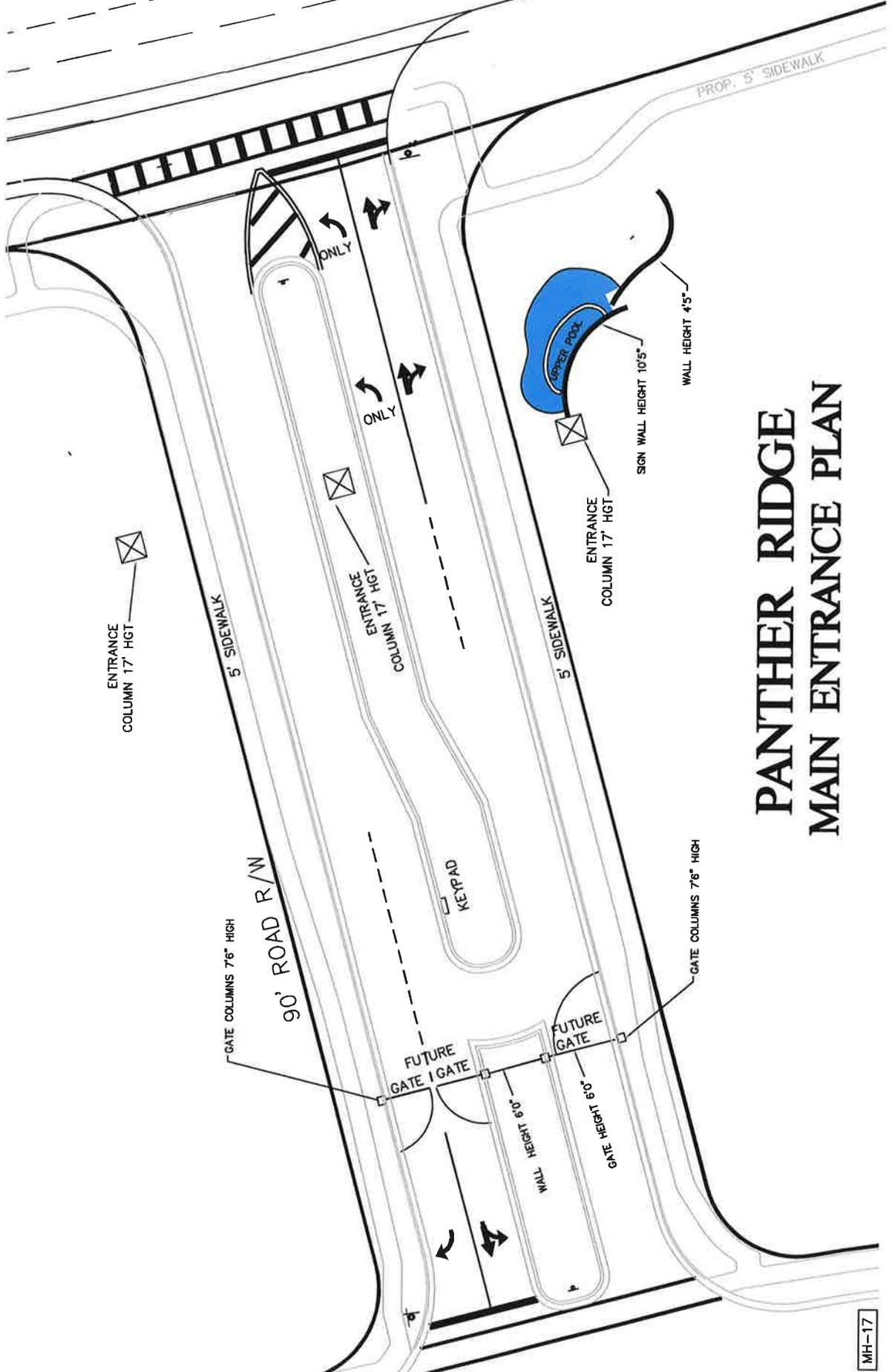
DASHED WHITE STRIPE

36" RCP

CONCRETE CURB

SOLU

PROP. 5' SIDEWALK



PANTHER RIDGE MAIN ENTRANCE PLAN

MH-17