



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.1.

10/3/2019

Subject:

Rocco J. Citeno requests a CUP for a Private Boat Dock Adjacent to a Single-Family Residence in an RU-1-13 zoning classification. (19PZ00046) (District 3)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

Pursuant to Section 62-1943.3, it is requested that the Board of County Commissioners conduct a public hearing to consider a CUP (Conditional Use Permit) for a Private Boat Dock Adjacent to a Single-Family Residence in an RU-1-13 (Single-Family Residential) zoning classification and grant a waiver of development standards.

Summary Explanation and Background:

The applicant is seeking approval of a CUP for a private residential boat dock at 425 Ross Avenue, Melbourne Beach, in the RU-1-13 zoning classification, for the purpose of legitimizing an existing boat dock. Since the dock was installed prior to November 17, 2008, and does not meet the setback, the applicant is requesting a waiver with the CUP. The applicant also owns Lot 5, Block B, located at 255 Spoonbill Lane, approximately 1,510 feet northeast of the waterfront lot. Both lots are within the same platted subdivision and both parcels retain the RU-1-13 zoning classification.

The existing dock has been in the present configuration as depicted on the survey provide by the applicant prior to November 17, 2008. Other than the setback matter, the dock appears to satisfy conditions 1 through 5 of the CUP. There are 13 similar parcels on the south side of Ross Avenue, and all but two have existing docks.

The Board may wish to consider that the CUP) be, 1.) approved; 2.) approved subject to the conditions of Section 62-1943.3; or 3.) denied.

On September 9, 2019, the Planning and Zoning Board heard the request and unanimously recommended approval.

Clerk to the Board Instructions:

Once resolutions are received, please execute and return to Planning and Development.

ADMINISTRATIVE POLICIES OF THE FUTURE LAND USE ELEMENT

Administrative Policies in the Future Land Use Element establish the expertise of staff with regard to zoning land use issues and set forth criteria when considering a rezoning action or request for Conditional Use Permit, as follows:

Administrative Policy 1

The Brevard County zoning official, planners and the director of the Planning and Development staff, however designated, are recognized as expert witnesses for the purposes of Comprehensive Plan amendments as well as zoning, conditional use, special exception, and variance applications.

Administrative Policy 2

Upon Board request, members of the Brevard County Planning and Development staff shall be required to present written analysis and a recommendation, which shall constitute an expert opinion, on all applications for development approval that come before the Board of County Commissioners for quasi-judicial review and action. The Board may table an item if additional time is required to obtain the analysis requested or to hire an expert witness if the Board deems such action appropriate. Staff input may include the following:

Criteria:

- A. Staff shall analyze an application for consistency or compliance with comprehensive plan policies, zoning approval criteria and other applicable written standards.
- B. Staff shall conduct site visits of property which are the subject of analysis and recommendation. As part of the site visit, the staff shall take a videotape or photographs where helpful to the analysis and conduct an inventory of surrounding existing uses. Aerial photographs shall also be used where they would aid in an understanding of the issues of the case.
- C. In cases where staff analysis is required, both the applicant and the staff shall present proposed findings of fact for consideration by the Board.
- D. For re-zoning applications where a specific use has not been proposed, the worst case adverse impacts of potential uses available under the applicable land use classification shall be evaluated by the staff.

Administrative Policy 3

Compatibility with existing or proposed land uses shall be a factor in determining where a rezoning or any application involving a specific proposed use is being considered. Compatibility shall be evaluated by considering the following factors, at a minimum:

Criteria:

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foreseeably be affected by the proposed use.
- B. Whether the proposed use(s) would cause a material reduction (five percent or more) in the value of existing abutting lands or approved development.
- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through analysis of:

1. historical land use patterns;
 2. actual development over the immediately preceding three years; and
 3. development approved within the past three years but not yet constructed.
- D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

Administrative Policy 4

Character of a neighborhood or area shall be a factor for consideration whenever a rezoning or any application involving a specific proposed use is reviewed. The character of the area must not be materially or adversely affected by the proposed rezoning or land use application. In evaluating the character of an area, the following factors shall be considered:

Criteria:

- A. The proposed use must not materially and adversely impact an established residential neighborhood by introducing types of intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, et cetera), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.
- B. In determining whether an established residential neighborhood exists, the following factors must be present:
 1. The area must have clearly established boundaries, such as roads, open spaces, rivers, lakes, lagoons, or similar features.
 2. Sporadic or occasional neighborhood commercial uses shall not preclude the existence of an existing residential neighborhood, particularly if the commercial use is non-conforming or pre-dates the surrounding residential use.
 3. An area shall be presumed not to be primarily residential but shall be deemed transitional where multiple commercial, industrial or other non-residential uses have been applied for and approved during the previous five (5) years.

Administrative Policy 5

In addition to the factors specified in Administrative Policies 2, 3, and 4, in reviewing a rezoning, conditional use permit or other application for development approval, the impact of the proposed use or uses on transportation facilities either serving the site or impacted by the use(s) shall be considered. In evaluating whether substantial and adverse transportation impacts are likely to result if an application is approved, the staff shall consider the following criteria:

Criteria:

- A. Whether adopted levels of services will be compromised;
- B. Whether the physical quality of the existing road system that will serve the proposed use(s) is sufficient to support the use(s) without significant deterioration;

- C. Whether the surrounding existing road system is of sufficient width and construction quality to serve the proposed use(s) without the need for substantial public improvements;
- D. Whether the surrounding existing road system is of such width and construction quality that the proposed use(s) would realistically pose a potential for material danger to public safety in the surrounding area;
- E. Whether the proposed use(s) would be likely to result in such a material and adverse change in traffic capacity of a road or roads in the surrounding area such that either design capacities would be significantly exceeded or a de facto change in functional classification would result;
- F. Whether the proposed use(s) would cause such material and adverse changes in the types of traffic that would be generated on the surrounding road system, that physical deterioration of the surrounding road system would be likely;
- G. Whether projected traffic impacts of the proposed use(s) would materially and adversely impact the safety or welfare of residents in existing residential neighborhoods.

Administrative Policy 6

The use(s) proposed under the rezoning, conditional use or other application for development approval must be consistent with, (a), all written land development policies set forth in these administrative policies; and (b), the future land use element, coastal management element, conservation element, potable water element, sanitary sewer element, solid waste management element, capital improvements element, recreation and open space element, surface water element, and transportation elements of the comprehensive plan.

Administrative Policy 7

Proposed use(s) shall not cause or substantially aggravate any, (a), substantial drainage problem on surrounding properties; or (b), significant, adverse and unmitigatable impact on significant natural wetlands, water bodies or habitat for listed species.

Administrative Policy 8

These policies, the staff analysis based upon these policies, and the applicant's written analysis, if any, shall be incorporated into the record of every quasi-judicial review application for development approval presented to the Board including rezoning, conditional use permits, and vested rights determinations.

Section 62-1151(c) of the Code of Ordinances of Brevard County directs, "The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.

- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.
- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.

The minutes of the planning and zoning board shall specify the reasons for the recommendation of approval or denial of each application.”

CONDITIONAL USE PERMITS (CUPs)

In addition to the specific requirements for each Conditional Use Permit (CUP), Section 62-1901 provides that the following approval procedure and general standards of review are to be applied to all CUP requests, as applicable.

- (b) Approval procedure. An application for a specific conditional use within the applicable zoning classification shall be submitted and considered in the same manner and according to the same procedure as an amendment to the official zoning map as specified in Section 62-1151. The approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved. If the applicant meets its initial burden, then the Board has the burden to show, by substantial and competent evidence, that the applicant has failed to meet such standards and the request is adverse to the public interest. As part of the approval of the conditional use permit, the Board may prescribe appropriate and reasonable conditions and safeguards to reduce the impact of the proposed use on adjacent and nearby properties or the neighborhood. A nearby property, for the purpose of this section, is defined as any property which, because of the character of the proposed use, lies within the area which may be substantially and adversely impacted by such use. In stating grounds in support of an application for a conditional use permit, it is necessary to show how the request fulfills both the general and specific standards for review. The applicant must show the effect the granting of the conditional use permit will have on adjacent and nearby properties, including, but not limited to traffic and pedestrian flow and safety, curb-cuts, off-street loading and parking, off-street pickup of passengers, odors, glare and noise, particulates, smoke, fumes, and other emissions, refuse and service areas, drainage, screening and buffering for protection of adjacent and nearby properties, and open space and economic impact on nearby properties. The applicant, at his discretion, may choose to present expert testimony where necessary to show the effect of granting the conditional use permit.

- (c) General Standards of Review.

- (1) The planning and zoning board and the board of county commissioners shall base the denial or approval of each application for a conditional use based upon

a consideration of the factors specified in Section 62-1151(c) plus a determination whether an application meets the intent of this section.

- a. The proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties due to: (1), the number of persons anticipated to be using, residing or working under the conditional use; (2), noise, odor, particulates, smoke, fumes and other emissions, or other nuisance activities generated by the conditional use; or (3), the increase of traffic within the vicinity caused by the proposed conditional use.
 - b. The proposed use will be compatible with the character of adjacent and nearby properties with regard to use, function, operation, hours of operation, type and amount of traffic generated, building size and setback, and parking availability.
 - c. The proposed use will not cause a substantial diminution in value of abutting residential property. A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15% reduction in value as a result of the proposed conditional use. A reduction of 10% of the value of abutting property shall create a rebuttable presumption that a substantial diminution has occurred. The Board of County Commissioners carries the burden to show, as evidenced by either testimony from or an appraisal conducted by an M A I certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.
- (2) The following specific standards shall be considered, when applicable, in making a determination that the general standards specified in subsection (1) of this section are satisfied:
- a. Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire and catastrophe, shall be: (1), adequate to serve the proposed use without burdening adjacent and nearby uses, and (2), built to applicable county standards, if any. Burdening adjacent and nearby uses means increasing existing traffic on the closest collector or arterial road by more than 20%, or 10% if the new traffic is primarily comprised of heavy vehicles, except where the affected road is at Level of Service A or B. New traffic generated by the proposed use shall not cause the adopted level of service for transportation on applicable roadways, as determined by applicable Brevard County standards, to be exceeded. Where the design of a public road to be used by the proposed use is physically inadequate to handle the numbers, types or weights of vehicles expected to be generated by the proposed use without damage to the road, the conditional use permit cannot be approved without a commitment to improve the road to a standard adequate to handle the proposed traffic, or to maintain the road through a maintenance bond or other means as required by the Board of County Commissioners.
 - b. The noise, glare, odor, particulates, smoke, fumes or other emissions from the conditional use shall not substantially interfere with the use or enjoyment of the adjacent and nearby property.
 - c. Noise levels for a conditional use are governed by Section 62-2271.

- d. The proposed conditional use shall not cause the adopted level of service for solid waste disposal applicable to the property or area covered by such level of service, to be exceeded.
- e. The proposed conditional use shall not cause the adopted level of service for potable water or wastewater applicable to the property or the area covered by such level of service, to be exceeded by the proposed use.
- f. The proposed conditional use must have existing or proposed screening or buffering, with reference to type, dimensions and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.
- g. Proposed signs and exterior lighting shall not cause unreasonable glare or hazard to traffic safety, or interference with the use or enjoyment of adjacent and nearby properties.
- h. Hours of operation of the proposed use shall be consistent with the use and enjoyment of the properties in the surrounding residential community, if any. For commercial and industrial uses adjacent to or near residential uses, the hours of operation shall not adversely affect the use and enjoyment of the residential character of the area.
- i. The height of the proposed use shall be compatible with the character of the area, and the maximum height of any habitable structure shall be not more than 35 feet higher than the highest residence within 1,000 feet of the property line.
- j. Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties. For existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

FACTORS TO CONSIDER FOR A REZONING REQUEST

Section 62-1151(c) sets forth factors to consider in connection with a rezoning request, as follows:

"The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.

- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.”

These staff comments contain references to zoning classifications found in the Brevard County Zoning Regulations, Chapter 62, Article VI, Code of Ordinances of Brevard County. These references include brief summaries of some of the characteristics of that zoning classification. Reference to each zoning classification shall be deemed to incorporate the full text of the section or sections defining and regulating that classification into the Zoning file and Public Record for that item.

These staff comments contain references to sections of the Code of Ordinances of Brevard County. Reference to each code section shall be deemed to incorporate this section into the Zoning file and Public Record for that item.

These staff comments contain references to Policies of the Brevard County Comprehensive Plan. Reference to each Policy shall be deemed to incorporate the entire Policy into the Zoning file and Public Record for that item.

These staff comments refer to previous zoning actions which are part of the Public Records of Brevard County, Florida. These records will be referred to by reference to the file number. Reference to zoning files are intended to make the entire contents of the cited file a part of the Zoning file and Public Record for that item.

DEFINITIONS OF CONCURRENCY TERMS

Maximum Acceptable Volume (MAV): Maximum acceptable daily volume that a roadway can carry at the adopted Level of Service (LOS).

Current Volume: Building permit related trips added to the latest TPO (Transportation Planning Organization) traffic counts.

Volume with Development (VOL W/DEV): Equals Current Volume plus trip generation projected for the proposed development.

Volume/Maximum Acceptable Volume (VOL/MAV): Equals the ratio of current traffic volume to the maximum acceptable roadway volume.

Volume/Maximum Acceptable Volume with Development (VOL/MAV W/DEV): Ratio of volume with development to the Maximum Acceptable Volume.

Acceptable Level of Service (CURRENT LOS): The Level of Service at which a roadway is currently operating.

Level of Service with Development (LOS W/DEV): The Level of Service that a proposed development may generate on a roadway.



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

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STAFF COMMENTS

19PZ00046

Rocco Citeno

CUP (Conditional Use Permit) for a Private Boat Dock Adjacent to a Single-Family Residence in RU-1-13 (Single-Family Residential)

Tax Account Number: 2953095 (dock) / 2953195 (single-family residence)
 Parcel I.D.: 29-38-03-HW-*-2.09 (dock) / 29-38-03-50-B-5 (single-family residence)
 Location: 425 Ross Avenue, Melbourne Beach (dock) / 255 Spoonbill Lane, Melbourne Beach (single-family residence) (District 3)
 Acreage: 0.04 acres (dock)

Planning and Zoning Board: 09/09/19
 Board of County Commissioners: 10/03/19

Consistency with Land Use Regulations

- Current zoning can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal would maintain acceptable Levels of Service (LOS) (XIII 1.6.C)

ATTRIBUTE NAME	CURRENT	PROPOSED
Zoning	RU-1-13	RU-1-13 with CUP
Potential*	1 Single-Family	Private Boat Dock
Can be Considered under the Future Land Use Map	No** Residential 2	Yes** Residential 2

* Zoning potential for concurrency analysis purposes only, subject to applicable land development regulations. ** The RU-1-13 zoning classification is not consistent with the Future Land Use designation of Residential 2; the lot is considered nonconforming to the Comprehensive Plan, therefore the CUP request can be heard.

Background and Purpose of Request

The applicant is seeking approval of a Conditional Use Permit (CUP) for a private residential boat dock in the RU-1-13 Zoning classification for the purpose of legitimizing an existing boat dock on the parcel. The subject parcel was subdivided into this configuration on June 1, 1989 and was previously owned by the lot owners directly across Ross Avenue but was never combined with that lot as one parcel. A CUP for the existing dock was never applied for. The existing dock has been in the present configuration as depicted on the survey provide by the applicant prior to November 17, 2008 and does not meet the setback requirements of Section 62-2118(d)(2) Residential Boat Docks and Piers. A waiver to the CUP application per Section 62-1943.3(6) is requested by the applicant for the setback requirements in section 62-2118(d)(2). The subject parcel was purchased by the applicant on January 18, 2019. The applicant also owns Lot 5, Block B, located in the same Crystal Lakes

subdivision approximately 1,510 feet northeast of the waterfront lot and both parcels retain the RU-1-13 Zoning classification. Of the 13 similar parcels on the south side of Ross Avenue, all but two have existing docks.

Land Use Compatibility

The subject property retains the Residential 2 (RES 2) Future Land Use (FLU) designation. The RU-1-13 zoning classification is not consistent with the Future Land Use designation Residential 2 the lot is considered nonconforming to the Comprehensive Plan.

FLUE Policy 1.8 addresses the Residential 2 land use designation and permits lower density residential development with a maximum density of up to two units per acre, except as otherwise may be provided for within this element. As the CUP request concerns dock usage as accessory to residential development, this request is consistent with the Future Land Use Element.

The Board should evaluate the compatibility of this application within the context of the Board's Administrative Policies 1 - 8 of the Future Land Use Element, as outlined in the Administrative Policies.

Environmental Constraints

No substantial natural resources issues were identified. Please refer to comments provided by the Natural Resources Management Department.

Preliminary Concurrency Analysis

The subject property is closest to the concurrency management segment of Highway A1A, between Heron Drive and Mar-Len Drive, which has a Maximum Acceptable Volume (MAV) of 24,200 trips per day, a Level of Service (LOS) of D, and currently operates at 35.70% of capacity daily. The maximum development potential from the proposed CUP does not increase the proposed trip generation on the corridor and will not create a deficiency in LOS which operates at 35.70% of capacity daily.

Applicable Land Use Policies

The applicant is requesting a Conditional Use Permit for a private boat dock accessory to an adjacent single-family residential lot. The existing dock has been in the present configuration as depicted on the survey provide by the applicant prior to November 17, 2008 and does not meet the setback requirements of Section 62-2118(d)(2) Residential Boat Docks and Piers. A waiver to the CUP application per Section 62-1943.3(6) is requested by the applicant for the setback requirements in section 62-2118(d)(2). The applicant also owns Lot 5, Block B, located in the same Crystal Lakes subdivision approximately 1,510 feet northeast of the waterfront lot. Both lot/parcel locations have the same zoning classification, RU-1-13. The abutting parcels, north, south, east and west for both parcels are zoned RU-1-13. RU-1-13 permits single-family residences on minimum 7,500 square foot lots, with minimum widths and depths of 75 feet. The minimum house size is 1,300 square feet. The last similar action occurred on May 24, 2018 under **18PZ00016**, for a lot approximately 300 feet east of the subject parcel on the south side of Ross Ave.

This request should be evaluated in the context of Section **62-1943.3**, governing private boat docks accessory to adjacent single-family residential lots, as follows:

A private boat dock, for the purposes of this section, is a boat dock that is used in connection with a waterfront lot or parcel which may be undersized for the residential zoning classification in which it is located, and is therefore associated with and considered part of an adjacent residential lot. The term "adjacent", for the purposes of this section, means any lot within the same neighborhood as described below in paragraph (1).

A conditional use for a private boat dock on a waterfront lot or parcel may be considered as an accessory use to an adjacent developed or undeveloped buildable residential lot in any residential zoning classification under the following conditions. Owners of docks established prior to November 17, 2008, as evidenced by a certified survey or other irrefutable evidence, may request a waiver of any of the below conditions as part of the conditional use permit review process.

The applicant purchased this lot on January 18, 2019. Currently, there is an existing dock. The subject parcel was subdivided into this configuration on June 1, 1989 and was previously owned by the lot owners directly across Ross Avenue but was never combined with this lot as one parcel. A CUP for the existing dock was never applied for. The applicant is requesting a waiver to number (6) of this section.

- (1) The lot or parcel upon which the dock is to be constructed must be owned and used by the owner of a residential lot or parcel (or residential tenant of said lot or parcel) located within either the same platted subdivision or within 1,000 feet of the dock parcel. The owner of the dock or parcel and the residential lot shall maintain fee simple ownership to both properties at all times. **The applicant's residential lot is in the same subdivision as the dock lot.**
- (2) The lot or parcel shall have at least 30 feet of water frontage, except where located on the Indian or Banana Rivers, where it shall have river frontage equal to or exceeding the minimum lot width requirement of the parcel's zoning classification.
- (3) The boat dock may contain slips for no more than two boats and shall not be used for commercial purposes.
- (4) No other accessory structures are permitted on the dock lot or parcel.
- (5) The dock lot or parcel shall not be used to store a boat trailer, nor shall it be used to launch a boat.
- (6) The dock shall meet all applicable development standards described in Section 62-2118.

The existing parcel appears to meet conditions (1) to (5) above. The existing dock has been in the present configuration as depicted on the survey provide by the applicant prior to November 17, 2008 and does not meet the setback requirements of Section 62-2118(d)(2) Residential Boat Docks and Piers. A waiver to the CUP application per Section 62-1943.3(6) is requested by the applicant for the setback requirements in section 62-2118(d)(2).

The Board should consider the compatibility of the proposed CUP pursuant to Section 62-1151(c) and to Section 62-1901. Section 62-1151(c) directs the Board to consider the character of the land use of the property and its surroundings; changes in the conditions of the land use being considered; impact upon infrastructure; compatibility with land use plans for the area; and appropriateness of the CUP

based upon consideration of applicable regulations relating to zoning and land use within the context of public health, safety and welfare. The applicant has submitted documentation in order to demonstrate consistency with the standards set forth in Section 62-1901. The applicant's responses, and staff observations are indicated below where applicable.

Section 62-1901(c)(1)(a) The proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties due to: (1) the number of persons anticipated to be using, residing or working under the conditional use; (2) noise, odor, particulates, smoke, fumes and other emissions, or other nuisance activities generated by the conditional use; or (3) the increase of traffic within the vicinity caused by the proposed conditional use.

Applicant Response: No substantial or adverse impact. Only to be used by owner to dock a boat.

Section 62-1901(c)(1)(c) The proposed use will not cause a substantial diminution in value of abutting residential property.

Note: A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15% reduction in value as a result of the proposed conditional use. A reduction of 10% of the value of abutting property shall create a rebuttable presumption that a substantial diminution has occurred.

Applicant Response: No diminution of abutting property and in compliance with building code.

Specific Standards

Section 62-1901(c)(2)(a) Ingress and egress to the property and proposed structures (including vehicular and pedestrian safety and convenience, traffic flow and control, and emergency response access) shall be: (1) adequate to serve the proposed use without burdening adjacent and nearby uses, and (2) built to applicable county standards, if any.

Note: Burdening adjacent and nearby uses is defined as increasing existing traffic on the closest collector or arterial road by more than 20%, or 10% if the new traffic is primarily comprised of heavy vehicles, except where the affected road is at Level of Service A or B. New traffic generated by the proposed use shall not cause the adopted level of service for transportation on applicable roadways to be exceeded. Where the design of a public road to be used by the proposed use is physically inadequate to handle the numbers, types or weights of vehicles expected to be generated by the proposed use without damage to the road, the conditional use permit cannot be approved without a commitment to improve the road to a standard adequate to handle the proposed traffic, or to maintain

the road through a maintenance bond or other means as required by the Board of County Commissioners.

Applicant Response: The ingress and egress is adequate without burdening and applicable to County standards parking only on owners lot not street.

Section 62-1901(c)(2)(b) The noise, glare, odor, particulates, smoke, fumes or other emissions from the conditional use shall not substantially interfere with the use or enjoyment of the adjacent and nearby property.

Applicant Response: No noise, glare, odor, particulates, smoke, fumes, or other emissions that would interfere with the enjoyment of the adjacent properties.

Section 62-1901(c)(2)(c) Noise levels for a conditional use shall comply with Section 62-2271 of the Code, which includes the following:

Applicant Response: Complete compliance with Section 62-1901 and 62-2271.

Section 62-1901(c)(2)(d) The proposed conditional use shall not cause the adopted level of service for solid waste disposal for the property or area covered by such level of service, to be exceeded.

Applicant Response: No solid waste or other waste generated.

Section 62-1901(c)(2)(e) The proposed conditional use shall not cause the adopted level of service for potable water or wastewater for the property or the area covered by such level of service, to be exceeded by the proposed use.

Applicant Response: No exceeding of potable or wastewater for adopted level of service. None required.

Section 62-1901(c)(2)(f) The proposed conditional use must have existing or proposed screening or buffering, in terms of type, dimensions and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.

Applicant Response: Existing screening. The property is the same type of property as neighbors.

Section 62-1901(c)(2)(g) Proposed signs and exterior lighting shall not cause unreasonable glare or hazard to traffic safety, or interference with the use or enjoyment of adjacent and nearby properties.

Applicant Response: No exterior lighting present that would cause unreasonable glare.

Section 62-1901(c)(2)(h) Hours of operation of the proposed use shall be consistent with the use and enjoyment of the properties in the surrounding residential community, if any. For commercial and

industrial uses adjacent to or near residential uses, the hours of operation shall not adversely affect the use and enjoyment of the residential character of the area.

Applicant Response: Operation of use is consistent with the enjoyment of surrounding residential community hours same as neighboring properties.

Section 62-1901(c)(2)(i) The height of the proposed use shall be compatible with the character of the area, and the maximum height of any habitable structure shall be not more than 35 feet higher than the highest residence within 1000 feet of the property line.

Note: A survey of building heights within 1,000 feet of the property lines should be furnished for applications requesting a CUP for additional building height.

Applicant Response: Boat dock height is compatible with the character of the area.

Section 62-1901(c)(2)(j) Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties.

Note: For existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

Applicant Response: No off-street parking anticipated any parking to be on property.

For Board Consideration

The applicant is seeking approval of a Conditional Use Permit (CUP) for a private residential boat dock in the RU-1-13 Zoning classification for the purpose of legitimizing an existing boat dock on the parcel. The applicant also owns Lot 5, Block B, located in the same Crystal Lakes subdivision approximately 1,510 feet northeast of the waterfront lot and both parcels retain the RU-1-13 Zoning classification.

The existing parcel appears to meet the CUP conditions (1) to (5). The existing dock has been in the present configuration as depicted on the survey provide by the applicant prior to November 17, 2008 and does not meet the setback requirements of Section 62-2118(d)(2) Residential Boat Docks and Piers. A waiver to the CUP application per Section 62-1943.3(6) is requested by the applicant for the setback requirements in section 62-2118(d)(2). Of the 13 similar parcels on the south side of Ross Avenue, all but two have existing docks.

The Board may wish to consider that the CUP) be, 1.) approved; 2.) approved subject to the conditions of Section 62-1943.3; or 3.) denied.

**NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary**

Item # 19PZ00092

Applicant: Rocco Citeno

CUP Request: Applicant wants a private dock accessory to adjacent single-family lot; Section 62-1943.3.

P&Z Hearing Date: 09/09/19; **BCC Hearing Date:** 10/03/19

Tax ID No: 2953095

- 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:

No substantial natural resource land use issues were identified. Although the parcel has mapped natural resources present as described below, only the Surface Water Protection section below has regulatory relevance for the construction of a private dock over the water. If the owner/applicant has any questions regarding any potential limitations, s/he is encouraged to contact NRM at 321-633-2016 prior to any activities, plan, or permit submittal. NRM reserves the right to assess consistency with environmental ordinances at all applicable future stages of development.

Summary of Mapped Natural Resources Present on the Subject Property:

- Surface Water Protection
- Hydric Soils
- Aquifer Recharge Soils
- Floodplain
- Coastal High Hazard Area
- Indian River Lagoon Septic Overlay

Land Use Comments:

Surface Water Protection

The subject property is located on the Indian River Lagoon system, designated as Class III surface water in this location. Per Chapter 62, Article X, Division 3, Surface Water Protection ordinance, a 25-foot surface water protection buffer (Buffer) is required. The removal of native vegetation located within the Buffer shall be avoided. Temporary impacts to native vegetation during construction activities will require in-kind restoration. The Florida Department of Environmental Protection (FDEP) regulates mangrove trimming and can be reached at (407) 897-4100.

Hydric Soils

The subject parcel contains mapped Canaveral Anclote complex, gently undulating soil as shown on the USDA Soil Conservation Service Soils Survey map; an indicator that hydric soils and wetlands may be present on the property.

Aquifer Recharge Soils

Canaveral Anclote complex, gently undulating soil may also function as an aquifer recharge soil. The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance.

Floodplain

The property is mapped as being within the estuarine floodplain as identified by FEMA and as shown on the FEMA Flood Zones Map. The portion of the property located within the floodplain is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance.

Coastal High Hazard Area

The property is located within in the Coastal High Hazard Area (CHHA) and is subject to The Coastal Management Element of the Comprehensive Plan, Objective 7.0.

Indian River Lagoon Septic Overlay

The site is mapped within the Indian River Lagoon Septic Overlay per Chapter 46, Article II, Division IV - Nitrogen Reduction Overlay.

Protected Species

Information available to NRM indicates that federally and/or state protected species may be present on the property. Prior to any plan, permit submittal, or development activity, including land clearing, 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, as applicable.

Summary of Mapped Natural Resources Present on the Subject Property:

- NWI Wetlands
- SJRWMD Wetlands – Mixed Wetland Hardwoods
- Hydric Soils
- Aquifer Recharge soils
- Indian River Lagoon Septic Overlay

Land Use Comments:

Wetlands

The subject parcel contains mapped areas of NWI and SJRWMD wetlands, and hydric soils (Anclote sand – frequently ponded 0 to 1% slopes) as shown on the NWI Wetlands, SJRWMD Florida Land Use & Cover Codes, and USDA Soil Conservation Service Soils Survey maps, respectively; indicators that wetlands may be present on the property. Per Section 62-3694(c)(2), 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 would render a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. The preceding limitation of one dwelling unit per five (5) acres within wetlands may be applied as a maximum percentage limiting wetland impacts as described in Sec. 65-3694(c)(1)a above. Application of the one-unit-per-five-acres limitation shall limit impacts to wetlands for single family residential development on a cumulative basis, to not more than 1.8% of the total property as defined in Sec. 65-694(c)(6). Any permitted wetland impacts must meet the requirements of Sections 62-3694(e) and 62-3696. The applicant is encouraged to contact NRM at (321) 633-2016 prior to any plan or permit submittal.

Aquifer Recharge Soils

The subject parcel contains mapped aquifer recharge soils (Pomello sand) as shown on the USDA Soil Conservation Service Soils Survey map. The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance.

Indian River Lagoon Septic Overlay

The entire parcel is mapped within the Indian River Lagoon septic overlay per Chapter 46, Article II, Division IV - Nitrogen Reduction Overlay. If sewer is not available, the use of an alternative septic system designed to provide at least 65% total nitrogen reduction through multi-stage treatment processes shall be required.

Heritage Specimen Trees

The parcel contains a mapped polygon of SJRWMD Florida Land Use and Cover Classification System (FLUCCS) code 6170 - Mixed Wetland Hardwoods. Aerials indicate that Heritage Specimen Trees (greater than or equal to 24 inches in diameter) may be located in the project area. Per Brevard County Landscaping, Land Clearing and Tree Protection ordinance, Section 62-4341(18), Specimen 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 tree preservation and canopy coverage requirements. Land clearing is not permitted without prior authorization by NRM.

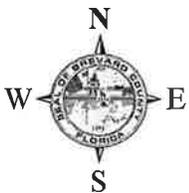
Protected Species

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.

LOCATION MAP

CITENO, ROCCO J.

19PZ00046



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: 3/27/2019

— Buffer

■ Subject Property

ZONING MAP

CITENO, ROCCO J.

19PZ00046



1:4,800 or 1 inch = 400 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 herein.

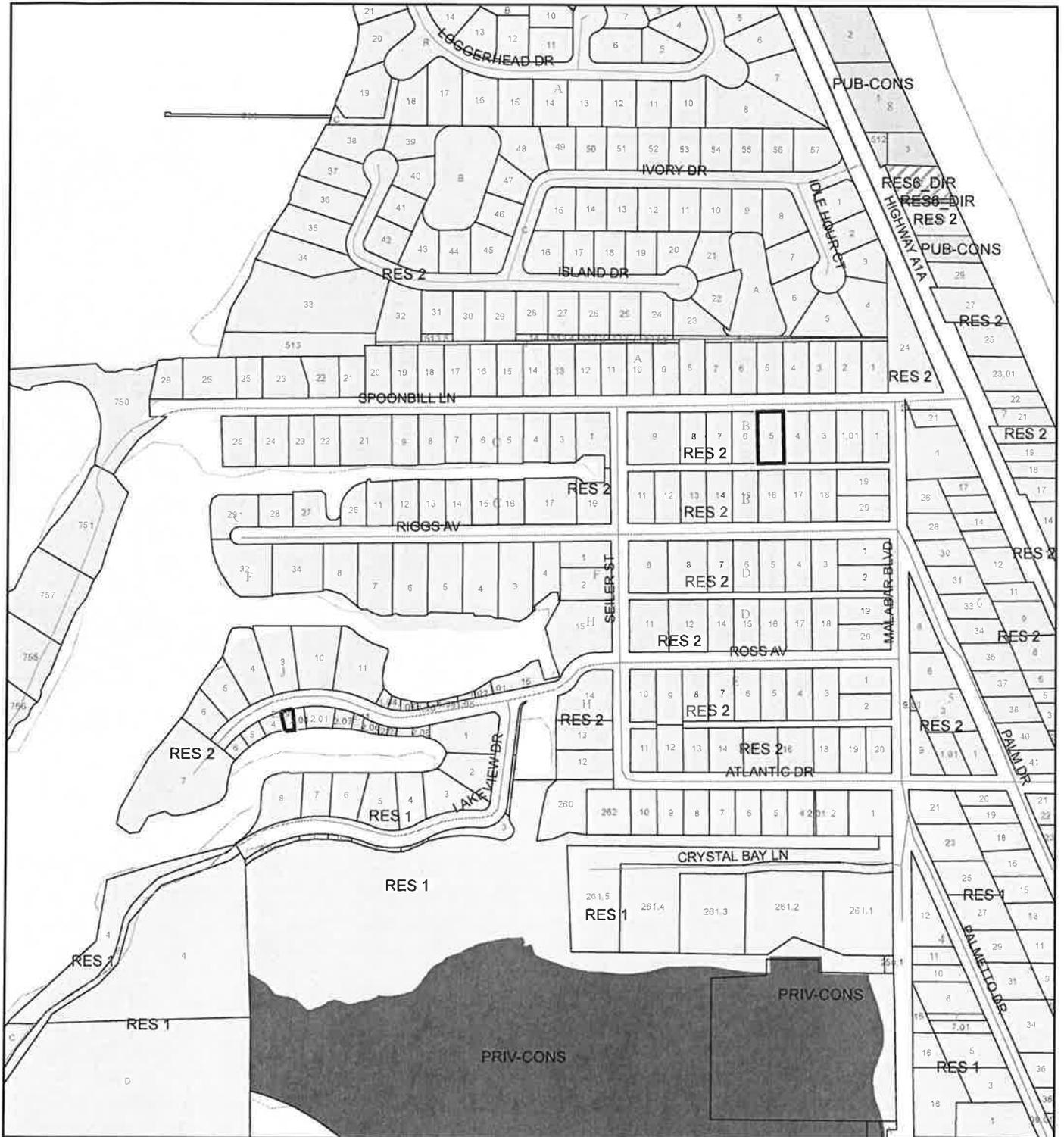
Produced by BoCC - GIS Date: 3/29/2019

-  Subject Property
-  Parcels
-  Zoning

FUTURE LAND USE MAP

CITENO, ROCCO J.

19PZ00046



1:4,800 or 1 inch = 400 feet

— Subject Property
 □ Parcels

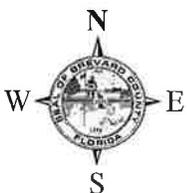
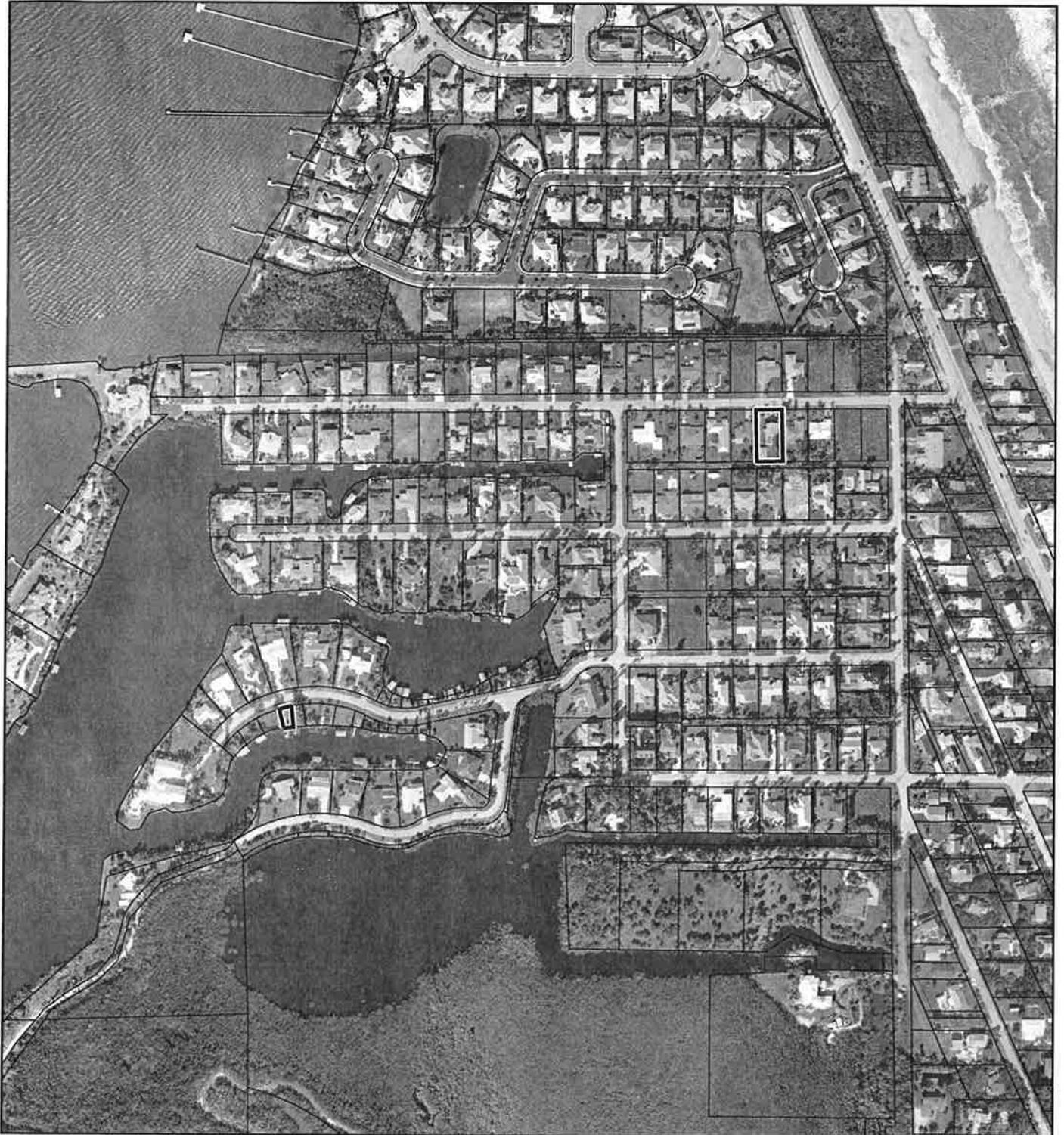
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 3/27/2019

AERIAL MAP

CITENO, ROCCO J.

19PZ00046



1:4,800 or 1 inch = 400 feet

PHOTO YEAR: 2018

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: 3/27/2019

— Subject Property

□ Parcels

NWI WETLANDS MAP

CITENO, ROCCO J.

19PZ00046



1:4,800 or 1 inch = 400 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: 3/27/2019

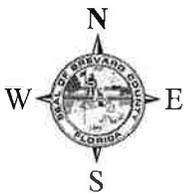
National Wetlands Inventory (NWI)

- | | |
|--|--|
|  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

CITENO, ROCCO J.

19PZ00046



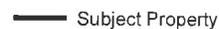
1:4,800 or 1 inch = 400 feet

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: 3/27/2019

SJRWMD FLUCCS WETLANDS

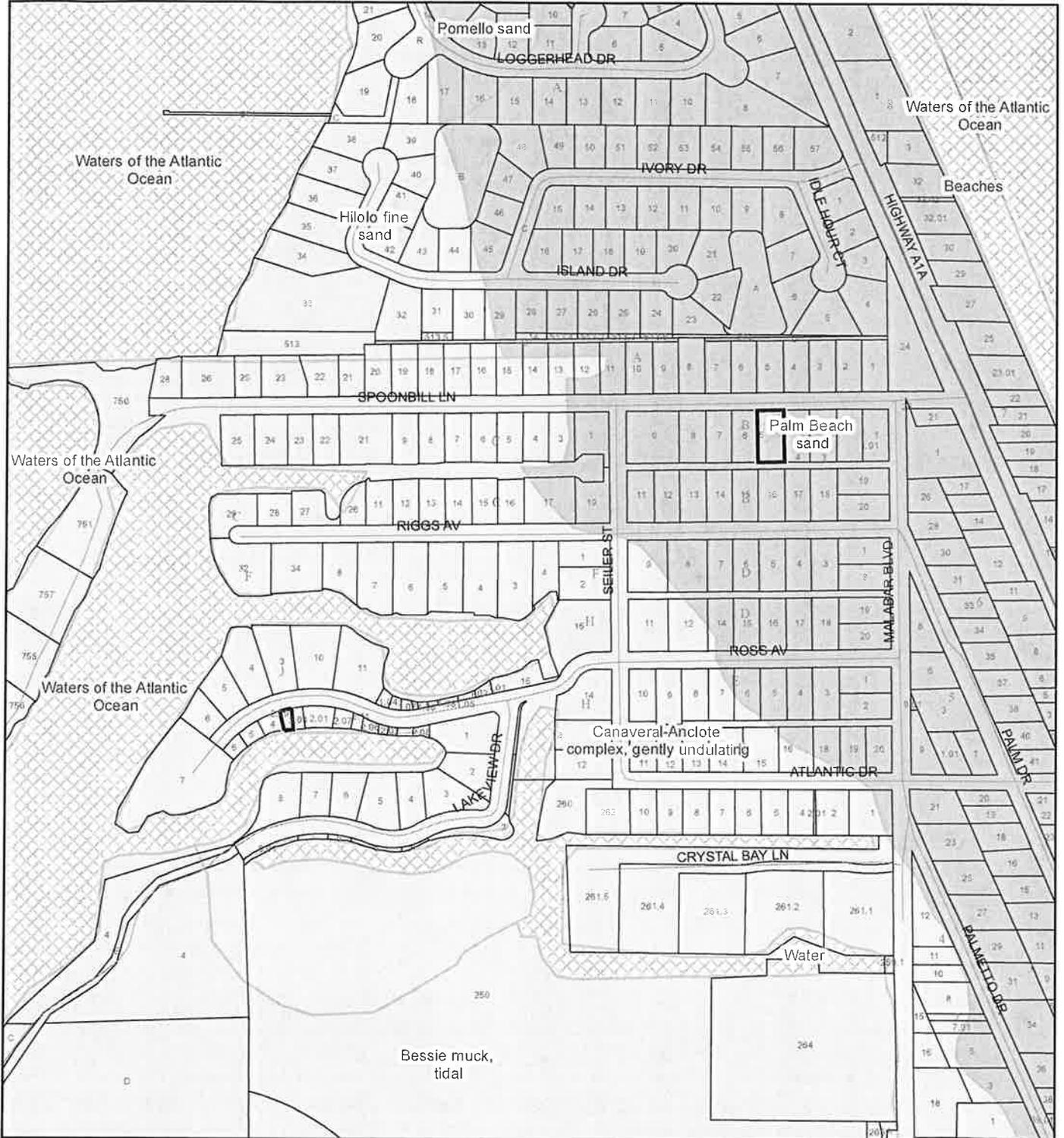
-  Wetland Hardwood Forests - Series 6100
-  Wetland Coniferous Forest - Series 6200
-  Wetland Forested Mixed - Series 6300
-  Vegetated Non-Forested Wetlands - Series 6400
-  Non-Vegetated Wetland - Series 6500

 Subject Property  Parcels

USDA SCSSS SOILS MAP

CITENO, ROCCO J.

19PZ00046



1:4,800 or 1 inch = 400 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: 3/27/2019

USDA SCSSS Soils

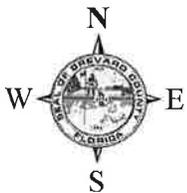
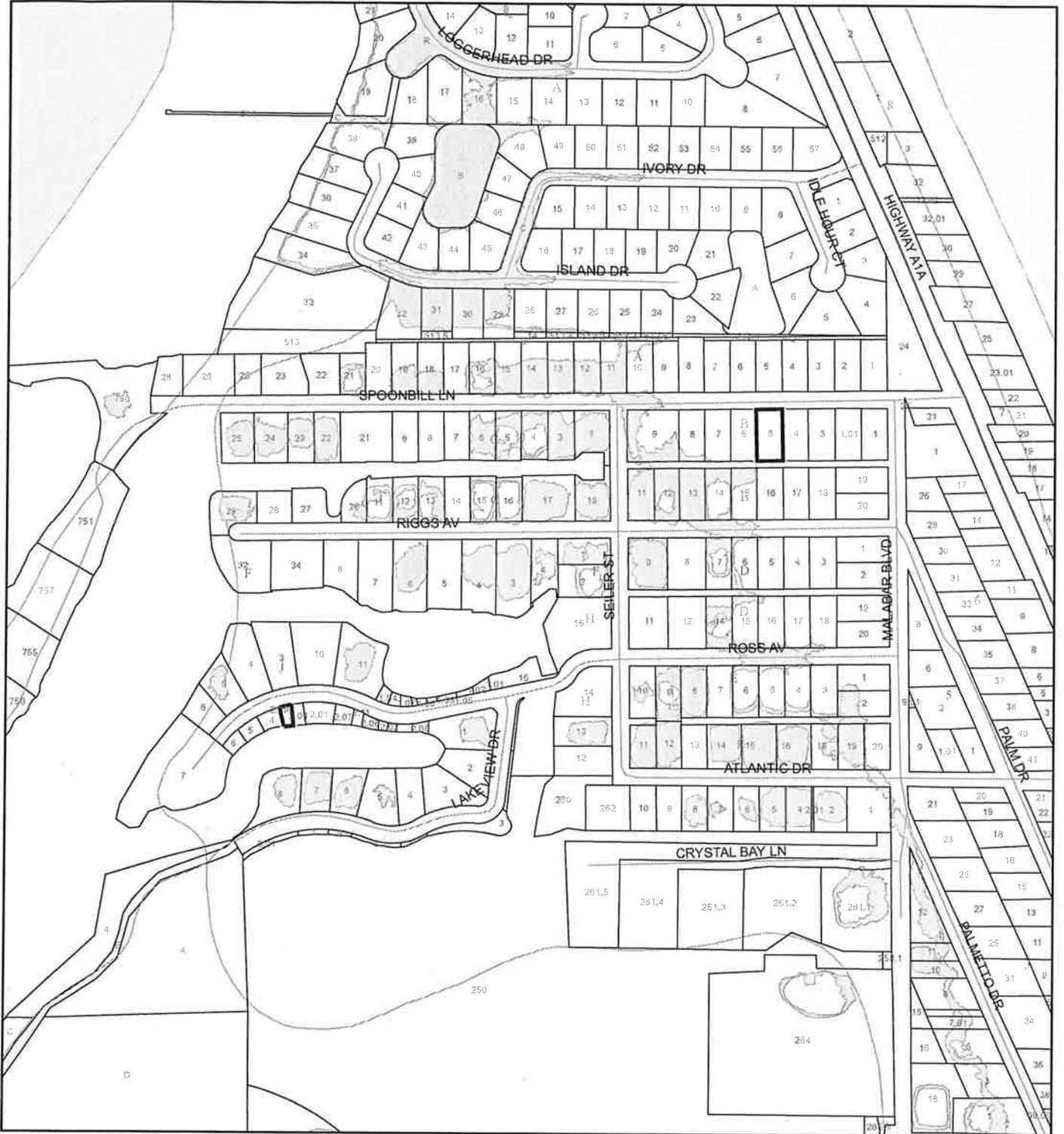
- Aquifer and Hydric
- Aquifer
- Hydric
- None

- Subject Property
- Parcels

FEMA FLOOD ZONES MAP

CITENO, ROCCO J.

19PZ00046



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 3/27/2019

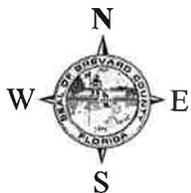
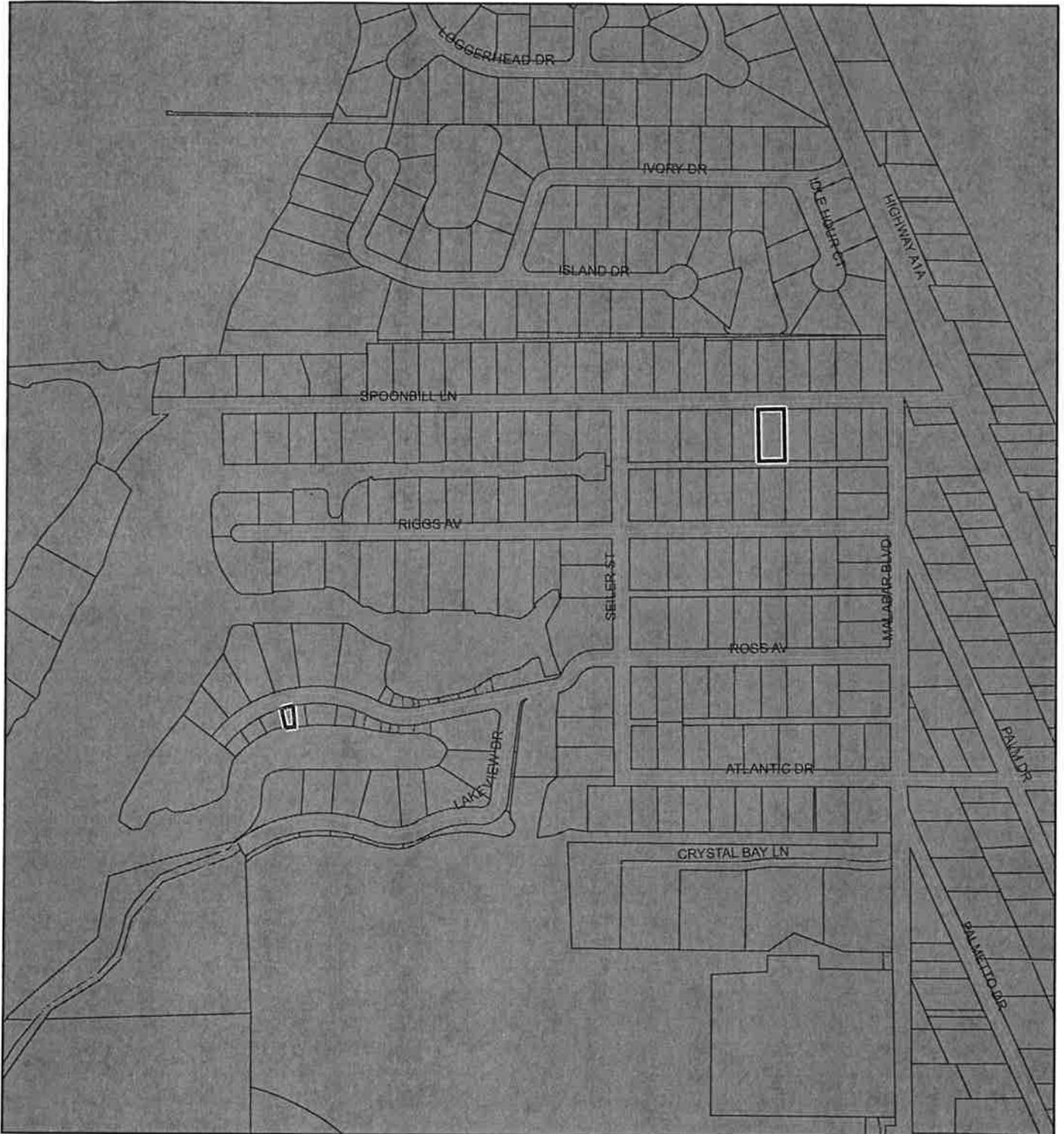
FEMA Flood Zones

- | | | |
|--|--|--|
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| | | |
| | | |
| | | |
| | | |

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

CITENO, ROCCO J.

19PZ00046



1:4,800 or 1 inch = 400 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: 3/27/2019

 Subject Property

 Parcels

Septic Overlay

 40 Meters

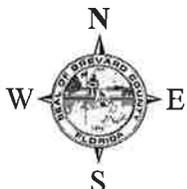
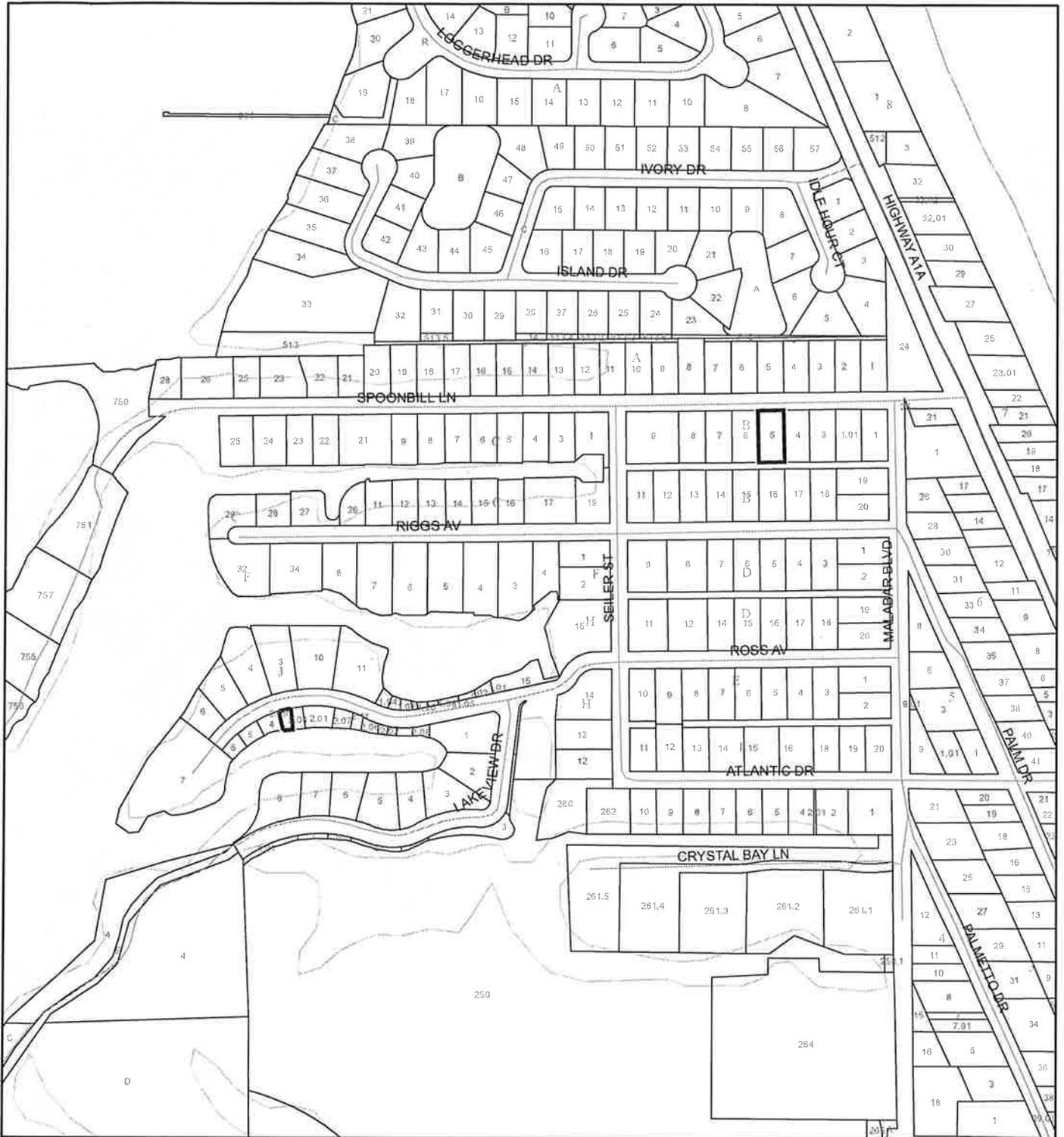
 60 Meters

 All Distances

EAGLE NESTS MAP

CITENO, ROCCO J.

19PZ0046



1:4,800 or 1 inch = 400 feet

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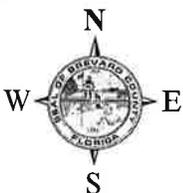
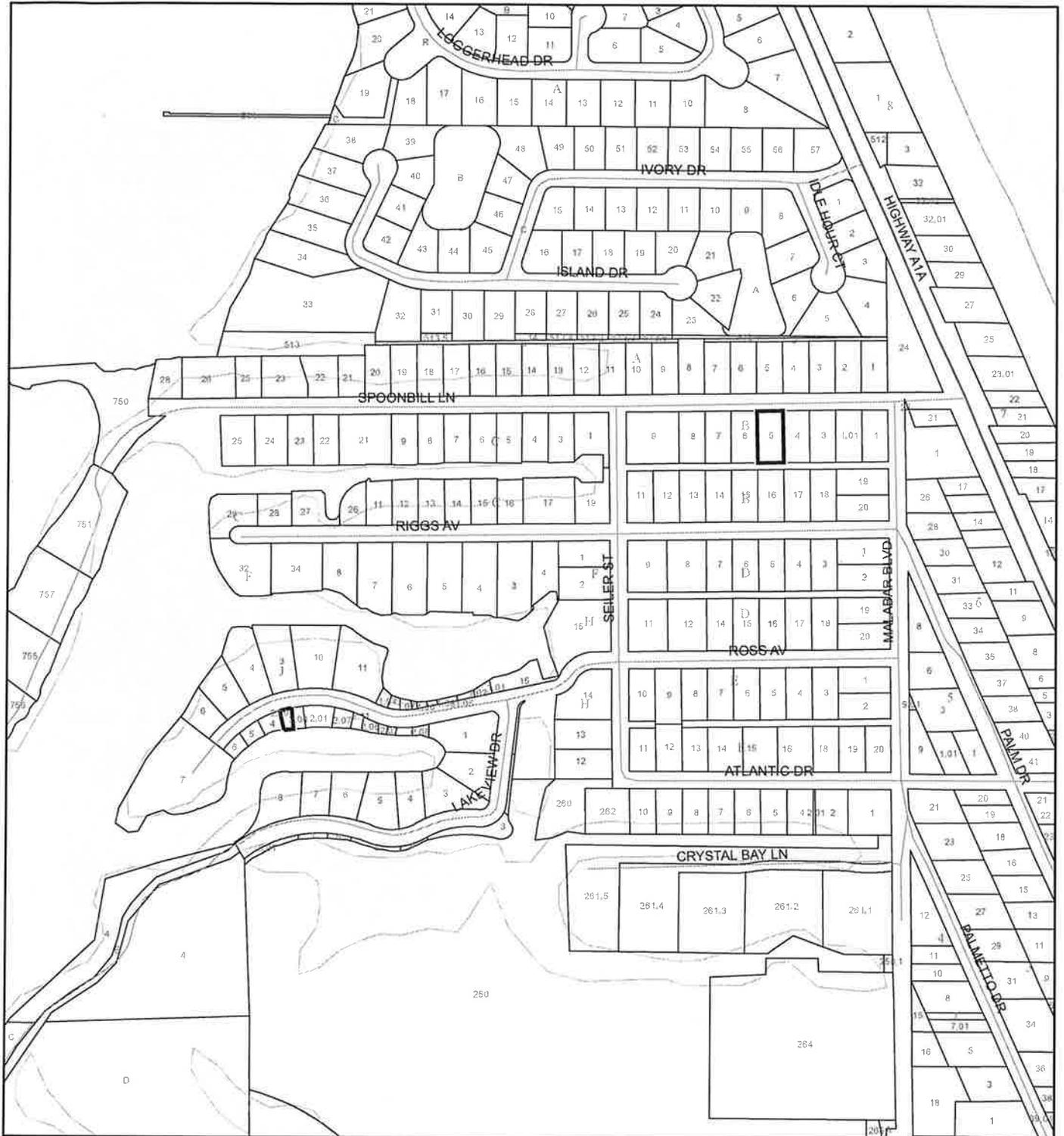
Produced by BoCC - GIS Date: 3/27/2019

-  Subject Property
-  Parcels
-  Eagle Nests FWS 2010

SCRUB JAY OCCUPANCY MAP

CITENO, ROCCO J.

19PZ00046



1:4,800 or 1 inch = 400 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.

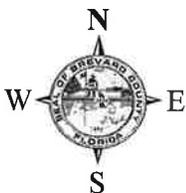
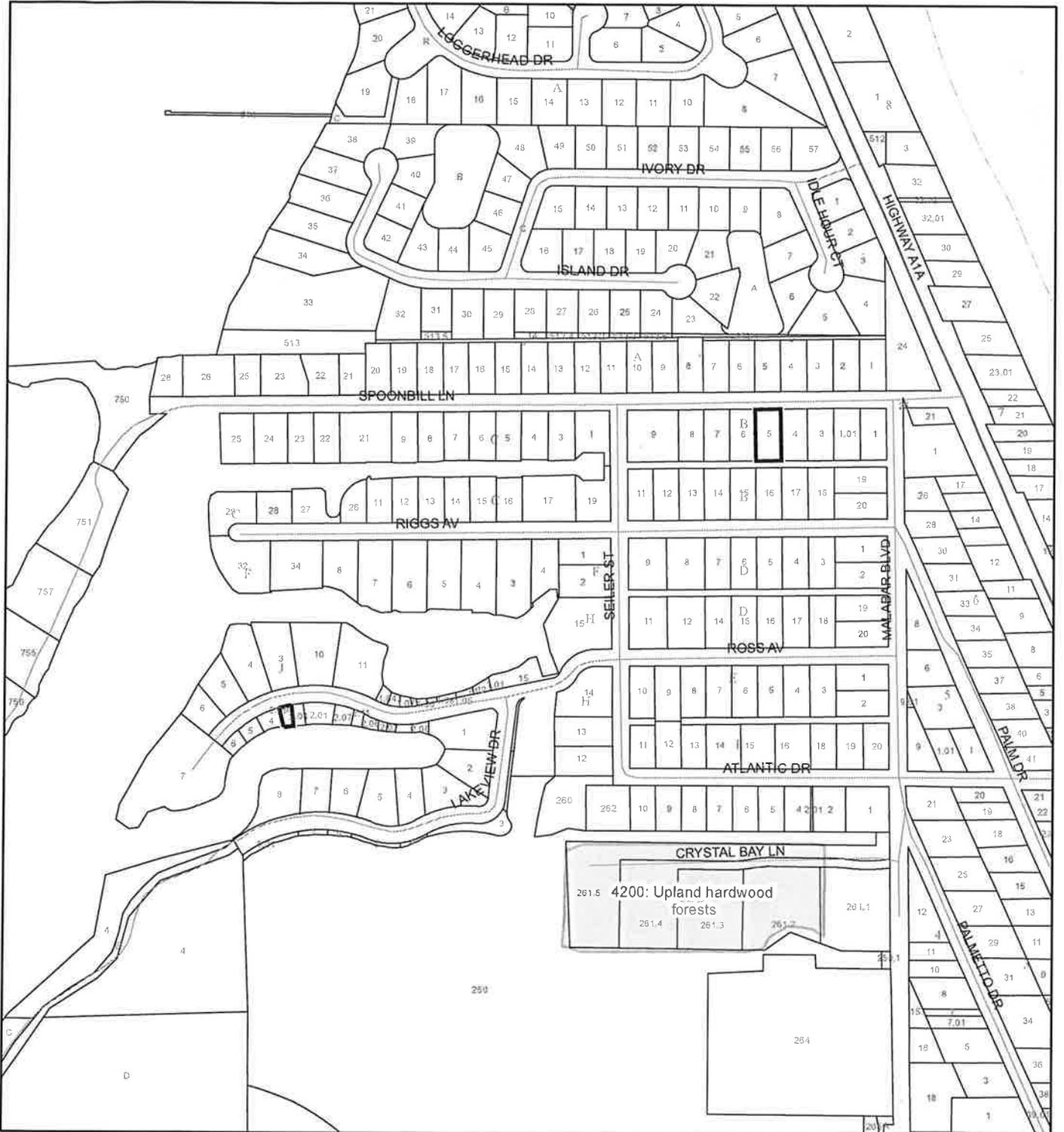
Produced by BoCC - GIS Date: 3/27/2019

-  Subject Property
-  Parcels
-  Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

CITENO, ROCCO J.

19PZ00046



1:4,800 or 1 inch = 400 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: 3/27/2019

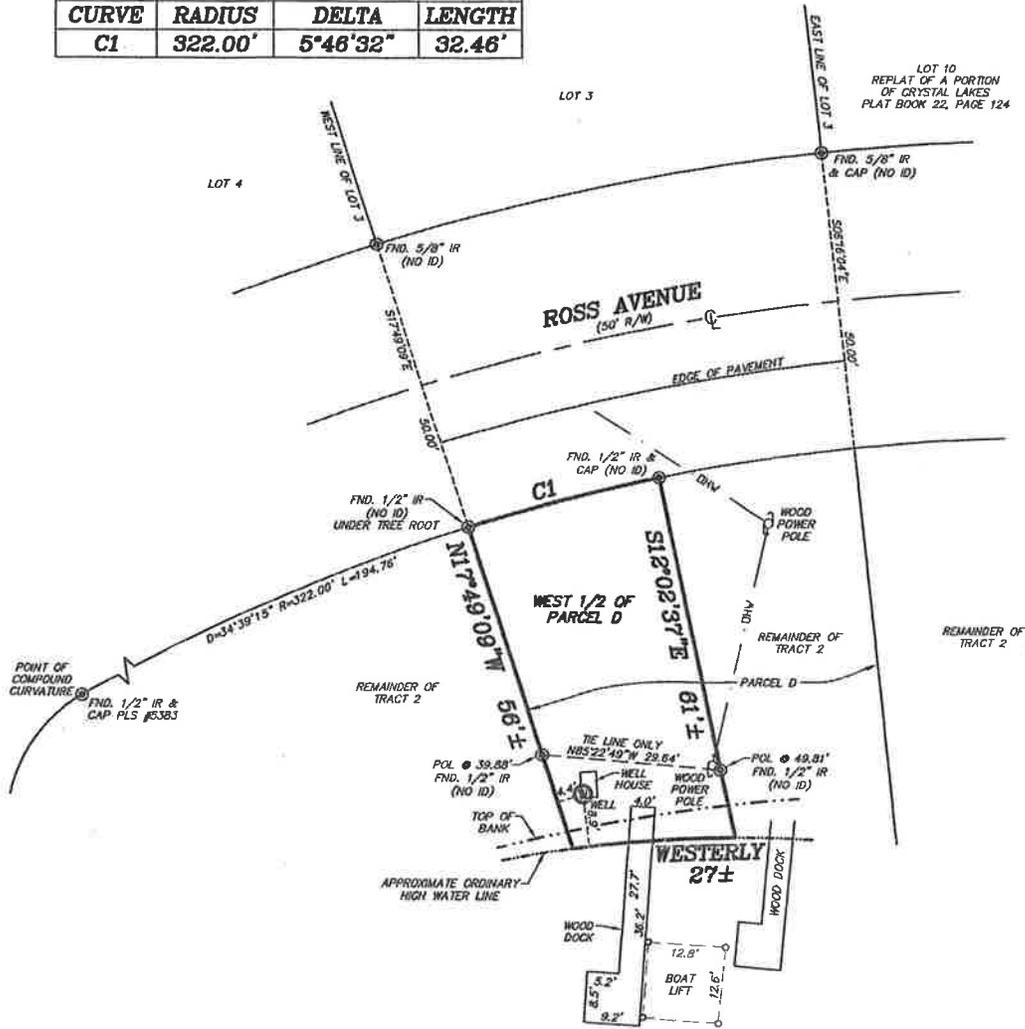
SJRWMD FLUCCS Upland Forests

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

Subject Property

Parcels

CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	322.00'	5°46'32"	32.46'



SURVEY PREPARED FOR:
ROCCO J. CITENO

DESCRIPTION: THE WESTERLY 1/2 OF THE FOLLOWING DESCRIBED PARCEL D, A PART OF TRACT NO. 2, BLOCK J, CRYSTAL LAKES, SECOND ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 17, PAGE 57, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND BEING THAT PORTION OF SAID TRACT NO. 2 LYING SOUTHERLY OF ROSS AVENUE AND EXTENDING TO THE ORDINARY HIGH WATER LINE OF THE EXISTING CANAL, AND BOUNDED BY SOUTHEASTERLY PROLONGATIONS OF THE SIDE BOUNDARY LINES OF LOT 3, BLOCK J, AFORESAID PLAT OF CRYSTAL LAKE, SECOND ADDITION.

AAL LAND SURVEYING SERVICES, INC.

ACCORDING TO FLOOD INSURANCE RATE MAP #12009C 0682 C, DATED MARCH 17, 2014 THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE AE. BASE 3.7' (NAVD 88)

TYPE OF SURVEY:
BOUNDARY
SCALE: 1" = 20'

REVISION:
REVISION:
REVISION:
REVISION:
REVISION:
REVISION:

FIELD DATE: 08-14-19
SECTION 03,
TOWNSHIP 29 SOUTH,
RANGE 38 EAST

PROJECT #41434

GENERAL NOTES:

1. THIS SURVEY AND DRAWING HAS BEEN PREPARED TO CONFORM WITH APPLICABLE STANDARD OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.
2. THIS SURVEY AND DRAWING IS FOR THE SOLE USE AND BENEFIT OF THE PARTIES NAMED HEREON AND FOR THE SPECIFIC PURPOSE AS NOTED, AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY, AND IS NOT TRANSFERABLE UNDER ANY CIRCUMSTANCES.
3. THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF THE FLORIDA LICENSED SURVEYOR, AND REPRODUCTION OF THIS DRAWING WITHOUT WRITTEN PERMISSION OF THE SURVEYOR IS HEREBY FORBIDDEN.
4. NO OPINION OF TITLE OR OWNERSHIP IS HEREBY EXPRESSED OR IMPLIED BY THE SURVEYOR.
5. THIS SURVEY WAS PREPARED FROM INFORMATION FURNISHED TO THE SURVEYOR BY THE CLIENT, AND MAY BE SUBJECT TO EASEMENTS OR LIMITATIONS EITHER RECORDED OR IMPLIED.
6. BEARINGS ARE BASED ON AN ASSUMED DATUM AND ON THE LINE SHOWN AS BEING THE BASIS OF BEARINGS.
7. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN.
8. ELEVATIONS, IF SHOWN, ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988, UNLESS OTHERWISE NOTED.
9. "NO WELLS" AND "NO SEPTICS" ARE DEFINITIONS TO SHOW AN ATTEMPT BY THE SURVEYOR TO LOCATE POSSIBLE EXISTING WELLS AND SEPTICS, HOWEVER NONE WERE FOUND USING STANDARD SURVEY LOCATING EQUIPMENT.

3970 MINTON ROAD, WEST MELBOURNE, FL 32904 L.B. #6623
PHONE: (321)762-0110 FAX: (321)952-9771 EMAIL: frontdesk@aalsurvey.com

ANDREW W. POWSHOX
P.L.S. No. 5383

DANIEL D. GARNER
P.L.S. No. 6189

LEGEND	
(B.B.)	- BASIS OF BEARING
(M)	- MEASURED
(P)	- PLAT
(D)	- DEED
IR	- IRON ROD
IP	- IRON PIPE
N&D	- NAIL AND DISC
N&T	- NAIL AND TIN TAB
CM	- CONCRETE MONUMENT
PRM	- PERMANENT REFERENCE MARKER
PCP	- PERMANENT CONTROL POINT
TBM	- TEMPORARY BENCHMARK
D=	- DELTA
R=	- RADIUS
L=	- ARC LENGTH
FND.	- FOUND
CH	- CHORD LENGTH
F.P.L.	- FLORIDA POWER & LIGHT
T.B.D.	- TO BE DETERMINED
P.O.L.	- POINT ON LINE
R/W	- RIGHT OF WAY
B.S.L.	- BUILDING SETBACK LINE
OHW	- OVERHEAD WIRES
PBCP	- PALM BAY CONTROL POINT
P.U.	- PUBLIC UTILITY EASEMENT
D.E.	- DRAINAGE EASEMENT
FF	- FINISHED FLOOR
EL	- ELEVATION
CONC.	- CONCRETE
R.C.P.	- REINFORCED CONCRETE PIPE
C.M.P.	- CORRUGATED METAL PIPE
CL	- CENTERLINE
LB	- LICENSED BUSINESS
PLS	- PROFESSIONAL LAND SURVEYOR
EL. XXXX	- EXISTING GRADES
XXXX	- PROPOSED GRADES

17a

PLANNING AND ZONING BOARD MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, September 9, 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 at 3:00 p.m.

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

Staff members present were: Amanda Elmore, Interim Planning and Zoning Manager; Jad Brewer, Assistant County Attorney; George Ritchie, Planner III; Darcie McGee, Natural Resources Management Assistant Director; Virginia Barker, Natural Resources Director; and Jennifer Jones, Special Projects Coordinator II.

Excerpt from Complete Agenda

1. Rocco J. Citeno:

A CUP (Conditional Use Permit) for a Private Boat Dock Adjacent to a Single-Family Residence in an RU-1-13 (Single-Family Residential) zoning classification. The property is 0.04 acre, located on the south side of Ross Avenue, approximately 620 feet west of Lakeview Drive. (425 Ross Avenue, Melbourne Beach) (19PZ00046) (District 3)

Rocco Citeno, 255 Spoonbill Lane, Melbourne Beach, stated he recently purchased a boat dock and is now applying for the conditional use permit. The boat dock has been in existence for 25 – 30 years, but none of the previous owners applied for the permit.

No public comment.

Motion by Rochelle Lawandales, seconded by Ben Glover, to approve the CUP for a Private Boat Dock Adjacent to a Single-Family Residence in an RU-1-13 (Single-Family Residential) zoning classification. The motion passed unanimously.