



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Consent

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F.4.

5/26/2022

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### Subject:

Acceptance, Re: Binding Development Plan with Carter and Jessica Hayes (District 2)

### Fiscal Impact:

None

### Dept/Office:

Planning and Development

### Requested Action:

In accordance with Section 62-1157, it is requested that the Board of County Commissioners accept, and the Chair sign, the Binding Development Plan.

### Summary Explanation and Background:

A BDP (Binding Development Plan) is a voluntary agreement presented by the property owner to self-impose limits upon development of a property in support of a change of zoning or conditional use permit. Pursuant to Section 62-1157, a BDP shall be recorded in the public records within 120 days of the Board's approval of the zoning request. Following staff and legal review, the BDP is presented to the Board in recordable form as a Consent Agenda item in order to finalize the zoning action.

On February 3, 2022, the Board approved a change of zoning classification from AU (Agricultural Residential) to RU-2-4 (Low Density Multi-Family Residential), with a BDP including, but not limited to, the following conditions:

- Developer/Owner shall limit development on the property to a maximum of two (2) duplexes, and may be further restricted by any changes to the Comprehensive Plan and/or the County's land development regulations.
- Developer/Owner agrees to and, therefore, shall provide sewer connection(s) to the units.
- Developer/Owner agrees not to use the property for resort dwelling purposes and, therefore, such use is prohibited.
- Developer/Owner agrees to the opaque buffer requirement, as defined in Brevard County Code, Section 62-4342, of 160 feet on the west side of the property. The entirety of this buffer is, at this time, assumed to be completely contained in a wetland area. The existing native trees and vegetation will be counted toward the planting requirements in the buffer area.
- Developer/Owner agrees to remove any Brazilian Pepper Trees in the buffer area pursuant to Brevard County Code, Section 62-4341(15). Removal must be done in accordance with Federal, State, and local rules and regulations.

## Resolution 21Z00042

On motion by Commissioner Smith, seconded by Commissioner Pritchett, the following resolution was adopted by a unanimous vote: (Commissioner Tobia absent)

**WHEREAS, Carter and Jessica Hayes** have requested a change of zoning classification from AU (Agricultural Residential) to RU-2-4 (Low Density Multi-Family Residential), on property described as Tax Parcels 761 and 762, as recorded in ORB 5421, Pages 276 - 277, of the Public Records of Brevard County, Florida. **Section 34, Township 23, Range 36.** (2.79 acres) Located on the west side of N. Courtenay Pkwy., approx. .38 mile north of Hall Road. (4645 N. Courtenay Pkwy., Merritt Island); and

**WHEREAS,** a public hearing of the North Merritt Island Dependent Special District Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the North Merritt Island Dependent Special District Board recommended that the application be approved as SR (Suburban Residential) with a BDP (Binding Development Plan) limiting density to two units per acre; and

**WHEREAS,** a public hearing of the Brevard County Planning and Zoning Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the Brevard County Planning and Zoning Board recommended that the application be approved as requested, with a BDP limiting density to three units per acre; and

**WHEREAS,** the Board, after considering said application and the North Merritt Island Dependent Special District Board, and the Planning and Zoning Board's recommendations, and hearing all interested parties, and after due and proper consideration having been given to the matter, find that the application should be approved as requested, with a BDP containing the following conditions: short-term rentals shall be prohibited; development shall be limited to two duplexes; mandatory sewer connection to each structure on the property; a 160-foot natural buffer on the westernmost portion of the property, including the wetlands; and removal of Brazilian pepper trees in the buffer; now therefore,

**BE IT RESOLVED** by the Board of County Commissioners of Brevard County, Florida, that the requested change of zoning classification from AU to RU-2-4, be approved as requested, with a BDP recorded on May 31, 2022, in ORB 9520, Pages 269 - 273, containing the following conditions: short-term rentals shall be prohibited; development shall be limited to two duplexes; mandatory sewer connection to each structure on the property; a 160-foot natural buffer on the westernmost portion of the property, including the wetlands; and removal of Brazilian pepper trees in the buffer. The Planning and Development Director, or designee, is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

**BE IT FURTHER RESOLVED** that this resolution shall become effective as of May 31, 2022.

BOARD OF COUNTY COMMISSIONERS  
Brevard County, Florida

Kristine Zonka, Chair  
Brevard County Commission  
As approved by the Board on May 26, 2022.

ATTEST

  
RACHEL M. SADOFF, CLERK

(SEAL)

NMI Hearing – January 6, 2022

P&Z Hearing - January 10, 2022

BCC Hearing - February 3, 2022

Please note: A Conditional Use Permit will generally expire on the three-year anniversary of its approval if the use is not established prior to that date. Conditional Use Permits for Towers and Antennas shall expire if a site plan for the tower is not submitted within one year of approval or if construction does not commence within two years of approval. A Planned Unit Development Preliminary Development Plan expires if a final development plan is not filed within three years. **The granting of this zoning does not guarantee physical development of the property. At the time of development, said development must be in accordance with the criteria of the Brevard County Comprehensive Plan and other applicable laws and ordinances.**

Prepared by: Carter & Jessica Hayes  
Address: 1210 B S. Atlantic Ave.  
Cocoa Beach FL 32931

CFN 2022136162, OR BK 9520 PAGE 269,  
Recorded 05/31/2022 at 04:31 PM, Rachel M. Sadoff,  
Clerk of Courts, Brevard County  
# Pgs:5

### **BINDING DEVELOPMENT PLAN**

THIS AGREEMENT, entered into this 26 day of May, 2022 between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and Carter and Jessica Hayes (hereinafter referred to as "Developer/Owner").

### **RECITALS**

WHEREAS, Developer/Owner owns property (hereinafter referred to as the "Property") in Brevard County, Florida, as more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, Developer/Owner has requested the RU-2-4 zoning classification(s) and desires to develop the Property as Multi-Family Residential, and pursuant to the Brevard County Code, Section 62-1157; and

WHEREAS, as part of its plan for development of the Property, Developer/Owner wishes to mitigate negative impacts on abutting land owners and affected facilities or services; and

WHEREAS, the County is authorized to regulate development of the Property.

NOW, THEREFORE, the parties agree as follows:

1. Recitals. The above recitals are true and correct and are incorporated into this Agreement by their reference.
2. The County shall not be required or obligated in any way to construct or maintain or participate in any way in the construction or maintenance of the improvements. It is the intent of the parties that the Developer/Owner, its grantees, successors or assigns in interest or some other association and/or assigns satisfactory to the County, shall be responsible for the maintenance of any improvements.

3. Developer/Owner shall limit development on the Property to a maximum of two (2) Duplexes, and may be further restricted by any changes to the Comprehensive Plan and/or the County's land development regulations.
4. The Developer/Owner agrees to and, therefore, shall provide sewer connection(s) to the units.
5. Developer/Owner agrees not to use the Property for resort dwelling purposes and, therefore, such use is prohibited.
6. The Developer/Owner agrees to the opaque buffer requirement, as defined in Brevard County Code, Section 62-4341, of 160' on the west side of the property. The entirety of this buffer is, at this time, assumed to be completely contained in a wetland area. The existing native trees and vegetation will be counted toward the planting requirements in the buffer area.
7. Developer/Owner agrees to remove any Brazilian Pepper Trees in the buffer area pursuant to Brevard County Code, Section 62-4341 (15). Removal must be done in accordance with Federal, State, and local rules and regulations.
8. Developer/Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Developer's/Owner's agreement to meet additional standards or restrictions in developing the Property. This Agreement provides no vested rights against changes to Brevard County's Comprehensive Plan or land development regulations as they may apply to this Property.
9. Developer/Owner, upon execution of this Agreement, shall pay to the Clerk of Court all costs of recording this Agreement in the Public Records of Brevard County, Florida.
10. This Agreement shall be binding and shall inure to the benefit of the successors or assigns of the parties and shall run with the subject Property unless or until rezoned and shall be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject Property, and shall be subject to the above referenced conditions as approved by the Board of County Commissioners on 02/03/22. In the event the subject Property is annexed into a municipality and rezoned, this Agreement shall be null and void.

11. Violation of this Agreement shall constitute a violation of the zoning classification and of this Agreement. This Agreement may be enforced by Sections 1-7 and 62-5 of the Code of Ordinances of Brevard County, Florida, as may be amended.
12. Conditions precedent. All mandatory conditions set forth in this Agreement mitigate the potential for incompatibility and shall be satisfied before Developer/Owner may implement the approved use(s), unless stated otherwise. The failure to timely comply with any condition is a violation of this Agreement and constitutes a violation of the Zoning Classification and is subject to enforcement action as described in Paragraph 11 above.
13. Severability clause. If any provision of this BDP is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provision shall continue in full force and effect without being impaired or invalidated in any way.

[Remainder of page left intentionally blank]

IN WITNESS THEREOF, the parties hereto have caused these presents to be signed all as of the date and year first written above.

ATTEST:

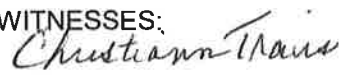
BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA  
2725 Judge Fran Jamieson Way  
Viera, FL 32940

  
Rachel M. Sadoff, Clerk of Court  
(SEAL)


  
Kristine Zenka, Chair  
As approved by the Board on 5-26-2022

(Please note: You must have two witnesses and a notary for each signature required. The notary may serve as one witness.)

WITNESSES:

  
CHRISTIANN TRAVIS

(Witness Name typed or printed)


  
CHRISTIANN TRAVIS

(Witness Name typed or printed)

(INSERT BUSINESS NAME or INDIVIDUAL NAME(s))  
as DEVELOPER/OWNER

  
Carter Hayes

(Address)


  
Jessica Hayes  
(President)  
Jessica Hayes  
(Name typed, printed or stamped)

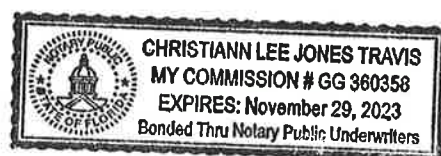
STATE OF FLORIDA §

COUNTY OF BREVARD §

The foregoing instrument was acknowledged before me, by means of X physical presence or  
\_\_\_\_\_ online notarization, this 16<sup>th</sup> day of May, 2022, by  
Carter Hayes & Jessica Hayes, President of \_\_\_\_\_, who is  
personally known to me or who has produced \_\_\_\_\_ as identification.

My commission expires 11/29/23  
SEAL  
Commission No.: GG 360358

  
Notary Public  
(Name typed, printed or stamped)



## Exhibit "A"

### Parcel 1:

A parcel of land in the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 34, and the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 35, Township 23S, Range 36E, more particularly described as follows: Commence at the NW corner of the said NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; thence S89deg37'25"E and along the north line of said NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  a distance of 705.0 ft. to a point; thence S0deg9'44"W, a distance of 523.71 ft. to a concrete monument, the point of beginning of the land hereby conveyed; thence S89deg37'25"E, a distance of 608.85 ft. to the west right-of-way line of Highway A1A, as at present located; thence south and along said west right-of-way line a distance of 100.15 ft. to a concrete monument; thence N89deg37'25"W, a distance of 616.95 ft. to a concrete monument; thence N0deg9'44"E, a distance of 100.00 ft. to the point of beginning.

### Parcel 2:

A parcel of land being a part of Section 34, Township 23S, Range 36E in Brevard County, Florida, and being more particularly described as follows: For a point of reference, commence at the NE corner of the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of above mentioned Section 34, thence with the north line of the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 34, run S89deg37'25"E, 705 ft.; thence S0deg9'44"W, 423.71 ft. for a point of beginning; thence S89deg38'16"E, 600.95 ft. to the westerly R/W line of S.R. A1A. Said point being on a curve; thence with said curve, concave to the left, an arc distance of 95.35 ft. (said curve having a radius of 22,915.06 ft.) aforementioned point being the point of curvature of said curve. Thence with the westerly right of way line of S.R. A1A in a southeasterly direction, a distance of 5 ft.; thence N89deg37'25"W, 608.85 ft.; thence N0deg9'44"E, 100 ft. to the point of beginning.




May 5<sup>th</sup>, 2022

To Whom It May Concern:

We, Carter and Jessica Hayes, own the property located at 4645 N Courtenay Pkwy in Merritt Island.  
There is no mortgage on this property.

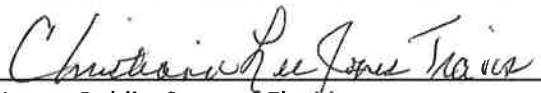
Signed,

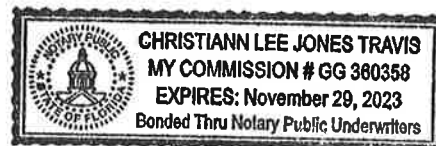
  
Carter Hayes

  
Jessica Hayes

State of Florida  
County of Brevard

The foregoing instrument was acknowledged before me, by means of physical presence this 6<sup>th</sup> day of May, 2022 by Carter Hayes and Jessica Hayes who are personally known to me.

  
Notary Public, State of Florida  
My Commission Expires:



May 5<sup>th</sup>, 2022

To Whom It May Concern:

We, Carter and Jessica Hayes, own the property located at 4645 N Courtenay Pkwy in Merritt Island.  
There is no mortgage on this property.


Signed,

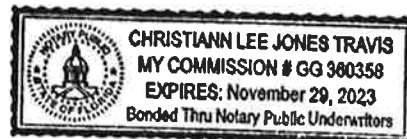
  
Carter Hayes

  
Jessica Hayes

State of Florida  
County of Brevard

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Notary Public, State of Florida  
My Commission Expires:



## Exhibit "A"

### Parcel 1:

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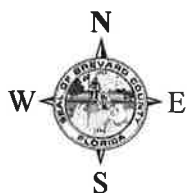
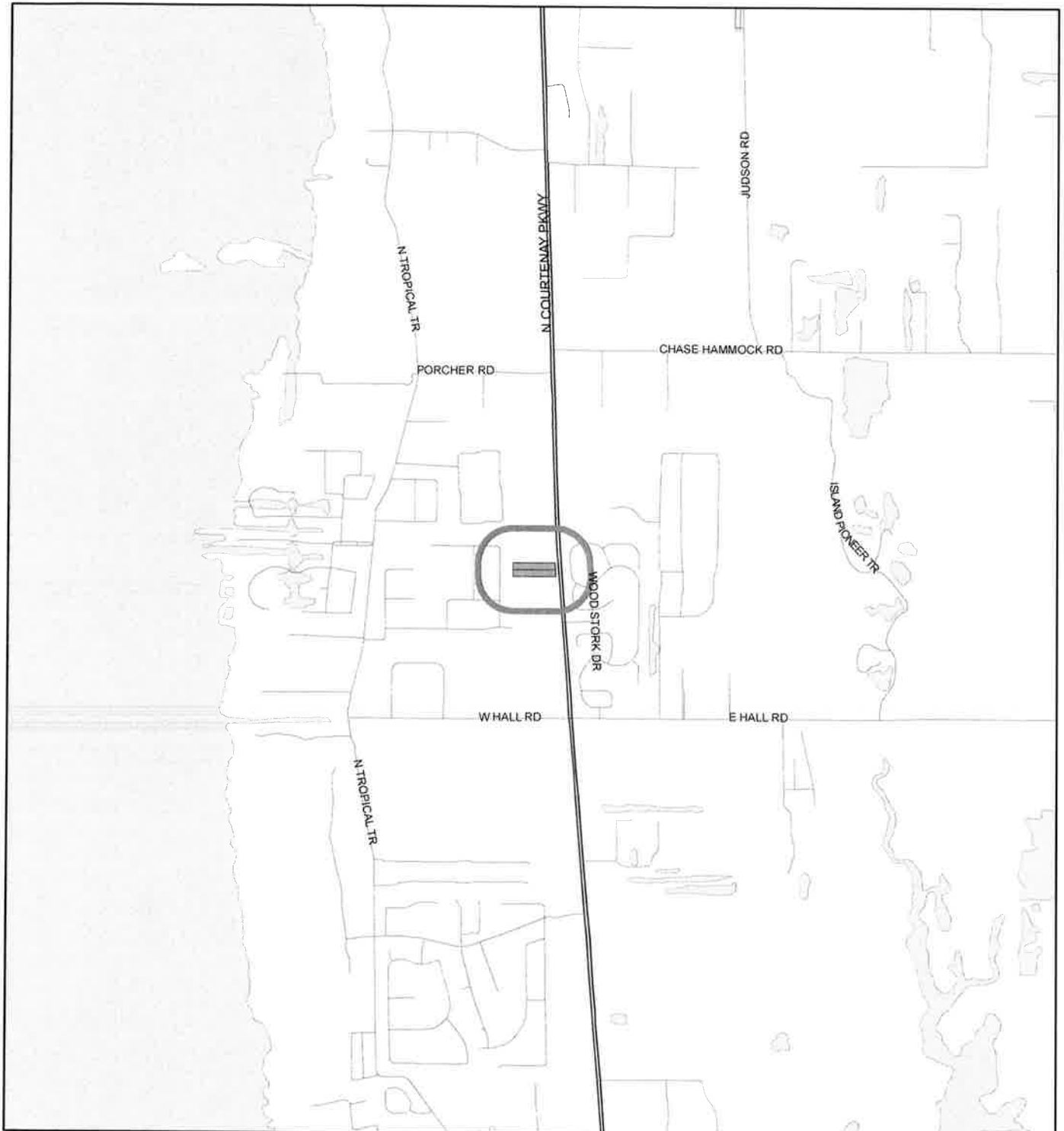
### Parcel 2:

A parcel of land being a part of Section 34, Township 23S, Range 36E in Brevard County, Florida, and being more particularly described as follows: For a point of reference, commence at the NE corner of the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of above mentioned Section 34, thence with the north line of the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 34, run S89deg37'25"E, 705 ft.; thence S0deg9'44"W, 423.71 ft. for a point of beginning; thence S89deg38'16"E, 600.95 ft. to the westerly R/W line of S.R. A1A. Said point being on a curve; thence with said curve, concave to the left, an arc distance of 95.35 ft. (said curve having a radius of 22,915.06 ft.) aforementioned point being the point of curvature of said curve. Thence with the westerly right of way line of S.R. A1A in a southeasterly direction, a distance of 5 ft.; thence N89deg37'25"W, 608.85 ft.; thence N0deg9'44"E, 100 ft. to the point of beginning.

# LOCATION MAP

HAYES, CARTER AND JESSICA

21Z00042



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.

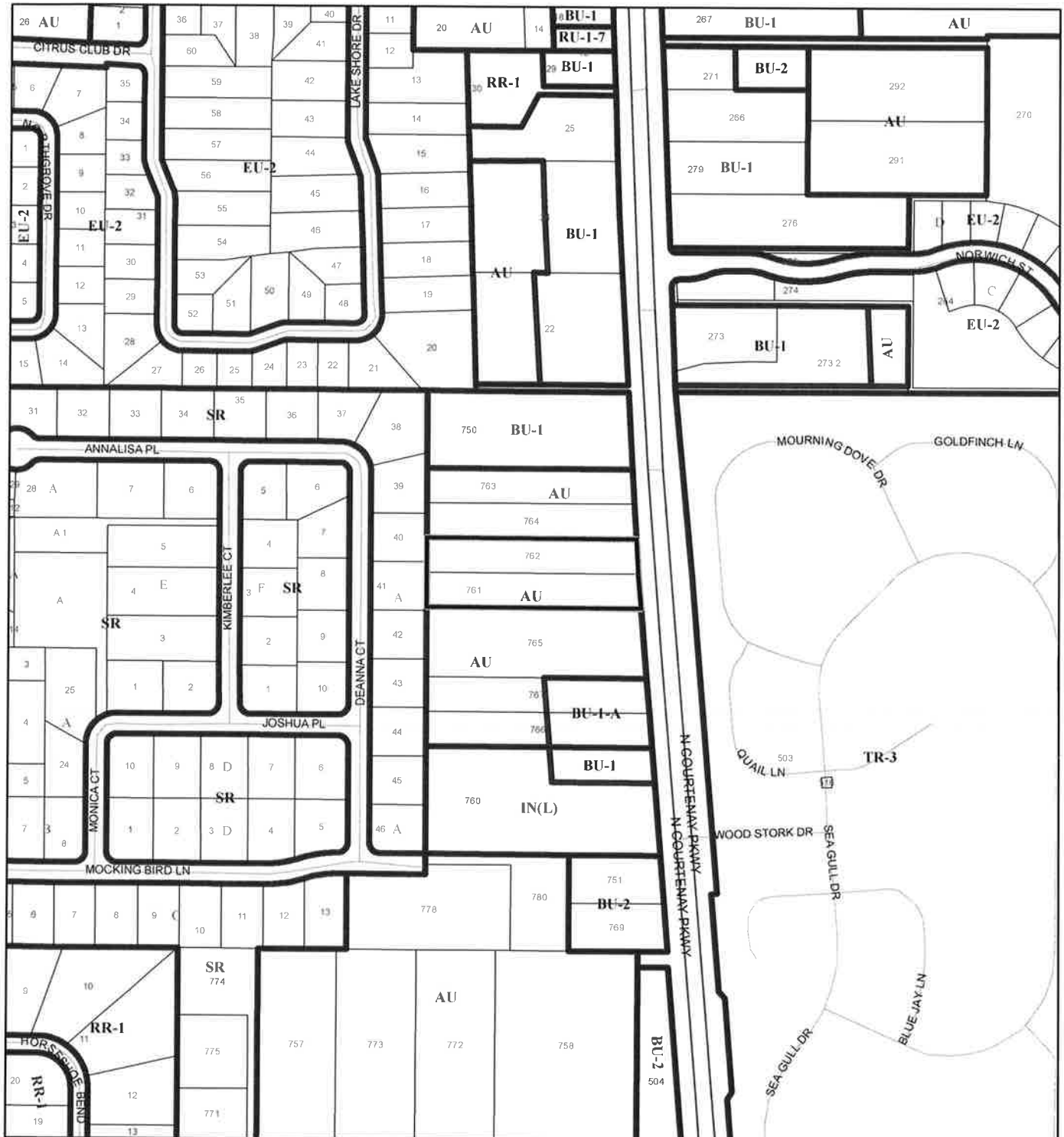
Produced by BoCC - GIS Date: 11/8/2021

— Buffer  
 ■ Subject Property

# ZONING MAP

HAYES, CARTER AND JESSICA

21Z00042



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: 11/8/2021

- Subject Property
- Parcels
- Zoning

5. **(21PZ00032) BRUCE FERNANDEZ** requests a Small Scale Comprehensive Plan Amendment (21S.06) to change the Future Land Use designation from RES 1:2.5 to RES 1. The property is 3.48 acres, located on the east side of Springfield Ave., approx. 0.42 mile south of Aurantia Rd. (4705 Springfield Ave., Mims) (Tax Account 2005100) (District 1)

**LPA Recommendation:** Glover/Filiberto - Approved. The vote was unanimous.

**BCC ACTION:** Pritchett/Lober - Approved, and adopted Ordinance No. 22-02. The vote was unanimous.

6. **(21Z00019) BRUCE FERNANDEZ** requests a change of zoning classification from RRMH-2.5 (Rural Residential Mobile Home) to RRMH-1 (Rural Residential Mobile Home). The property is 3.48 acres, located on the east side of Springfield Ave., approx. 0.42 mile south of Aurantia Rd. (4705 Springfield Ave., Mims) (Tax Account 2005100) (District 1)

**P&Z Recommendation:** Glover/Capote - Approved. The vote was unanimous.

**BCC ACTION:** Pritchett/Lober - Approved. The vote was unanimous.

7. **(21Z00040) COBB 192, LLC** (Bruce Moia & Adam Broadway) requests a change of zoning classification from BU-1 (General Retail Commercial) and BU-2 (Retail, Warehousing, and Wholesale Commercial) to all BU-2. The property is 2.11 acres, located on the north side of W. New Haven Ave., approx. 0.28 mile west of Katherine Blvd. (No assigned address. In the Melbourne area.) (Tax Account 2800098) (District 5)

**P&Z/LPA Recommendation:** Filiberto/Capote - Approved. The vote was unanimous.

**BCC ACTION:** Zonka/Lober - Approved. The vote was unanimous.

8. **(21Z00036) DAVID C. & CYNTHIA R. RAMAGE, CO-TRUSTEES** request a change of zoning classification from AU (Agricultural Residential) to RR-1 (Rural Residential). The property is 4.25 acres, located on the east side of Turpentine Rd., approx. 312 ft. north of Lion Ln. (2121 Turpentine Rd., Mims) (Tax Accounts 2101027 & 3020477) (District 1)

**P&Z Recommendation:** Alward/Capote - Approved. The vote was unanimous.

**BCC Action:** Pritchett/Lober - Approved. The vote was unanimous.

9. **(21Z00045) HOWARD L. GASMAN** requests a change of zoning classification from GU (General Use) to AU (Agricultural Residential). The property is 1.72 acres, located on the north side of Cangro St., approx. 617 ft. west of Osprey Ave. (5640 Cangro St., Cocoa) (Tax Account 2402174) (District 1)

**P&Z Recommendation:** Capote/Glover - Approved. The vote was unanimous.

**BCC ACTION:** Pritchett/Lober - Approved. The vote was unanimous.

10. **(21Z00042) CARTER & JESSICA HAYES** request a change of zoning classification from AU (Agricultural Residential) to RU-2-4 (Low Density Multi-Family Residential). The property is 2.79 acres, located on the west side of N. Courtenay Pkwy., approx. 0.38 mile north of Hall Rd. (4645 N. Courtenay Pkwy., Merritt Island) (Tax Accounts 2318403 & 2318404) (District 2)

**NMI Recommendation:** Ratterman/Carbonneau - approved as SR (Suburban Residential), with a BDP (Binding Development Plan) limited to two units per acre. The vote was unanimous

**P&Z Recommendation:** Glover/Capote - approved, with a BDP limiting density to three units per acre. The vote was 7:2, with Alward and Hopengarten voting nay.

**BCC ACTION:** Lober/Pritchett - **Approved with a BDP containing the following conditions: short-term rentals shall be prohibited; development shall be limited to two duplexes; mandatory sewer connection to each structure on the property; 160-foot natural buffer on the westernmost portion of the property, including the wetlands; and removal of Brazilian pepper trees in the buffer. The vote was 4:1, with Tobia voting nay. The BDP will be scheduled as a Consent Item on a subsequent County Commission agenda, per Policy BCC-52. Resolution to be completed upon receipt of recorded BDP.**

11. **(21Z00039) JUSTIN M. FALSCROFT** requests a change of zoning classification from RR-1 (Rural Residential) to AU (Agricultural Residential). The property is 3.96 acres, located at the north end of Friday Rd., on the south side of S.R. 528. (3000 Friday Rd., Cocoa) (Tax Account 2404081) (District 1)

**P&Z Recommendation:** Filiberto/Capote - Approved. The vote was unanimous.

**BCC ACTION:** Pritchett/Lober - **Approved as AU(L) (Agricultural Residential, Low-Intensity), with a BDP prohibiting Agritourism. The vote was unanimous. The BDP will be scheduled as a Consent Item on a subsequent County Commission agenda, per Policy BCC-52. Resolution to be completed upon receipt of recorded BDP.**

12. **(21Z00041) EDIC AND ASHLEY MORENO** request a change of zoning classification from GU (General Use) to RR-1 (Rural Residential). The property is 1.11 acres, located at the west end of Sue Dr., approx. 0.15 mile west of Clearlake Rd. (1640 Sue Dr., Cocoa) (Tax Account 2423907) (District 1)

**P&Z Recommendation:** Glover/Filiberto - Approved. The vote was unanimous.

**BCC ACTION:** Pritchett/Lober - **Approved. The vote was unanimous.**

13. **(21PZ00082) SUNIL RAJAN, SUDHIR RAJAN, AND SURESH RAJAN** (Kim Rezanka) request a Small Scale Comprehensive Plan Amendment (21S.09) to change the Future Land Use designation from NC (Neighborhood Commercial) to CC (Community Commercial). The property is 0.92 acres, located on the east side of N. Courtenay Pkwy., approx. 0.11 mile south of Skyline Blvd. (No assigned address. In the Merritt Island area.) (Tax Account 2412234) (District 2)

**LPA Recommendation:** Glover/Filiberto - Tabled to the 02/14/22 P&Z meeting in order for the request to go before the MIRA board. The vote was 7:2 with Minneboo and Hopengarten voting nay.

**BCC Action:** Lober/Pritchett - **Tabled to the 03/03/22 BCC meeting. The vote was unanimous.**

## PLANNING AND ZONING BOARD RECOMMENDATIONS

- Item H.1. Scott Minnick. Pritchett/Lober. Tabled to the March 3, 2022 Zoning meeting. (21Z00025) (Tax Account 2102550)
- Item H.2. Robert Griffith. Pritchett/Lober. Tabled to the March 3, 2022 Zoning meeting. (21Z00035) (Tax Account 2102136)
- Item H.3. Sunil Rajan, Sudhir Rajan, and Suresh Rajan. Lober/Pritchett. Tabled to the March 3, 2022 Zoning meeting. (21PZ00082) (Tax Account 2412234)
- Item H.4. KJ Group FL, LLC. Pritchett/Lober. Approved a CUP for alcoholic beverages (full liquor) for on-premises consumption in conjunction with a private club, in a BU-1 zoning classification. (21PZ00074) (Tax Account 2315967)
- Item H.5. Steven H. Long. Pritchett/Lober. Approved a change of zoning classification from GU to AU. (21Z00038) (Tax Account 2538150)
- Item H.6. Bruce Fernandez. Pritchett/Lober. Adopted Ordinance 22-02, small scale comprehensive plan amendment (21S.07) to change the future land use designation from RES 1:2.5 to RES 1. (21PZ00032) (Tax Account 2005100)
- Item H.7. Bruce Fernandez. Pritchett/Lober. Approved a change of zoning classification from RRMH-2.5 to RRMH-1. (21Z00019) (Tax Account 2005100)
- Item H.8. Cobb 192, LLC. Zonka/Lober. Approved a change of zoning classification from BU-1 to BU-2. (21Z00040) (Tax Account 2800098)
- Item H.9. David C. and Cynthia R. Ramage. Pritchett/Lober. Approved a change of zoning classification from AU to RR-1. (21Z00036) (Tax Accounts 2101027 and 3020477)
- Item H.10. Howard Gasman. Pritchett/Lober. Approved a change of zoning classification from GU to AU. (21Z00045) (Tax Account 2402174)
- Item H.11. Carter and Jessica Hayes. Lober/Pritchett with nay from Tobia. Approved a change of zoning classification from AU to RU-2-4 with a BDP to include conditions: no short-term rentals, mandatory connection to sewer, limit to two duplexes, 160 foot natural buffer on the westernmost portion of the property which includes the wetlands, and removal of Brazilian pepper trees in the buffer. (21Z00042) (Tax Accounts 2318403 and 2318404)
- Item H.12. Justin M. Falscroft. Pritchett/Lober. Approved a change of zoning classification from RR-1 to AU-L with a BDP restricting agri-tourism. (21Z00039) (Tax Account 2404081)
- Item H.13. Edic and Ashley Moreno. Pritchett/Lober. Approved a change of zoning classification from GU to RR-1. (21Z00041) (Tax Account 2423907)
- Item H.14. Public hearing, re: adoption of EAR based amendments, 2017-2.2 DEO #17-3ER. Lober/Pritchett. Adopted Ordinance No. 22-03, amending Article III, Chapter 62 of the Code of Ordinance of Brevard County, entitled, "The Comprehensive Plan", setting forth Plan Amendment 2017-2.2; approved staff's recommendations of Chapter 10: Coastal Management Element, adding a new objective for new policies 14.1 through 14.13, developed specifically to comply with Section 163.3178(2)(f), F.S. (Perils of Flood); and approved the following changes to Policy 14.6 and 14.9 of the EAR-based Amendments:

Policy 14.6 The County must develop mechanisms to evaluate and recommend new