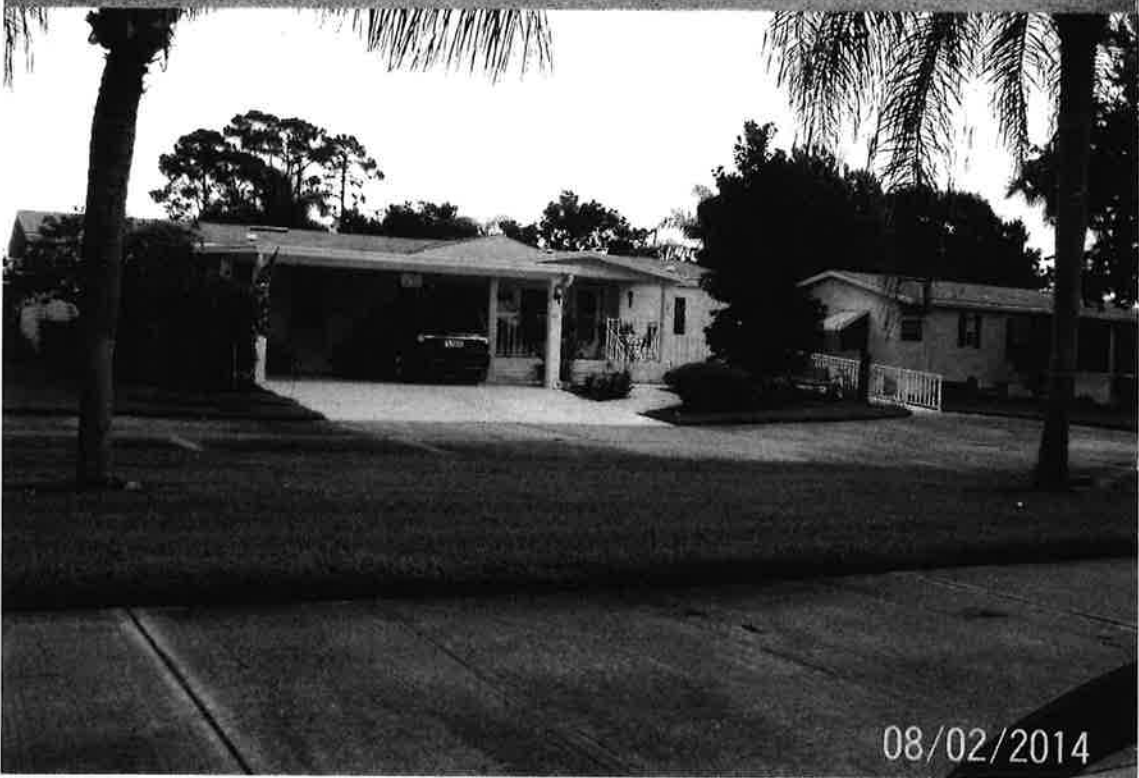


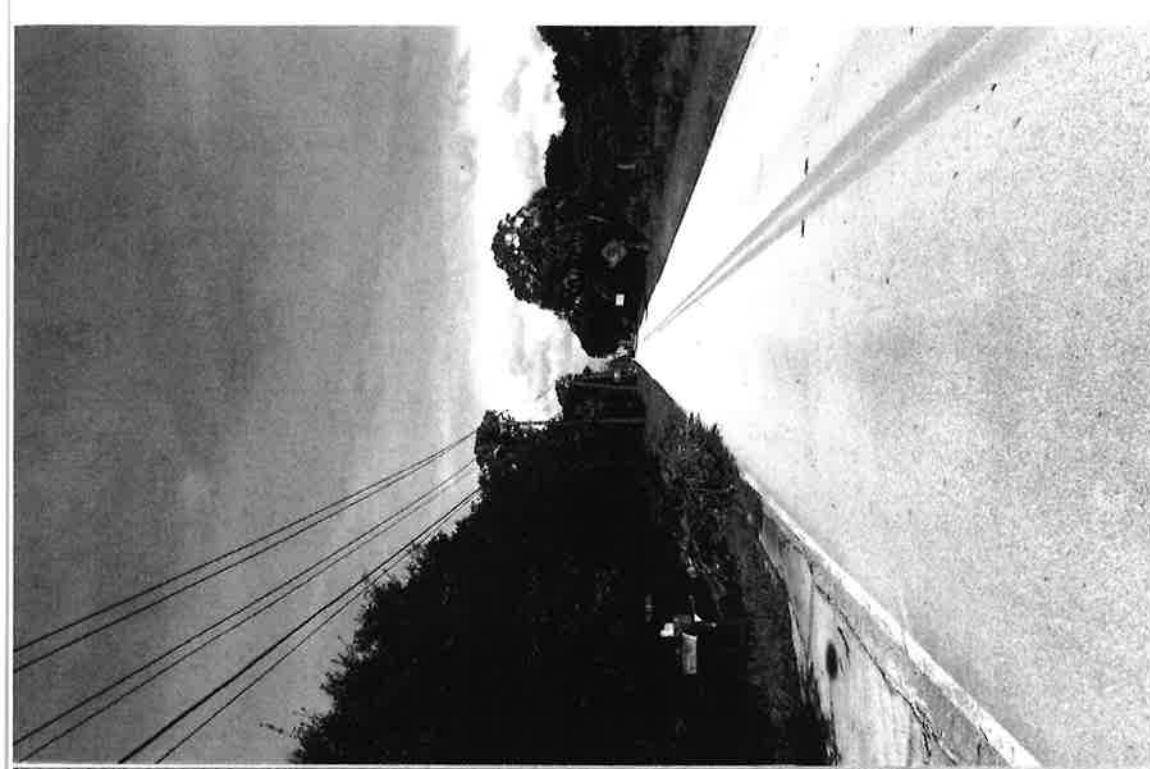
Received RMJ  
ITEM III. A. 1

14 PZ-00008

8/7/14 BCC mtg











PETITION

TO STOP THE CONSTRUCTION OF 14PZ-00008- LGH GROVES, LLC AND HARVEY'S INDIAN RIVER GROVES, INC., IN ANY CAPACITY.

THE UNIT OWNERS AND LAND OWNERS <sup>WHOSE</sup> NAMES, ADDRESS AND SIGNATURES, LISTED BELOW OF NORTH MERRITT ISLAND, BREVARD COUNTY, FLORIDA, DEMAND THE BREVARD COUNTY COMMISSIONERS DENY THE APPROVAL OF THE PROPOSED HOUSING DEVELOPMENT TO BE LOCATED ON TAX PARCEL 505, 320 EAST HALL ROAD; TAX PARCEL 264; TAX PARCEL 270, 4870 NORTH COURTNEY PARKWAY; TAX PARCEL 274; TAX PARCEL 275, MERRITT ISLAND, FLORIDA.

THE PURPOSE OF THIS PETITION IS DUE TO MANY CONCERNS OF THE PEOPLE WITH THE LOCATION OF THIS PROJECT WHICH INCLUDE BUT NOT LIMITED TO DRAINAGE ISSUES, TRAFFIC ISSUES, INGRESS AND EGRESS LOCATIONS, CONSTRUCTION VEHICLE TRAFFIC FOR REQUIRED LAND FILL. ETC.

NAME AND ADDRESS

SIGNATURES DATE

C. D. P. Monroe  
4009 Judith Ave  
Merritt Island, Fl 32953

C. D. P. Monroe 14 July 14

Cynthia Madison  
3999 Judith Ave  
Merritt Island Fla  
32953

Cynthia Madison

Joseph & Joan Rubinczak  
3979 Judith Ave  
Merritt Is Fl 32953

Joan Rubinczak 7/14/14  
Joseph Rubinczak

ALPHONSE F. PELICARARO  
3969 JUDITH AVE  
MERRITT ISLAND, FL 32953

Alphonse F. Pelicararo 7/14/14

MARGO BRYAN  
3929 Judith Ave

Margo Bryan 7/14/14

ED MAHONEY  
PRISCILLA LAFAVE  
3919 JUDITH AVE M.I. FL 32953

Ed Mahoney  
Priscilla La Fave 7/14/14

PETITION

TO STOP THE CONSTRUCTION OF 14PZ-00008- LGH GROVES, LLC AND HARVEY'S INDIAN RIVER GROVES, INC., IN ANY CAPACITY.

NAME AND ADDRESS

SIGNATURES

JOHN BRECKENRIDGE  
3958 JUDITH AVE  
MERRITT ISLAND, FL 32953

John Breckenridge

CHARLES REVIS  
3968 JUDITH AVE  
MERRITT ISLAND, FL  
32953

Charles Revis

Shirley Morgan + Brian Morgan  
3988 Judith Ave  
Merritt Is, FL 32953

Shirley Morgan  
Brian A. Morgan

KIRK HUNLEY / XIONARA HUNLEY  
4018 JUDITH AVE  
MERRITT ISLAND, FL 32953

Kirk O. Hunley  
Xionara E. Hunley

Michael Marie  
4029 Judith Ave  
Merritt Island, FL 3

Michael Marie

EMILY S BISHOP  
4049 Judith Ave  
MERRITT ISLAND FL 32953

Emily S. Bishop

STEPHANIE HANSEN  
4058 JUDITH  
MERRITT ISLAND, FL 32953

Charles Larry Carter  
4068 Judith Ave  
Merritt, Island, Fla.

Charles Carter  
Stephanie Hansen

PETITION

TO STOP THE CONSTRUCTION OF 14PZ-00008- LGH GROVES, LLC AND HARVEY'S INDIAN RIVER GROVES, INC., IN ANY CAPACITY.

NAME AND ADDRESS

SIGNATURES

Sonja Reilly 4069 Judith Ave Merritt Is 32953

Sonja Reilly

Gerald + JOYANNE ADRIANSON  
4078 Judith Av  
MERRITT ISLAND FL 32953

Gerald Adrianson  
Joanne E. Adrianson

Jeanine Stanley  
4089 Judith Ave  
Merritt Island 32953

Jeanine Stanley  
Beverly Kerr

ROBERT RUGGIERO  
PATRICIA CONWAY  
4098 JUDITH AVE

Robert Ruggiero  
Patricia Conway

SANDRA CLARK  
4109 Judith Ave.  
Merritt Isl. FL

Sandra Clark

Ronnie Evans  
3978 Judith Ave  
Merritt Is FL  
32953

Ronnie Evans

RUBY EVANS  
4118 Judith Ave.  
Merritt Is, FL 32953

Ruby Evans  
Ira Evans

CLARK AND DIANE SANDERS  
4028 JUDITH AVE.  
MERRITT ISLAND, FL  
32953

Clark S. Sanders  
Diane Sanders

PETITION

TO STOP THE CONSTRUCTION OF 14PZ-00008- LGH GROVES, LLC AND HARVEY'S INDIAN RIVER GROVES, INC., IN ANY CAPACITY.

NAME AND ADDRESS

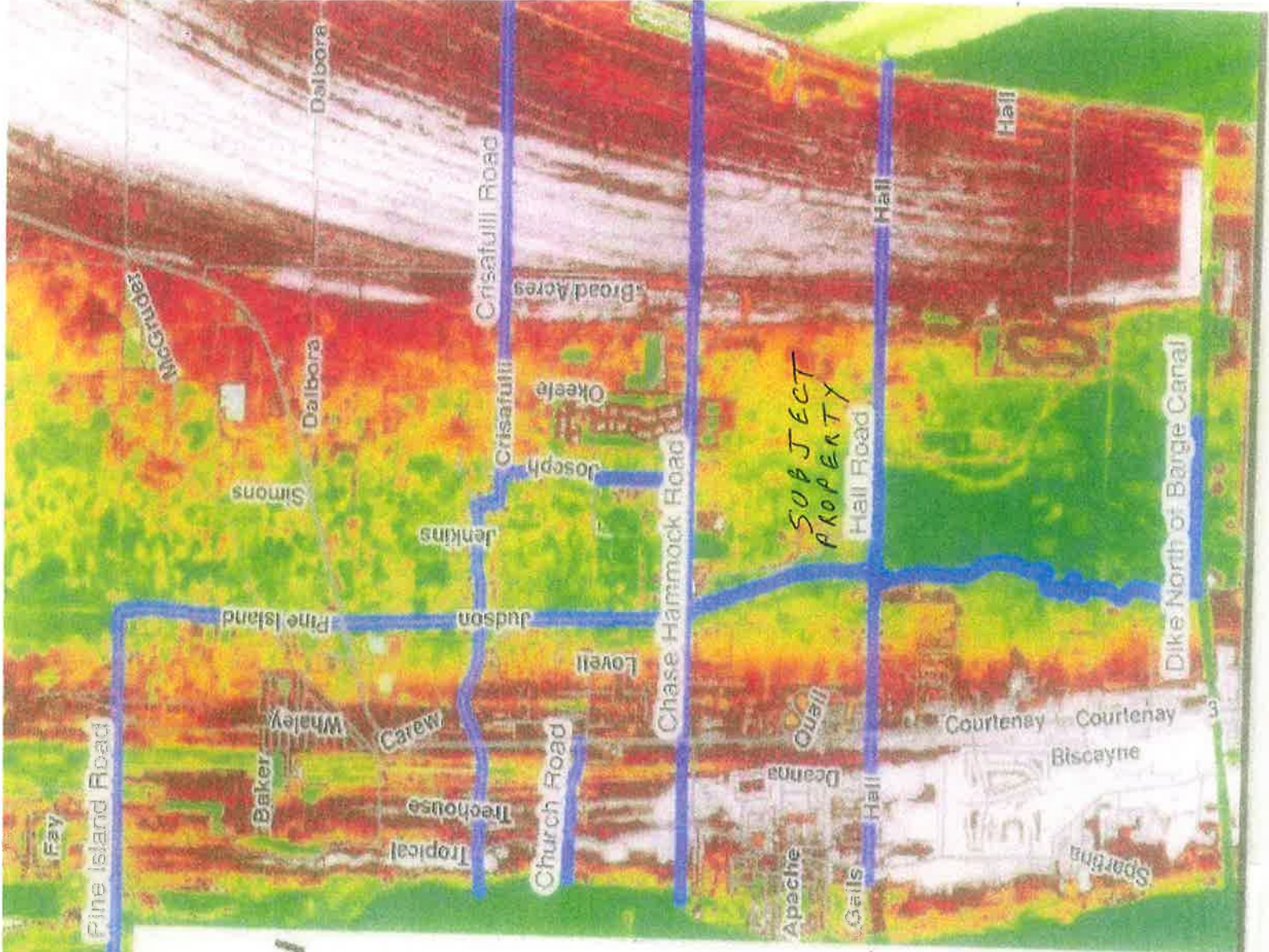
SIGNATURES

Kimberly Reynolds  
555 E. Crisafulli Rd  
Merritt Island FL 32953  
321-652-0180

*Kimberly Reynolds*

Karen Bobae  
3930 Savannahs Trail  
Merritt Island, Fl. 32953

*Karen Bobae*



**LIDAR  
ELEVATION  
DATA**

**NORTH  
MERRITT  
ISLAND**

**Legend**

- Roads
- Profile Lines

**Elevation**

Res: 1 = 11,300

**Value**

High +15

Low -1

JONES  
EDMUNDS

2009

LAKES ISLAND LAKES  
SUBJECT PROPERTY



PLAN VIEW



COURTNEY PARKWAY

KSC BOUNDARY

MOSQUITO DIKE

SAVANNAH

INDIAN RIVER LAGOON

BANANA RIVER LAGOON

TROPICAL TRAIL

PROFILE VIEW

# HALL ROAD



PETITION

TO STOP THE CONSTRUCTION OF 14PZ-00008- LGH GROVES, LLC AND HARVEY'S INDIAN RIVER GROVES, INC., IN ANY CAPACITY.

THE UNIT OWNERS AND RESIDENTS WHOSE NAMES, ADDRESS AND SIGNATURES, LISTED BELOW OF NORTH MERRITT ISLAND, BREVARD COUNTY, FLORIDA, DEMAND THE BREVARD COUNTY COMMISSIONERS DENY THE APPROVAL OF THE PROPOSED HOUSING DEVELOPMENT TO BE LOCATED ON TAX PARCEL 505, 320 EAST HALL ROAD; TAX PARCEL 264; TAX PARCEL 270, 4870 NORTH COURTNEY PARKWAY; TAX PARCEL 274; TAX PARCEL 275, MERRITT ISLAND, FLORIDA.

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NAME AND ADDRESS

SIGNATURES

Ernie C Osterburg 4662 Goldfinch M.I

Guthrie DeLongue 271 Quail Ln. M.I.

Jean Sefton 4360 Seagull Dr. M.I.

Deane Nance 4673 Mourning Dove Dr. MI

Barbara Bowman 4329 Seagull Dr MI

Mildred J. Gump 4410 Cormorant Lane, MI

Sandra J. Solvick 4671 Goldfinch M.I.

Regina Cunningham 4613 Mourning Dove Dr MI

Shirley Meers 4509 Wood Stork Dr M.I.

Ann DeMunn 271 Quail Ln MI

Ernie Osterburg 4662 Goldfinch M.I. Merritt Island FL  
 Dave DeLongue 264 Quail Lane Merritt Island, FL  
 J.R.M. DeLongue 124 Blue Sky Ln M.I. FL

ARNOLD MOSKOWITZ 4356 SEAGULL DRIVE MF32953

Andrew Hammer 4583 Wood Stork Dr. MI 32953

Walter Kadak 4475 Wood Stork Dr MI 32953

Edith Lamb 4571 Wood Stork Dr. M.I. 32953

Chloe Scheithauer 4666 Goldfinch Ln. M.I. 32953

PETITION

TO STOP THE CONSTRUCTION OF 14PZ-00008- LGH GROVES, LLC AND HARVEY'S INDIAN RIVER GROVES, INC., IN ANY CAPACITY.

**NAME AND ADDRESS**

Marion B. Mason 41605 Mourning Dove

**SIGNATURES**

Rachel LaShier  
4654 Woodstork Dr.  
M.I., FL. 32953

Ronald Jones 255 Quail Ln MT-32953

PETITION

TO STOP THE CONSTRUCTION OF 14PZ-00008- LGH GROVES, LLC AND HARVEY'S INDIAN RIVER GROVES, INC., IN ANY CAPACITY.

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NAME AND ADDRESS

SIGNATURES

Donna Fuller  
4671 Wood Stork Dr.  
Merritt Isl., FL 32953

Donna Fuller

Sybilla M. Bergsma  
4676 Wood Stork Dr.  
Merritt Island FL 32953

Sybil Bergsma

Ann Blacher  
4684 Wood Stork Dr.  
Merritt Island, FL 32953

Ann Blacher

Darren & Pat Finney  
4688 Wood Stork Dr.  
Merritt Isl., FL 32953

Pat Finney  
Darren Finney

Jackie Brooks  
4692 Wood Stork Dr  
Merritt Isl, FL 32952

Jackie Brooks

GAIL GARRISON  
4696 WOOD STORK DR  
MERRITT ISL, FL 32953

Gail Garrison

PETITION

TO STOP THE CONSTRUCTION OF 14PZ-00008- LGH GROVES, LLC AND HARVEY'S INDIAN RIVER GROVES, INC., IN ANY CAPACITY.

NAME AND ADDRESS

SIGNATURES

Howard Garrison  
4696 Wood Stork Dr.  
Meritt Is. Fla 32953

Howard Garrison

Robert Robichaud  
185 Blue Jay Lane  
Meritt Island, Fla

Robert Robichaud

Jane Horton  
WOOD STORK DR  
4700 ~~Blue Jay Lane~~ Meritt Is

Jane Horton

Jean Sullivan  
3519 Emerald Dr  
MI FL

Jean Sullivan

BARBARA Goff  
4680 WOOD STORK DR.  
M.I., FL 32953

Barbara M. Goff

PETITION

TO STOP THE CONSTRUCTION OF 14PZ-00008- LGH GROVES, LLC AND HARVEY'S INDIAN RIVER GROVES, INC., IN ANY CAPACITY.

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NAME AND ADDRESS

SIGNATURES

Richard Shoar (Richard Shoar)  
4670 Goldfinch Ln  
MI 32953

Richard Shoar

MARIE SHOAR,  
4670 Goldfinch Ln  
32953

Marie Shoar

HOWARD HINKLEY  
4690 MOURNING DOVE DR  
MI 32953

Howard W Hinkley

Janet Hinkley  
4690 Mourning Dove Dr.  
MI 32953

Janet Hinkley

Frank Tedesco  
4621 Wood Stork Dr  
M.I. 32953

Frank Tedesco

Laura Vanna  
4635 Wood Stork

Laura Vanna

PETITION

TO STOP THE CONSTRUCTION OF 14PZ-00008- LGH GROVES, LLC AND HARVEY'S INDIAN RIVER GROVES, INC., IN ANY CAPACITY.

NAME AND ADDRESS

SIGNATURES

ARLENE McELANEY

4638 WOODSTARK DR, Merritt Isl.

Arlene McElaney

PATRICIA ROSE

4630 WOODSTARK DR  
MERRITT ISLAND, FL. 32953

Patricia Rose

MARK ACALEY  
4630 WOODSTARK DR  
M.I. FLA. 32953

Mark Acaley

PATRICIA L. JAMISON

4647 WOODSTARK DR.  
MERRITT ISLAND FLA 32953

Patricia L. Jamison

LAURA THOMPSON

4651 WOOD STORK RD  
MERRITT ISLAND, FL 32953

Laura Thompson

Patricia Caporino  
4662 Wood Stork  
M.I. FL 32953

Patricia Caporino

DARLEN MORGED  
4663 Wood Stork  
M.I. 32953

Darlen Morged

Valerie B. Hunter  
4164 Wood Stork  
Merritt Island Fl. 32953

Valerie B. Hunter

PETITION

TO STOP THE CONSTRUCTION OF 14PZ-00008- LGH GROVES, LLC AND HARVEY'S INDIAN RIVER GROVES, INC., IN ANY CAPACITY.

NAME AND ADDRESS

SIGNATURES

Cindy Todisco  
4621 Wood Stork Dr.

Cindy Todisco

LORNA J BRUNNER

4614 Wood Stork Dr.

Lorna J Brunner

ALAN BRUNNER

4614 Wood Stork Dr

Alan J Brunner

Barb Wagenborg

4667 Woodstork

Barb Wagenborg



Mr. Michael Hirkala  
4618 Wood Stork Dr  
Merritt Is, FL 32953

Michael Hirkala

Raymond J Nichols  
4623 Wood Stork Dr

Raymond J Nichols

115 TOTAL

**Call summary for: 01/01/2011 - 10/19/2013**

Click on heading to change sort order.

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Call	Priority	Type	Precinct	GZone	Unit	From	To	Location
<b>[1/29/11]</b>								
#110290805	5	4T	CS	21	CS	16:01	16:02	W HALL RD / N COURTENAY PY,MI
<b>[2/11/11]</b>								
#110421383	2	4T	EP	21	321	21:29	21:54	W HALL RD / N COURTENAY PY,MI
<b>[2/18/11]</b>								
#110491223	2	4T	EP	21	320	20:54	21:07	3120 N COURTENAY PY,MI
<b>[3/08/11]</b>								
#110670329	2	4T	EP	21	121	08:54	09:51	3530 N COURTENAY PY,MI
#110670886	2	4T	EP	21	226	16:46	17:21	475 APACHE TR,MI
<b>[3/13/11]</b>								
#110720822	2	4T	EP	21	K2	18:29	19:08	SUNSET LAKES DR / N COURTENAY PY,MI
<b>[3/14/11]</b>								
#110730232	5	4T	CS	21	CS	07:18	07:23	N COURTENAY PY / GRANT RD,MI
<b>[3/20/11]</b>								
#110790907	2	4T	EP	21	428	20:04	20:54	GRANT RD / N COURTENAY PY,MI
<b>[4/02/11]</b>								
#110920806	2	4T	EP	21	420	16:15	17:06	W HALL RD / N COURTENAY PY,MI
<b>[4/03/11]</b>								
#110930680	5	4T	CS	21	CS	14:47	14:58	N COURTENAY PY / SMITH RD,MI
#110930681	1	4T	EP	21	422	14:47	19:53	GRANT RD / N COURTENAY PY,MI
<b>[4/13/11]</b>								
#111030740	5	4T	CS	21	CS	15:11	15:44	225 LAKE SHORE DR,MI
<b>[4/17/11]</b>								
#111070523	5	4T	CS	21	CS	12:52	12:56	N COURTENAY PY / SEA RAY DR,MI
<b>[4/20/11]</b>								
#111100654	5	4T	CS	21	CS	13:22	13:28	225 LAKE SHORE DR,MI
<b>[5/23/11]</b>								
#111430859	2	4T	EP	21	428	17:32	18:16	BUFFKIN TILE & CARPET,MI
<b>[6/18/11]</b>								
#111690882	5	4T	CS	21	CS	15:35	15:38	N TROPICAL TR / NORTHGROVE DR,MI
#111690883	2	4T	EP	21	231	15:35	16:21	N TROPICAL TR / INDIAN BAY BL,MI
<b>[6/23/11]</b>								
#111740612	2	4T	EP	21	122	13:52	13:54	N COURTENAY PY / SEA RAY DR,MI
<b>[7/04/11]</b>								
#111850715	5	4T	CS	21	CS	16:01	16:03	N COURTENAY PY / E HALL RD,MI
<b>[8/08/11]</b>								
#112200805	2	4T	EP	21	281	16:27	16:52	N COURTENAY PY / GRANT RD,MI

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<b>[9/13/11]</b>								
#112561036	2	4T	CS	21	CS	20:39	20:59	N COURTENAY PY / SMITH RD,MI
<b>[9/14/11]</b>								
#112570830	2	4T	EP	21	227	18:19	19:34	GRANT RD / N COURTENAY PY,MI
<b>[9/19/11]</b>								
#112620472	2	4T	EP	21	121	11:53	12:25	N COURTENAY PY / E HALL RD,MI
<b>[9/22/11]</b>								
#112650329	2	4T	EP	21	124	09:50	09:55	3700 N COURTENAY PY,MI
<b>[9/28/11]</b>								
#112710362	2	4T	EP	21	121	09:08	09:44	3625 N COURTENAY PY,MI
<b>[9/30/11]</b>								
#112730529	2	4T	EP	21	AG6	11:07	11:22	N COURTENAY PY / GRANT RD,MI
<b>[10/02/11]</b>								
#112750397	5	4T	EP	21	124	10:08	10:10	<del>MITCHELL ELLINGTON PARK,MI</del>
<b>[10/13/11]</b>								
#112860554	2	4T	EP	21	121	12:27	13:18	<del>SUNSET LAKES DR / SUNWARD DR,MI</del>
#112860681	5	4T	CS	21	CS	14:36	14:37	LA BELLA SPA,MI
#112860702	5	4T	CS	21	CS	14:54	14:54	3505 N COURTENAY PY,MI
<b>[10/19/11]</b>								
#112921004	2	4T	EP	21	323	19:12	19:37	<del>3545 N TROPICAL TR,MI</del>
<b>[11/08/11]</b>								
#113120556	2	4T	EP	21	122	11:42	11:57	N COURTENAY PY / SMITH RD,MI
<b>[11/15/11]</b>								
#113190837	2	4T	EP	21	230	17:09	17:42	<b>3300</b> -BLK N COURTENAY PY,MI
<b>[11/19/11]</b>								
#113230805	2	4T	EP	21	202	15:45	15:54	<b>150</b> -BLK GRANT RD,MI
<b>[11/20/11]</b>								
#113240677	2	4T	EP	21	420	14:27	14:28	SMITH RD / N COURTENAY PY,MI
#113240681	5	4T	EP	21	CS	14:28	14:29	N COURTENAY PY / GRANT RD,MI
<b>[12/29/11]</b>								
#113630442	2	4T	EP	21	124	10:47	11:17	GRANT RD / N COURTENAY PY,MI
<b>[1/06/12]</b>								
#120060971	2	4T	EP	21	227	17:34	18:48	W HALL RD / N COURTENAY PY,MI
#120060972	2	4T	CS	21	CS	17:35	17:58	W HALL RD / N COURTENAY PY,MI
<b>[1/10/12]</b>								
#120100508	2	4T	EP	21	122	12:21	13:26	N COURTENAY PY / SUNSET LAKES DR,MI
<b>[1/17/12]</b>								
#120170554	2	4T	EP	21	122	11:39	13:03	N COURTENAY PY / E HALL RD,MI
#120170556	5	4T	CS	21	CS	11:39	11:48	4285 N COURTENAY PY,MI
#120170608	5	4T	CP	21	121	12:33	13:16	<del>2986 N TROPICAL TR,MI</del>
<b>[2/04/12]</b>								

#120350015	5	4T	CS	21	CS	00:13	00:16	3140 WATER OAK DR,MI
[2/17/12]								
#120480698	2	4T	EP	21	429	13:48	14:35	N COURTENAY PY / GATOR DR,MI
[2/23/12]								
#120541061	2	4T	EP	21	322	21:20	22:41	3530 N COURTENAY PY,MI
[3/06/12]								
#120660340	5	4T	CS	21	CS	08:42	08:48	GRANT RD / N COURTENAY PY,MI
[3/07/12]								
#120670757	2	4T	EP	21	281	16:26	16:31	N COURTENAY PY / GRANT RD,MI
[3/09/12]								
#120691219	2	4T	EP	21	526	22:59	00:08	N COURTENAY PY / SEA RAY DR,MI
[3/10/12]								
#120700664	2	4T	EP	21	227	14:29	14:52	GRANT RD / SMITH RD,MI
[4/02/12]								
#120931120	2	4T	EP	21	529	22:56	23:59	4920 N COURTENAY PY,MI
[4/08/12]								
#120990429	2	4T	CS	21	CS	10:16	10:52	4225 N COURTENAY PY,MI
[4/13/12]								
#121040999	5	4T	CS	21	CS	17:07	17:12	3708 N COURTENAY PY,MI
#121041031	2	4T	EP	21	227	17:37	17:46	SHELL N MI,MI
[4/16/12]								
#121070085	5	4T	CS	21	CS	02:21	02:23	CIRCLE K,MI
#121070798	3	4T	EP	21	281	15:51	16:08	4285 N COURTENAY PY,MI
#121070810	2	4T	CS	21	CS	15:57	15:58	N COURTENAY PY / E HALL RD,MI
[4/27/12]								
#121180670	5	4T	CS	21	CS	13:52	13:53	HESS N MI,MI
[5/10/12]								
#121310224	2	4T	EP	21	206A	06:41	07:08	N COURTENAY PY / E HALL RD,MI
[5/12/12]								
#121330889	2	4T	EP	21	226	18:16	18:47	3095 N COURTENAY PY,MI
[5/14/12]								
#121350450	5	4T	CS	21	CS	12:28	12:36	ASHLEY CT / ENTRANCE DR,MI
#121350456	5	4T	CS	21	CS	12:31	12:34	ASHLEY CT / ENTRANCE DR,MI
[5/23/12]								
#121440591	2	4T	EP	21	M2	12:07	12:10	GRANT RD / N COURTENAY PY,MI
[6/08/12]								
#121600699	5	4T	CS	21	CS	14:35	14:42	HESS N MI,MI
[6/20/12]								
#121720816	2	4T	EP	21	206B	16:50	16:58	N TROPICAL TR / W HALL RD,MI
#121720820	3	4T	EP	21	K2	16:56	17:35	N TROPICAL TR / INDIAN BAY BL,MI

18

#123020215	2	4T	EP	21	104	06:23	06:32	W HALL RD / N COURTENAY PY,MI
#123020351	2	4T	EP	21	128	09:51	09:53	W HALL RD / N TROPICAL TR,MI
[10/31/12]								
#123050901	5	4T	CS	21	CS	17:32	17:40	3350 N COURTENAY PY,MI
[11/02/12]								
#123070803	2	4T	EP	21	226	16:16	17:15	<del>N TROPICAL TR / ENTRANCE DR,MI</del>
#123070806	5	4T	CS	21	CS	16:18	16:26	<del>3490 N TROPICAL TR,MI</del>
[11/19/12]								
#123240291	2	4T	EP	21	125	08:48	09:16	SUNSET LAKES DR / N COURTENAY PY,MI
#123240295	2	4T	CS	21	CS	08:52	08:54	SUNSET LAKES DR / SUNWARD DR,MI
[11/28/12]								
#123330760	2	4T	EP	21	225	15:25	15:42	3345-BLK N COURTENAY PY,MI
[12/04/12]								
#123390757	5	4T	CS	21	CS	15:19	15:46	SUNSET LAKES SUBD,MI
#123390763	2	4T	EP	21	M6	15:23	15:26	SUNSET LAKES SUBD,MI
[12/05/12]								
#123400324	2	4T	EP	21	124	08:13	08:53	N COURTENAY PY / SMITH RD,MI
[12/14/12]								
#123490830	5	4T	CS	21	CS	15:19	15:44	ISLAND LAKES,MI
[12/17/12]								
#123520476	5	4T	CS	21	CS	12:02	12:06	GRANT RD / N COURTENAY PY,MI
[12/21/12]								
#123560570	2	4T	EP	21	426	11:50	12:22	4205-BLK N COURTENAY PY,MI
[1/10/13]								
#130100463	5	4T	CS	21	CS	10:39	11:01	3095 N COURTENAY PY,MI
[1/14/13]								
#130140158	5	4T	CS	21	CS	06:10	06:24	N COURTENAY PY / E HALL RD,MI
[1/23/13]								
#130231079	2	4T	EP	21	223	19:55	20:37	KINGS DUCK INN,MI
[2/06/13]								
#130371069	2	4T	EP	21	224	18:54	20:45	4537 WOOD STORK DR,MI
[2/09/13]								
#130401076	5	4T	CS	21	CS	22:02	22:10	SUNBEAM CT / SUNSET LAKES DR,MI
#130401090	2	4T	EP	21	323	22:16	22:36	SUNBEAM CT / SUNSET LAKES DR,MI
[3/08/13]								
#130671411	2	4T	CS	21	CS	23:43	00:14	4285 N COURTENAY PY,MI
#130671412	2	4T	EP	21	323	23:43	01:08	W HALL RD / N COURTENAY PY,MI
[3/26/13]								
#130850543	2	4T	EP	21	123	11:47	13:06	4285 N COURTENAY PY,MI
[4/01/13]								

21

#130910711	2	4T	EP	21	426	14:46	15:24	W HALL RD / N COURTENAY PY,MI
[4/08/13]								
#130980031	2	4T	EP	21	206E	00:42	02:53	N COURTENAY PY / WOOD STORK DR,MI
[4/17/13]								
#131070471	2	4T	EP	21	126	11:08	12:12	N COURTENAY PY / WOOD STORK DR,MI
[4/22/13]								
#131121030	2	4T	EP	21	422	21:07	21:50	CIRCLE K,MI
[4/26/13]								
#131160359	2	4T	EP	21	423	08:31	09:03	<del>380 OAK LAKE PL,MI</del>
[4/29/13]								
#131190013	2	4T	EP	21	K3	00:23	00:43	4285 N COURTENAY PY,MI
[5/07/13]								
#131270821	2	4T	EP	21	231	15:40	16:10	1555 CHASE HAMMOCK RD,MI
[6/03/13]								
#131540285	2	4T	EP	21	125	07:58	09:32	3255 SAVANNAHS TR,MI
[6/07/13]								
#131580508	2	4T	EP	21	422	09:52	10:43	W HALL RD / N COURTENAY PY,MI
[6/13/13]								
#131640892	5	4T	CS	21	CS	16:11	16:20	N COURTENAY PY / SMITH RD,MI
[6/14/13]								
#131651259	2	4T	EP	21	329	22:48	00:29	<del>GALWAY CT / LIMERICK DR,MI</del>
[6/22/13]								
#131730990	5	4T	CS	21	CS	20:12	20:34	KINGS DUCK INN,MI
[6/27/13]								
#131780385	5	4T	CS	21	CS	09:44	09:45	MARINE HARBOR DR / N COURTENAY PY,MI
#131780389	2	4T	EP	21	120	09:49	10:11	N COURTENAY PY / MARINE HARBOR DR,MI
[7/18/13]								
#131990470	5	4T	CS	21	CS	10:51	11:09	N COURTENAY PY / GRANT RD,MI
[7/30/13]								
#132111084	2	4T	EP	21	528	20:25	21:00	3460 N COURTENAY PY,MI
[8/09/13]								
#132210579	5	4T	CS	21	CS	12:33	12:38	<del>625 APACHE TR,MI</del>
[8/19/13]								
#132311068	3	4T	EP	21	526	20:39	20:46	N COURTENAY PY / GRANT RD,MI
[8/27/13]								
#132390759	5	4T	EP	21	205B	14:40	14:58	<del>N TROPICAL TR / ENTRANCE DR,MI</del>
#132390758	2	4T	EP	21	224	14:40	16:37	<del>3557-BLK N TROPICAL TR,MI</del>
[8/28/13]								
#132400311	2	4T	EP	21	120	08:30	08:38	W HALL RD / N COURTENAY PY,MI
#132400323	2	4T	EP	21	120	08:43	09:15	E HALL RD / WHITE IBIS LN,MI

17

#132440097	2	4T	EP	21	523	02:08	03:03	N COURTENAY PY / E HALL RD,MI
[9/03/13]								
#132460991	5	4T	CS	21	CS	18:11	18:11	N COURTENAY PY / GRANT RD,MI
#132461002	2	4T	EP	21	226	18:23	18:27	N COURTENAY PY / GRANT RD,MI
[9/11/13]								
#132541083	2	4T	EP	21	225	18:38	19:05	GRANT RD / N COURTENAY PY,MI
[9/12/13]								
#132550737	5	4T	CS	21	CS	14:53	15:02	JUDITH AV / E HALL RD,MI
[9/15/13]								
#132580763	2	4T	EP	21	STAR4	18:09	18:15	SMITH RD / N COURTENAY PY,MI
[9/19/13]								
#132620994	5	4T	CS	21	CS	17:50	17:55	MITCHELL ELLINGTON PARK,MI
[9/23/13]								
#132660084	2	4T	EP	21	524	02:57	03:55	SUNSET LAKES SUBD,MI
[10/08/13]								
#132811131	2	4T	EP	21	331	21:47	23:09	ISLAND LAKES,MI
[10/09/13]								
#132820932	5	4T	EP	21	228	18:19	19:10	MITCHELL ELLINGTON PARK,MI

10

More

Brevard Real Estate Statistics as of 8-3-2014 – Active Listings

These do not include any commercial listings, rentals, income-producing, vacant land, co-ops, condo-tels, duplexes, mobile homes, manufactured homes, or time shares.

	<u>Single Family</u>	<u>Town homes</u>	<u>Condo</u>
Mims to Titusville Total Population – 51,264	304	42	60
Cocoa to Rockledge Total Population – 17,140	371	7	68
Viera to Suntree Total Population – 17,398	224	21	23
Merritt Island Total Population – 34,743	228	6	40
Cape Can./Cocoa Bch. Total Population – 21,305	55	37	231
Melbourne Total Population – 76,068	447	23	58
Palm Bay Total Population – 103,190	515	7	11
Sat. Bch. To Melb. Bch Total Population – 101,559	206	51	103
Totals Grand Total 3138	2350	194	594

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Brevard Real Estate Statistics as of 8-3-2014 – Active Listings

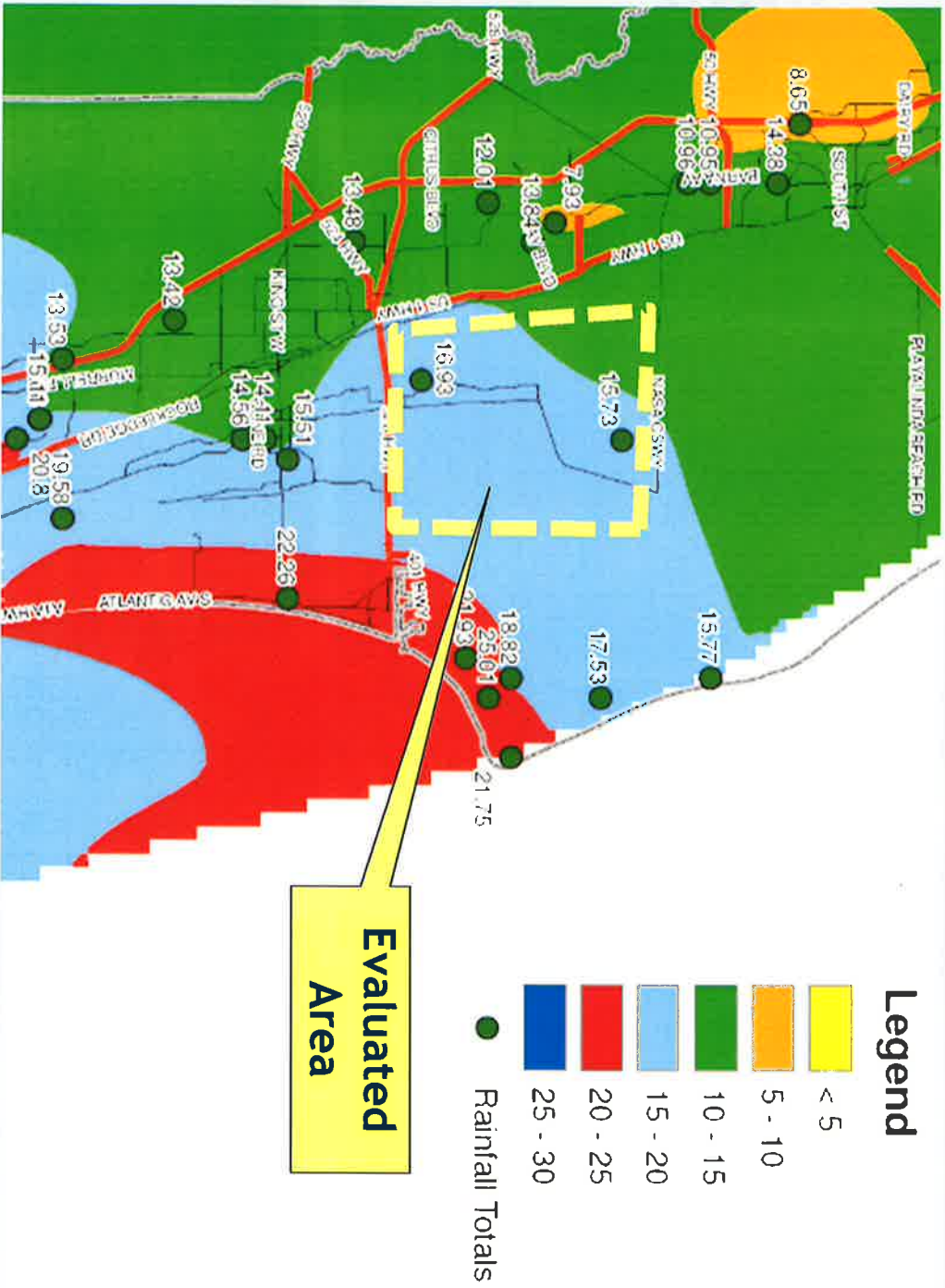
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	<u>Single Family</u>	<u>Town homes</u>	<u>Condo</u>
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Palm Bay Total Population – 103, 190	515	7	11
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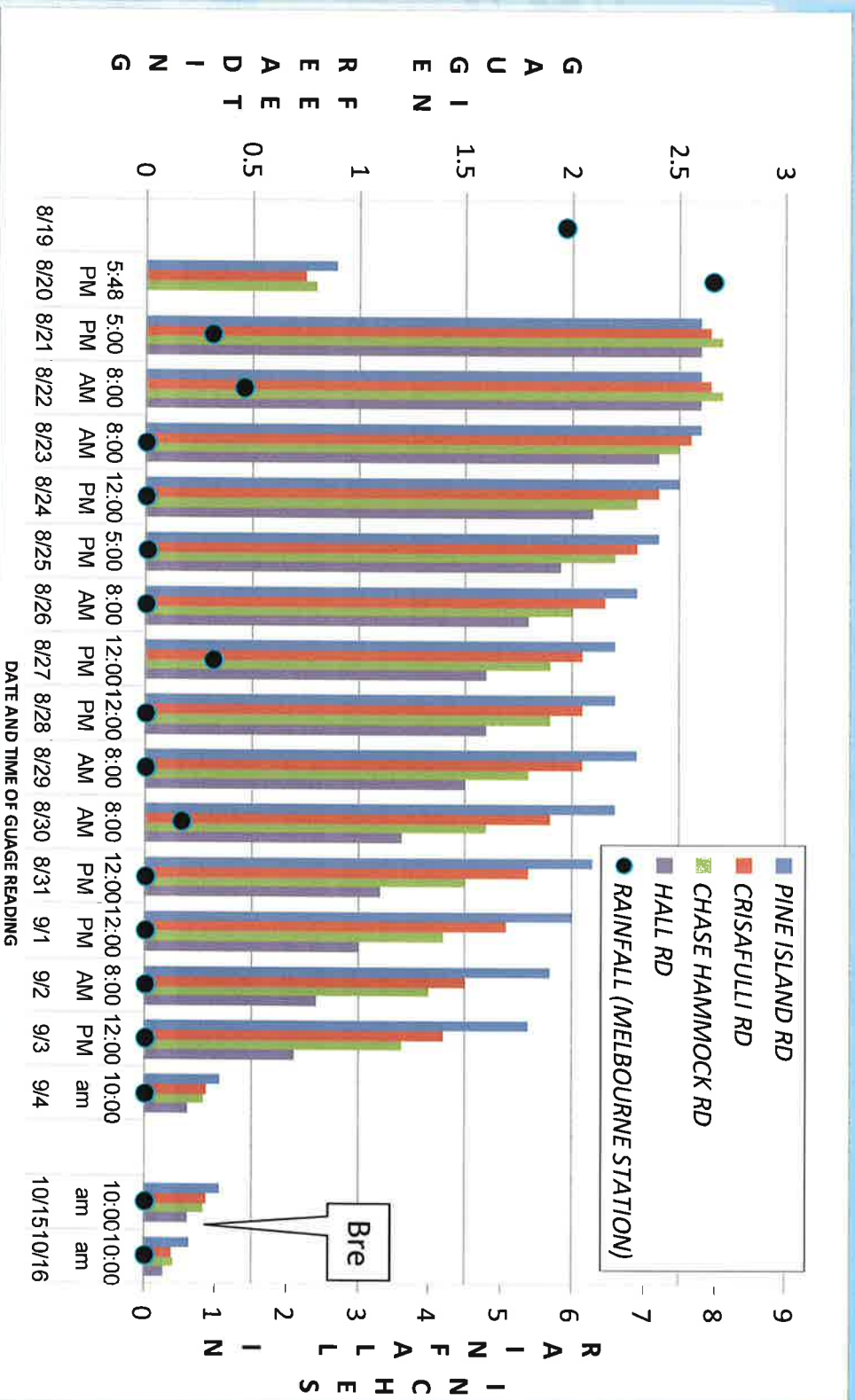
# **North Merritt Island Area**

## **Post-TS Fay Drainage Evaluation**

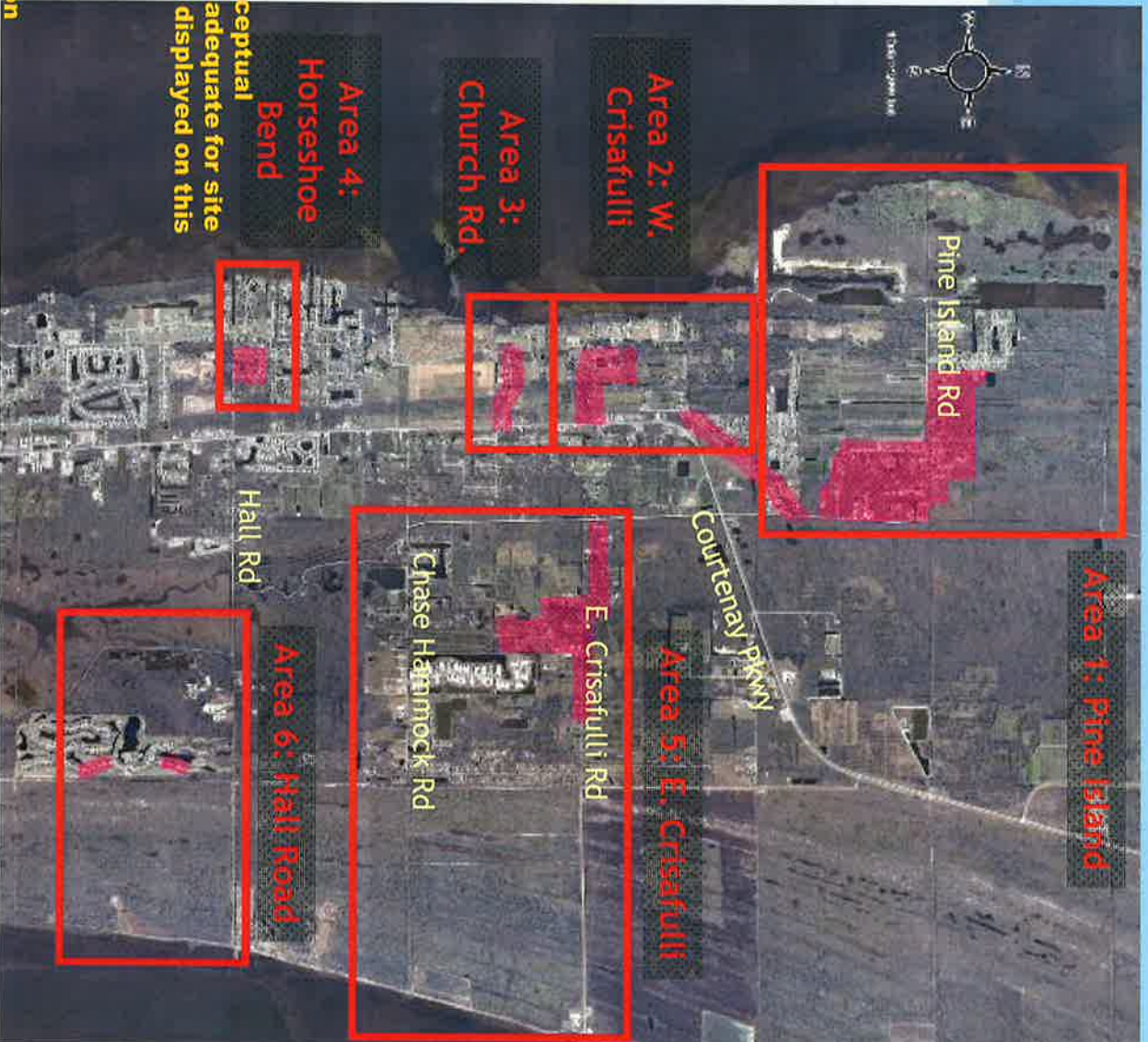
# TS Fay Rainfall Data



# Pine Island & Judson Canal Water Levels



# Project Areas



This map displays conceptual information and is not adequate for site specific use. Projects displayed on this map are subject to:

- Board Approval
- Property Acquisition
- Engineering
- Permitting & Mitigation
- Available Funding

# Existing Drainage Strategy



This map displays conceptual information and is not adequate for site specific use. Projects displayed on this map are subject to:

- Board Approval
- Property Acquisition
- Engineering
- Permitting & Mitigation
- Available Funding

# 1996 Drainage Strategy



This map displays conceptual information and is not adequate for site specific use. Projects displayed on this map are subject to:

- Board Approval
- Property Acquisition
- Engineering
- Permitting & Mitigation
- Available Funding

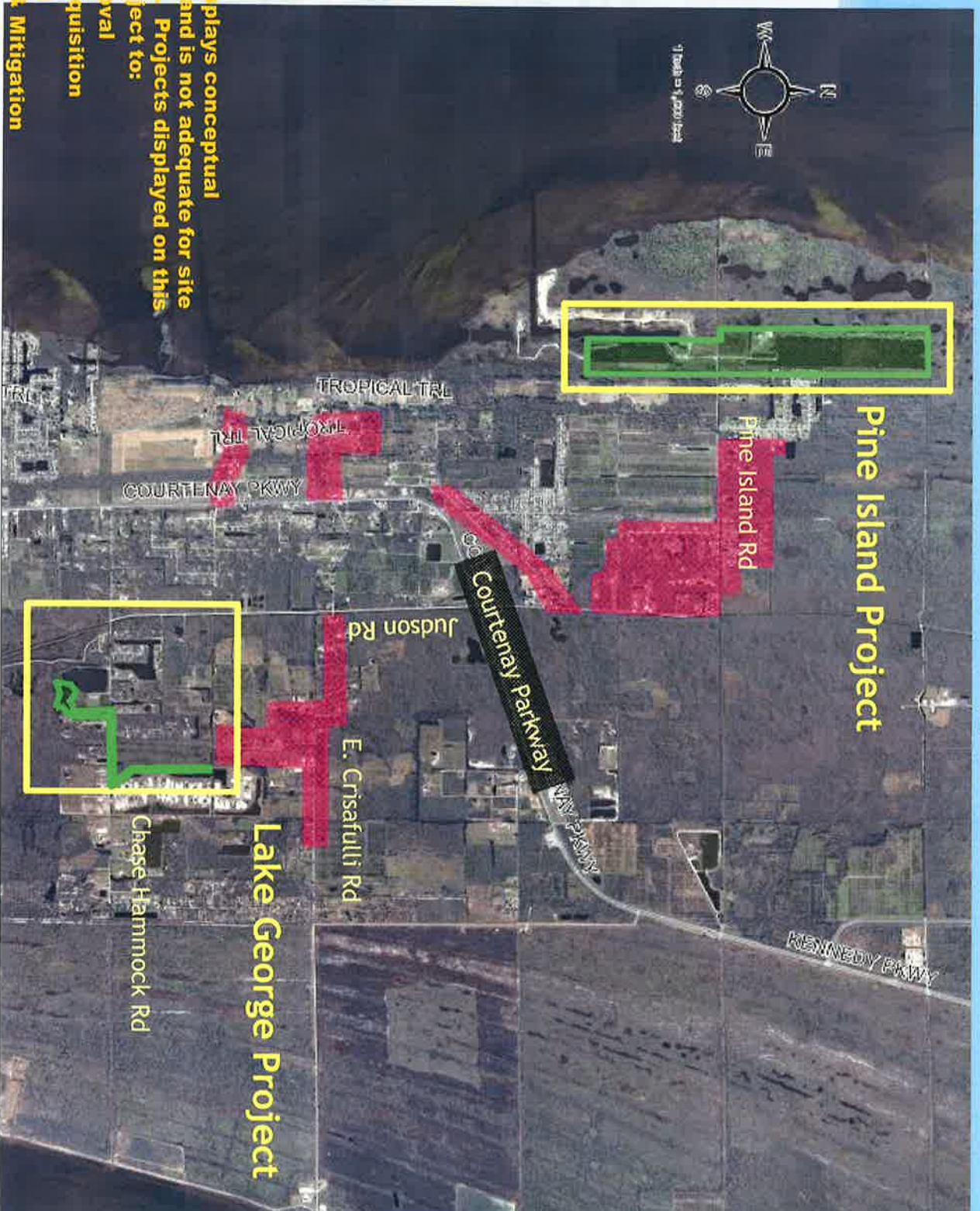
# 2008 Strategy



This map displays conceptual information and is not adequate for site specific use. Projects displayed on this map are subject to:

- Board Approval
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- Permitting & Mitigation
- Available Funding

# Permitted Projects



**Pine Island Project**

**Lake George Project**

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- Available Funding

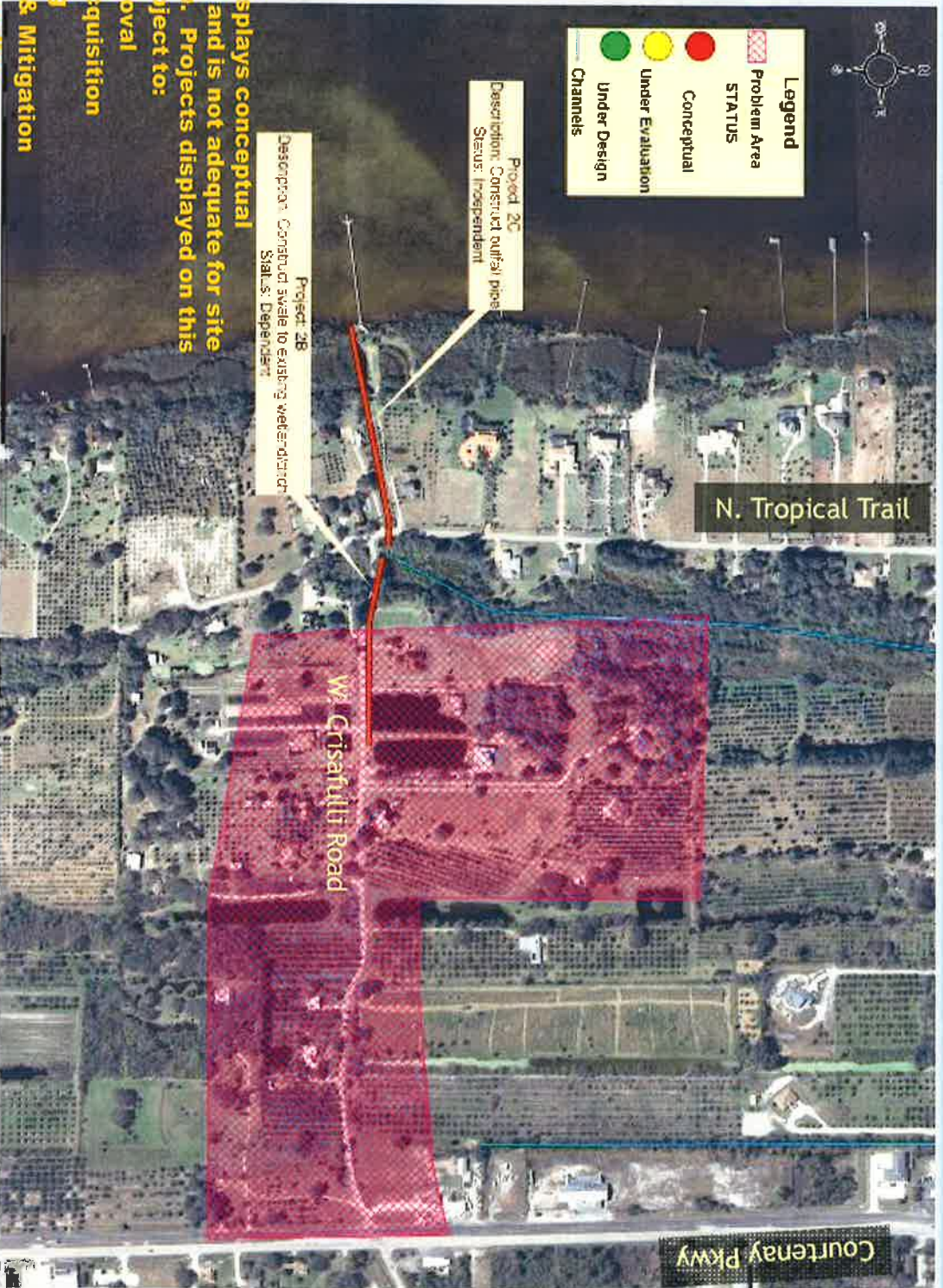
# Area 1: Pine Island



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- Board Approval
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- Engineering
- Permitting & Mitigation
- Available Funding

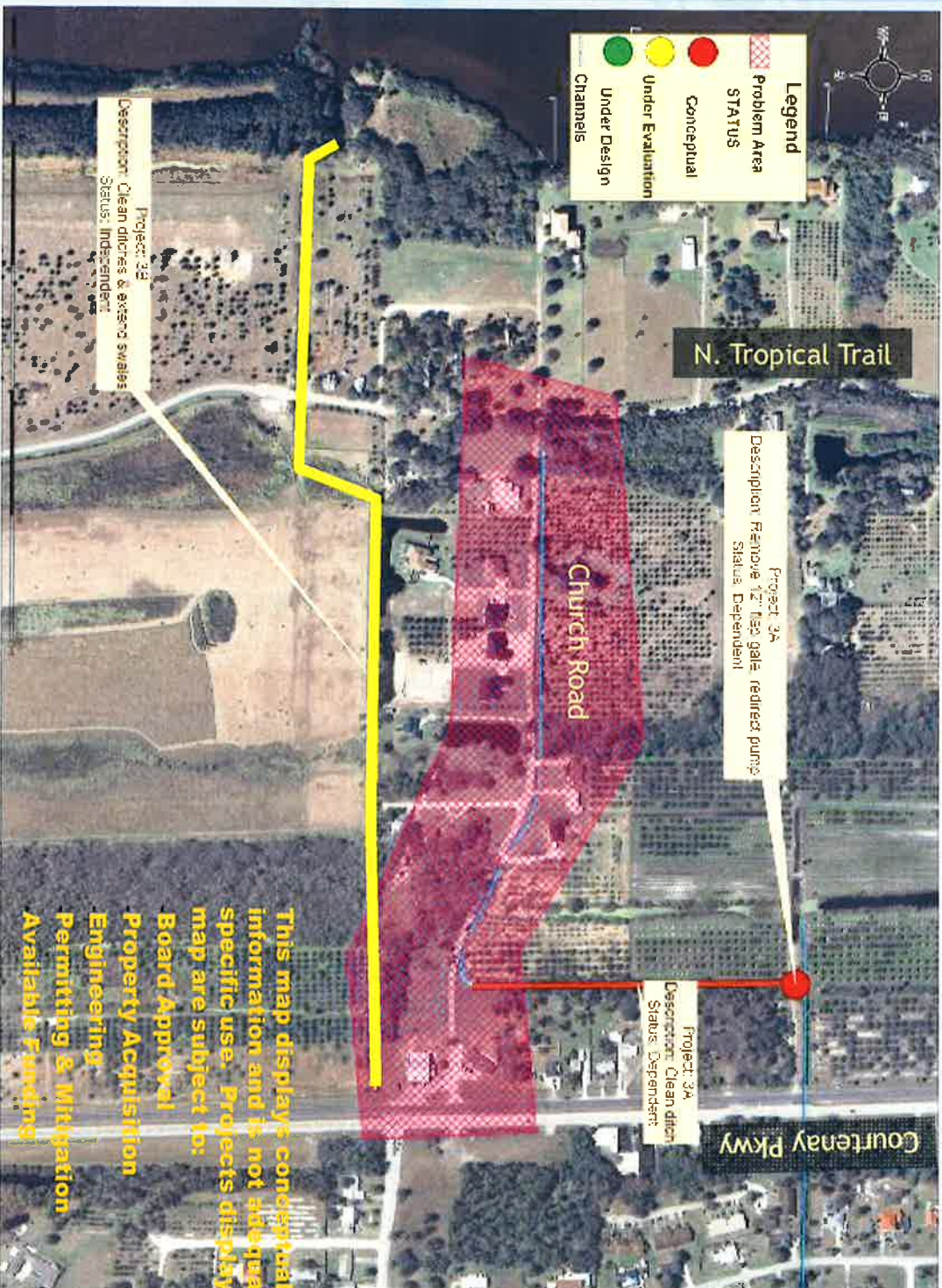
# Area 2: West Crisafulli Road



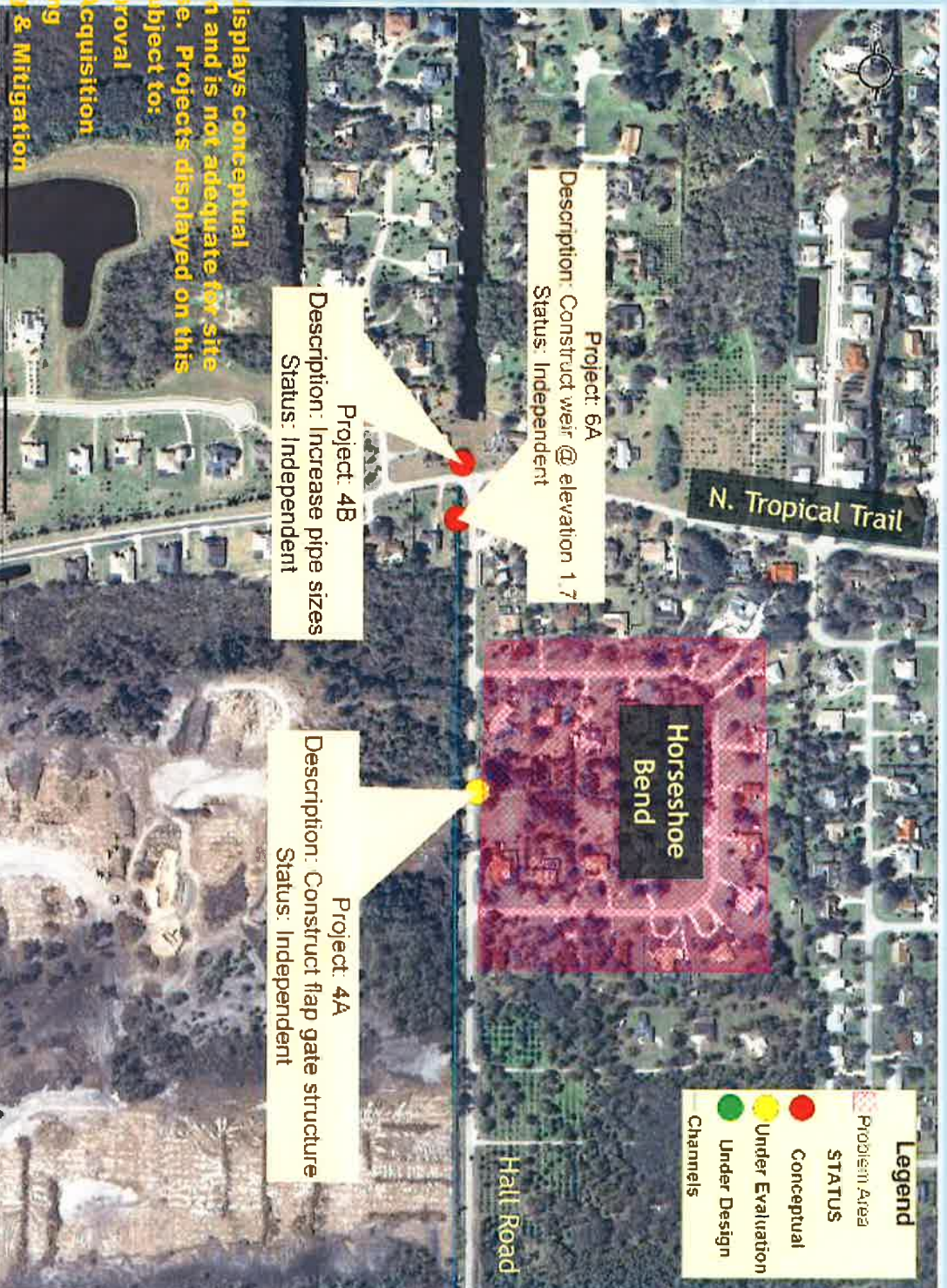
This map displays conceptual information and is not adequate for site specific use. Projects displayed on this map are subject to:

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- Property Acquisition
- Engineering
- Permitting & Mitigation
- Available Funding

# Area 3: Church Road



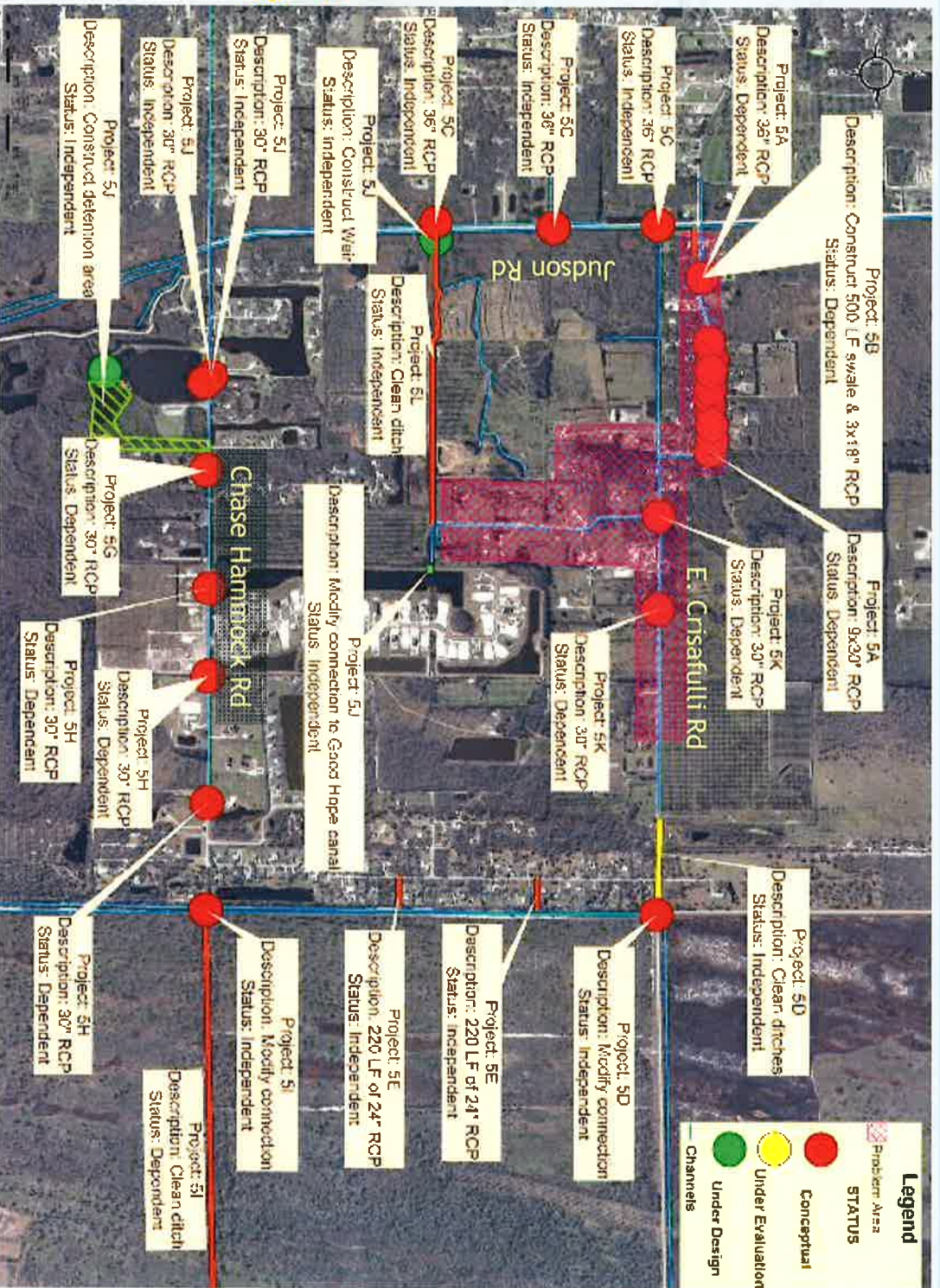
# Area 4: Horseshoe Bend



This map displays conceptual information and is not adequate for site specific use. Projects displayed on this map are subject to:

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- Available Funding

# Area 5: East Crisafulli Road & Chase Hammock Road



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- Available Funding

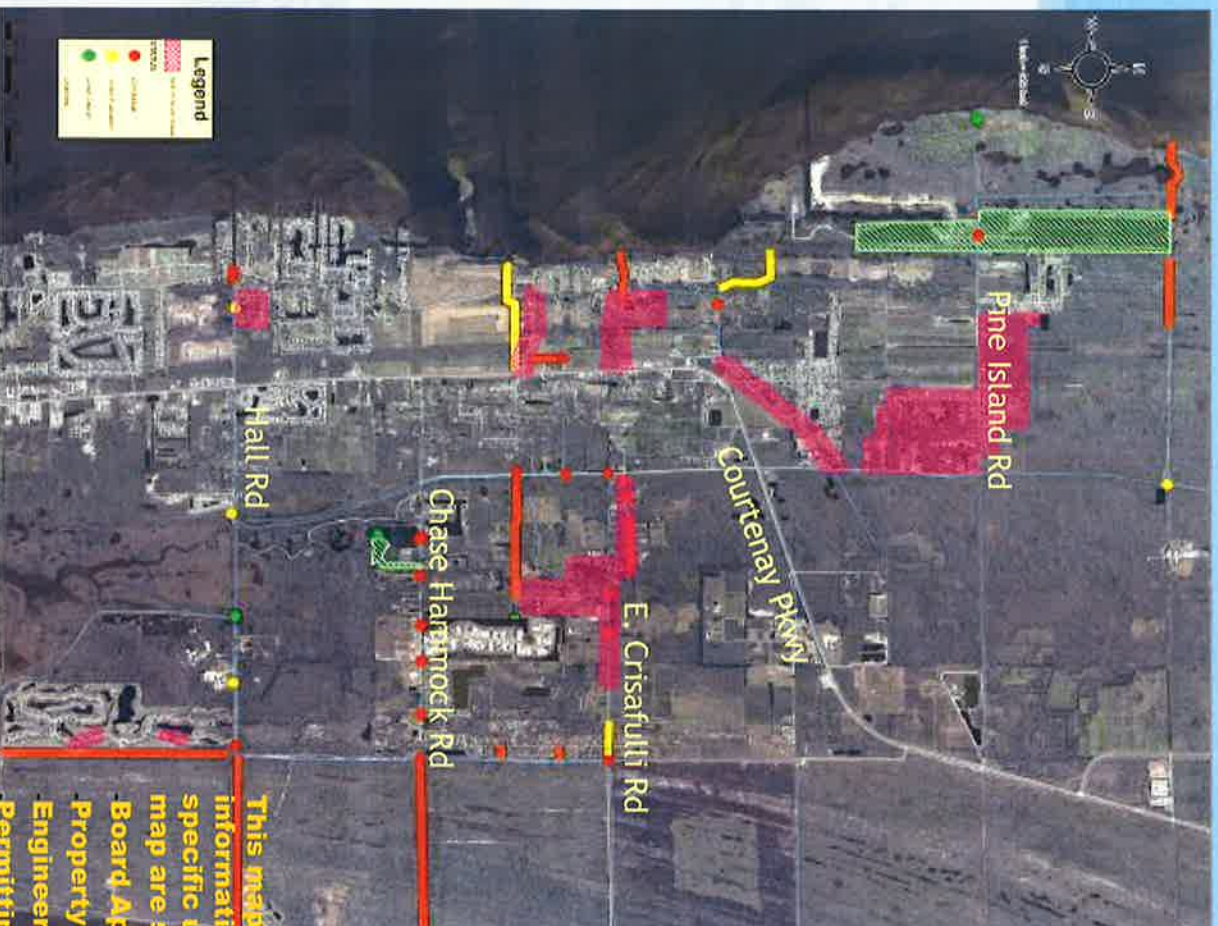
# Area 6: Hall Road



This map displays conceptual information and is not adequate for site specific use. Projects displayed on this map are subject to:

- Board Approval
- Property Acquisition
- Engineering
- Permitting & Mitigation
- Available Funding

# Projects Map



This map displays conceptual information and is not adequate for site specific use. Projects displayed on this map are subject to:

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- Property Acquisition
- Engineering
- Permitting & Mitigation
- Available Funding

III.A.1 -  
extra copy

**Re: Aug 7 2014 request for rezoning Harvey's Groves from 1:2.5AC to 1:1/2 AC residences -**

At the May 29<sup>th</sup> Commissioners' meeting Mr. Mayer, the developer for this property, stated that the 222 houses on 111 AC density of this proposed development would be "very consistent with the other communities in the area" and "in general the N. Merritt Island community."

Commissioner Infantini then stated her concerns about the increased traffic, and also that the current residents had "moved in with an understanding that the property that surrounds them has this density" of one house per 2.5 AC and that this rezoning would not meet "that transition rule that the Board consistently looks for."

Turns out she is right.

All of these figures are from Brevard County and are cited below.

Out of the approx. total of 11,146.1 AC of N. Merritt Island total private (buildable) land\*\* (not government or NASA land)

only 9.3 % has a zoning density of more than one house per AC

and 90.7 % of the land on N. Merritt Island has one house per 1 AC, or 2.5 acres, or greater.

The majority of the higher-density approvals occurred in the 1970s and 1980s.

The 8 neighborhoods on N. Merritt Island over 40 acres were all approved well before we knew of the flooding problems from increased building on NMI after Hurricane Wilma in 2005, Trop. Storm Fay in 2008 and No Name Storm of 2009.

There has been only one parcel with a density of greater than 1 unit/acre approved on N. Merritt Island by the County Commissioners since 2005's Hurricane Wilma. It is 5.7 AC.

As building density has increased on N. Merritt Island flooding historically is becoming worse. The short-term benefits of an increased tax base are now being outweighed by the long-term cost (\$6.2 million since 2008, not including fuel and salaries\*\*\*) of only N. Merritt Island flooding mitigation of residences and businesses that the taxpayers have paid and will have to pay more of in future storm seasons.

This rezoning density would increase tax costs for residents and is not consistent with the surrounding neighborhoods. Just because building is possible does not make it fair to the surrounding communities.

Below is a list from Brevard County Planning and Development of every residential property and neighborhood on NMI north of the Barge Canal that is zoned for more than one home per acre.

All residential neighborhoods on NMI with a density of more than one residence/acre (including SR, EU, RU, RP, TR and PUD)

List reads:

Year zoning established\* - subdiv./owner name, street\*\*, zoning classification, total acres of property\*\*

- 1963 - Colony Park, TR-1, 61.8 AC
- 1963 - Colony Park, TR-2, 4 AC
- 1963 - Colony Park TR-3, 27 AC
- 1963 - Merritt Land Co., SR, 21.3 AC (*but only 11 residences built there*)
- 1963 - McCollum, Trop.Trl., SR, 0.8 AC
- 1964 - Eshleman, Trop Trl., SR, 0.6 AC
- 1965 - Novesky, Eagle Way, RU-1-9, 2.8 AC
- 1965 - Leilani Ln., EU-1, 7.4 AC (*but only 5 residences built there*)
  
- 1971 - Crisafulli, Country Ln., SR, 9.4 AC
- 1971 - G. Seaman, Trop.Trl., EU-2, 1 AC
- 1973 - D.Hall, Trop.Trl., EU, 0.5 AC
- 1973 - Endeavor Ln., EU, 5.4 AC
- 1973 - Brandes/Stilwell, Trop.Trl., EU, 1.4 AC
- 1974 - Lange, N.Courtenay, RU-2-30, 1.7 AC
- 1975 - Gails Way, EU, 19.7 AC
- 1977 - Pyber Ln., EU 5.4 AC
- 1977 - Torres/Bergquist/Stapleton, County Ln., SR, 2.5 AC
- 1977 - Patti Dr., SR, 43 AC
- 1978 - Ivey, Eagle Ln., SR, 8.2 AC
- 1978 - Blevins/Parrell, Kings Way, EU, 0.5 AC
- 1978 - Sims/Miceli, Kings Way EU, 0.5 AC
- 1979 - Sullivan, Eagle Way, SR, 17.3 AC
- 1979 - Cheyenne Tr., EU, 44 AC
- 1979 - Indian Bay Blvd., EU-2, 9.8 AC
- 1979 - River Moorings, EU, 52.1 AC
  
- 1980 - River Island St., RU-1-13/EU, 15.0 AC
- 1981 - Seagate Dr., RA/RU, 32.7 AC
- 1985 - Osprey/Heron Villages at Cedar Creek, PUD, 40.7 AC
- 1986 - Waters Mark Development, Porcher Rd., EU-2, (*not built yet*) 7.2 AC
- 1986 - Waters Mark Development, Trop. Trl., EU-2, (*not built yet*) 96 AC
- 1987 - Pinta Circle, EU-2, 17.8 AC
- 1987 - Oak Lake Pl., EU, 14.0 AC
- 1989 - Perkinson Ln., EU, 2.3 AC
  
- 1990 - The Savannahs, PUD, 56.5 AC
- 1990 - Citrus Club, EU-2, 16.5 AC
- 1991 - Poole, Grant Rd., EU, 0.7 AC
- 1991 - Captain Blyth/12 Oaks Cir., EU, 21.3 AC
- 1992 - Otter Trace, SR, 24.6 AC
- 1993 - Marotta/Donovan, Grant. Rd., EU, 1.2 AC
- 1993 - Sunset Lakes, PUD, 155.7 AC
- 1994 - Wildflower St./Mandalay Grove, EU, 27.4 AC
- 1997 - Stone Lake Dr., SR, 26.1 AC

1998 - Coastal Breeze Way, EU-1, 16.1 AC

1998 - Treasure Lagoon, EU, 12.1 AC

2000 - Tradewinds Trail, PUD, 94.9 AC

2014 - Courtenay Ventures, RU-1-13, 5.68 AC

total – 1,032.6 AC zoned (some not built yet) denser than 1 unit/AC

The two properties not included in acreage as they are not developable:

Brevard County wetland property, S on Hall Rd. (Cedar Creek wetlands), zoned PUD, but with a FLU of PUB/CONS (conservation land), 294.6 AC

Brevard County wetland property, N on Hall Rd., zoned SR, but with a FLU of PUB/CONS (conservation land), 99 AC\*\*

Approx .N. Merritt Island total private (buildable) land (not government/NASA): measurable on GIS maps - , 11,146.1 AC (county/government estimates range between 10,195 and 12,950.5 AC, which is an average of 11,572.5 AC). \*\*

11,146.1 AC div. by 1,032.6 AC = 9.26% zoned greater density than 1 unit:1 AC

\* dates from Brevard County Property Appraisers Office, <https://www.bcpao.us/> , 2014

\*\* statistics from Brevard County Planning and Development,

<http://www.brevardcounty.us/PlanningDev> and the Brevard County/GIS Zoning and FLU Interactive Map, <http://gis.brevardcounty.us/zoning.html> , 2014

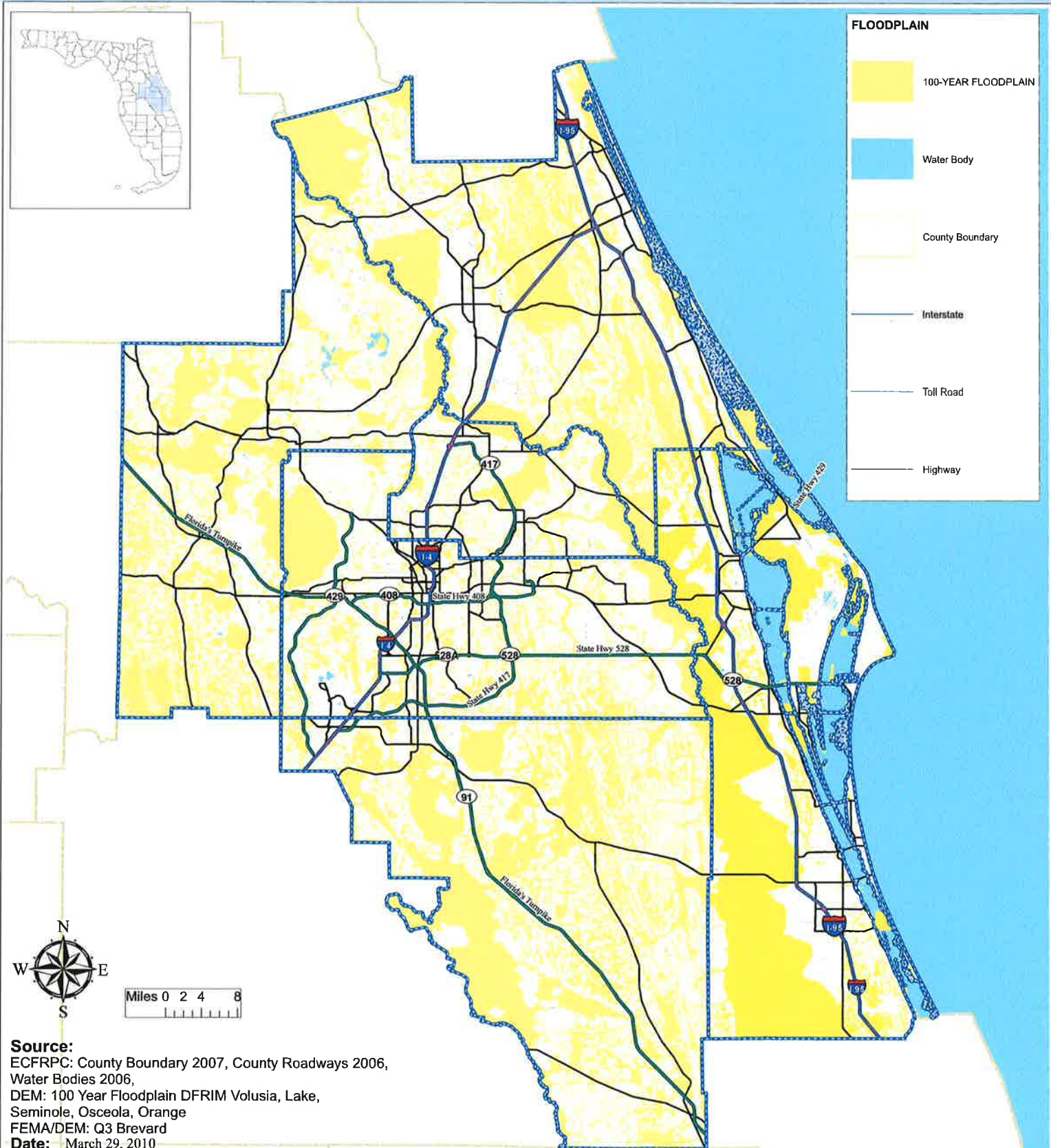
\*\*\* cost analysis from Brevard County Department of Natural Resources, 2014





# 100 Year Floodplain

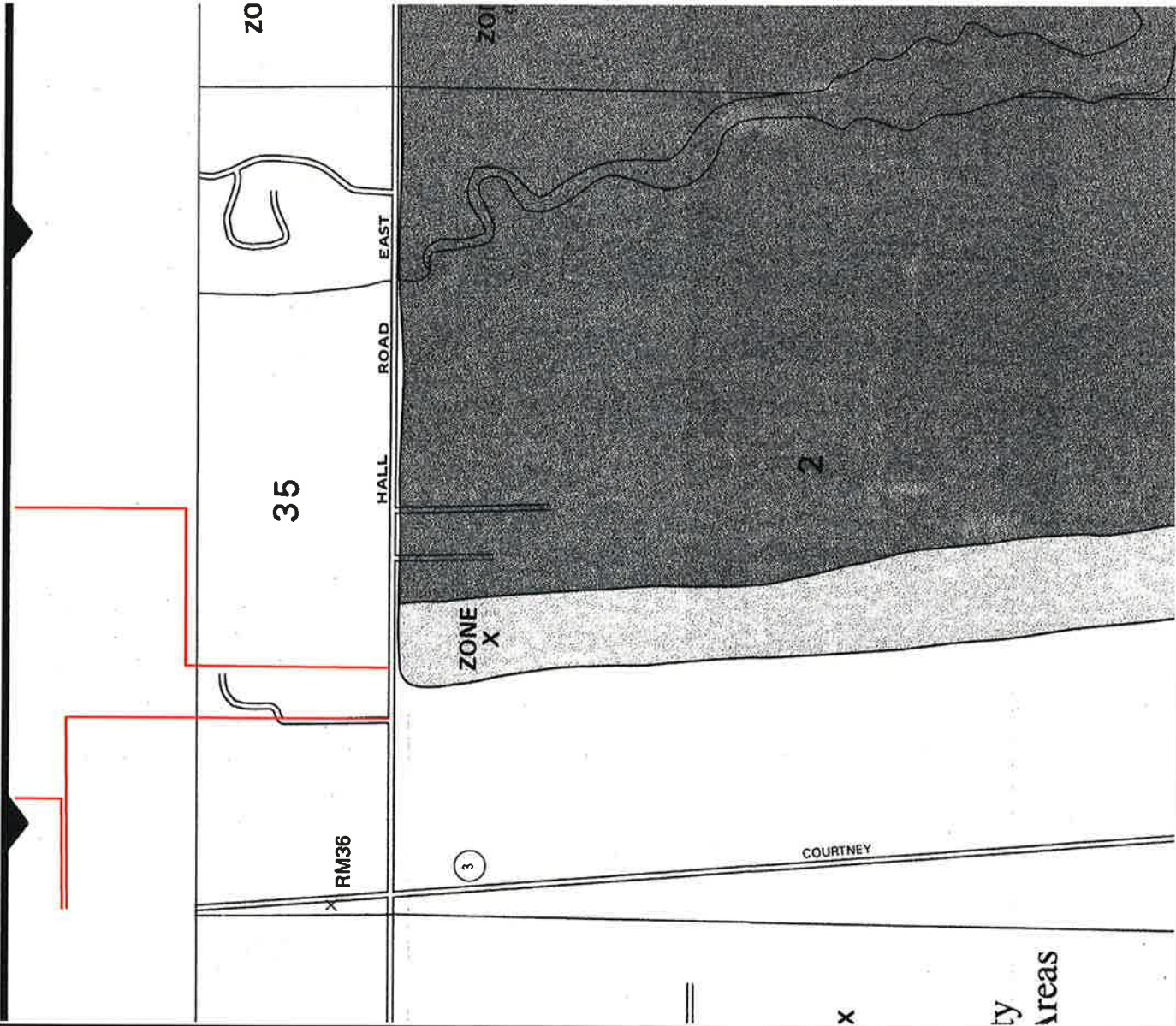
## 100 Year Floodplain, Q3 and DFIRM, in the East Central Florida Region



**Source:**  
ECFRPC: County Boundary 2007, County Roadways 2006,  
Water Bodies 2006,  
DEM: 100 Year Floodplain DFRIM Volusia, Lake,  
Seminole, Osceola, Orange  
FEMA/DEM: Q3 Brevard  
**Date:** March 29, 2010

This map is intended to be used for planning purposes only and is not to be construed as a legal document. The GIS data available on this map may need field verification as it corresponds to regional scale representation. The ECFRPC and associated agencies have taken reasonable efforts to ensure the accuracy of this map. However, the ECFRPC and associated agencies provide no warranty as to the map's accuracy or completeness, and assume no liability for losses or damages incurred by persons relying on the information provided. Any reliance on the information contained herein is at the user's own risk. 185.003 Use of geographic information by governmental entities. When state agencies, water management districts, regional planning councils, local governments, and other governmental entities use maps, including geographic information maps and other geographic information products, as the source of data for planning or any other purpose, they must take reasonable steps to ensure that the accuracy and reliability of such maps and data may be limited by various factors, including the scale of the map, the timeliness and accuracy of the underlying information, the availability of more accurate and the presence or absence of ground truthing or other verification of the underlying information contained in such maps and other geographic information. This section does not apply to maps obtained pursuant to part II of chapter 185.

**E**



APPROXIMATE SCALE IN FEET

1000  
0  
1000

**NATIONAL FLOOD INSURANCE PROGRAM**

**FIRM**  
**FLOOD INSURANCE RATE MAP**

BREVARD COUNTY,  
FLORIDA AND  
INCORPORATED AREAS

PANEL 290 OF 727

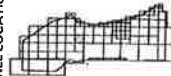
CONTAINS:  
COMMUNITY

COCOA, CITY OF  
UNINCORPORATED AREAS

NUMBER PANEL SUFFIX

120020 0290 E  
125092 0290 E

PANEL LOCATION



MAP NUMBER:  
12009C0290 E

EFFECTIVE DATE:  
APRIL 3, 1989



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using FIRMette - Desktop version 3.0. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. Further information about National Flood Insurance Program flood hazard maps is available at <http://www.msc.fema.gov/>.



APPROXIMATE SCALE IN FEET  
1000 0 1000

ZONE X

TH COURTENAY PARKWAY

RM35

CHASE HAMMOCK ROAD

ROAD

35

NATIONAL FLOOD INSURANCE PROGRAM

# FIRM FLOOD INSURANCE RATE MAP

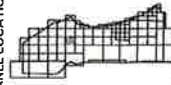
BREVARD COUNTY,  
FLORIDA AND  
INCORPORATED AREAS

PANEL 280 OF 727

CONTAINS:  
COMMUNITY

NUMBER PANEL SUFFIX  
UNINCORPORATED AREAS 125092 0280 E

PANEL LOCATION



MAP NUMBER:  
12009C0280 E

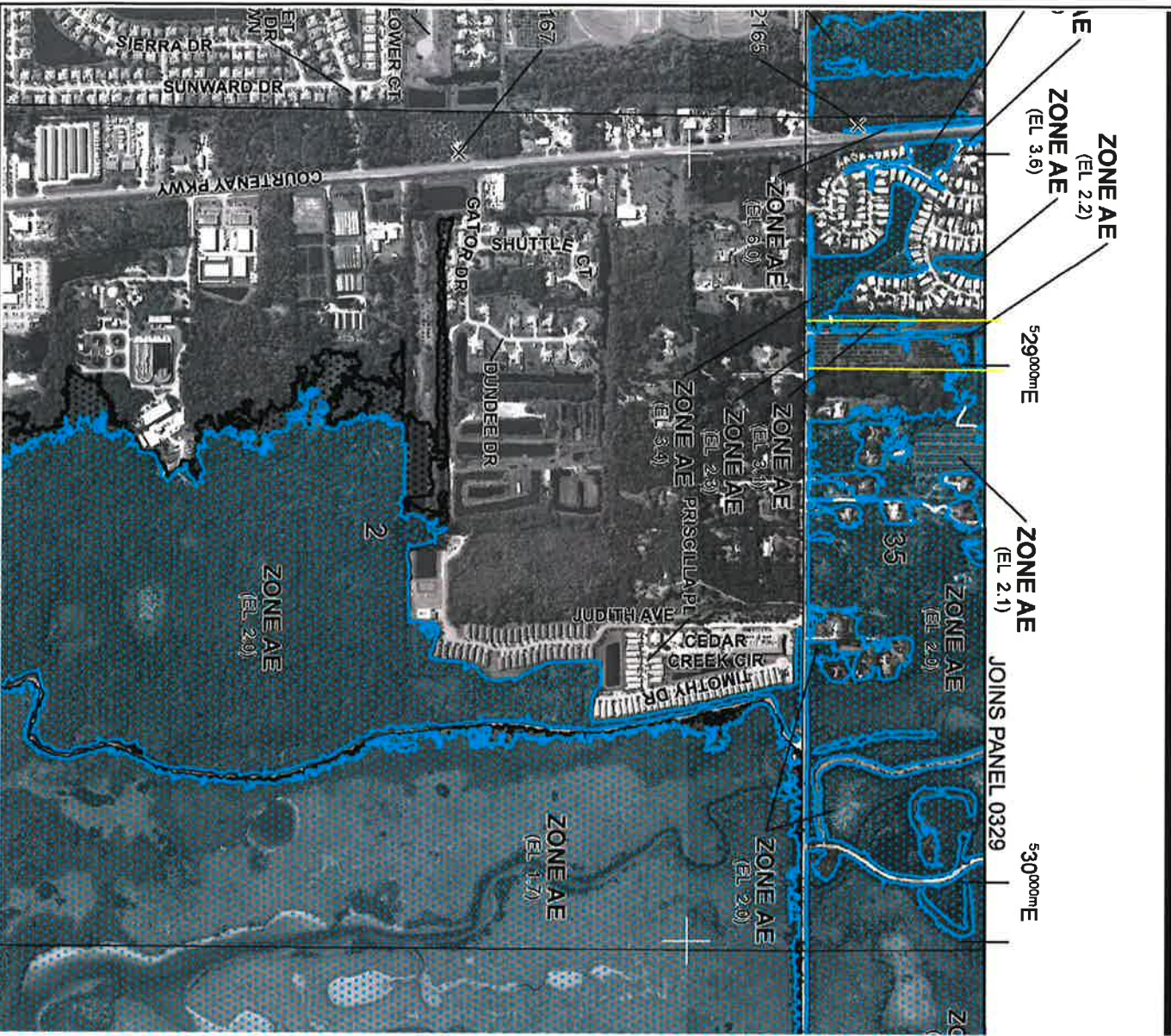
EFFECTIVE DATE:  
APRIL 3, 1989



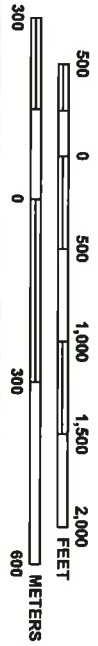
Federal Emergency Management Agency

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MAP SCALE 1" = 1000'



# NATIONAL FLOOD INSURANCE PROGRAM

NFIP

PANEL 0340G

**FIRM**  
**FLOOD INSURANCE RATE MAP**  
**BREVARD COUNTY,**  
**FLORIDA**  
**AND INCORPORATED AREAS**

**PANEL 340 OF 825**

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
BREVARD COUNTY	125092	0340	G
CABE CANONICAL	120819	0340	G
PORT AUTHORITY			
COCOA, CITY OF	120020	0340	G



Federal Emergency Management Agency

**MAP NUMBER**  
**12009C0340G**  
**MAP REVISED**  
**MARCH 17, 2014**

This is an official copy of a portion of the above referenced flood map. It was extracted using FIRMette - Desktop Version 3.0. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. Further information about National Flood Insurance Program flood hazard maps is available at <http://www.nsc.fema.gov/>.

## HARVEY GROVE REZONING REQUEST

### EAST HALL ROAD, MERRITT ISLAND, FL

My name is Shelley Carnell, I live at 425 East Hall Road, Merritt Island, Florida, my family has lived at this address since the 1970s, and the storm water drainage has continually got worse. When new developments are proposed I always call the county and express my concern about the ever worsening drainage problems associated with new developments just to always be assured that the developers are required to put in detention ponds to hold their storm water so other homeowners will not experience flooding. But when the rains come and the drainage is worse and I call the county they never fail to tell me "that is the price YOU pay for progress", but who's progress, but the progress of developers. I am here to present competent and substantial evidence that this development should not be allowed to progress until the storm water drainage problems on Hall Road are permanently solved so that no additional homeowners are forced to tear down their homes and rebuild them in the cause of "progress" for developers.

The current standard is that developers construct detention ponds that hold on the proposed development the maximum amount of rainfall of 11 inches over a 24 hour periods, however, "in order to protect upstream or downstream properties, the retention/detention requirements may be increased if site specific drainage problems are known by the County" as reflected in the Brevard County Storm Water Management Criteria (Competent and Substantial Evidence), see Attachment #1.

The "site specific problems" at the Harvey Grove site are:

- March 17, of this year this property went from being in FEMA flood zone X, no flood plain to flood zone AE, as reflected in these FEMA maps (Competent and Substantial Evidence), see Attachments #2 & #3.
- This property actually sets in the "bowl" that most of us know helps to contribute to the flooding problems on E. Hall Rd and surrounding areas, as reflected in the LIDAR Hall Road Profile (Competent and Substantial Evidence), see Attachment #4.
- According to the Zoning Department the developer will be allowed to discharge a greater amount of storm water into the bowl/slue since Harvey used a pump in conjunction when this property was in active citrus production. Mr. Harvey has

abandoned this property as it relates to the citrus industry and has not maintained the grove for many years which is evidenced by dead, toppled trees and natural vegetation growing up in the grove. By allowing the storm water discharge rate to be even greater because of the existence of this pump we homeowners that live in the area of this development will experience even greater flooding.

Some will say 11 inches to hold on property is fine, but let's take a closer look at what significant rainfall really looks like in "the bowl".

On July 8, 2014 we had .81 inches rainfall, as reflected by this County map, (Competent and Substantial Evidence), see Attachment #5, during the day causing drainage issues. After noticing the ditch level was high, I decided to take pictures of the storm water drainage problems before the sun set. I took the following pictures going from west starting at my address and working toward the dike and pump house, as reflected by these pictures, (Competent and Substantial Evidence), see Attachments #6 - #9. Notice the stress the ditches are under with just .81 inches of rain. Now consider what this looks like with 11 inches of rain over a 24 hour period. But let's look at other examples.

Allot of us remember Tropical Storm (TS) Faye, it traumatized many of us as we watched the flood waters get closer to our homes, praying we didn't get flooded out. According to the county TS Faye dropped 16.93 inches of rain on North Merritt Island over a 5 day period, as reflected by this County map, (Competent and Substantial Evidence), see Attachment #10 resulting in some homeowners to be forced to tear down their flooded out homes and rebuild them, literally costing them the roof over their heads. When terrified homeowners express concern about this happening again, we are told that was a one in a 5,000 year event or a one in 500 year event, but this simply is not the case. My research has disclosed that in 1899 Merritt Island experienced a 18.12 inch rain fall over the same period of time as TS Faye of 5 days, as reflected in this data from The Southeast Regional Climate Center, (Competent and Substantial Evidence), see Attachment #11, and this was found with data for only 61 of the last 100 years or so because between 1970 to 2009 there were no rain reporting sites on North Merritt Island, as reflected in this document from The Southeast Regional Climate Center, (Competent and Substantial Evidence), see Attachment #12. If more complete data existed these incidences could be even greater since local people can casually remember at least 5, 1% 100 year events (or  $\geq 11$  inches of rain over a 24 hour period) which occurred during the period when records were not kept. These events are not presented here since I could not definitively prove the actual rain fall amounts with the exact dates. But even with the incomplete records available,

similar rain events are significantly more common than what homeowners are currently being told thereby, giving homeowners a false sense of security and giving the green light to developers to continue to build and drain in the bowl. But also notice the amount of flooding that occurred with TS Faye was over 5 days and now compare this with how the Hall Road ditch struggles to drain off .81 inches of rain on July 8, 2014. It is evident that this area does not have the capacity to drain any more storm water until the drainage problems in this area/bowl are permanently solved.

So what happens when a rain event occurs that is  $\geq 11$  inches of rain, the developer dumps the excess water from their ponds into the bowl/slue (at a greater discharge rate because Harvey had pumps involved in this site specific former citrus production business) where the rest of us live forcing us to deal with the extra storm water threat to our homes.

Our local government has a fiduciary responsibility to existing homeowners in the Hall Road and surrounding areas to protect our property from the continual threat of poor storm water drainage. In the 1980s the Hall Road ditch would literally run dry and you could walk on it, this is never the case any longer. When our homes were built we complied with all regulations and laws, we paid all fees then many of us paid for the cost of our homes over 30 years in hopes we could live in our homes until we die. We pay property taxes every year, just to find out that the very roof over our heads is in jeopardy by others sacrificing our homes on the altar of "progress" for land developers. This doesn't even touch on the point that our property is being devaluated because of this threat. Mr. Harvey has a right to develop his property, but his rights end where mine begin, I have a right to live in my home without fear of losing the roof over my head and paying for it twice. The county has a duty to first solve the storm water drainage problem before allowing any additional development so as to protect the rights of existing homeowners.

Streets shall be designed so that the lowest crown elevation is at or above the 25 year peak flood stage.

Rainfall amounts shall be as follows:

- 10 year 24 hour storm = 7.9"
- 25 year 24 hour storm = 9.0"
- 100 year 24 hour storm = 11.0"
- 25 year 96 hour storm = 12.5"

In order to protect upstream or downstream properties, the retention/detention requirements may be increased if site specific drainage problems are known by the County.

#### 4.2 Retention Volume

Stormwater facilities shall meet SJRWMD Criteria for retention volumes, treatment methods, and pond design criteria unless otherwise noted.

#### 4.3 Pond Flow Calculation Methods

1. The following methods shall be used to design retention/detention facilities.

- (a) Santa Barbara Urban Hydrograph
- (b) SCS Synthetic Unit Hydrograph - Use peaking factors as recommended by SJRWMD.
- (c) Overland Flow Model - Appropriate for flat, rural areas.
- (d) TR 55 - Appropriate for sites 10 acres or less. Use the modified tables shown in "Appendix A."
- e) Other approved hydrograph methods

##### 4.3.1 Calculation Variables

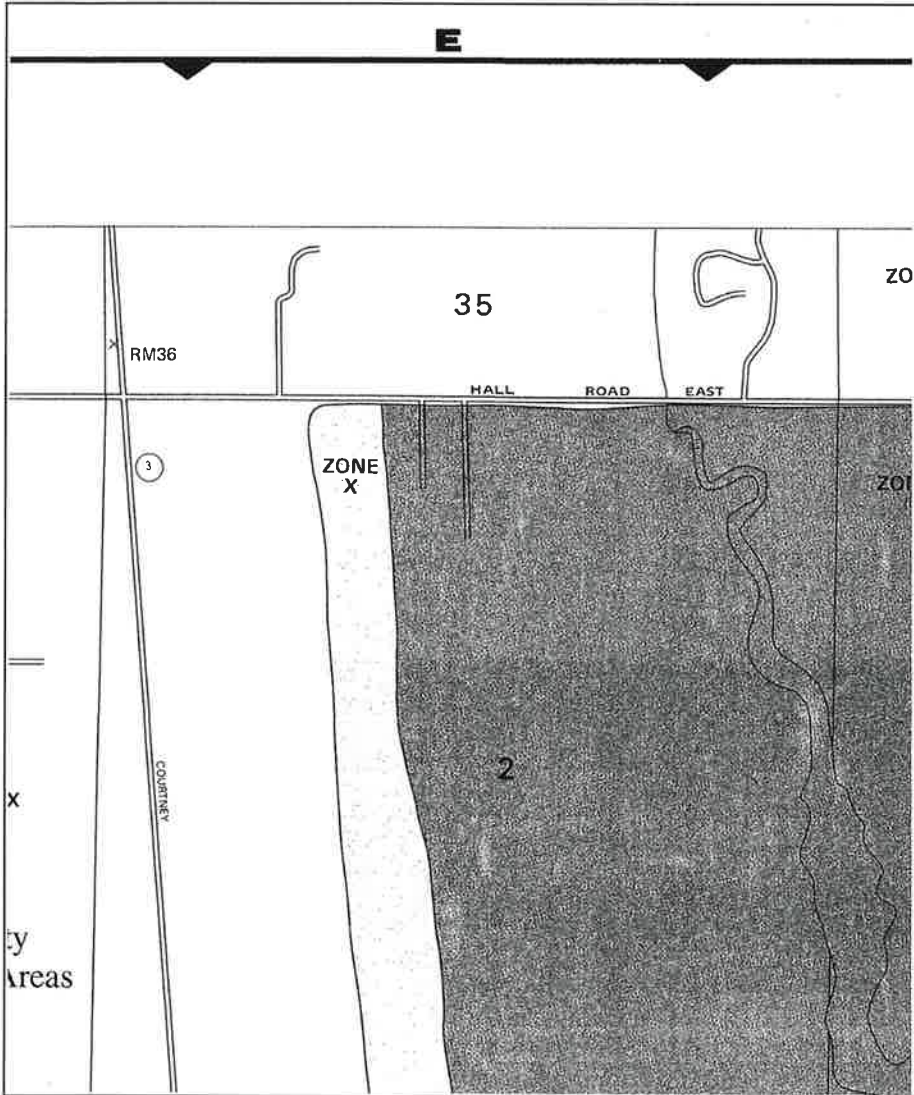
- (a) Rainfall Distribution

For hydrograph methods, use the SCS Type II Modified rainfall distribution.

- (b) The Soil Survey of Brevard County, Florida, published by the U.S. Department of Agriculture, shall be the document to determine soil classifications. Curve Numbers used in hydrograph calculations shall be determined using Exhibit 4-2.

- (c) Soil Storage

Source: Brevard County Stormwater Mgt  
Criteria



APPROXIMATE SCALE IN FEET  
 1000 0 1000

**NATIONAL FLOOD INSURANCE PROGRAM**

**FIRM  
 FLOOD INSURANCE RATE MAP**

BREVARD COUNTY,  
 FLORIDA AND  
 INCORPORATED AREAS

PANEL 290 OF 727

**CONTAINS:**

COMMUNITY	NUMBER	PANEL	SUFFIX
COCCA, CITY OF	120020	0290	E
UNINCORPORATED AREAS	125092	0290	E

PANEL LOCATION



**MAP NUMBER:**  
 12009C0290 E

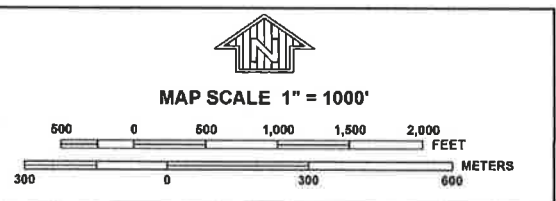
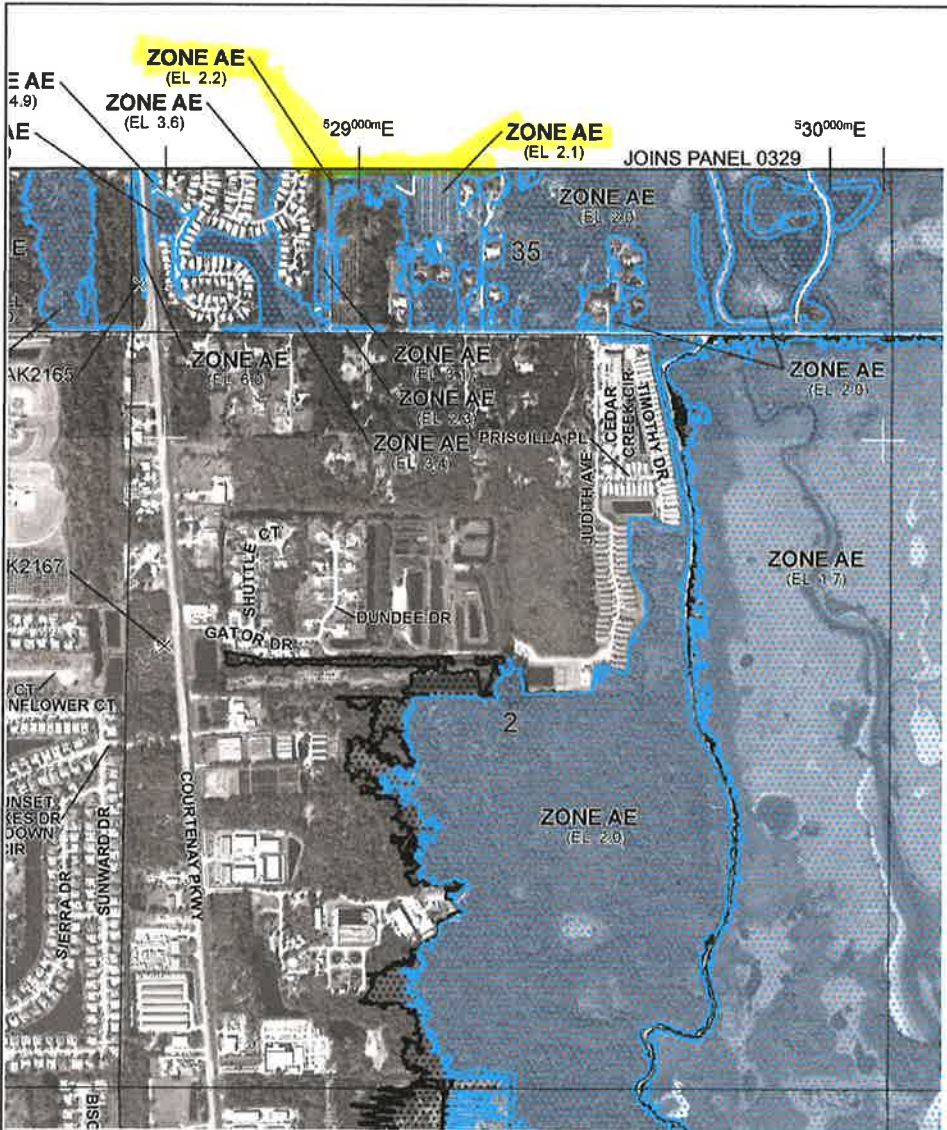
**EFFECTIVE DATE:**  
 APRIL 3, 1989



Federal Emergency Management Agency

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ATTACHMENT #2



**PANEL 0340G**

## FIRM


### FLOOD INSURANCE RATE MAP BREVARD COUNTY, FLORIDA AND INCORPORATED AREAS

**PANEL 340 OF 825**  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

**CONTAINS:**

COMMUNITY	NUMBER	PANEL	SUFFIX
BREVARD COUNTY	125092	0340	G
CAPE CANAVERAL	120616	0340	G
PORT AUTHORITY	120020	0340	G
COCOA, CITY OF			

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



**MAP NUMBER  
12009C0340G**

**MAP REVISED  
MARCH 17, 2014**

**Federal Emergency Management Agency**

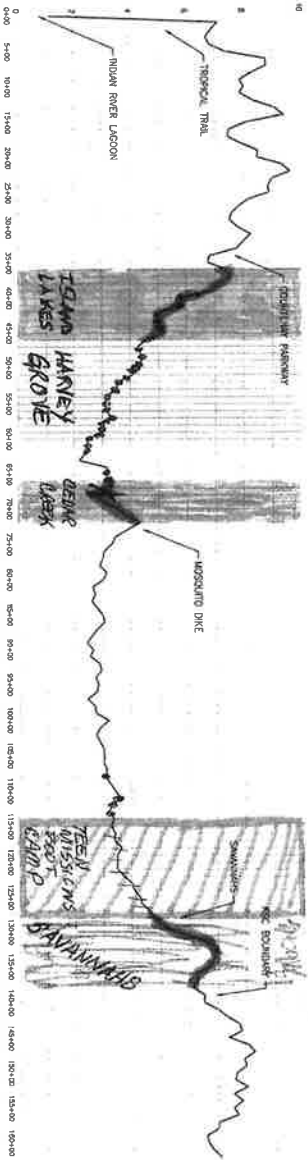
This is an official copy of a portion of the above referenced flood map. It was extracted using FIRMette - Desktop version 3.0. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. Further information about National Flood Insurance Program flood hazard maps is available at <http://www.msc.fema.gov/>.

ATTACHMENT #3



PLAN VIEW

GRAF  
0 400  
800  
SCALE



PROFILE VIEW

# HALL ROAD

- HIGH POPULATION DENSITY
- SINGLE FAMILY DWELLINGS
- ||||| BOAT CAMP RESIDENTS
- ★ NURSING HOME

ATTACHMENT #4



# COMMUNITY COLLABORATIVE RAIN, HAIL & SNOW NETWORK

"Because every drop counts"



Home | States | View Data | Maps

My Data Entry | Login

7:00 am 7/8/2014

TO

7:00 am 7/9/2014

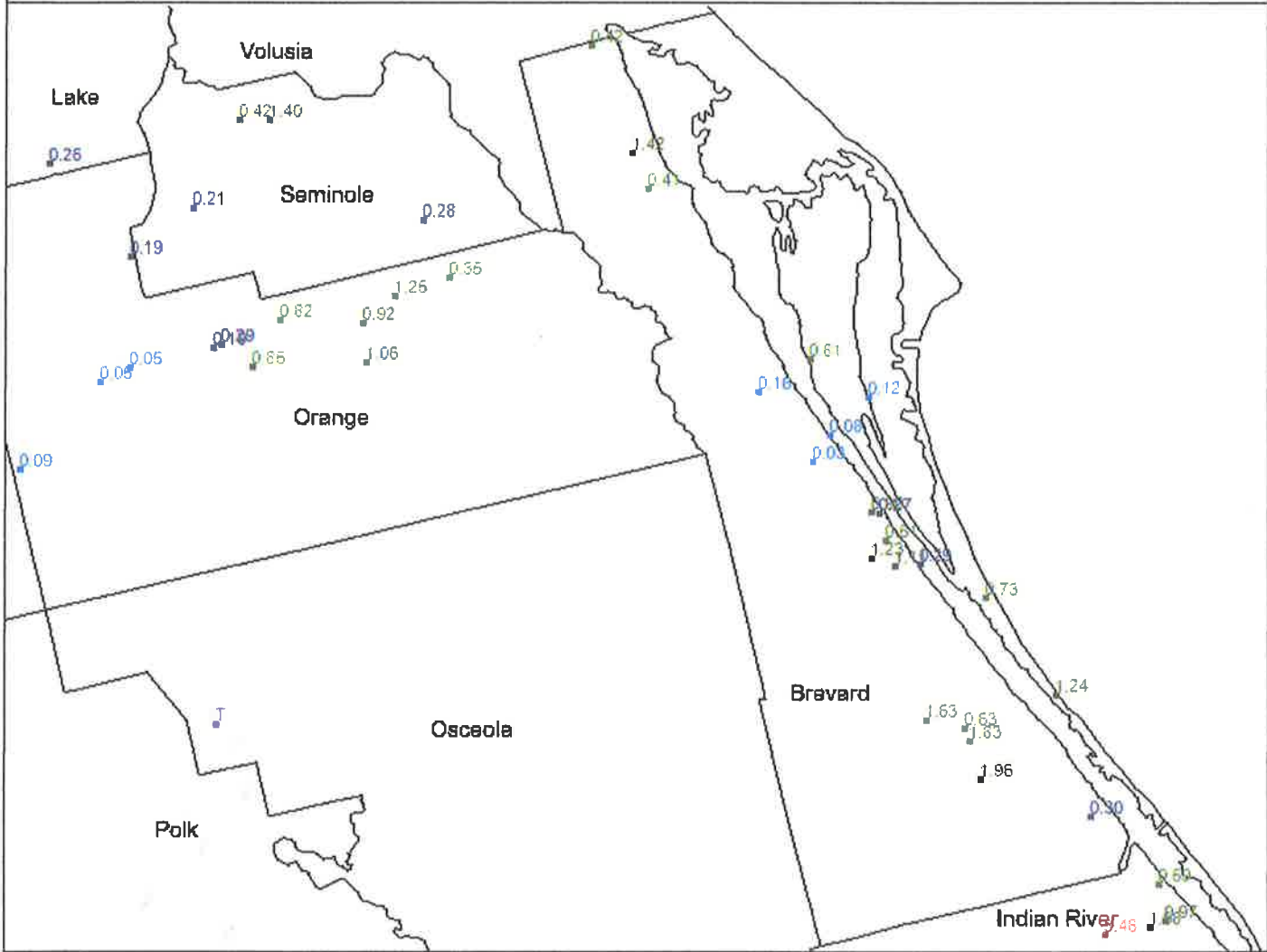
Maps : Daily Precipitation

Map Type	Map Location	Date	Colors
Precipitation	Florida	BV - Brevard	Standard
			Get Map

Daily Precipitation (inches x.xx), for the 24 hour period ending ~7:00 am

Brevard County, Florida 7/9/2014

Trace 0.01 - 0.17 0.18 - 0.34 0.35 - 0.86 0.87 - 2.07 2.08 - 3.11 3.12 - 3.46



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07/08/2014

ATTACHMENT #6



07/08/2014

ATTACHMENT # 7



07/08/2014

ATTACHMENT 48



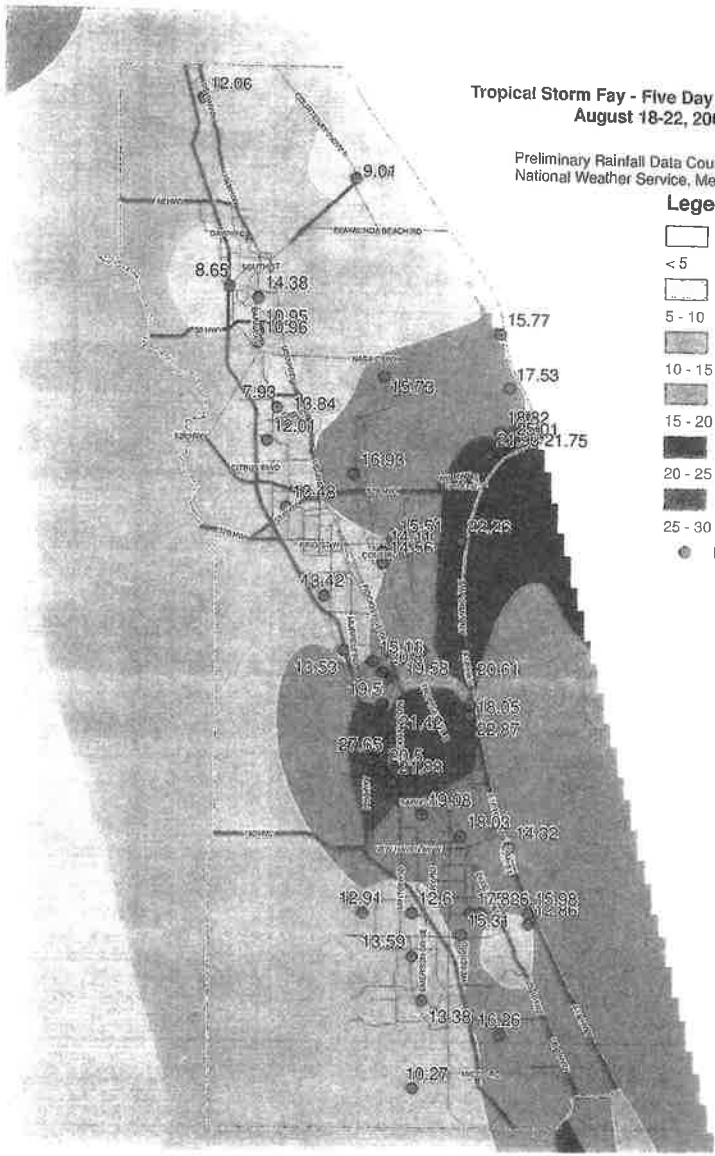
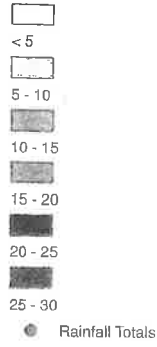
07/08/2014

ATTACHMENT #9

**Tropical Storm Fay - Five Day Rainfall Totals  
August 18-22, 2008**

Preliminary Rainfall Data Courtesy of  
National Weather Service, Melbourne

**Legend**



ATTACHMENT #10

**Maximum 5-Day Total Precipitation for Brevard County, FL**

Click column heading to sort ascending, click again to sort descending.

Name	Station Type	Value	Ending Date	Missing Days	Valid Date Range
PALM SHORES 1.4 W	CoCoRaHS	21.42	2008-08-23	0	2003-01-01 to 2014-08-04
PALM SHORES 4.3 NNW	CoCoRaHS	21.12	2008-08-21	0	2008-05-29 to 2014-08-04
SEBASTIAN	COOP	20.47	1899-10-06+	0	1897-05-01 to 1901-08-31
MELBOURNE WFO	COOP	19.82	2008-08-21	0	1937-08-23 to 2014-08-06
PALM SHORES 2.9 NW	CoCoRaHS	19.50	2008-08-23	0	2007-11-15 to 2014-07-27
MELBOURNE 1.1 N	CoCoRaHS	18.78	2008-08-21	1	2007-10-01 to 2014-08-04
MERRITT ISLAND	COOP	18.12	1899-10-06+	0	1893-01-24 to 1956-06-30
MALABAR 2.9 NNW	CoCoRaHS	17.82	2008-08-23	0	2007-10-09 to 2011-04-01
PALM BAY 1.0 NE	CoCoRaHS	16.52	2011-10-11+	0	2007-11-14 to 2014-08-04
MICCO 4.5 NW	CoCoRaHS	16.26	2008-08-23	0	2007-11-22 to 2011-10-19
MELBOURNE INTL AP	WBAN	16.20	2008-08-23+	0	2001-02-07 to 2014-08-05
MELBOURNE INTL AP	WBAN	16.20	2008-08-23+	0	2001-02-07 to 2014-08-05
TITUSVILLE	WBAN	15.29	1950-10-18	0	1901-01-29 to 2014-08-06
PALM BAY 1 W	COOP	14.87	2008-08-21	0	2000-10-02 to 2014-07-09
COCOA 2.6 WNW	CoCoRaHS	13.90	2008-08-24	0	2004-04-01 to 2014-08-04
TITUSVILLE 7 E	WBAN	13.48	2009-05-22	0	2005-05-08 to 2014-08-05
ROCKLEDGE 1.1 WSW	CoCoRaHS	13.42	2008-08-23	0	2007-10-01 to 2014-08-04
PALM BAY 2.6 SSE	CoCoRaHS	13.38	2008-08-23	0	2007-09-23 to 2014-08-04
MELBOURNE BEACH 3.9 SSE	CoCoRaHS	13.32	2008-08-20	0	2007-10-23 to 2014-08-04
MELBOURNE 8.2 NW	CoCoRaHS	12.90	2011-10-12	0	2008-08-31 to 2014-08-04
SCOTTSMOOR 2 NNW	COOP	12.52	2009-05-23	0	2000-07-12 to 2014-08-04
CAPE KENNEDY AFS	WBAN	12.46	1968-10-19	0	1950-07-09 to 1970-12-31
MELBOURNE 7.0 NW	CoCoRaHS	11.98	2009-05-23	0	2008-07-25 to 2010-12-17
MELBOURNE 12.5 NNW	CoCoRaHS	11.57	2011-10-11	0	2010-06-01 to 2014-08-04
PALM BAY 3.1 NNW	CoCoRaHS	11.32	2011-10-11+	0	2011-02-28 to 2014-08-04
MELBOURNE NAS	WBAN	10.56	1945-06-24	0	1945-04-01 to 1945-12-31
CAPE CANAVERAL 0.6 ESE	CoCoRaHS	10.36	2011-10-11	0	2007-10-16 to 2013-10-22
MELBOURNE 10 WNW	COOP	9.93	1950-10-19	0	1948-08-07 to 1951-09-30
MERRIT ISLAND 9.1 N	CoCoRaHS	9.46	2011-10-10	0	2009-09-12 to 2014-08-04
TITUSVILLE 3.5 NW	CoCoRaHS	9.35	2011-10-11+	0	2010-01-13 to 2014-08-04
MERRITT ISLAND 4.1 NE	CoCoRaHS	8.64	2011-10-12+	2	2009-05-16 to 2014-05-02
MIMS 1.6 SW	CoCoRaHS	8.60	2014-07-09	0	2012-07-16 to 2014-08-02
CAPE CANAVERAL 6.5 WNW	CoCoRaHS	8.53	2011-10-11	0	2011-03-29 to 2014-08-04
MICCO 1.3 NW	CoCoRaHS	7.33	2010-03-14	0	2008-10-23 to 2014-08-04
INDIALANTIC 0.8 N	CoCoRaHS	7.28	2009-05-23	0	2008-08-23 to 2011-06-19
COCOA 0.6 WSW	CoCoRaHS	6.33	2010-10-03+	0	2008-08-27 to 2011-07-04
MELBOURNE BEACH A1A	COOP	5.24	2011-11-02	0	2010-01-01 to 2014-08-06
ROCKLEDGE 1.3 NE	CoCoRaHS	4.51	2014-07-27	0	2012-08-04 to 2014-08-04
TITUSVILLE 1.8 SW	CoCoRaHS	4.38	2012-06-10	1	2012-01-11 to 2013-12-05
MELBOURNE 3.2 NW	CoCoRaHS	3.82	2013-05-24	0	2012-04-01 to 2014-08-04

+ indicates value also occurred in one or more previous years.

William Schmitz  
 Service Climatologist/Meteorologist  
 UNC-Chapel Hill Geography Department

SOURCE: The Southeast Regional Climate Center

ATTACHMENT #11

Maximum 1-Day Total Precipitation for Brevard County, FL				
Click column heading to sort ascending, click again to sort descending.				
Name	Station Type	Value	Ending Date	Valid Date Range
PALM SHORES 4.3 NNW	CoCoRaHS	14.55	2008-08-20	2008-05-29 to 2014-07-24
PALM SHORES 1.4 W	CoCoRaHS	13.65	2008-08-20	2003-01-01 to 2014-07-23
SEBASTIAN	COOP	12.18	1899-10-03	1897-05-01 to 1901-08-31
PALM BAY 1.0 NE	CoCoRaHS	12.07	2011-10-09	2007-11-14 to 2014-07-22
MELBOURNE WFO	COOP	11.85	2008-08-20	1937-08-23 to 2014-07-28
TITUSVILLE	WBAN	11.44	1945-06-24	1901-01-29 to 2014-07-28
MELBOURNE 1.1 N	CoCoRaHS	11.13	2008-08-20	2007-10-01 to 2014-07-24
MERRITT ISLAND	COOP	11.10	1899-10-04	1893-01-24 to 1956-06-30
PALM SHORES 2.9 NW	CoCoRaHS	10.65	2008-08-20	2007-11-15 to 2014-07-17
PALM BAY 1 W	COOP	10.59	2001-07-06	2000-10-02 to 2014-07-09
MALABAR 2.9 NNW	CoCoRaHS	9.79	2008-08-20	2007-10-09 to 2011-04-01
MELBOURNE BEACH 3.9 SSE	CoCoRaHS	9.24	2008-08-20	2007-10-23 to 2014-07-23
PALM BAY 3.1 NNW	CoCoRaHS	8.97	2011-10-09	2011-02-28 to 2014-07-24
MICCO 4.5 NW	CoCoRaHS	8.07	2008-08-20	2007-11-22 to 2011-10-19
MELBOURNE 12.5 NNW	CoCoRaHS	7.98	2013-04-15	2010-06-01 to 2014-07-23
MELBOURNE INTL AP	WBAN	7.97	2008-08-20	2001-02-07 to 2014-07-27
MELBOURNE INTL AP	WBAN	7.97	2008-08-20	2001-02-07 to 2014-07-27
COCOA 2.6 WNW	CoCoRaHS	7.97	2010-09-29	2004-04-01 to 2014-07-24
SCOTTSMOOR 2 NNW	COOP	7.81	2008-08-22	2000-07-12 to 2014-07-26
PALM BAY 2.6 SSE	CoCoRaHS	7.74	2011-10-09	2007-09-23 to 2014-07-24
TITUSVILLE 7 E	WBAN	7.64	2005-10-24	2005-05-08 to 2014-07-28
CAPE KENNEDY AFS	WBAN	6.86	1963-09-23	1950-07-09 to 1970-12-31
MELBOURNE NAS	WBAN	6.82	1945-09-16	1945-04-01 to 1945-12-31
ROCKLEDGE 1.1 WSW	CoCoRaHS	6.47	2008-08-21	2007-10-01 to 2014-07-24
COCOA 0.6 WSW	CoCoRaHS	6.25	2010-09-29	2008-08-27 to 2011-07-04
MICCO 1.3 NW	CoCoRaHS	6.10	2010-03-12	2008-10-23 to 2014-07-24
MELBOURNE 7.0 NW	CoCoRaHS	6.08	2008-08-21	2008-07-25 to 2010-12-17
MELBOURNE 8.2 NW	CoCoRaHS	5.79	2013-04-15	2008-08-31 to 2014-07-24
TITUSVILLE 3.5 NW	CoCoRaHS	5.79	2011-10-09	2010-01-13 to 2014-07-24
CAPE CANAVERAL 6.5 WNW	CoCoRaHS	5.65	2011-10-09	2011-03-29 to 2014-07-24
MERRITT ISLAND 4.1 NE	CoCoRaHS	5.43	2011-10-09	2009-05-16 to 2014-05-02
MELBOURNE 10 WNW	COOP	5.01	1949-08-27	1948-08-07 to 1951-09-30
MIMS 1.6 SW	CoCoRaHS	4.70	2014-05-16	2012-07-16 to 2014-07-23
MERRIT ISLAND 9.1 N	CoCoRaHS	4.63	2010-09-29	2009-09-12 to 2014-07-24
CAPE CANAVERAL 0.6 ESE	CoCoRaHS	4.30	2011-10-09	2007-10-16 to 2013-10-22
MELBOURNE BEACH A1A	COOP	4.08	2012-06-09	2010-01-01 to 2014-07-02
INDIALANTIC 0.8 N	CoCoRaHS	3.51	2010-03-12	2008-08-23 to 2011-06-19
MELBOURNE 3.2 NW	CoCoRaHS	2.71	2013-04-15	2012-04-01 to 2014-07-23
ROCKLEDGE 1.3 NE	CoCoRaHS	2.66	2013-04-15	2012-08-04 to 2014-07-24
TITUSVILLE 1.8 SW	CoCoRaHS	2.50	2013-08-04	2012-01-11 to 2013-12-05

1/24/1893 - 6/30/1956

7/9/1950 - 12/31/1970

39 YEAR GAP WITH NO DATA

5/16/2009 - 5/2/2014

9/12/2009 - 7/24/2014

Source: The Southeast Regional Climate Center

ATTACHMENT #12

The following abstract of an article in the Florida Bar Journal is submitted in support of my objection to increased density. The prospective developers in Harveys Grove have not adequately addressed the requirements of Florida case law requiring them to handle upstream runoff. Being the lowest property in the area, they are not allowed to simply contain their own water. According to the referenced article, they are required to continue taking water from the surrounding area to avoid flooding the neighboring community. This is not addressed in their plans.

## Drainage Cases - CONCLUSIONS

As a matter of established Florida Supreme Court case law, regardless of the existence of express, implied, or prescriptive easements, all upstream properties are legally entitled to drain offsite onto or through the property of others, whether it is pursuant to an exercise of "natural rights" or flows from a "reasonable use" conducted on the upstream property.

The corollary of this is that all downstream properties are obligated to accommodate appropriate drainage originating from offsite.

Accommodating appropriate offsite drainage requires the maintenance in perpetuity of whatever drain or drainage system that the downstream owner has chosen to serve that function.

Source: The Florida Bar Journal

<http://www.floridabar.org/DIVCOM/JN/JNJournal01.nsf/8c9f13012b96736985256aa900624829/f20fac5dc6a6728a8525765e0044a6a9!OpenDocument>

However, as will be explained, drainage rights clarified by the Florida Supreme Court have not been acknowledged by governing bodies or incorporated into their permitting processes even though this case law is more than 20 years old. Express, implied, or prescriptive easements are not the only means by which a property may achieve legal positive outfall. Legal positive outfall is a right arising out of land ownership that was considerably strengthened by this Florida case law. According to these cases, downstream properties must accommodate reasonable flows from upstream properties in perpetuity. This right is in contrast to an easement or establishment of a mutual drain, which enables upstream landowners to physically perform maintenance on drains located on downstream properties. These developments in Florida law should be recognized by the regulatory agencies and be integrated into their permitting procedures, or at least permitting procedures should not conflict with or impair landowners' common law drainage rights.

In Florida, the law has always been that a landowner is obligated to accept surface water from higher elevation lands that it received historically before the upstream land was first developed. In turn, that landowner has the right to discharge all of the naturally occurring surface water originating from his or her land and the water that was discharged onto his land from upper lands onto lower or downstream properties.<sup>29</sup> Although sometimes referred to as an "easement" or "servitude,"<sup>30</sup> this right is an element of so-called "natural rights," which an owner of land has with respect to the use of other land and is an incident to ownership of the land itself. It is a property right which inures to the benefit of the estate independent of any contractual or prescriptive right.<sup>31</sup> This property right should be considered in the context of an easement, but one that is not established by grant, implication, or prescription.<sup>32</sup> This doctrine was eloquently explained in *Thompson on Real Property*:

An owner of lower land is obligated to receive upon it the surface water which falls on adjoining higher land and which naturally flows onto the lower land. Of course the lower owner can collect the water in a ditch when it reaches his land and carry it off in a proper outlet so it will not damage ... (his property), but he cannot intercept the water and throw it back on the land of the higher owner..<sup>33</sup>

As you might expect, drainage intensity and patterns frequently change after property is developed. Under natural conditions, unless surface water flowed into a stream or other natural water body, discharge was probably in the form of sheet-flow onto the lower land. However, agricultural, urban, or suburban development inevitably alters natural drainage patterns and conditions, especially with regard to the manner in which stormwater is discharged from a property. Following development, typically the discharge is from an engineered drainage system that discharges from a single drainage structure or structures. Because of alterations made to Florida land, there are few, if any, naturally occurring discharges.

Although in dicta the Florida Supreme Court suggested that the upstream landowner may have an easement across the lower owner's property to accommodate the reasonable flows, no Florida court has held that the reasonable use rule authorizes the upper owner to physically access the downstream owner's property to construct, alter, or maintain drainage works to accept the approved flows.

Therefore, in the absence of a comprehensive public or private drainage maintenance program, the common law reasonable use rule fills the gap by providing legal positive outfall and assigning maintenance responsibility for the drainage to downstream landowners.

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### Stormwater Management Criteria for Brevard County, Florida, adopted by §62-3751, Brevard County Code of Ordinances.

Ron Jones proclaimed that "application of the [Stormwater Management Criteria for Brevard County, Florida \(SMC\)](#) is controlled by its reference in County Building Code Section 62-3753. That makes SMC a subset of the Code."

As was usual with Mr. Jones and Dave Trafton, it would appear that the opposite is true. The Building Code is supposed to [implement](#) the Stormwater Management Criteria as required by Florida Statute.

FS 403.0891 requires SMC as part of the Comprehensive Plan, to meet the requirements of Section 163.3177(6)(c), Florida Statutes, and Section 9J5.011 of the Florida Administrative Code, which contains minimum standards for the content of the Drainage sub-element. Referencing the SMC in the code is inconsequential, and certainly does not limit SMC application to only the Code section that references it. The Brevard Code is supposed to implement the SMC. In fact, the Brevard code is deficient as confirmed in a visit to Valerie James, Department of Community Affairs in Tallahassee.

You now have Ernie Brown. It will take a long time for him to correct the many transgressions of Ron Jones. My own property floods in every rain because Ron Jones allowed the lowest property in my neighborhood to fill that property above mine, blocking my drainage. I will have to sue to remedy that problem. Will you force the neighbors to sue this developer?

Richard Webb 480-5514  
225 E Hall Rd  
North Merritt Island

#121730109	5	4T	CS	21	CS	02:35	03:06	SMITH RD / N COURTENAY PY,MI
[6/29/12]								
#121810190	2	4T	EP	21	429	06:34	07:07	N COURTENAY PY / WOOD STORK DR,MI
[7/01/12]								
#121831048	1	4T	EP	21	320	22:40	01:03	E HALL RD / SEA ISLAND LN,MI
[7/07/12]								
#121890560	5	4T	CS	21	CS	13:07	13:07	N COURTENAY PY / SEA RAY DR,MI
[7/09/12]								
#121910701	5	4T	CS	21	CS	15:51	16:17	3277 SPARTINA AV,MI
[7/21/12]								
#122030556	5	4T	EP	21	206D	12:43	12:47	621 SUNSET LAKES DR,MI
[7/26/12]								
#122081068	2	4T	EP	21	528	20:39	21:44	3079 SEA GATE CI,MI
[7/28/12]								
#122101130	2	4T	EP	21	229	21:36	21:45	TROPICAL LIVING CLUB,MI
[8/07/12]								
#122201083	5	4T	CS	21	CS	21:14	21:23	4544 WOOD STORK DR,MI
[8/11/12]								
#122240302	2	4T	EP	21	426	08:23	08:49	470 INDIAN BAY BL,MI
[8/12/12]								
#122250715	5	4T	CS	21	CS	17:35	17:37	SHELL N MI,MI
[8/22/12]								
#122350788	2	4T	EP	21	228	16:18	16:34	695 CHASE HAMMOCK RD,MI
[8/23/12]								
#122361246	2	4T	EP	21	320	23:33	02:09	N TROPICAL TR / ENTRANCE DR,MI
[8/26/12]								
#122390690	2	4T	EP	21	427	17:43	19:02	3095 N COURTENAY PY,MI
[8/30/12]								
#122430510	2	4T	EP	21	121	12:54	13:38	3590 N COURTENAY PY,MI
[9/06/12]								
#122500286	5	4T	CS	21	CS	08:19	08:39	N COURTENAY PY / GRANT RD,MI
[10/05/12]								
#122790433	5	4T	CS	21	CS	10:06	10:19	N COURTENAY PY / GRANT RD,MI
[10/17/12]								
#122910965	5	4T	EP	21	226	18:26	19:01	N COURTENAY PY / GRANT RD,MI
[10/19/12]								
#122930626	5	4T	CS	21	CS	13:53	14:19	3525 N COURTENAY PY,MI
[10/24/12]								
#122980252	2	4T	EP	21	131	07:56	08:46	W HALL RD / N COURTENAY PY,MI
#122980319	2	4T	EP	21	131	08:46	09:16	W HALL RD / N COURTENAY PY,MI

15



HARVEY'S GROVE

ISLAND LAKES

[http://liveviewer.fema.gov/rot=0&\\_X=720080\\_Y=5175&\\_ZM=0.03864780\\_SX=55680\\_SY=399](http://liveviewer.fema.gov/rot=0&_X=720080_Y=5175&_ZM=0.03864780_SX=55680_SY=399)



11



08-04-0219V-25092






- I am here in opposition to this rezoning request to change the zoning to EU-2 (Estate Use) on this parcel, which would allow 2 units per acre.
- I support the North Merritt Island Special Advisory Board's recommendation to approve rezoning this parcel to R-1 (Residential) which allows 1 unit per acre on this property.

I have a strong & appropriate letter written in 2005 to the Editor of Florida TODAY by a North Merritt Island resident titled: "Vote on Zoning Request Based on Sound Reasons". It reads in part:

FLORIDA TODAY'S recent article regarding a zoning request that I supported for the Pine Island Road area in North Merritt Island neglected to mention several facts.

This 30 acre parcel was zoned GU (General Use), which is considered a "holding" zoning until someone requests a zoning change.

A request for a change to AU (Agricultural) zoning was heard before the North Merritt Island Special Advisory Board. After a careful review, that board gave its unanimous approval for that rezoning of this property. AU zoning allows one unit per 2 ½ acres, which gave The Bluff's Development Corporation approval for 12 homes to be built on the 30 acre site.

The majority of people who spoke against the North Merritt Island Special Advisory Board's recommendation live miles away from Pine Island Road and some don't even live on North Merritt Island.

I believe 12 homes on 30 acres is a reasonable request and that is why I supported the board's decision. The North Merritt Island Special Advisory Board is an elected body and I support their decision! ~~Planning & Zoning~~

**Signed: Ron Pritchard**

**District 2 County Commissioner, Merritt Island**

Goto page 2



**The NMI Special Advisory Board is limited to residents of NMI, elected by their neighbors. They study all facts of each rezoning request, listen to the applicant and to all speakers before making a decision.**

**In light of our current knowledge of this topographically unique area, past flooding and safety issues during rain events, ominous predictions of future severe weather and the expensive equipment and labor-intensive efforts required by our excellent staff in Public Works to protect our citizens in that area, I feel RR1 zoning is a safe and fair decision for all.**

**I strongly support our elected North Merritt Island Special Advisory Board's recommendation and encourage this board to do so, as well.**

**Thank you.**

Feb. 9 '85

## Vote on zoning request based on sound reasons

Before we start marching off toward another unfounded cause, I need to set the record straight.

FLORIDA TODAY's Feb. 4 article regarding a zoning request that I supported for the Pine Island Road area in North Merritt Island neglected to mention several facts.

This 30-acre parcel is zoned GU, which is considered a "holding" zoning until someone requests a zoning change.

The request was heard before the North Merritt Island Planning and Zoning Board. After a review, the board gave its unanimous approval for AU zoning.

That category means one unit for 2½ acres, and would have allowed The Bluffs Development Corp. approval for 12 homes to be built on the 30-acre site.

The majority of people who spoke against the board recommendation live on less than 1 acre and many live on less than ½ acre. Additionally, many of them live miles away from Pine Island and some don't live on North Merritt Island.

I think 12 homes on 30 acres is a reasonable request and that is why I supported the board's decision. The "applause meter" of emotion generally demonstrated by the naysayers does not sway my vote.

The North Merritt Island Planning and Zoning Board is an elected body and I supported their decision.

**Ron Pritchard**  
Brevard County Commissioner  
District 2  
Merritt Island

Flooded Property at Earl-Burridge residence, 1155 Pine Island Road, August 2008 – typical for North Merritt Island during flooding



Down driveway to home in flood (1 feet deep)



Pine Island Road in flood



Outside 1<sup>st</sup> floor of home in flood (where's the pond?)



Driveway entry to 1155 Pine Island Road in flood

my Rear Porch



Water To me  
Runs  
Across Rd

Back of my house  
Elev 5.5 FT

Robert Scoriah  
8-7-2014

This is what happens  
Now After development →

A visitor in my garage  
when water went down ↓



Shows NO drainage South side of  
CHASE HAMMOCK

Robert Scoria 8-7-2014

Robert Scott  
2014



Shows West Side of  
CHASE hamock No drainage  
ditches



Shows DRAINAGE Blocked for Building  
AND driveway

← END of DRAINAGE - ditch  
Along South Side of CHASE  
hamock - DRAINS TO WESTON TO ME

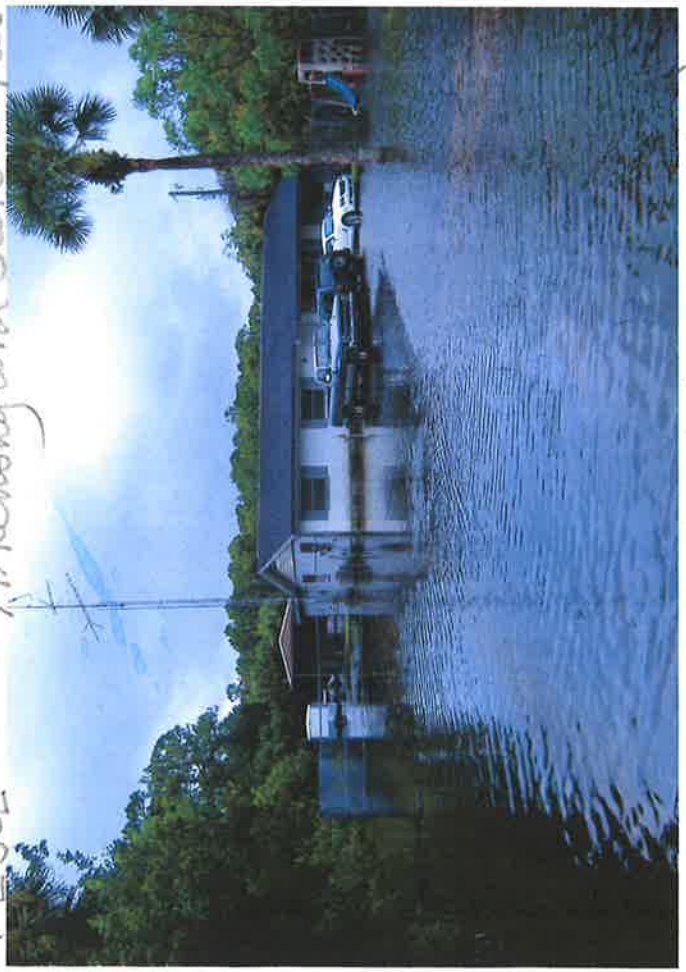
Tropical Storm Fay 2008

575 E. Crisafulli Rd - driveway E. Crisafulli Ad.



PESCE

Anthony and Sandra Pesce



575 E. Crisafulli Rd. N. Merritt Island



555 E. Crisafulli Rd (neighbor)

575 E. Crisafulli Rd - driveway entrance

Back Yard  
575 E. Crisafulli Rd



E. Crisafulli Rd



E. Crisafulli Rd  
May 2008



E. Crisafulli Rd



Driveway at  
575 E. Crisafulli Rd



Front Yard  
575 E. Crisafulli Rd



E. Crisafulli Rd



Back Yard  
575 E. Crisafulli Rd



E. Crisafulli Rd

Flooding from Hurricane Francis 2004  
E. Crisafulli Rd



Back Yard  
575 E. Crisafulli Rd



Joseph Court 076 of E. Crisafulli Rd



Back Yard 575 E. Crisafulli Rd

Good afternoon Commissioners. My name is Chris Mierwa and I live at 5385 Lovett Dr.

MI FL 32953

## **Drowning in Growth**

Unincorporated North Merritt Island feels as though it is drowning in what is misinterpreted as "growth". We request the proposed reasonable compromise by the NMI Special Advisory Board on this item and a safe environment for all residents of the North Merritt Island community.

Many aware and educated citizens in unincorporated areas throughout Brevard County are calling on their leaders to do just that...lead! When one area in Brevard County is flooded, the whole county suffers! From a business prospective, ask the EDC: What sound business wants to relocate to a county that cannot keep its residents safe?

After experiencing several storm events, the public has voiced the strong desire for managed growth that considers the safety and quality of life of the current residents, as well as the area's ability to support limited development for overall safety, services and access before giving new projects the go-ahead.

The unincorporated rural area of North Merritt Island between State Road 528 and NASA Parkway has been targeted for overdevelopment in old citrus groves that actually had to actively pump out the natural surface water on a regular basis just to maintain crops!

Brevard County citizens already paying for damaged roads and complex stormwater infrastructure, do not want additional inappropriate densities, and destroyed natural resources. "Fast-tracked" developers are now demanding what they want, ignoring predicted negative consequences, and threatening lawsuits if they do not get it!

Rural residents of North Merritt Island have chosen to live in larger parcels in less dense areas. They pay their taxes expecting their elected officials will respect their needs and protect them, as much as everyone else. They also expect the 2014 FEMA flood map designations will be utilized to reduce dense development in vulnerable areas, so they will not become the New Orleans of Florida.

~~It is not the county government's job to assure land deals make money for owners of large parcels on North Merritt Island, or anywhere else.~~ It is their job to assure that development strictly follows the philosophy of smart, managed growth and that the public is safe. That's what planning and public service is all about.

The public is tired of seeing opportunity gift-wrapped for large property owners and developers, while the costs, loss of quality of life, flooding and crumbling infrastructure are dumped on local residents.

Please approve 1 unit per acre in this subject area and change the County Future Land Use Map to accurately reflect reality in all NMI flood zone areas. You must protect these citizens!

Thank you.

**MICHAEL J. COLEMAN**  
Publisher

**GREGORY A. WATSON**  
General Manager

**FLORIDA  
TODAY**

**TERRY EBERLE**  
Executive editor

**BOB STOVER**  
Managing editor

**JOHN J. GLISCH** Editorial page editor

## Our Views

# Choking on growth

### The fight on Merritt Island is the latest public call for sane development

**W**here once were wetlands, now are packed roads and shopping malls with their acres of asphalt.

Where once were trees and thickets, now are vast stretches of tightly spaced houses and a soaring population that's stretching public services thin.

It's the story of all Brevard County, and recent public rumblings show many residents have had enough.

A near-70 percent vote last fall to continue taxpayer funding to preserve open space is one piece of evidence that the desire not to choke on growth is countywide, from Mims to Micco.

And over recent years, the public, in meetings and surveys, has demanded managed growth that considers the area's ability to support expansion for schools and roads before giving projects the go-ahead.

Protest by residents has become a constant, with the latest — but by no means the only — expression of concern focusing on a peaceful area of north Merritt Island between State Road 528 and NASA Parkway.

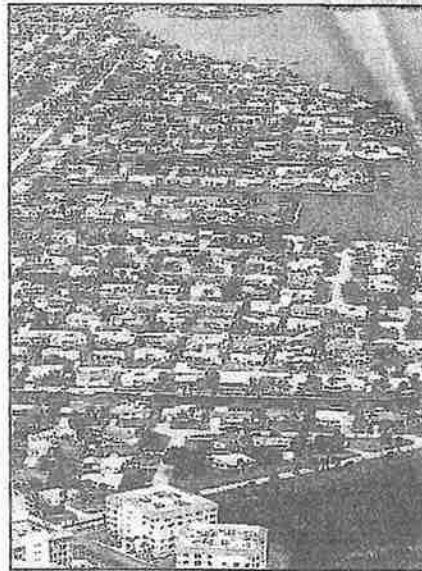
Still about three-quarters undeveloped, it's been the scene of battle over development of open lands along Pine Island and Chase Hammock roads.

Worried Merritt Island homeowners, like legions of other Brevardians trying to make their voices heard, are simply fed up with development that evades zoning, comprehensive plans and environmental protections.

Taxpayers rightly expect public agencies and elected officials to do their job.

That includes protecting wetlands, nixing development that would cause flooding and stormwater runoff that is poisoning the Indian River Lagoon, and making sure roads, sewers and schools are able to handle the added population.

That's why north Merritt Islanders who had been active in resisting denser development are celebrating



File photo

**Spreading out.** Merritt Island, shown here looking north along Sykes Creek, has become one of the largest urban areas in the county. Residents of North Merritt Island worry such growth may destroy that area's rural charm.

sion to reject requests by two developers to more than double the number of houses they could build on rural areas of the island.

A third request, also for a substantial density increase, is pending.

But despite the property owners' desire to profit by selling the land with new zoning that allows much denser housing, the commission should continue to say no.

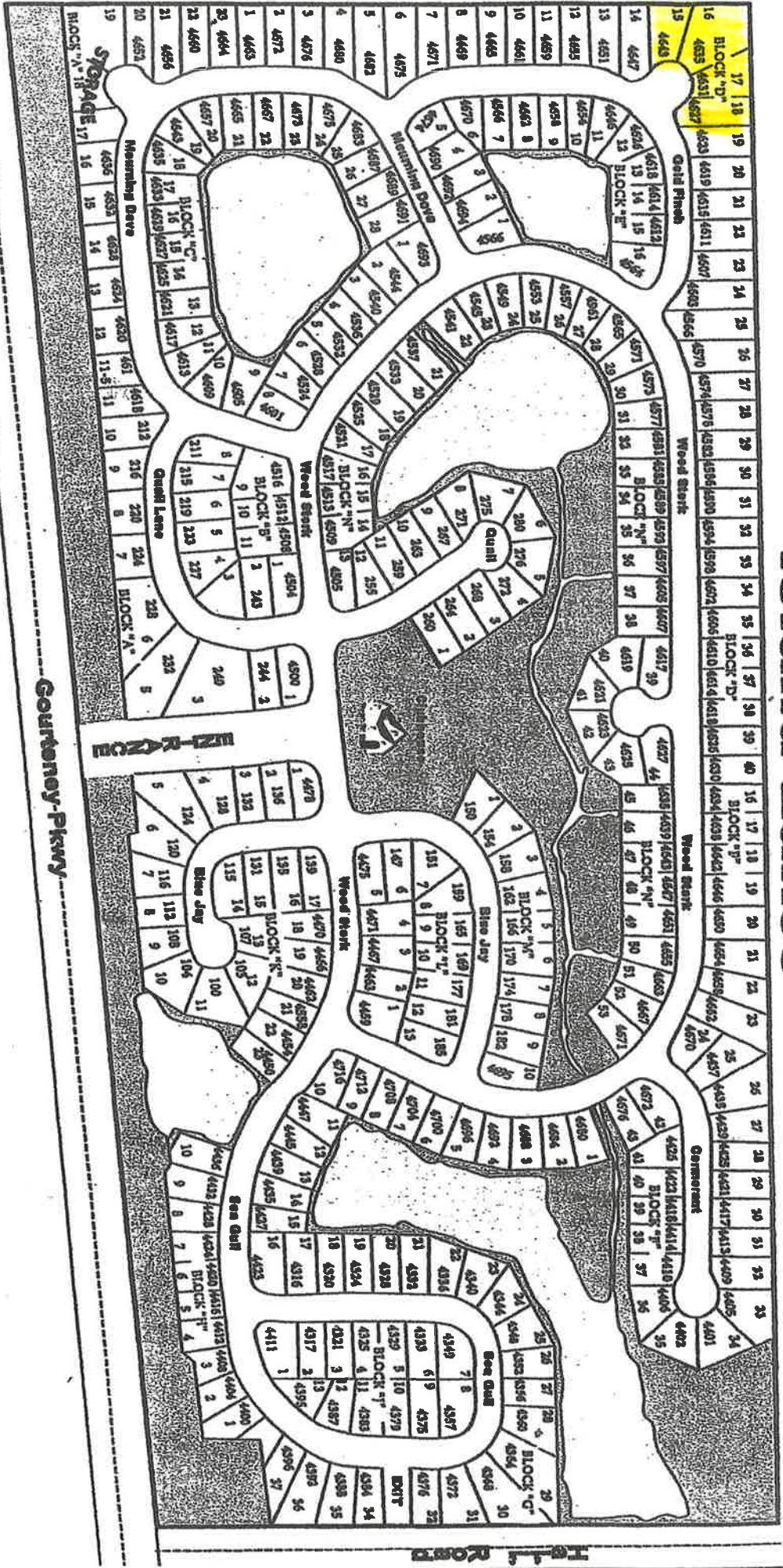
It's not government's job to assure land deals make money for owners, on north Merritt Island or in any other place.

It's their job to assure that development strictly follows the philosophy of smart, managed growth.

That's what zoning, comprehensive plans, environmental protection regulations and planning for and paying for public services are all about.

The public is tired of seeing opportunity gift-wrapped for developers, while the costs, the loss in quality of

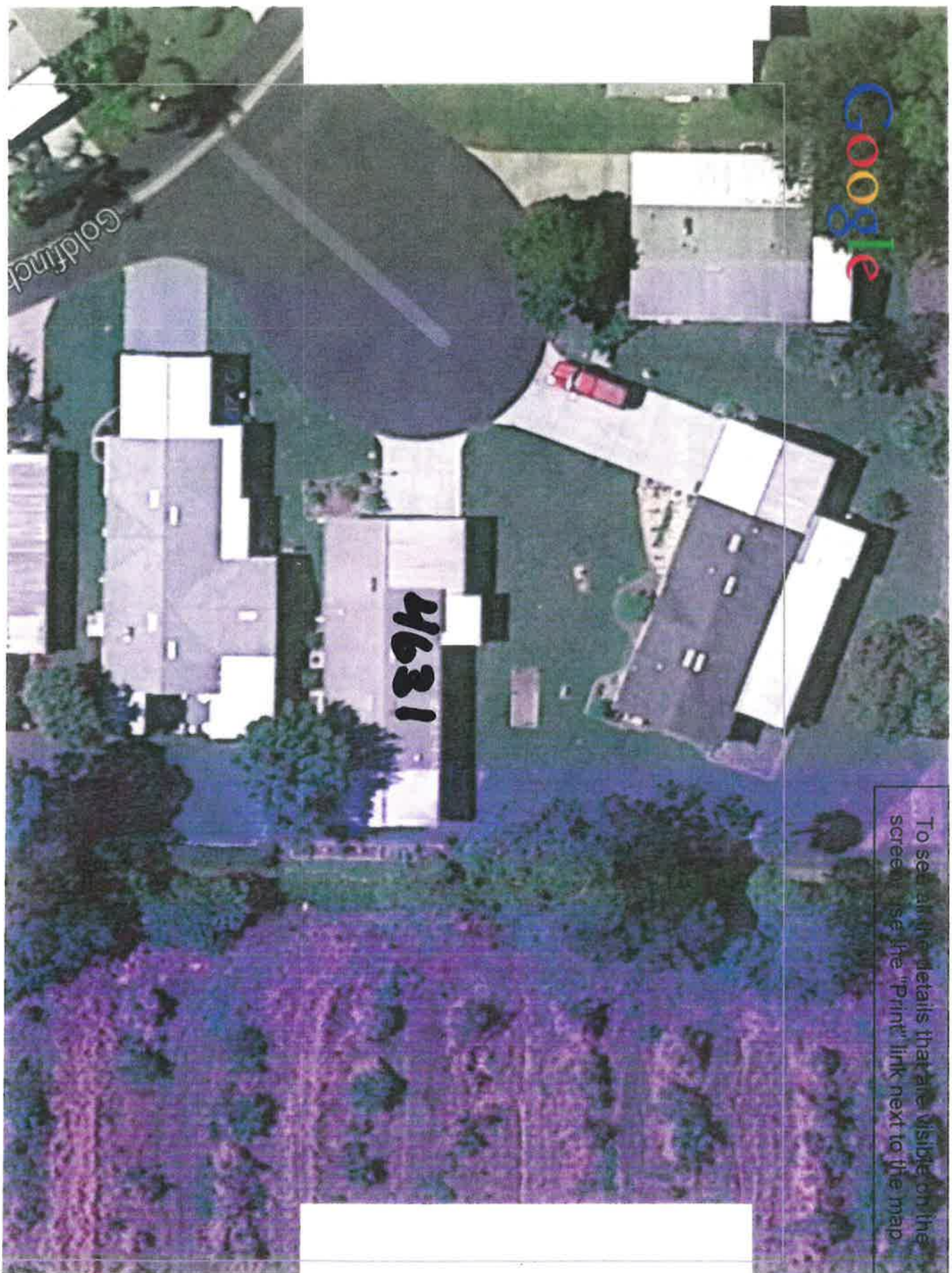
# Island Lakes



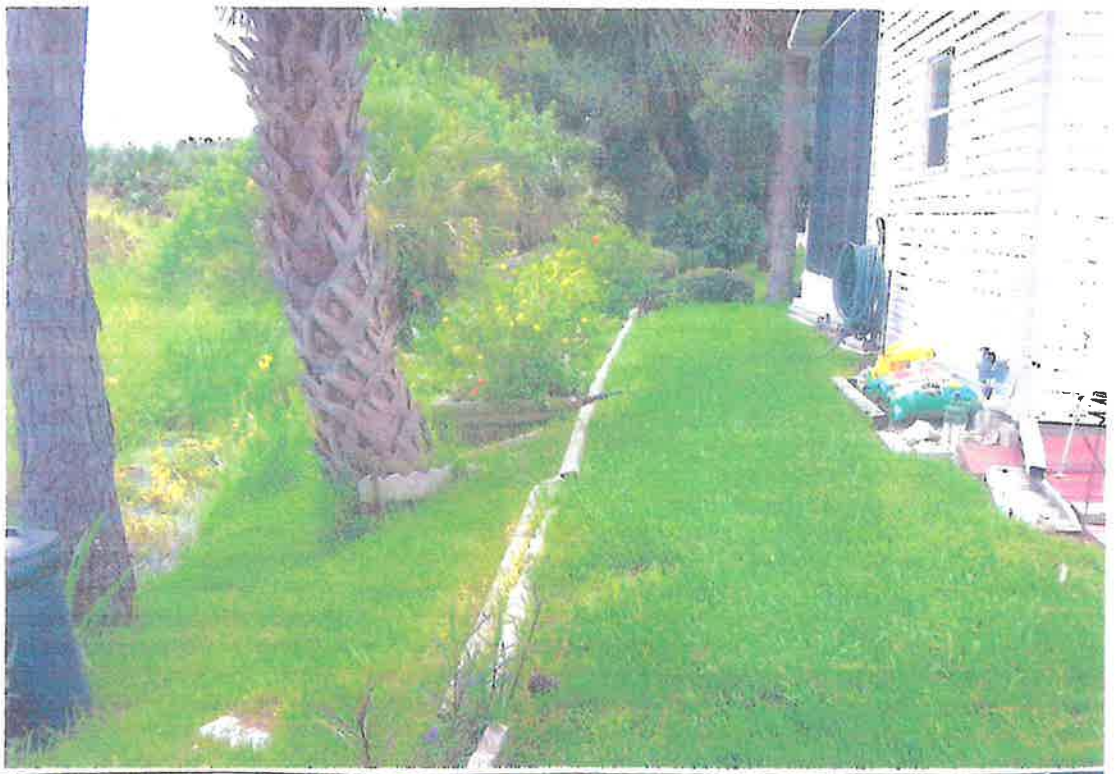
Halt Road

Gourteney Pkwy

Meadow Drive



#1



#2



#3



July 19, 2014

Dear Commissioners:

I am writing about Larry Harvey's proposal to build 222 homes on 111 acres north of Hall Road in Merritt Island.

I own 5.9 acres south of Chase Hammock Road, which abuts the north edge of the 111 acres proposed to be developed. My late father, James F. Gregory, purchased this and additional acreage in 1955. Despite many purchase offers, my father resolutely refused to sell this acreage because he wanted me (and my brothers David Gregory and Jeff Gregory, who together own an additional 10 acres west of mine) to inherit this land. This was expected to be my retirement savings, and this proposal will have a significant impact on my financial future.

My property is currently on the market for sale. Mr. Harvey's high-density housing development proposal and the planned discharge of the storm water system next to my property has significantly decreased my property's value, and I have been forced to expedite the sale to avoid further loss.

The current high-density proposal of two units per acre represents a threat to my property and its value. I respectfully request this Commission approve **one unit per acre**, installing adequate drainage to minimize the impact on my land, as well as others'. Also, please consider a buffer, either structural or vegetative, between the Harvey development and the surrounding property.

Thank you for your consideration.

Sincerely,

*Laura E. Gregory*

1455 Mount Woodmen Court  
Colorado Springs, Colorado 80919

**DAIGNAULT REALTY, INC., REALTOR®**

215 N. Courtenay Pkwy., Merritt Island, FL 32953  
Telephone: (321) 453-2151 • Fax: (321) 453-2514  
[www.HomeInTheSun.com](http://www.HomeInTheSun.com)

To Whom It May Concern,

I am a licensed realtor who is representing Ms. Laura Gregory as her Listing Agent. She is selling 5.9 acres that abuts the property that Mr. Larry Harvey is proposing to develop. Her property value has been directly impacted by the proposed intent to put 222 homes on 111 acres. In order for Ms. Gregory to sell her property with this proposed development, she must significantly reduce the price and hope for a quick sale.

The concern for several buyers that have decided not to purchase her lot was the high density and flooding. Even with proper planning there is still a chance that her property will be directly impacted by flooding as other communities in this area that were approved and developed had impacted surrounding properties with flooding.

I don't believe proper drainage can be achieved with 222 homes on 111 acres. A better density plan would be 50-60 homes on 111 acres leaving the remaining land as an area for percolation of standing water and perhaps ponds and drainage pipes directing the water properly. I am not opposed to development if done properly. Most developers want to get as many lots as possible on as little land as possible. I feel this is not the best plan for the land and the owners of the land surrounding it.

Regards,

*Caroline Rowe*

*Caroline Rowe*

Daignault Realty Inc.  
321-863-9418

License #SL349617

**NATURAL RESOURCES MANAGEMENT OFFICE  
 Rezoning Review  
 SUMMARY**

<b>Item #: 14PZ-00008</b>	<b>Owner: LGH Groves, LLC</b>
<b>Zoning Request: AU &amp; BU-1 to EU-2 with BDP</b>	
<b>NMI Hearing Date: 03/13/14</b>	<b>BCC Hearing Date: 04/03/14</b>

This is a preliminary review based on environmental maps available to the Natural Resources Management Department (NRM) at the time of this review and does not include a site inspection to verify the accuracy of this information. This review does not ensure whether or not a proposed use, specific site design, or development of the property can be permitted under current Federal, State, or County Regulations. In that this process is not the appropriate venue for site plan review, specific site designs that may be submitted with the rezoning will be deemed conceptual and any comments or omissions relative to specific site design do not provide vested rights or waivers from these regulations, unless specifically requested by the owner and approved by the Board of County Commissioners. If the owner has any questions regarding this information, he/she is encouraged to contact NRM prior to submittal of any development or construction plans.

Natural Resource	Preliminary Assessment	Natural Resource	Preliminary Assessment
Wetlands Potential/Hydric Soils	Mapped	Coastal Protection	N/A
Aquifer Recharge Soils	Mapped	Surface Waters	N/A
Floodplains	Not mapped	Wildlife	Mapped FL scrub jay occupancy

**Comments:**

**This review relates to the following properties: Twp. 23, Rng. 36, Sec. 35; Tax ID Nos. 2318708, 2318715, 2318719, 2318720, & 2318732**

The subject parcels contain mapped NWI wetlands (freshwater ponds) and hydric soils, indicators that wetlands may be present on the property(ies). Per Conservation Element Policy 5.2.E.1.a, residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. Section 62-3694(a)(1) states that agricultural and forestry operations utilizing best management practices shall be permitted in wetlands provided they do not result in permanent degradation or destruction of wetlands. The applicant is encouraged to contact NRM prior to any plan or permit submittal.

Mapped aquifer recharge soils are also present on the site. The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance.

There is a mapped Florida scrub jay occupancy area on the northwestern portion of the site. Prior to any plan, permit submittal, or development activity, including land clearing, the owner should obtain any necessary permits or clearance letters from the U.S. Fish and Wildlife Service.

The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for preservation and canopy coverage requirements. Land clearing is permitted without prior authorization by NRM if the activity is a Bona Fide Agricultural Use on land classified as agricultural land pursuant to Section 193.461, Florida Statute.

**Land Use Compatibility**

FLUE Policy 1.1 requires consideration of land use compatibility and character of the area.

The request is for the AU(L) zoning classification. The AU(L) zoning classification permits single-family residences and agricultural pursuits on 2 ½ acre lots for personal use, with a minimum lot width and depth of 150 feet. The minimum house size in AU(L) is 750 square feet. The AU(L) classification also permits the raising/grazing of animals, fowl and beekeeping for personal use and prohibits commercial agricultural activities. The surrounding properties are zoned AU to the north, south and east with GU abutting on the west side. The GU classification is a holding category, allowing single-family residences on five acre lots with a minimum width and depth of 300 feet. The minimum house size in GU is 750 square feet. This area of Canaveral Groves includes single-family residential development on one acre lots. The Board should evaluate the compatibility of this application within the context of Administrative Policies 2 - 8 of the Future Land Use Element, as outlined on pages 2 through 5 of these staff comments.

**Environmental Constraints**

\* Does the project appear to meet county use or density restrictions based upon:

\* Refer to NRMD's comments following these staff comments.

The following environmental factors may affect development potential (Policies 1.1.A, II.2.E, and 3.1.F, of the Future Land Use Element):

Environmental Factor	Preliminary Assessment of Factor	Environmental Factor	Preliminary Assessment of Factor
Hydric Soils	Not Mapped	Coastal Protection	NA
Aquifer Recharge Soils	Mapped on southeast corner	Surface Water Protection	NA
Floodplains	Not Mapped	Habitat for Protected Species	Not Mapped

Note: This is a preliminary review based upon environmental maps available to the NATURAL RESOURCES MANAGEMENT DEPARTMENT (NRMD) at the time of this review and does not include a site inspection to verify the accuracy of this information. This review does not ensure whether a proposed use or development of the property can be permitted under current federal, state or local regulations. Hydric Soils may be associated with wetlands. If applicable, the full text of NRMD's comments follow these staff comments.

**Other Considerations:** The applicants are seeking the AU(L) zoning classification in order to have more than four dogs which is governed by section 62-2113 of the Zoning Regulations which states that no person shall keep or maintain more than four dogs, six months of age or older. However, it does not apply to keeping of dogs in the agricultural zoning classifications. Section 62-2113 also states that "nothing contained in this section shall be construed to permit the use of land or a building as a dog kennel unless the land or building is located in a zoning classification in which a dog kennel is a permitted use or where a conditional use is granted for a dog kennel."

Section 62-1188(8) permits consideration of rezoning of non-conforming lots of record to classifications that are consistent with the density allowances of the Comprehensive Plan. Surrounding properties contain a mixture of AU and GU zoning classifications. This area of Canaveral Groves includes single-family residential development on one acre lots. GU zoning does not permit agricultural activities or the maintenance of farm animals or livestock on less than five acres.

The subject property is developed with a single-family residence constructed in 1988. The property abutting the subject property to the north was approved for rezoning to AU in 1990 (Z-11090). The property abutting the east was approved in 2001, limiting the farm animals to two horses and one cow (Z-10540). The property to the south across Caraway Street was rezoned to AU for agricultural pursuits and an oversized garage in 2005 (Z-11116).

**Summary:** The AU(L) zoning classification is sought in order to allow the keeping of more than four dogs pursuant to Section 62-2113, which allows more than four dogs in the agricultural zoning classifications. Section

Picture #1  
WATER High  
July 29<sup>th</sup>  
2014

NORTH EAST  
behind Home  
4635 Goldfinch Ln



Picture #2

WATER High

July 29<sup>th</sup>  
2014

NORTHEAST

Corner of  
my lot  
4635 Goldfinch Ln.



North-east

Picture # 3

Water High

July 29<sup>th</sup>  
2014

NORTH-EAST  
behind my home  
4635 Goldfinch Ln



NORTH-EAST  
Picture # 4

Water Low

July 30<sup>th</sup>  
2014

The ditch has  
never been  
this low in  
12 yrs.



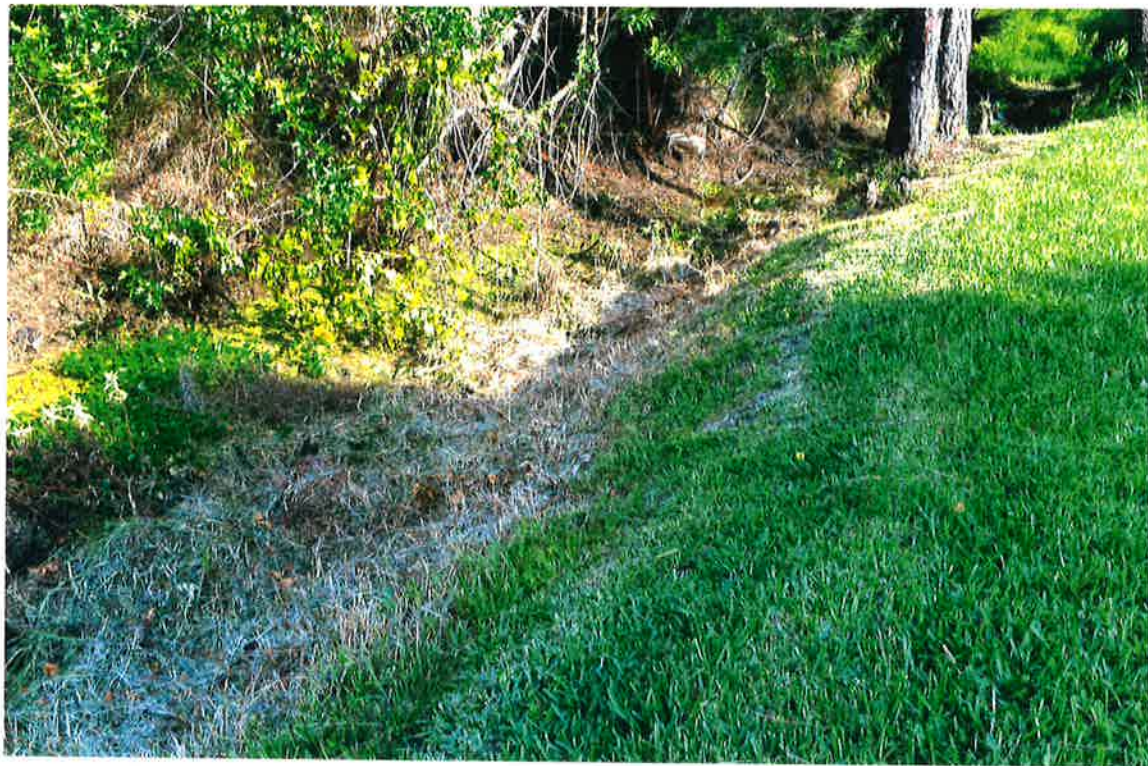
EAST

Picture # 5

Water Low

July 30<sup>th</sup>  
2014

This ditch has  
NOT been dry  
for 2 yrs!



# Harvey's Grove Subdivision



LOT D-15  
PALM TREE WAS IN  
BACK YARD NOW  
TEETERING ON EDGE OF  
DITCH

LOT D-16  
AN AERIAL VIEW OF HOME'S  
DRAINAGE DITCH RUNNING  
PARALLEL TO 2 SIDES OF  
LOT D-16

LOT D-17  
REAR YARD HAS TOTALLY WASHED  
INTO DRAINAGE DITCH 7 FT.  
IS THE DISTANCE THE HOME  
TO DRAINAGE DITCH.

LOT D-18  
HAS 3 TREES  
IN DITCH 1 FULL  
GROWN PINE  
TREE.

RR1 - 1,200 sq ft  
 EU2 - 1,500 sq ft

**Land Use Compatibility**

FLUE Policy 1.1 requires consideration of land use compatibility and character of the area.

This request is for the EU-2 zoning classification with a Binding Development Plan (BDP) limiting development to 2 units per acre. The EU-2 zoning classification is an estate single family residential zoning classification. The minimum lot size is 9,000 square feet with a minimum lot width of 90 feet and depth of 100 feet. The minimum living area is 1,500 square feet. The surrounding properties are zoned AU and RR-1 to the north, EU-1, RR-1 to the south, AU, EU-1 and RR-1 to the east, and AU, BU-1 and TR-3 to the west. The AU zoning classification permits single-family residences and agricultural pursuits on 2 ½ acre lots, with a minimum lot width and depth of 150 feet. The minimum house size in AU is 750 square feet. The AU classification also permits the raising/grazing of animals, fowl and beekeeping. The RR-1 classification permits single-family residential land uses on minimum one acre lots, with a minimum lot width and depth of 125 feet. The RR-1 classification permits horses, barns and horticulture as accessory uses to a single-family residence. The minimum house size is 1,200 square feet. The EU-1 zoning classification is an estate single family residential zoning classification. The minimum lot size is 12,000 square feet with minimum lot width and lot depth of 100'. The minimum living area is 1,800 square feet. The BU-1 classification allows retail commercial land uses on minimum 7,500 square foot lots. The BU-1 classification does not permit warehousing or wholesaling. TR-3 zoning is a mobile home park zoning classification with a minimum lot size of 10 acres for the park. Mobile home sites must be at least 4,000 square feet, with a minimum width of 40 feet. This area of North Merritt Island along the North Courtenay Parkway is primarily characterized by single-family mobile home development and single-family home development on parcels of one half acre or greater in area. The Board should evaluate the compatibility of this application within the context of Administrative Policies 2 - 8 of the Future Land Use Element, as outlined on pages 2 through 5 of these staff comments.

**Environmental Constraints**

\* Does the project appear to meet county use or density restrictions based upon:  
 \* Refer to NRM's comments following these staff comments.

The following environmental factors may affect development potential (Policies 1.1.A, II.2.E, and 3.1.F, of the Future Land Use Element):

Environmental Factor	Preliminary Assessment of Factor	Environmental Factor	Preliminary Assessment of Factor
Hydric Soils	Mapped	Coastal Protection	NA
Aquifer Recharge Soils	Mapped	Surface Water Protection	NA
Floodplains	Not Mapped	Habitat for Protected Species	Mapped FL Scrub Jay Occupancy

Note: This is a preliminary review based upon environmental maps available to the Natural Resources Management Department (NRM) at the time of this review and does not include a site inspection to verify the accuracy of this information. This review does not ensure whether a proposed use or development of the property can be permitted under current federal, state or local regulations. Hydric Soils may be associated with wetlands. If applicable, the full text of NRM's comments follow these staff comments.

**Other Considerations:** The applicants are seeking the EU-2 zoning classification with a Binding Development Plan (BDP) limiting the overall development of a single-family subdivision to 2 units per acre. The BDP also limits ingress and egress to one access at North Courtenay Parkway and one access at Hall Road.

The subject property consists of 111 acres and is currently agriculturally developed with groves. The Lost Lakes Single-family Mobile Home Development abuts the property to the west. Predominate zoning to the north, south and east are AU and RR-1. The Board may wish to consider buffering and lot size requirements along the perimeter of the project to ensure compatibility.

**NATURAL RESOURCES MANAGEMENT OFFICE**  
**Rezoning Review**  
**SUMMARY**

<b>Item #: 14PZ-00008</b>	<b>Owner: LGH Groves, LLC</b>
<b>Zoning Request: AU &amp; BU-1 to EU-2 with BDP</b>	
<b>NMI Hearing Date: 03/13/14</b>	<b>BCC Hearing Date: 04/03/14</b>

This is a preliminary review based on environmental maps available to the Natural Resources Management Department (NRM) at the time of this review and does not include a site inspection to verify the accuracy of this information. This review does not ensure whether or not a proposed use, specific site design, or development of the property can be permitted under current Federal, State, or County Regulations. In that this process is not the appropriate venue for site plan review, specific site designs that may be submitted with the rezoning will be deemed conceptual and any comments or omissions relative to specific site design do not provide vested rights or waivers from these regulations, unless specifically requested by the owner and approved by the Board of County Commissioners. If the owner has any questions regarding this information, he/she is encouraged to contact NRM prior to submittal of any development or construction plans.

Natural Resource	Preliminary Assessment	Natural Resource	Preliminary Assessment
Wetlands Potential/Hydric Soils	Mapped	Coastal Protection	N/A
Aquifer Recharge Soils	Mapped	Surface Waters	N/A
Floodplains	Not mapped	Wildlife	Mapped FL scrub jay occupancy

**Comments:**

**This review relates to the following properties: Twp. 23, Rng. 36, Sec. 35; Tax ID Nos. 2318708, 2318715, 2318719, 2318720, & 2318732**

The subject parcels contain mapped NWI wetlands (freshwater ponds) and hydric soils, indicators that wetlands may be present on the property(ies). Per Conservation Element Policy 5.2.E.1.a, residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. Section 62-3694(a)(1) states that agricultural and forestry operations utilizing best management practices shall be permitted in wetlands provided they do not result in permanent degradation or destruction of wetlands. The applicant is encouraged to contact NRM prior to any plan or permit submittal.

Mapped aquifer recharge soils are also present on the site. The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance.

There is a mapped Florida scrub jay occupancy area on the northwestern portion of the site. Prior to any plan, permit submittal, or development activity, including land clearing, the owner should obtain any necessary permits or clearance letters from the U.S. Fish and Wildlife Service.

The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for preservation and canopy coverage requirements. Land clearing is permitted without prior authorization by NRM if the activity is a Bona Fide Agricultural Use on land classified as agricultural land pursuant to Section 193.461, Florida Statute.



# Charlotte County Government

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## Natural Resources

[Scrub-Jay Review Package](#) - [Territory Search](#) - [Review Procedure](#) - [USFWS Agreement](#) - [USFWS Residential Development Exemptions](#) - [Habitat Conservation Plan](#) - [Florida Scrub-Jay Species Information](#)

### Florida Scrub-Jay Species Information



#### (*Aphelocoma coerulescens*)

**Description:** The Florida scrub-jay is a gray and blue bird about the size of a mockingbird, usually measuring 10-12 inches in length and weighing 2½ ounces. The head, neck, nape, and tail are pale blue while the back and belly are pale gray. They are similar in appearance to the more common blue jay, but lack the crest, white tipped feathers, and black bars. Males and females are similar in appearance. Juveniles are similar to the adults, but lack the blue on the crown and nape. The oldest reported scrub-jay is 15½ years, but they rarely live that long.

**Status:** Florida scrub-jays are protected by The United States Fish and Wildlife Service (FWS) and the Florida Fish and Wildlife Conservation Commission (FWC) under the Endangered Species Act and Chapter 39, Florida Administrative Code, respectively. The Florida scrub-jay has been listed as Threatened by the state of Florida since 1975 and since 1987 by FWS. This protection makes it illegal to possess, harm, or harass Florida scrub-jays.

**Range:** The Florida scrub-jay only occurs in peninsular Florida. Historically, the Florida scrub-jay existed in 39 counties south of and including, Levy,



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Gilchrist, Alachua, Clay, and Duval with the exception of Monroe. They have become locally extinct in 9 of these counties including Alachua, Broward, Clay, Dade, Duval, Gilchrist, Hendry Pinellas, and St. Johns Counties. It is estimated that scrub-jay populations have decreased by 25 to 50% in the last 15 years, but the decline over the last 100 years may be as high as 80%.

**Habitat:** The Florida scrub-jay is entirely dependent on scrub. Scrub is a unique vegetation community composed of plants that are adapted to well-drained, sandy, nutrient poor soil. Scrub vegetation is dependent on periodic wildfire and is able to withstand high seasonal rainfall and periods of extended drought. Scrub is characterized by several species of oaks and pines. Optimal scrub-jay habitat occurs when the oaks are between 3 to 10 feet tall and there are un-vegetated, sandy openings. Scrub-jays will also use scrubby flatwoods (a mixture of scrub vegetation and pine trees), if the pine canopy is open. In Charlotte County, scrub-jays live in scrub, scrubby flatwoods and even suburban areas that are adjacent to scrub. The three dominant tree species in Charlotte County scrub include sand live oak, Chapman oak, and myrtle oak. Scrub-jays are non-migratory birds that defend permanent territories averaging 23 acres in size, depending on the quality of the vegetation community and the size of the family group. Territories increase in size as the family group grows and when the habitat is not optimal.

**Diet:** The Florida scrub-jay is an omnivore, commonly eating insects, tree frogs, reptiles, berries, seeds, and acorns. Insects compose the majority of the scrub-jay's diet in the spring and summer. In the winter, when insects are scarce, acorns from several species of oaks comprise the majority of their diet. Each scrub-jay harvests and buries 6000 to 8000 acorns during August to November for use throughout the year. Scrub-jays forage on the ground, rarely pursuing insects in the air.

**Social System:** Florida scrub-jays live in family groups. Each group is made up of a breeding male and female and usually several helpers. These helper birds are offspring of the breeding pair from previous years. The helpers participate in defense of the territory, sentinel (guard) duties, mobbing of predators, and care of the nestlings. This cooperative breeding benefits the parent birds by increasing defense and care of the young, while the helpers learn parenting skills prior to raising their own young. Helpers stay in their parent's territory for at least 1 year. A scrub-jay helper is elevated to breeder status once it has acquired its own breeding territory. This can be accomplished in several ways. A helper can replace a breeder on another territory, create a territory on a section of its parent's territory, inherit breeding status after the death of a parent, or establish a new territory between existing territories. Scrub-jays usually will not disperse more than 5 miles from their parent's territory

**Reproduction and Hatchlings:** Florida scrub-jay pairs are monogamous. Most Florida scrub-jays breed for the first time when they are between 2 and 4 years of age. Nesting occurs from March to June when 3 to 4 eggs are laid in cup-shaped nests. The nests are constructed in shrubby oaks 3 to 7 feet from the ground. The female incubates the eggs for 17 days until hatching. Both parents and helpers bring food to the nestlings that remain in the nest for 16 to 21 days after hatching. Predators including raccoons, cats, snakes, blue jays, and crows eat the eggs and hatchlings. Nest predation is generally higher in suburban areas than in more isolated areas.

**Threats:** Predators of adult scrub-jays include domestic cats, bobcats, raptors, owls, and snakes. However, the biggest threat to the scrub-jay is habitat loss and degradation due to the construction of buildings and roads. As development increases, habitats become fragmented and can lead to the isolation of populations or leave individuals without mates. Scrub is frequently converted into agricultural fields, especially citrus groves, and housing developments. In addition, when natural fires are suppressed, trees grow too tall and dense for scrub jays to forage and nest successfully. Scrub-jays can sometimes exist in small scrub areas around development, but often face increased stress including predation by house cats, collisions with cars, poisoning, and increased disturbance by people.

**What You Can Do to Help:** The Florida scrub-jay exists only in Florida. Without our help it may become extinct. There are several things you can do to benefit scrub-jays. Watch out for scrub-jays and other wildlife while you are driving. If you are planning to build a structure where there are scrub-jays please call FWC or Charlotte County Natural Resources for advice. Keep your cats indoors to prevent them from killing scrub-jays. Limit the use of pesticides around your house; pesticides may kill the food that the scrub-jay depends upon. Continue to read about Florida scrub-jays and other wildlife at the library or on the Internet. Suggested Internet sites include:

<http://www.myfwc.com/wildlifehabitats/imperiled/profiles/birds/florida-scrub-jay/> and <http://www.fws.gov/northflorida/Species-Accounts/FIa-Scrub-Jay-2005.htm>

**Selected References:**

Fitzpatrick, J.W., G.E. Woolfenden, and M.T. Kopeny. 1991. Ecology and development-related habitat requirements of the Florida scrub jay (*Aphelocoma coerulescens coerulescens*). Florida Game and Fresh Water Fish Commission, Nongame Wildlife Program Technical Report No. 8.

Woolfenden, G.E. 1984. The Florida scrub-jay: Demography of a cooperative-breeding bird. Princeton University Press, Princeton, N.J.

**For more information**

Natural Resources  
514 Grace St.  
Punta Gorda, FL 33950  
941.613.3220  
email: [Andy.Stevens@charlottefl.com](mailto:Andy.Stevens@charlottefl.com)

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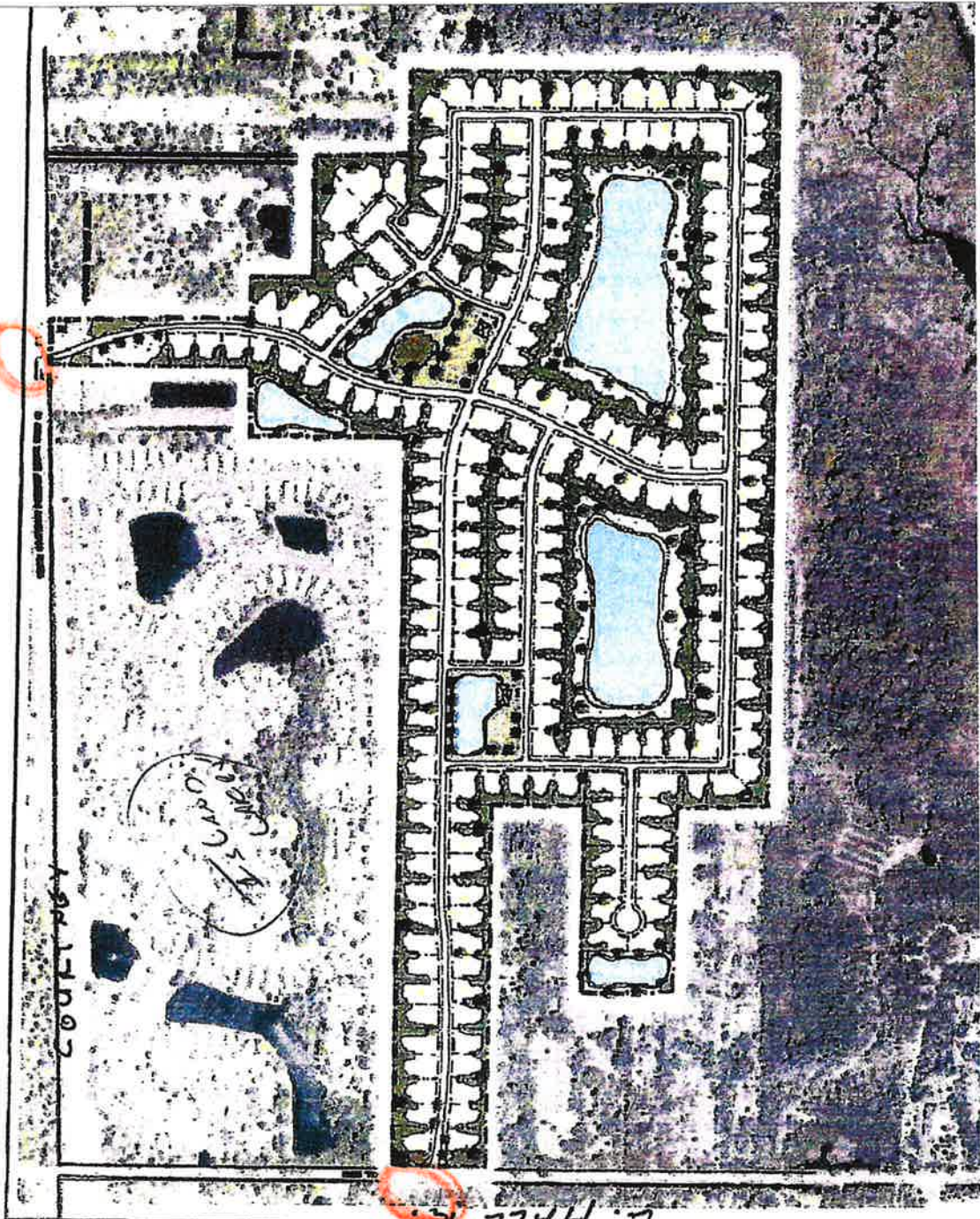
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Administrative Complex \* [18500 Murdock Circle \\* Port Charlotte, Florida](#) 33948 \* 941.743.1200



2



1

E. Hill St.

# Copy Petitions

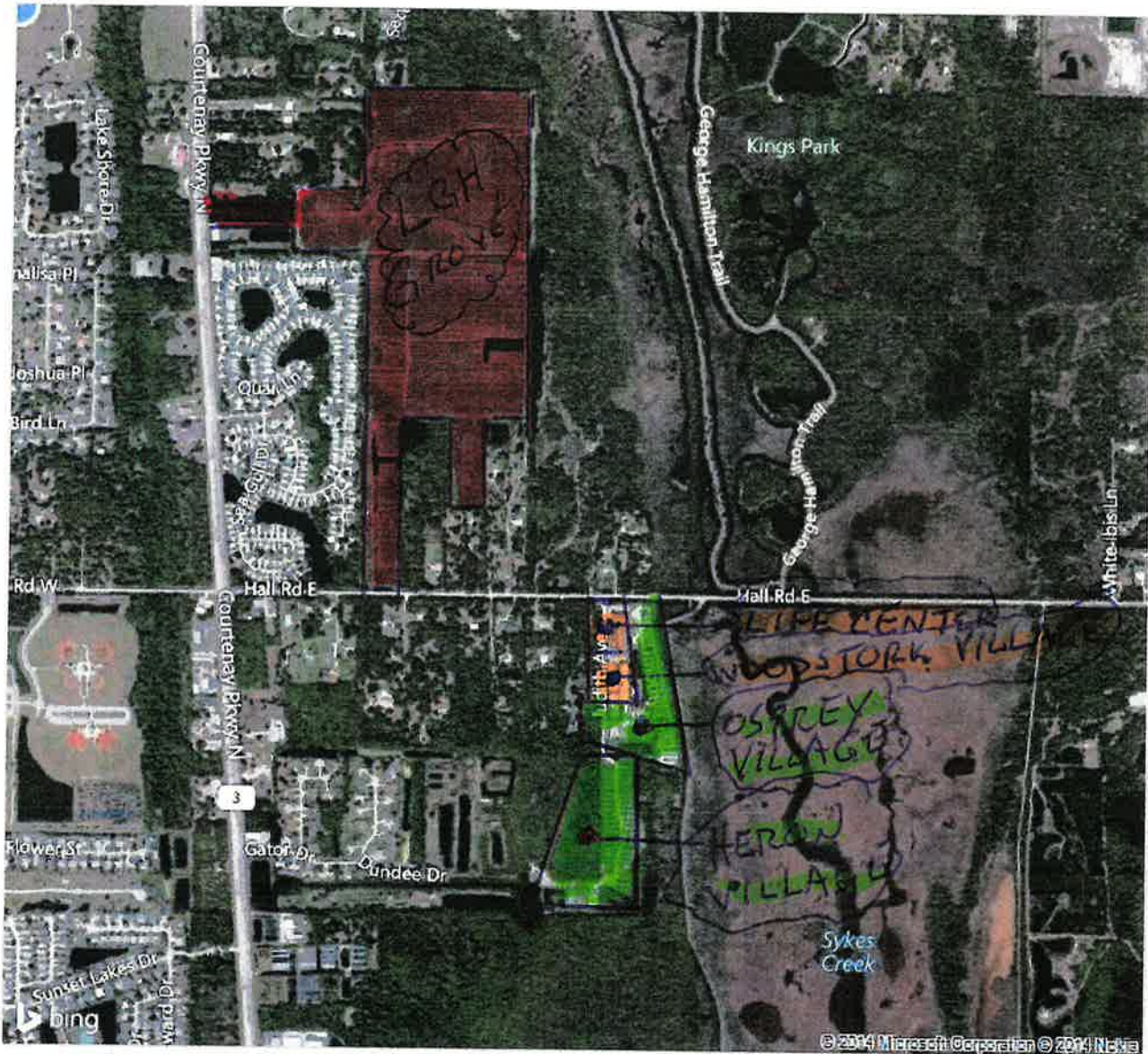
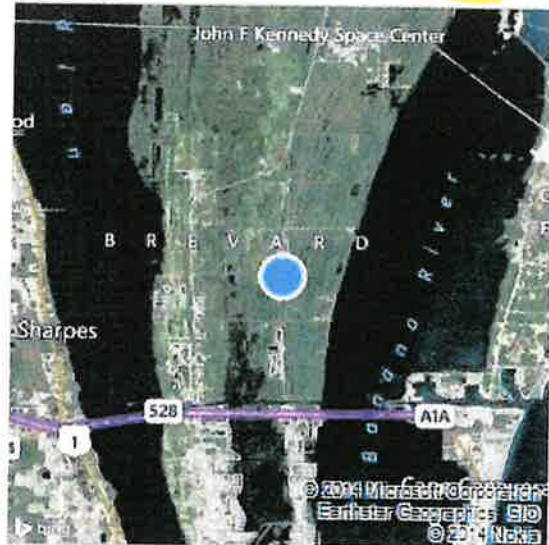


Chase Hammock Rd, Merritt Island, FL 32953

My Notes

69 Signatures

On the go? Use [m.bing.com](http://m.bing.com) to find maps, directions, businesses, and more.



Bird's eye view maps can't be printed, so another map view has been substituted.

PETITION

TO STOP THE CONSTRUCTION OF 14PZ-00008- LGH GROVES, LLC AND HARVEY'S INDIAN RIVER GROVES, INC., IN ANY CAPACITY.

THE UNIT OWNERS AND RESIDENTS WHOSE NAMES, ADDRESS AND SIGNATURES, LISTED BELOW OF NORTH MERRITT ISLAND, BREVARD COUNTY, FLORIDA, DEMAND THE BREVARD COUNTY COMMISSIONERS DENY THE APPROVAL OF THE PROPOSED HOUSING DEVELOPMENT TO BE LOCATED ON TAX PARCEL 505, 320 EAST HALL ROAD; TAX PARCEL 264; TAX PARCEL 270, 4870 NORTH COURTNEY PARKWAY; TAX PARCEL 274; TAX PARCEL 275, MERRITT ISLAND, FLORIDA.

THE PURPOSE OF THIS PETITION IS DUE TO MANY CONCERNS OF THE PEOPLE WITH THE LOCATION OF THIS PROJECT WHICH INCLUDE BUT NOT LIMITED TO DRAINAGE ISSUES, TRAFFIC ISSUES, INGRESS AND EGRESS LOCATIONS, CONSTRUCTION VEHICLE TRAFFIC FOR REQUIRED LAND FILL. ETC.

NAME AND ADDRESS

SIGNATURES

Prem RAMDEO

155  
~~156~~ E. HALL Rd  
Merritt Island, FL



THE Road is too narrow, to many crazy asses try to run me over when I am coming into my drive way either turning right or exiting to the left. they drive like mad assholes. No concern for others, why would I want people in 222 houses to multiply that process. <sup>vehicle</sup> Safety is not a concern that has ever been address by the sheriff in this area. therefore I condemn this project, and whole process that goes along with it. there are vacant property on Hall Rd and North of Hall Rd why do we need more property homes as described. No Thank You!!!

PETITION

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NAME AND ADDRESS

SIGNATURES

JOHN G. DAIGNAULT  
145 EAST HALL RD.  
MERRITT ISLAND, FL 32953



Arena Daignault  
145 EAST HALL RD  
MERRITT ISLAND, FL 32953



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PETITION

TO STOP THE CONSTRUCTION OF 14PZ-00008- LGH GROVES, LLC AND HARVEY'S INDIAN RIVER GROVES, INC., IN ANY CAPACITY.

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NAME AND ADDRESS DAVID A. Schoon  SIGNATURES  
475 E. HALL Rd  
Merritt Island Fl 32953

BARBARA A. BOKA   
475 E. HALL Rd  
Merritt Fl 32953

PETITION

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NAME AND ADDRESS

SIGNATURES

Bruce R. Boyd

JANET M. BOYD Janet M Boyd

Bruce R Boyd 511 PRISCILLA PL. MI FL 32953

WANDA SEYMOUR

4351 Timothy

Wanda Seymour

Robert Seymour

Robert Seymour

CAROL ANN DUNN

4361 Timothy

Carol Ann Dunn

CHAUNCEY DUNN

Chauncey Dunn

REV LARRY ZWIEG

4381 Timothy Dr

Rev. L. & Z. Zwing

SUSAN ZWIEG

Susan Zwing

4401 Timothy

MARY JANE MURRAY

Mary Jane Murray

FRAN CONWAY

4391 Timothy Dr.

Franco Conway

PETITION

TO STOP THE CONSTRUCTION OF 14PZ-00008- LGH GROVES, LLC AND HARVEY'S INDIAN RIVER GROVES, INC., IN ANY CAPACITY.

NAME AND ADDRESS

SIGNATURES

4341 Timothy Dr.

JAMES D.  
(SAKE) TEASLEY

James D Teasley

MARK SINCLAIR 4331 Timothy

Mark Sinclair

MARINE SINCLAIR

Marine Sinclair

4301 TIMOTHY

JUDITH O'REILLY

Judith O'Reilly

4281 Timothy

ELIZABETH COSTELLOW

Elizabeth M. Costellow

LAURA MOSES

531 Priscilla Place Laura J. Moses

Russell Moses

Russell L. Moses

M. Patricia McCormack

501 Priscilla Place M. Patricia McCormack

E. Douglas McCormack

E. Douglas McCormack

JAMES K. FINK

521 Priscilla Place

James K Fink

CARMEN E. GAVEL

Carmen E. Gavel

ROSARIA SINATRA

4291 Timothy

Rosaria Sinatra

CHARLES SINATRA

Charles Sinatra

PETITION

TO STOP THE CONSTRUCTION OF 14PZ-00008- LGH GROVES, LLC AND HARVEY'S INDIAN RIVER GROVES, INC., IN ANY CAPACITY.

NAME AND ADDRESS

SIGNATURES

4251 Timothy

GAIL MURPHY

Gail Murphy

4231 Timothy

ANNETTE RILEY

Annette Riley

4221 Timothy

PAMELA CURTONE

Pamela

4151 Timothy

RICHARD FORNESS

Richard L Forness

BARBARA SINCLAIR 4121 Timothy

Barbara Sinclair

IAN SINCLAIR

Ian Sinclair

570 Priscilla

EVANGELINE STONER

Evangeline Stoner

551 Priscilla

MARY JO MULDER

Mary Jo Mulder

540 Priscilla

SUSAN LAVOIE

Susan C Lavoie

PETITION

TO STOP THE CONSTRUCTION OF 14PZ-00008- LGH GROVES, LLC AND HARVEY'S INDIAN RIVER GROVES, INC., IN ANY CAPACITY.

NAME AND ADDRESS

SIGNATURES

4191 Timothy

CAROL BEAM

Carol Beam

560 Priscilla

LOUISE HUNT

Louise Hunt

4161 Timothy

JANICE EMERSON

Janice Emerson

FRANCES DILBERTO 4181 Timothy

Frances Dilberto

JOSEPH DILBERTO

Joseph Dilberto

4211 Timothy

BABE EMERSON

Babe Emerson

KATHLEEN FRATTAROLI 561 PRISCILLA

Kathleen Frattaroli

SAMUEL FRATTAROLI

Samuel Frattaroli

PETITION

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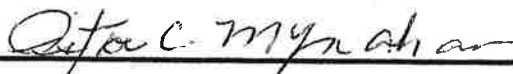
NAME AND ADDRESS

SIGNATURES

FRANK S. MYNAHAN  
4111 TIMOTHY DR  
MERRITT ISLAND 32953



DEBRA C. MYNAHAN  
4111 TIMOTHY DR.  
MERRITT ISLAND FL  
32953-8150



PETITION

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NAME AND ADDRESS

SIGNATURES

Phyllis NIEMI  
471 TIMOTHY DR  
Merritt Island FL 32953



DUANE C. NIEMI  
471 Timothy Dr.  
Merritt Island, FL 32953



**PETITION**

**TO STOP THE CONSTRUCTION OF 14PZ-00008- LGH GROVES, LLC AND HARVEY'S INDIAN RIVER GROVES, INC., IN ANY CAPACITY.**

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**NAME AND ADDRESS**

**SIGNATURES**

Larry Kirkman

#130 Timothy Dr, Merritt Island, FL.



PETITION

TO STOP THE CONSTRUCTION OF 14PZ-00008- LGH GROVES, LLC AND HARVEY'S INDIAN RIVER GROVES, INC., IN ANY CAPACITY.

THE UNIT OWNERS AND RESIDENTS WHOSE NAMES, ADDRESS AND SIGNATURES, LISTED BELOW OF NORTH MERRITT ISLAND, BREVARD COUNTY, FLORIDA, DEMAND THE BREVARD COUNTY COMMISSIONERS DENY THE APPROVAL OF THE PROPOSED HOUSING DEVELOPMENT TO BE LOCATED ON TAX PARCEL 505, 320 EAST HALL ROAD; TAX PARCEL 264; TAX PARCEL 270, 4870 NORTH COURTNEY PARKWAY; TAX PARCEL 274; TAX PARCEL 275, MERRITT ISLAND, FLORIDA.

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NAME AND ADDRESS

SIGNATURES

FRANK J KACINKO  
541 PRISCILLA PLACE  
MERRITT ISLAND, FL  
32957



Gloria R Kacinko  
541 Priscilla Place  
Merritt Island, FL  
32953



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NAME AND ADDRESS 525 EAST HALL RD - Solves Jackson SIGNATURES

I have lived at my residence since 1986 and it was a pleasure, no traffic only wild life until they started building on the north side of the street, felling in and tearing down trees. when I built only one home was allowed on my prop (2) acres, the traffic is so bad now when I go to my mail box I wait on speeding traffic to go by

PLEASE DON'T LET THIS HAPPEN

PLEASE DENY

Solves Jackson  
525 EAST HALL RD  
Since 1986

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NAME AND ADDRESS

SIGNATURES

VIRGIL H Duduit 380 E HALL Rd MERRITT ISLAND

*Virgil H Duduit*

JOAN H Duduit 380 E HALL Rd MERRITT ISLAND

*Joan H Duduit*

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NAME AND ADDRESS

SIGNATURES

30 July 2014

John C. Beaty

John C. Beaty

455 E. Hall Rd. Merritt Island, FL 32953

Debra S. Beaty

Debra S. Beaty

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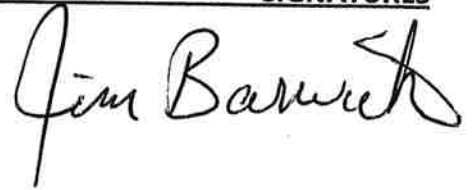
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NAME AND ADDRESS

SIGNATURES

Jim BARWICK  
400 E. Hall Rd  
M.I. FL 32953



Julie Barwick  
400 E. Hall Rd  
Merritt Island FL 32953



Briana Barwick  
400 E. Hall Rd.  
Merritt Island, FL 32953



Skylar Aument  
4135 cedar Creek Cir.

Merritt. Island, FL 32953



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NAME AND ADDRESS Ken Walters Ken Walters SIGNATURES

555 E. Hall Rd. Merritt Is 32953

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NAME AND ADDRESS

SIGNATURES

Lloyd B. Myers  
Patricia C. Myers

405 E. Hall Rd.  
Merritt Isl, FL 32953

Lloyd B. Myers  
Patricia C. Myers

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<p>Thomas J. Glass, 4133 Cedar Creek Circle #304 Merritt Island, Florida</p> <p>NAME AND ADDRESS</p>	<p>4133 Cedar Creek Circle #304 Merritt Island, Florida</p>	 <p>SIGNATURES</p>
--------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------	----------------------------------------------------------------------------------------------------------

<p>Jeffrey S. Walters</p>	<p>4133 CEDAR Creek Circle #307</p>	
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<p>JESUS-PINEDA</p>	<p>4139 CEDAR CREEK CIR. #102</p>	
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<p>Blair Tep</p>	<p>4139 Cedar Creek Circle #104</p>	
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<p>Melinda Lee</p>	<p>4133 Cedar Creek #3</p>	
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Board of County Commissioners Meeting  
Brevard County  
August 7, 2014

- PRESENTED ON BEHALF OF -

**Titan Realty Corp.**

Rezoning Application on 111.03 acres  
**14PZ-00008 – LGH GROVE, LLC &  
HARVEY'S INDIAN RIVER GROVES, INC.**

KIMBERLY BONDER REZANKA, ESQ.

**DEAN MEAD**  
ATTORNEYS AT LAW  
8240 DEVEREUX DRIVE  
SUITE 100  
VIERA, FL 32940

### NORTH MERRITT ISLAND DENSITY COMPARISON CHART

PLAT NAME	PLAT BOOK/PAGE	TOTAL ACREAGE	TOTAL LOTS	LOT SIZES	DENSITY (upa)	ZONING	LAND USE
Chase Hammock Lakes	50/43	122.71	61	1 acre	0.50 AU		RESD. 1
Citrus Isle	41/48	19.83	51	1/4 to 1/3 ac	2.57	EU-2	RESD. 4
Citrus River Groves 1-4	25/133, 28/89,	69.81	94	1/2+/- ac	1.35	SR	RESD. 4
The Groves	32/26	13.96	20	1/4 to 1/2 ac	1.43	RA-2-10 (4)	RESD. 2
The Groves Phase 2	39/73	12.91	16	1/2 ac	1.24	SR	RESD. 2
Indian Bay Phase 1	26/34	47.1	89	1/3 to 1/2 ac	1.89	EU-2	RESD. 4
Indian Bay Phase 2/1	36/41	11.27	21	1/3 ac	1.86	EU-2	RESD. 4
Indian Bay 2/2	36/81	30.78	37	1/3 ac	1.20	EU-2	RESD. 4
North Grove	36/82	20.65	41	1/3 ac	1.99	EU-2	RESD. 4
Otter Trace	38/28	35.77	37	1/2 to 1-1/2 ac	1.03	SR	RESD. 1
Savannahs PUD**	35/56	97	288	0.26-0.29 ac	2.97	PUD	RESD. 1
Sun Island Lakes	Mobile Home Park	71.35	298+/-		4.18	TR-3	RESD. 2
Sunset Lakes 1A	38/58	34.15	41	0.20 ac	1.20	PUD	RESD. 4
Sunset Lakes 1B	39/21	21.76	61	0.20 ac	2.80	PUD	RESD. 4
Sunset Lakes 2	41/14	14.07	45	0.20-0.28 ac	3.20	PUD	RESD. 4
Sunset Lakes 4A	44/19	6.14	20	0.20-0.25 ac	3.26	PUD	RESD. 4
Sunset Lakes 4B	44/22	5.04	16	0.20-0.31 ac	3.17	PUD	RESD. 4
Sunset Lakes 5	44/93	7.37	26	0.14-0.17 ac	3.53	PUD	RESD. 4
Sunset Lakes 6	45/41	8.98	32	0.13-0.15 ac	3.56	PUD	RESD. 4
Sunset Lakes 7	46/1	28.21	39	0.14-0.29 ac	1.38	PUD	RESD. 4
Sunset Lakes 8	46/43	12.28	31	0.17-0.30 ac	2.52	PUD	RESD. 4
Sunset Lakes 9	47/26	29.33	44	0.17-0.19 ac	1.50	PUD	RESD. 4
Sunset Lakes 11	50/27	4.37	5	0.51-0.71 ac	1.14	PUD	RESD. 4

\*\*Excluding Public Golf Course Area

**NORTH COURTENAY PARKWAY CORRIDOR STUDY**  
A Report from the North Courtenay Citizen Resource Group

October 2005

STAFF DRAFT

## MISSION STATEMENT

The CRG established the following mission statement to guide their review of the SR 3 corridor: the mission of the North Courtenay Parkway Citizen Resource Group is to explore new ideas, to seek out the best alternatives and land use improvements, and to beautify and enhance the aesthetic character of the North Courtenay Parkway Scenic Highway.

### CORRIDOR STUDY AREA

The scope of the corridor study area, as defined by the North Courtenay Parkway CRG, included the area from the Barge Canal to the Kennedy Space Center and included all properties that had frontage along North Courtenay Parkway (see Map 1). This scope included the stipulation that the study area could be altered if conditions warrant an exception to the above provisions at a future date. An aerial view of the corridor is shown on Map 2.



### GOALS / OBJECTIVES

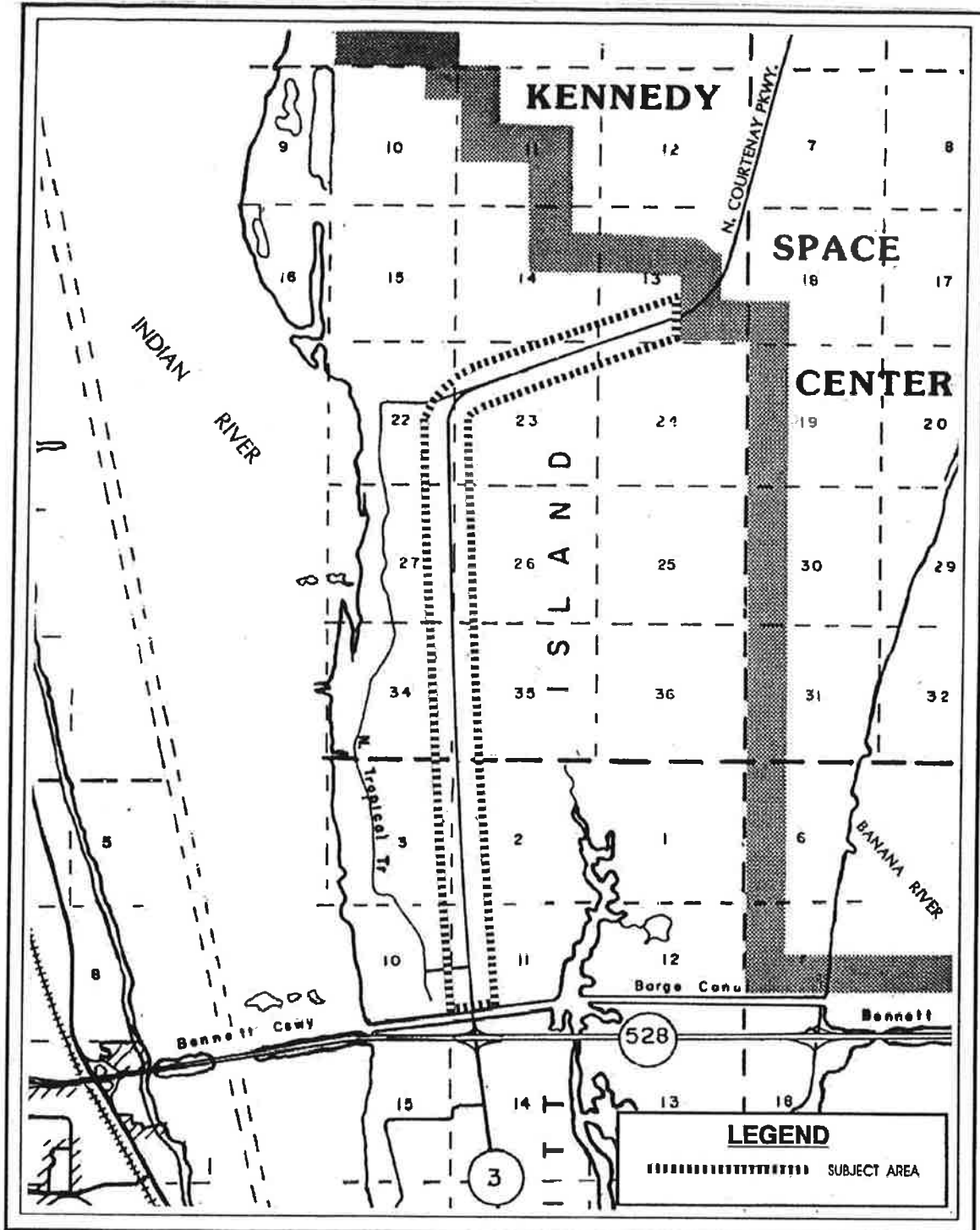
The following goals and objectives were established by the CRG.

1. Landscaping
2. Signage
3. Land Use
4. Access Management
5. Pedestrian Facilities (Paths / Trails)
6. Lighting

### LAND DEVELOPMENT REGULATIONS SUMMARY

The Brevard County Land Development Regulations (LDRs) are intended to implement the more general policies of the Comprehensive Plan which guide how development can occur. The LDRs contain site plan and subdivision requirements that must be met in order to obtain a project approval.

MAP 1 CORRIDOR STUDY - NORTH COURTENAY PARKWAY, 9/2004  
 MERRITT ISLAND, FLORIDA  
 LOCATION MAP





Certain development within the corridor was constructed prior to the performance standards that are currently in effect and this older development is not required to conform to today's regulations. As alterations in use occur along the corridor, some of the older developments will be upgraded to meet current regulations per the change of use section of code. Additionally, the proposed CRG recommendations and any subsequent modification of the land development regulations, could result in the long-term evolution for an enhanced North Courtenay Parkway.

## LAND USE AND ZONING

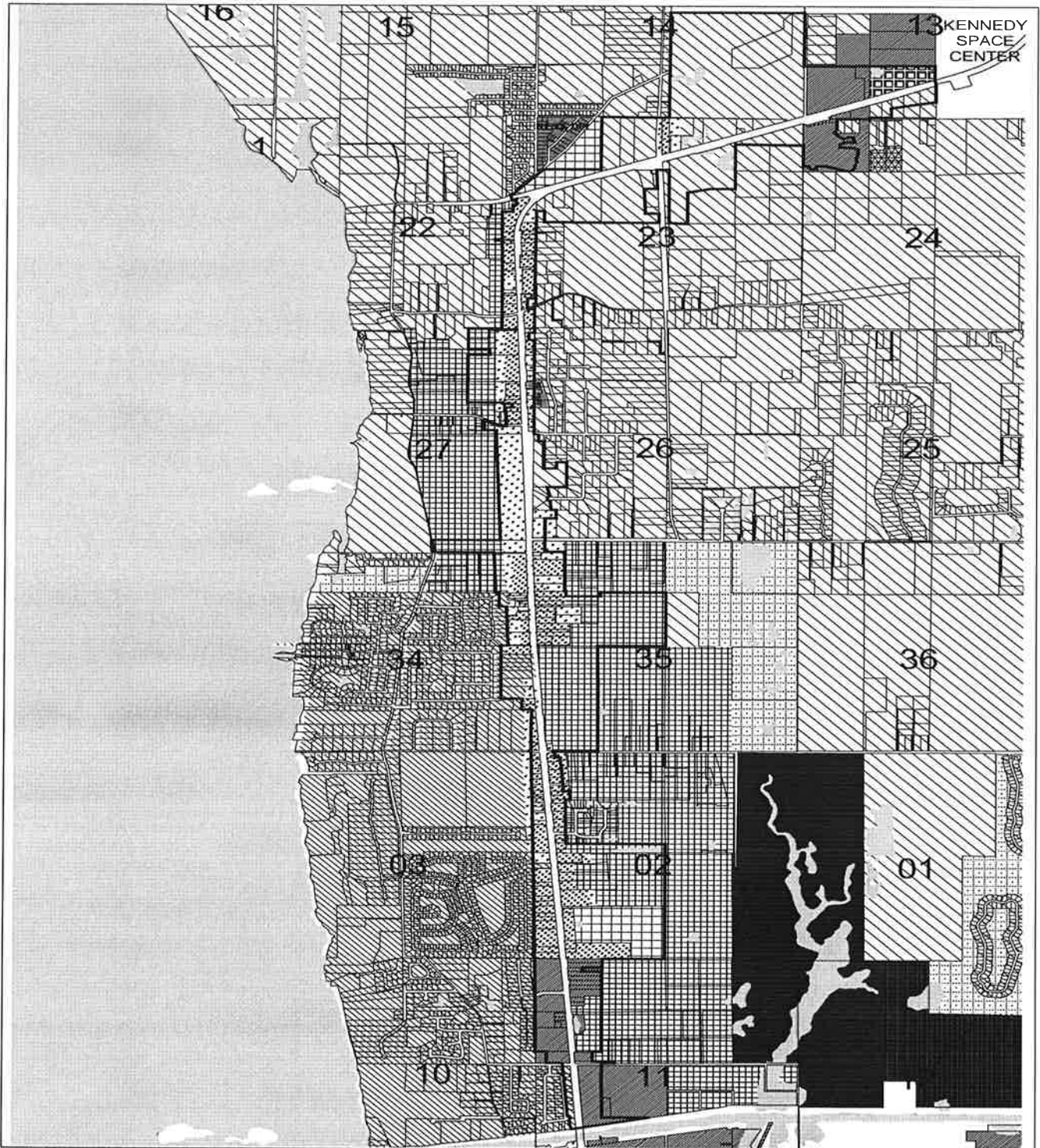
The Comprehensive Plan designates general future land use patterns for the unincorporated areas of the County. These future land use patterns control the type of zoning that may be considered for a certain area. The County has eighteen future land use classifications which include residential designations, agriculture, public and private conservation, industrial, recreation, public facilities, planned redevelopment district, neighborhood and community commercial, and development of regional impact. The Future Land Use Map (FLUM) also identifies those properties that are listed within the Future Land Use Element (FLUE) as directives. The future land use designations are implemented through the zoning code which specifies the type of use, size, dimension, as well as other matters such as buffering and setbacks.

The majority of frontage property along North Courtenay Parkway is designated as either Neighborhood Commercial (NC) or Community Commercial (CC) on the FLUM with a depth that varies from approximately 200 to 900 feet (see Map 3). These designations allow for the consideration of commercial and residential zonings (see Map 4). Specific residential densities are subject to the criteria found within FLUE




Policy 2.13 which states that residential development within NC or CC designations is permitted at the same density as the closest residentially designated area on the FLUM (on the same side of the street). Transitional uses, such as those specified in the Residential Professional (RP) and Restricted Neighborhood Commercial (BU-1-A) can be considered in residential land use areas per FLUE Policy 2.12. Residential and the BU-1-A zoning classifications are typically located within the NC designation. The General Retail Commercial (BU-1) and Retail, Warehousing, and Wholesale Commercial (BU-2) zoning classifications are the classifications that most often occur within the CC land use designation.

The character and intensity of development that occurs along North Courtenay Parkway are defined primarily by the uses permitted within the NC and CC land use designations.



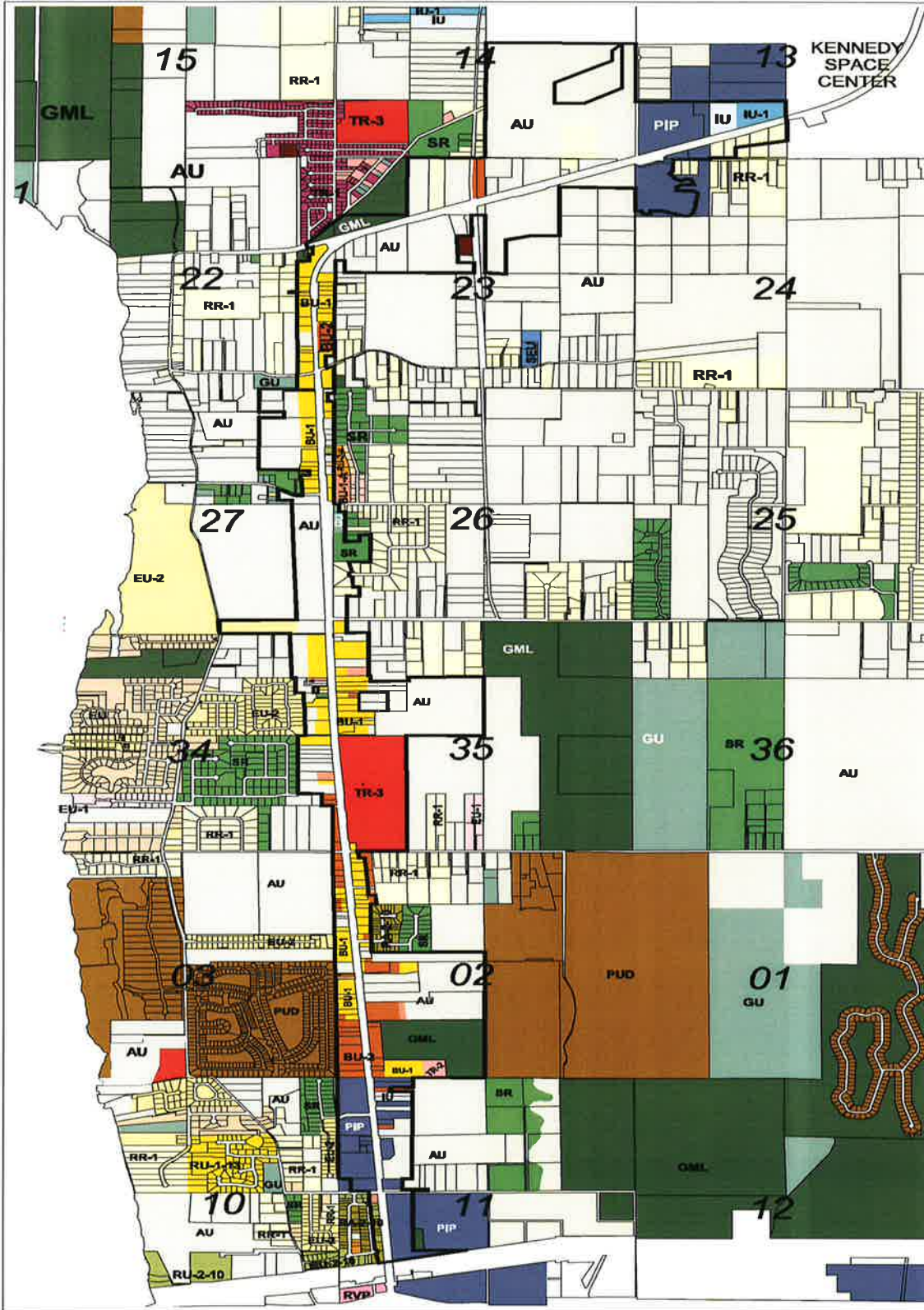
**FUTURE LAND USE DESIGNATIONS**

	DIRECTIVE		IND		PUB		RES 1:2.5		RES 10
	AGRIC		NC		PUB-CONS		RES 2		RES 15
	CC		PLNIP		REC		RES 4		
	DRI		PRIV-CONS		RES 1		RES 6		

SCALE: 1" = 2000'

 SUBJECT PROPERTY BOUNDARY

CORRIDOR STUDY - NORTH COURTENAY PARKWAY, 9/2004  
MERRITT ISLAND, FLORIDA  
ZONING MAP



**LEGEND**  
Zoning Classifications

[Yellow]	AU
[Light Yellow]	BU-1
[Orange]	BU-1-A
[Dark Orange]	BU-2
[Light Orange]	EU
[Light Yellow-Orange]	EU-1
[Yellow-Orange]	EU-2
[Dark Green]	GML
[Light Green]	GU
[Light Blue]	IU
[Dark Blue]	IU-1
[Dark Blue]	PIP
[Brown]	PUD
[Light Brown]	RA-2-10
[Light Brown]	RR-1
[Dark Brown]	RRMH-1
[Light Yellow]	RU-1-13
[Light Yellow]	RU-1-7
[Light Yellow]	RU-1-8
[Light Yellow]	RU-2-10
[Light Yellow]	RU-2-30
[Light Yellow]	RU-2-4
[Light Yellow]	RVP
[Light Blue]	SEU
[Light Green]	SR
[Red]	TR-1
[Red]	TR-2
[Red]	TR-3

SCALE: 1" = 2000'

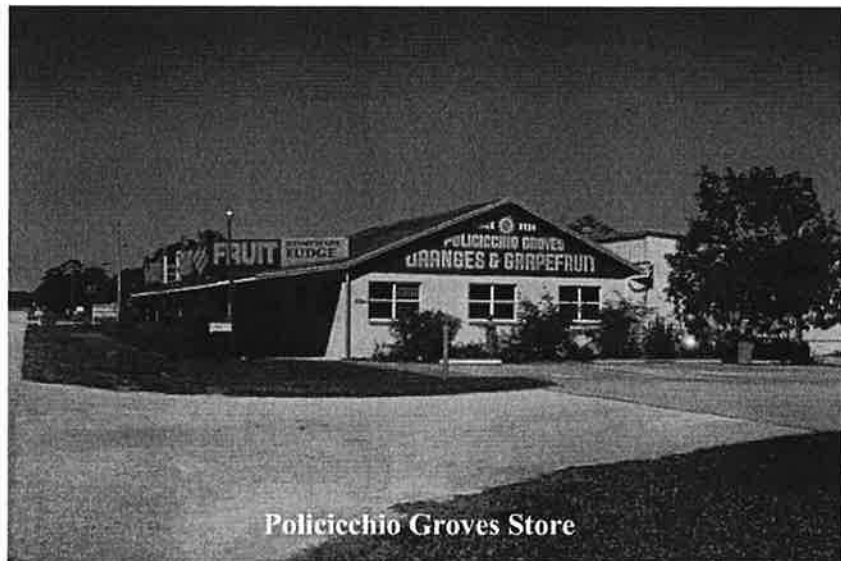
A portion of the corridor is designated for planned industrial on the FLUM. This section of the study area is located adjacent to the Barge Canal and extends northward for approximately 4,200 feet. The majority of this area is also zoned for planned industrial park uses (PIP). Such uses include light manufacturing activities and various commercial enterprises

### CRG RECOMMENDATIONS AND THEIR RELATIONSHIP TO CURRENT REGULATIONS

The CRG examined the future land use and zoning for the corridor area and generated the following recommendations:

**LU-1:** *For properties zoned BU-2, outdoor storage areas shall not be visible from the roadway. An opaque buffer that shields storage areas from view shall be required for BU-2 uses within the North Courtenay Parkway corridor.*

The BU-2 zone encompasses property that is used for a variety of uses including general retail and wholesale businesses, contracting and heavy repair services, and warehousing activities. Presently, the BU-2 zoning classification permits the outdoor storage of retail items such as motor vehicles, utility sheds, and nursery items such



as plants, trees, boats, and mobile homes. This classification also allows such uses as automobile repairs, automobile sales and storage, contractor's offices, plants and storage yards, minor automobile repairs, mini warehouses, and farm machinery sales and service.

The CRG recommendations create performance standards that provide buffering from the intense outdoor commercial activities that are permitted within BU-2 zoning. The new standards are specific to the SR 3 corridor and will require modification of the LDRs. The CRG recommendation addressed the opaqueness of the buffer but did not address the depth of the proposed buffer.

**LU-2:** *No bay doors should face the roadway. All such doors should face to the side or rear of the building.*

Both BU-1 and BU-2 zones currently permit bay doors to front on a roadway. This CRG recommendation proposes that all bay doors should face to the side or the rear of the roadway and not to the front. Modification of the LDRs will be necessary to implement this recommendation.

**LU-3:** *No portion of a building constructed of sheet metal shall be visible from North Courtenay Parkway. Stucco, wood siding, brick, and other materials with similar textures are appropriate.*

Metal Buildings are addressed by Section 62-2115.7 of the Zoning Code. Current standards address the appearance of the roofline and the front of metal buildings. These standards require that the front of a metal building be galvanized and use a factory finished painted siding at a minimum. They also require that the roofline be architecturally treated with a mansard roof or with another acceptable manner that enhances the front of the building. Implementation of this CRG recommendation will require a change to the current Zoning Code regulations.

### SIGNAGE



Retail Center Signage

A sign is any permanent or temporary device which is used to inform, attract attention, or advertise, and is readily visible on the premises upon which a structure is located. The Brevard County Sign Regulations are intended to regulate the type, size, location, and appearance of signs used in commercial and non-commercial situations. The regulation of signs is intended not only to improve community

aesthetics, but to increase safety by reducing visual distraction or obstruction.

### CRG RECOMMENDATIONS AND THEIR RELATIONSHIP TO CURRENT REGULATIONS

**Note:** CRG recommendations S-1 through S-9 will require changes to the Land Development Regulations for implementation.

**S-1:** *Allow one additional sign for every 500 feet of street frontage beyond the first 200 feet of frontage, to a maximum of three total signs.*

Currently, the land development regulations allow a sign for each 200 feet of frontage. The LDR's also do not place a limit on the number of signs that can be placed on a property. This CRG recommendation establishes additional spacing requirements (500 feet compared to 200 feet) for on-premises signs and limits the total signs per parcel to three.

*S-2: Require a separation of 500 feet apart on the same parcel.*

Present regulations state that freestanding signs shall no be placed closer than 100 feet apart on the same parcel of land. This CRG recommendation proposes to increase that separation to 500 feet.

*S-3: Freestanding signs shall be encased within a structure that is architecturally related to and compatible with the main building and overall architectural design of the development.*

The LDRs do not contain a regulation that addresses architectural standards. This recommendation establishes such standards for freestanding signs.

*S-4: Restrict all signs to ground signs and such signs shall be no more than 12 feet in height. Sign surface area shall be limited to 100 square feet for individual businesses. For sites that contain multiple businesses, sign surface area shall be limited to 120 square feet.*

Present regulations do not address height and type of signs that can be constructed on a parcel of land. In addition, the current LDRs permit a maximum allowable sign surface area of 150 square feet. In cases where more than one freestanding sign is permitted the aggregate area shall not exceed 300 square feet. In the Transient Tourist Commercial zone (TU-2), one freestanding sign may be permitted up to 250 square feet in area. Aggregate sign surface area shall not exceed 400 feet in TU-2 zoning classification. This CRG recommendation reduces the amount of sign surface area permitted, establishes a maximum height of 12 feet, and requires that all freestanding signs be constructed as the ground variety regardless of zoning classification.

*S-5: Landscaping shall be integrated with each freestanding sign and irrigation supply shall be located within 100 feet of the sign.*

Current regulations do not address the integration of landscaping with freestanding signs. The CRG's recommendation requires landscaping materials to be assimilated with each new freestanding sign within SR 3 corridor. The recommendation also requires that an irrigation supply be located within 100 feet of the sign.

*S-6: Prohibit the use of internal lighting of signs.*

Internal lighting of signs is not addressed in the current LDRs. This recommendation prohibits the use of internal lighting for newly constructed signs within the SR 3 corridor. New signs would be required to be highlighted by spotlights or other similar type lighting methods.

*S-7: Restrict signs from using fluorescent or day-glo materials.*

Current regulations do not limit the use of day-glo materials for signage purposes.

*S-8: All signs shall be constructed to professional standards.*



The LDRs do not currently have a provision that requires all signs to be constructed to professional standards. This recommendation applies to all signs (including those signs not required to have site plan approval). In addition, the term professional standards will need to be defined in a measurable manner.

**RELATIONSHIP OF CRG  
LANDSCAPING  
RECOMMENDATIONS  
TO CURRENT REGULATIONS**

The Brevard County Landscape Regulations are based on a point system that allows the developer a variety of options in the landscape design providing the point requirements are met. The points are accumulated by preserving existing trees and certain native vegetation on the site or planting new trees or a combination of preservation and new plantings. The minimum factors considered when approving a proposed landscaping plan pertain to the natural vegetation remaining on the site, the source of irrigation, special functions of the landscaping material (such as buffering), soils and topography of the site, and special conditions (such as wetland and aquifer recharge areas).

Adjacent to any public right-of-way, the regulations require a Type C, Roadway Buffer. The buffer is required to be a minimum of 15 foot in depth, however this may be reduced to 5 feet if the developer opts to landscape and maintain a median within the right-of-way. Other than the general requirements of the Landscaping Regulations, there are no specific requirements as to the type and quantity of landscape materials within the Type C buffer.

The Landscape Regulations define North Courtenay parkway as a Scenic Roadway which provides a point bonus for the preservation of native vegetation along the roadway. No other landscape standards are associated with this designation.

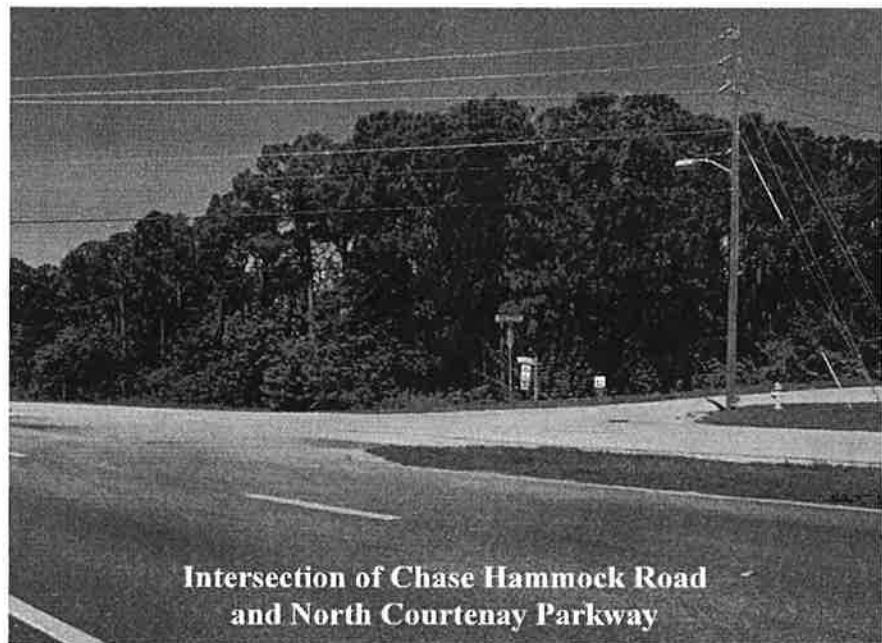
**LND-1:** *In order to create a native-tropical vegetative theme, the following large species trees are recommended for inclusion in the landscaping plan of properties within the SR 3 corridor: oaks, maples, magnolias, and cabbage palms. Recommended medium species trees include wax myrtle, crape myrtle, red bay, and holly. Small species trees and ground cover should remain consistent with the theme while providing variety and color. The large and medium species trees should be alternated and staggered every 25 feet. Palm trees should be clustered in groups of three.*

This CRG recommendation strives to create a vegetative theme for the SR 3 corridor. The Natural Resources Management Office (NRMO) has noted that Crape Myrtle is a non-native species and does not appear to correspond to the proposed theme.

**LND-2:** *Property owners within the North Courtenay Parkway corridor are encouraged to provide a 25-foot front landscape buffer. The minimum front landscaping buffer required shall be 15 feet.*

This recommendation encourages property owners to provide a 25-foot front landscape buffer. The front landscape buffer required by the LDRs remains at 15 feet (Type C roadway buffer).

**LND-3:** *The North Courtenay Parkway median should be landscaped and irrigated in conjunction with the native tropical theme established in Recommendation LND-1. Grants for such landscaping should be pursued by applicable County entities.*



Landscape enhancement grants may be available from the FDOT to landscape the medians of state controlled roadways. Maintenance of such landscaping would be the responsibility of the County.

## PEDESTRIAN FACILITIES

The Greenways and Trails Master Plan (see attached map) identifies various such projects throughout the County. The North Merritt Island component features a trail system that links various parks and other sites in the area. The CRG examined the proposed trail system and prioritized the following segment within the North Courtenay Parkway corridor.

***P-1:** The first priority for the proposed North Merritt Island trail system should be that segment of North Courtenay Parkway from Judson Road to Porcher Road with crosswalks at Chase Hammock Road and Hall Road.*

Recommendation P-1 prioritizes a portion of the North Merritt Island trail system. The CRG also recommended two locations for crosswalks on North Courtenay Parkway.

## ACCESS MANAGEMENT

Access management is the practice of managing the location, number and spacing of connections (driveways), median openings and traffic signals on the roadway system.

North Courtenay Parkway is listed by FDOT as an access class 5 roadway which sets minimum connection spacing of one half to one quarter mile for full median cuts and 660 feet for directional openings. However, where existing lot patterns will not allow these spacing standards to be met, FDOT will grant a single connections to the state road due to hardship. Such connections will be restricted to right in/right out turning movements. Many of the existing frontage lots on North Courtenay Parkway have insufficient frontage to meet the FDOT criteria, therefore as development occurs optimal spacing will not occur for connections.

***AM-1:** Whenever possible, access management techniques shall be encouraged to minimize driveway cuts along North Courtenay Parkway.*

This CRG recommendation encourages access management within the SR 3 corridor. Such standards could be supported by an amendment to the Transportation Element of the Comprehensive Plan. Such an amendment would encourage FDOT to recognize a heightened importance to access management techniques within the corridor.

***AM-2:** A study should be undertaken, to review median openings, left hand turning movements, and deceleration lanes along North Courtenay Parkway, due to safety concerns caused by an increase in vehicular traffic. The study should evaluate the length and interval of such openings.*

This recommendation encourages a study to evaluate median openings on North Courtenay Parkway. The CRG deemed that the population increase, and associated growth, on North Merritt Island warranted an examination of such issues.

## LIGHTING

The CRG addressed lighting along the North Courtenay Parkway as part of their analysis of the corridor. The lighting scheme within the corridor is managed by the FDOT. An analysis of the lighting within the corridor could be requested of the FDOT. Typically, additional lighting in a corridor is granted by the FDOT based upon proven safety concerns such as the frequency of nighttime accidents.

*L-1: At a minimum, lighting should be placed at the intersections within the North Courtenay Parkway corridor. To address safety concerns, additional lighting should be provided between Grant Road and Hall Road to better illuminate median cuts and driveways. Such lighting could be placed at intersections and staggered on the east and west side of the roadway as deemed necessary. The overall intent of the lighting scheme should maintain the rural character of the community.*

This CRG recommendation suggests a minimum lighting scheme for the corridor. It also advocates that any lighting in the corridor does not disturb the rural nature of the North Courtenay Parkway corridor.

## MISCELLANEOUS

The speed limit on North Courtenay is determined by the FDOT based upon the design of the roadway and safety concerns. Brevard County could request that the FDOT conduct a study regarding the speed limit on SR 3.

*MISC-1: Because of safety concerns, The Florida Department of Transportation should reevaluate the speed limit for North Courtenay Parkway due to the increased residential density and growth that have occurred on North Merritt Island.*

This recommendation encourages a re-evaluation of the speed limit on North Courtenay Parkway. The CRG deemed that the population increase, and associated growth, on North Merritt Island warranted an examination of the current limits.

*MISC-2: Because of hurricane related repair aspects, electrical lines and telephone lines within the North Courtenay Parkway Corridor shall be placed underground.*

The placement of electrical and telephone lines is undertaken by the respective utility companies. Typically, the cost of placing transmission lines underground is borne by the builder or developer of a project.

*MISC-3: The North Courtenay Parkway Citizen Resource Group should meet on an annual basis to assess the issues contained within this report.*

This recommendation establishes an annual meeting in which the actions and issues contained within the report would be reviewed by the CRG.

## IMPLEMENTATION OF NEW REGULATIONS

The new regulations will be implemented through appropriate changes to the Comprehensive Plan and LDRs. These changes should reflect any adjustments or modifications to the Comprehensive Plan necessary to provide internal consistency with implementation of other regulations. This may include criteria for the application of the LDRs.

### Comprehensive Plan Amendment Process

For modification of comprehensive plan policies and substantial FLUM changes, Florida Statutes permit the County to amend the Comprehensive Plan two times per year. Per the County's Land Development Regulations, comprehensive plan amendments are initiated on the last working days of December and June. The comprehensive plan amendment process typically takes approximately 9 to 12 months to complete. The proposed amendment will be reviewed by the Board of County Commissioners and the following citizen boards: the Land Use Citizen Resource Group (CRG) and the Local Planning Agency (LPA). The CRG and LPA will both provide recommendations to the Board of County Commissioners. The Board of County Commissioners typically reviews large scale plan amendments at an initial transmittal public hearing and a final adoption public hearing.

### Process to Change Land Development Regulation

The LDRs are modified by ordinance changes. Staff is directed to make such modifications by the Board of County Commissioners. Citizen boards that review ordinance changes include the LPA and the Building and Construction Advisory Committee (BCAC). Both the LPA and BCAC provide recommendations to the Board of County Commissioners. The Board of County Commissioners reviews all LDR modifications.



June 20, 2014

TO: Neighbors in Merritt Island, Florida

RE: Rezoning Application with BDP on 111.03 acres

**14PZ-00008 – LGH GROVE, LLC & HARVEY'S INDIAN RIVER GROVES, INC.**

Located on the north side of Hall Rd., approx. 1,020 ft. east of N. Courtenay Pkwy.

FROM: Titan Realty Corp.

Titan Realty Corp., LGH Grove, LLC and Harvey's Indian River Groves, Inc. would like to invite local residents to a Public Meeting to discuss the above referenced zoning application. You have received this invitation because you either live within 500 feet of the proposed use, or because you have expressed an objection to the proposed rezoning.

**The meeting will be held at 5:30 pm on July 9th, 2014 at:**

**MERRITT ISLAND GOVERNMENT SERVICES COMPLEX**

**Conference Room #205 (second floor)**

**2575 N. Courtenay Parkway**

**Merritt Island, FL 32953**

Commissioner Chuck Nelson has graciously offered the use of the conference room adjacent to his office, Room #205, also known as the MIRA Conference Room. In addition to representatives of the applicants, County personnel will be present to explain conditions of the area and answer questions. Those County personnel are:

**John Denninghoff, Director of Public Works Department**

**Ernie Brown, Director of Natural Resources Management Department**

Our team will give a brief presentation of the proposed use and will be happy to answer any questions and address concerns concerning the proposed development.

2281 Lee Road

Suite 204

Winter Park, Florida 32789

(407) 645-1965 • Facsimile (407) 628-0891

LICENSED REAL ESTATE BROKER

~~FULMER, Ken / AVERY, Del, V.P.  
Titan Properties AKA Titan Realty Corp.  
2281 Lee Road, Suite 204  
Winter Park, FL 32789~~

ANDERSON, BEVERLY A  
ANDERSON, JAMES L  
1955 CHASE HAMMOCK RD  
MERRITT ISLAND FL 32953-0000

BAILEY, JOHN  
BAILEY, JOSIE A H/W  
350 HALL RD E  
MERRITT ISLAND FL 32953-0000

BARNES, WILLIAM D  
BARNES, ARLENE M H/W  
4940 RALPH'S LN  
MERRITT ISLAND FL 32953-0000

BARWICK, JAMES A  
BARWICK, JULIE L H/W  
400 E HALL RD  
MERRITT ISLAND FL 32953-7406

~~BREVARD COUNTY  
700 PARK AVE S  
TITUSVILLE FL 32780-0000~~

BROSKIE, THOMAS GREGORY JR  
THOMPSON, PAMELA B  
395 E HALL ROAD  
MERRITT ISLAND FL 32953-0000

BUFFKIN, ROBERT E  
BUFFKIN, CHRISTINA L H/W  
P O BOX 541075  
MERRITT ISLAND FL 32954-1075

CARNELL, SHELLEY CHARLENE  
425 E HALL RD  
MERRITT ISLAND FL 32953-0000

CRISAFULLI ENTERPRISES INC  
5525 N COURTENAY PKWY  
MERRITT ISLAND FL 32953-0000

CRISWELL, FLOYD H  
CRISWELL, ANN LEE H/W  
321 ALVARADO AVE  
LOS ALTOS CA 94022-0000

DEL RE, JAMES P  
DEL RE, VICKI J H/W  
4925 SECLUDED WAY  
MERRITT ISLAND FL 32953-0000

DELGADO, ARMANDO F  
DELGADO, MINERVINA H/W  
4880 COURTENAY PKWY N  
MERRITT ISLAND FL 32953-0000

DICKEY, KRISTI L  
625 CHASE HAMMOCK RD  
MERRITT ISLAND FL 32953-0000

DIRESTA, FRANK  
3785 SUNRISE DR  
MERRITT ISLAND FL 32953-0000

DUDUIT, VIRGIL H  
DUDUIT, JOAN H LIFE ESTATE  
380 HALL RD E  
MERRITT ISLAND FL 32953-0000

EARRUSSO, RALPH P JR  
EARRUSSO, JACQUE LYNN H/W  
4905 SECLUDED WY  
MERRITT ISLAND FL 32953-0000

EMORY, JAMES E  
EMORY, LAURA M H/W  
18 DANUBE RIVER DR  
COCOA BCH FL 32931-2832

FALANGA, ANTHONY J  
1405 D'ALBORA RD  
MERRITT ISLAND FL 32953-0000

FEDERAL NATIONAL MORTGAGE ASSOC  
P O BOX 650043  
DALLAS TX 75265-0043

FINK, WILFRED M  
P O BOX 191  
KIMBERTON PA 19442-0000

FISCHER, C TRUSTEE  
4805 COURTENAY PKWY N  
MERRITT ISLAND FL 32953-0000

GNOLFO, FRANK  
GOFORTH, DIANE  
6117 DEES RD  
PORT ST. JOHN FL 32927-8865

GREGORY, DAVID ROBERT  
GREGORY, JEFF THOMAS  
208 MORNINGSTAR LANE  
CORRALES NM 87048-0000

GREGORY, LAURA ELIZABETH  
438 NAISH AVE  
COCOA BCH FL 32931-0000

GRIGGS, ROBERT  
235 E MERRITT ISL CSWY  
MERRITT ISLAND FL 32952-0000

GRUDIN, DAVID L  
325 HALL RD E  
MERRITT ISLAND FL 32953-0000

~~HARVEY'S INDIAN RIVER GROVES INC  
P O BOX 560700  
ROCKLEDGE FL 32956-0700~~

HAYES, CHARLES E  
HAYES, DONNA R TRUSTEES  
1660 SEASHELL DR  
MERRITT ISLAND FL 32952-0000

KABBOORD, WILLIAM TR  
3201 N ATLANTIC AVE  
COCOA BCH FL 32931-0000

LANGE, BRAD A  
575 BANANA BLVD  
MERRITT ISLAND FL 32952-0000

LEWIS INVESTMENTS LLC  
610 ALBATROSS ST  
MERRITT ISLAND FL 32952-0000

~~LGH GROVE LLC  
P O BOX 580700  
ROCKLEDGE FL 32956-0700~~

LIBERTY CHURCH, THE  
225 HALL RD E  
MERRITT ISLAND FL 32953-0000

MARTIN, JOHN J JR  
MARTIN, CHANA M H/W  
480 E HALL RD  
MERRITT ISLAND FL 32953-8409

MAXWELL, MICHAEL S  
STURDEVANT, DEBRA L H/W  
4514 LEILANI LN  
MERRITT ISLAND FL 32953-0000

MC ADAMS, MICHAEL D  
MC ADAMS, SHERRI L H/W  
4835 N COURTENAY PKWY #101  
MERRITT ISLAND FL 32953-7927

MERRICK, LAURA ANNE TRUSTEE  
382 JEREMY CT  
MERRITT ISLAND FL 32953-0000

MILLIKEN, ROBERT G TRUSTEE  
2260 TROPICAL TRAIL N  
MERRITT ISLAND FL 32953-0000

MYERS, ERIN WILLS  
707 CHASE HAMMOCK RD  
MERRITT ISLAND FL 32953-0000

MYERS, LLOYD B  
MYERS, PATRICIA C H/W  
405 E HALL ROAD  
MERRITT ISLAND FL 32953-0000

NISBET-MC GILL GROVES  
845 TROPICAL TRL S  
MERRITT ISLAND FL 32952-0000

PEARSON, SONIA E  
4750 COURTENAY PKWY N  
MERRITT ISLAND FL 32953-0000

PERRONE, SALVATORE  
PERRONE, EVELYN H/W  
12137 CLINE DR  
BAKER LA 70714-0000

POTTER, GLENN F  
315 HALL RD E  
MERRITT ISLAND FL 32953-0000

RAE, LARRY E  
RAE, APRIL L H/W  
8150 RICE LANE  
FOUNTAIN CO 80817-2606

RAMDEO, PREM  
155 HALL RD E  
MERRITT ISLAND FL 32953-0000

REINHART, EARL W JR  
REINHART, MARILYN B TRUSTEES  
1540 EDDY ST  
MERRITT ISLAND FL 32952-0000

RICHMOND, KENNETH W  
RICHMOND, DENA M H/W  
3604 HIGHTOWER CT  
COCOA FL 32926-0000

ROSS, MARTIN T  
ROSS, TERESA H H/W  
175 E HALL RD  
MERRITT ISLAND FL 32952-0000

14PZ\_00008  
Page3

RYDER, JOAN  
BUITRON, ROLANDO H/W  
1205 WATERVALE ROAD  
FALLSTON MD 21047-0000

SANCHEZ, ELIZABETH  
13238 SW 87TH TERRACE  
MIAMI FL 33183-0000

SCHWA INC  
1625 YOUNT DR  
MERRITT ISLAND FL 32952-0000

SCORAH, ROBERT V  
4950 RALPHS LN  
MERRITT ISLAND FL 32953-0000

SHELDON, JANET KING  
4633 GA HIGHWAY 37 E  
MOULTRIE GA 31788-1251

SMITH, HOLT CABAL  
SMITH, BERTIE B H/W  
4875 N COURTENAY PKWY  
MERRITT ISLAND FL 32953-0000

SMITH, HOLT CABAL  
4875 N COURTENAY PKWY  
MERRITT ISLAND FL 32953-0000

SMITH, JEFFERY A  
SMITH, THERESE M H/W  
450 E HALL RD  
MERRITT ISLAND FL 32953-0000

SMITH, SCOTT J  
4845 N COURTENAY PKWY  
MERRITT ISLAND FL 32953-0000

SUN ISLAND LAKES LLC  
27777 FRANKLIN RD  
SOUTHFIELD MI 48034-0000

UNITY OF MERRITT ISLAND INC  
4725 N COURTENAY PKWY  
MERRITT ISLAND FL 32953-0000

VINAYAKUMAR, KALPURE N  
KUMBLEKERE, SOWMYA R TRUSTEES  
4820 N COURTENAY PKWY  
MERRITT ISLAND FL 32953-0000

VOLLAND, ROBERT ENGLAND TRUSTEE  
VOLLAND, MARIE ELIZABETH TRUSTEE  
4830 COURTENAY PKWY N  
MERRITT ISLAND FL 32953-0000

WEAVER, VIRGINIA E TRUSTEE  
2303 MAC FARLAND DRIVE  
COCOA FL 32922-0000

WHITE, SAMUEL W  
WHITE, SUSAN K H/W  
4533 LEILANI LANE  
MERRITT ISLAND FL 32953-0000

WITTEMANN, SCOTT  
WITTEMANN, STEPHANIE H/W  
195 HALL RD E  
MERRITT ISLAND FL 32953-8404





# North Merritt Island Area

## Post-TS Fay Drainage Evaluation



# Project Areas



This map displays conceptual information and is not adequate for site specific use. Projects displayed on this map are subject to:

- Board Approval
- Property Acquisition
- Engineering
- Permitting & Mitigation
- Available Funding

# 1996 Drainage Strategy



This map displays conceptual information and is not adequate for site specific use. Projects displayed on this map are subject to:  
Board Approval  
Property Acquisition  
Engineering  
Permitting & Mitigation  
Available Funding

# 2008 Strategy



This map displays conceptual information and is not adequate for site specific use. Projects displayed on this map are subject to:

- Board Approval
- Property Acquisition
- Engineering
- Permitting & Mitigation
- Available Funding

# Projects Map



This map displays conceptual information and is not adequate for site specific use. Projects displayed on this map are subject to:

- Board Approval
- Property Acquisition
- Engineering
- Permitting & Mitigation
- Available Funding

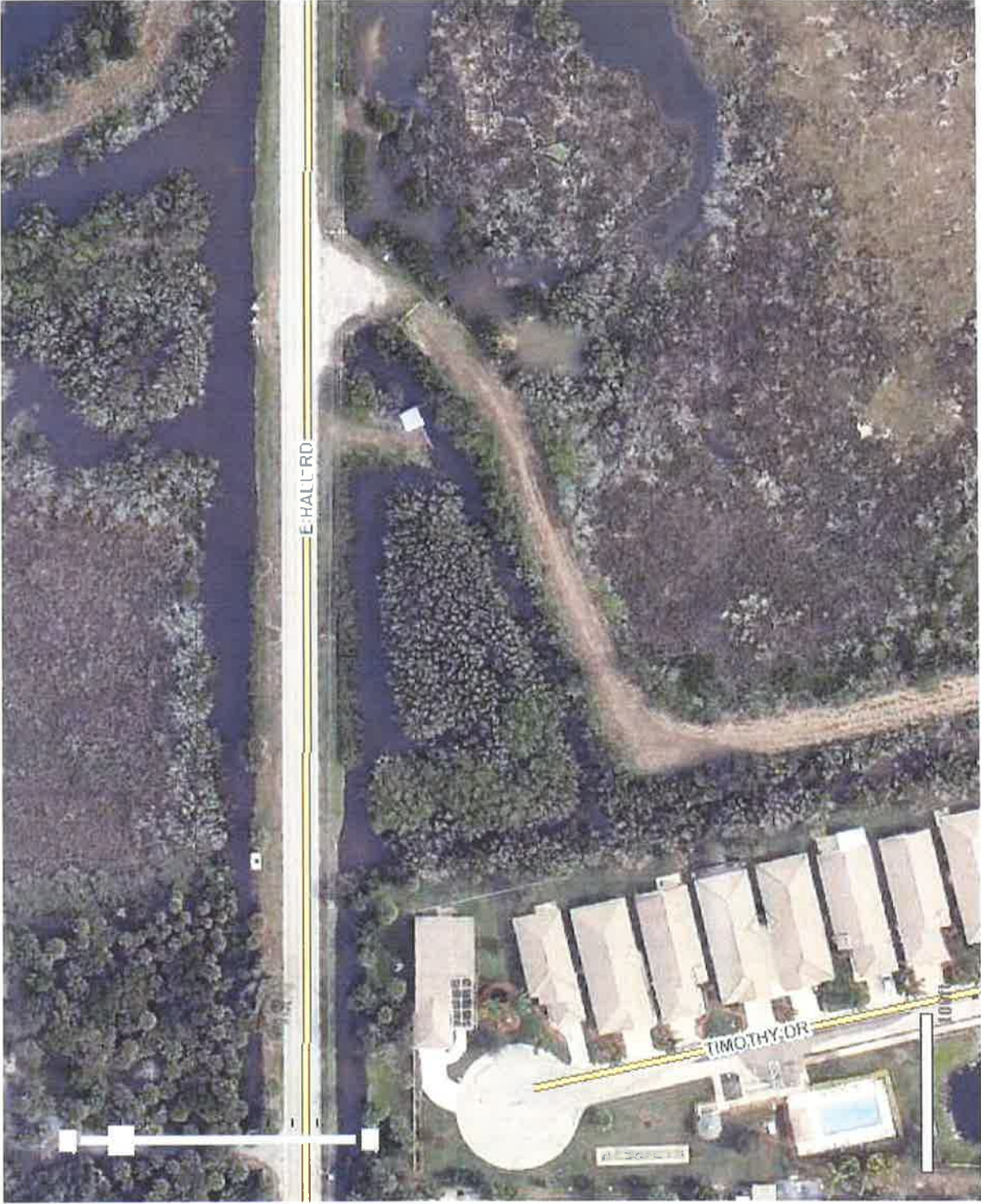
# Area 6: Hall Road



This map displays conceptual information and is not adequate for site specific use. Projects displayed on this map are subject to:

- Board Approval
- Property Acquisition
- Engineering
- Permitting & Mitigation
- Available Funding







727.520.8181

## Pine Island

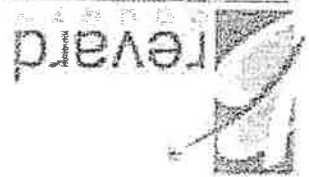
Image # 140610 0068  
Date 06.10.14

Planning & Development Department  
2725 Judge Fran Jamieson Way  
Building A, Room 114  
Viera, Florida 32940

### Inter-Office Memo

FV1

BOARD OF COUNTY COMMISSIONERS



TO: Board of County Commissioners

FROM: Robin M. Sobrino, AICP *RS*  
Director, Planning & Development Department

DATE: August 4, 2014

SUBJECT: August 7, 2014 BCC Meeting Item III.A.1. (14PZ-00008) - LGH GROVE, LLC AND HARVEY'S INDIAN RIVER GROVES, INC.

The Applicants recently held a public meeting to inform nearby property owners in North Merritt Island about their pending rezoning application. Some attendees commented that a Small Area Study had been performed for this area of North Merritt Island that resulted in a Future Land Use density reduction to 1 dwelling unit per acre. Staff was unfamiliar with the study, particularly given that the Future Land Use Map designates this property for a density of 2 dwelling units per acre.

Staff undertook research based upon this assertion and found that, in July 1992, the Board adopted a North Merritt Island Small Area Plan. The Study Area included almost all land on North Merritt Island, north of SR 528, encompassing approximately 10,000 acres (see attached map labeled North Merritt Island Study Area).

As a result of this study, Comprehensive Plan amendments were adopted by the Board in the 1992B (Fall) cycle. Included in this package was the 92B.5.13 amendment which reduced the Future Land Use Residential Density from 2 units per acre to 1 unit per acre on approximately 6,500 acres. The LGH Grove, LLC and Harvey's Indian River Groves, Inc. property was not included in that amendment (see attached Exhibit 1 labeled 92B Adoption: 2/17/93 Pages 80 - 82 along with the 92B.5.13 area map).

Also in this Comprehensive Plan Amendment package was the 92B.5.3 amendment which included the subject property and surrounding area of approximately 650 acres. The 92B.5.3 amendment reduced the Residential Density from 4 dwelling units per acre to 2 dwelling units per acre for an area along the eastern frontage of North Courtenay Parkway roughly between Hall Road and Crisafulli Road (see attached Exhibit 2 labeled 92B Adoption: 2/17/93 Pages 62 - 63 along with the 92B.5.3 area map).

In summary, the adopted density for the subject property was originally 4 units per acre, but was reduced to 2 units per acre through a 92B Comprehensive Plan Amendment. It remains designated Residential 2 on the Future Land Use Map

**FUTURE LAND USE MAP SERIES  
PLAN AMENDMENT**

**Request No. 92B.5.3**

**North Merritt Island Small Area Plan Recommendation A-4**

**Applicant:** Brevard County

**Quad Map:** Courtenay

**Location:** Sections 26,27,34,35, Township 23, Range 36

**Acreage:** 650 +/- acres

**Existing Residential Density Designation:**

Urban Fringe 4 units per acre

**Proposed Residential Density Designation:**

Suburban 2 units per acre

**Description:** Amendment 92B.5.3 is based on recommendation A-4 of the North Merritt Island Small Area Plan study. The future land use designation is primarily residential, however a majority of the frontage on North Courtenay Parkway is mixed use which allows consideration of commercial. This area, which is in the vicinity of Judson Canal and King Park, has been developing in one acre and larger lots. Existing development along the roadway is at a higher density or more intense use such as commercial.

The amendment would reduce the potential build-out in the area by an estimated 270 dwelling units based on existing conditions and anticipated environmental regulations.

**Availability of Public Facilities and Services:**

A concurrency review has been completed for this amendment. Based on the analysis, average daily traffic on North Courtenay Parkway would increase from a potential 17,317 trips to 18,606 trips however the level of service remains at "A". Levels of service for parks and recreation, solid waste, potable water, and wastewater remain at acceptable levels of service. Potable water is supplied by the City of Cocoa and wastewater treatment is provided by the County's Sykes Creek Regional Wastewater Treatment Plant.

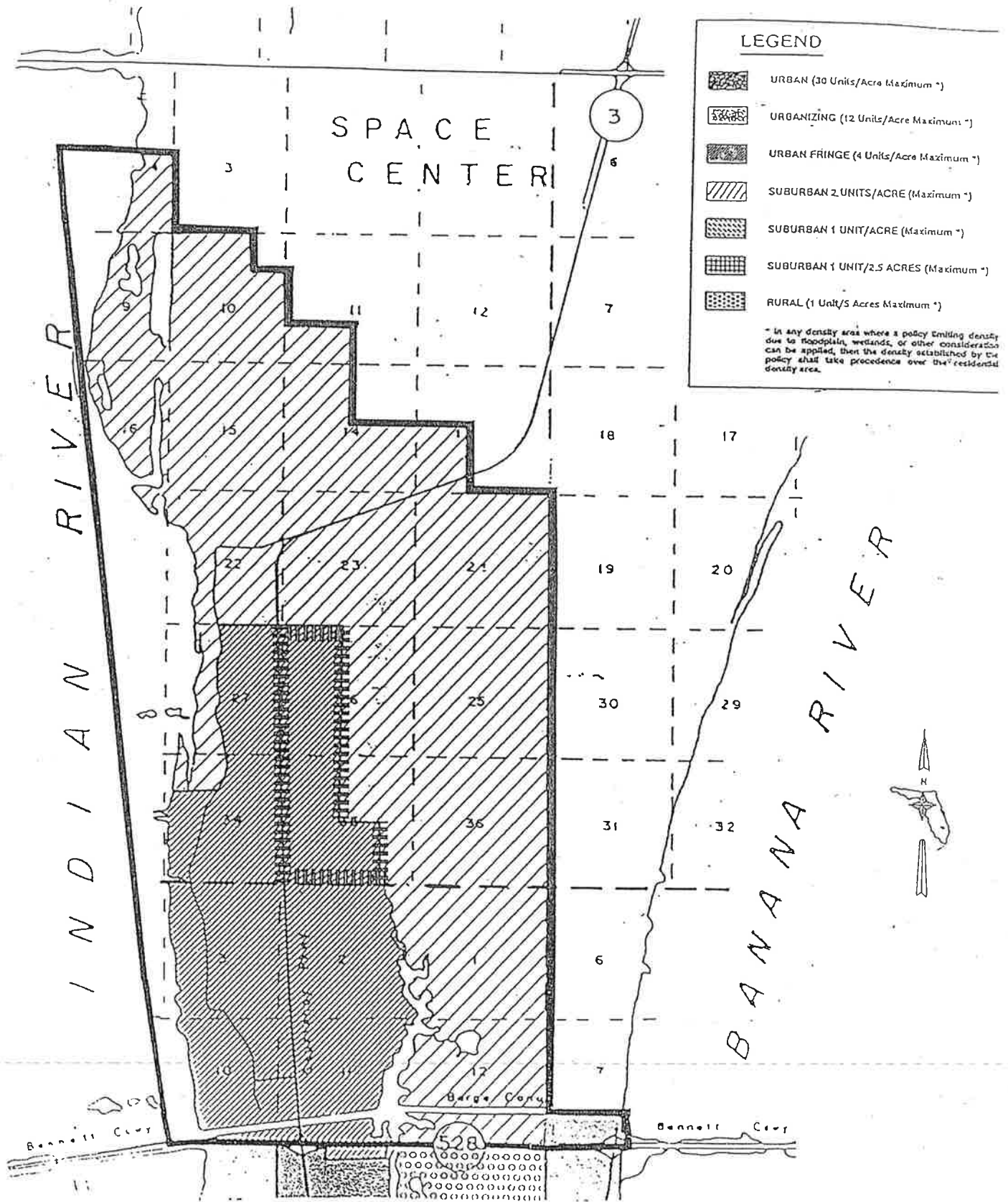
**Environmental Resources:** According to the environmental analysis prepared for the North Merritt Island Small Area Plan there may be type III aquifer recharge, floodplains, and wetlands in this area. Any future development will be evaluated against Brevard County's Aquifer Protection Ordinance which limits impervious surfaces in type III areas to 45%; the Floodplain Protection Ordinance which limits residential density in the various floodplains; and the Wetlands Protection Ordinance which limits residential density to 1 unit per 5 acres and provides for mitigation at a ratio of 2:1. All other land development regulations which may pertain to this area will be strictly enforced.

**Historic Resources:** This area includes High Probability Zones for containing archaeologically significant sites based on a study prepared by the University of West Florida. Future development in this area will be subject to review and discovery procedures in Policies 2.3 and 2.4 of the Historic Preservation Element of the Comprehensive Plan. This will ensure that any potential resources on this site are not further disturbed by construction or similar activities and to allow for documentation of the site resources.

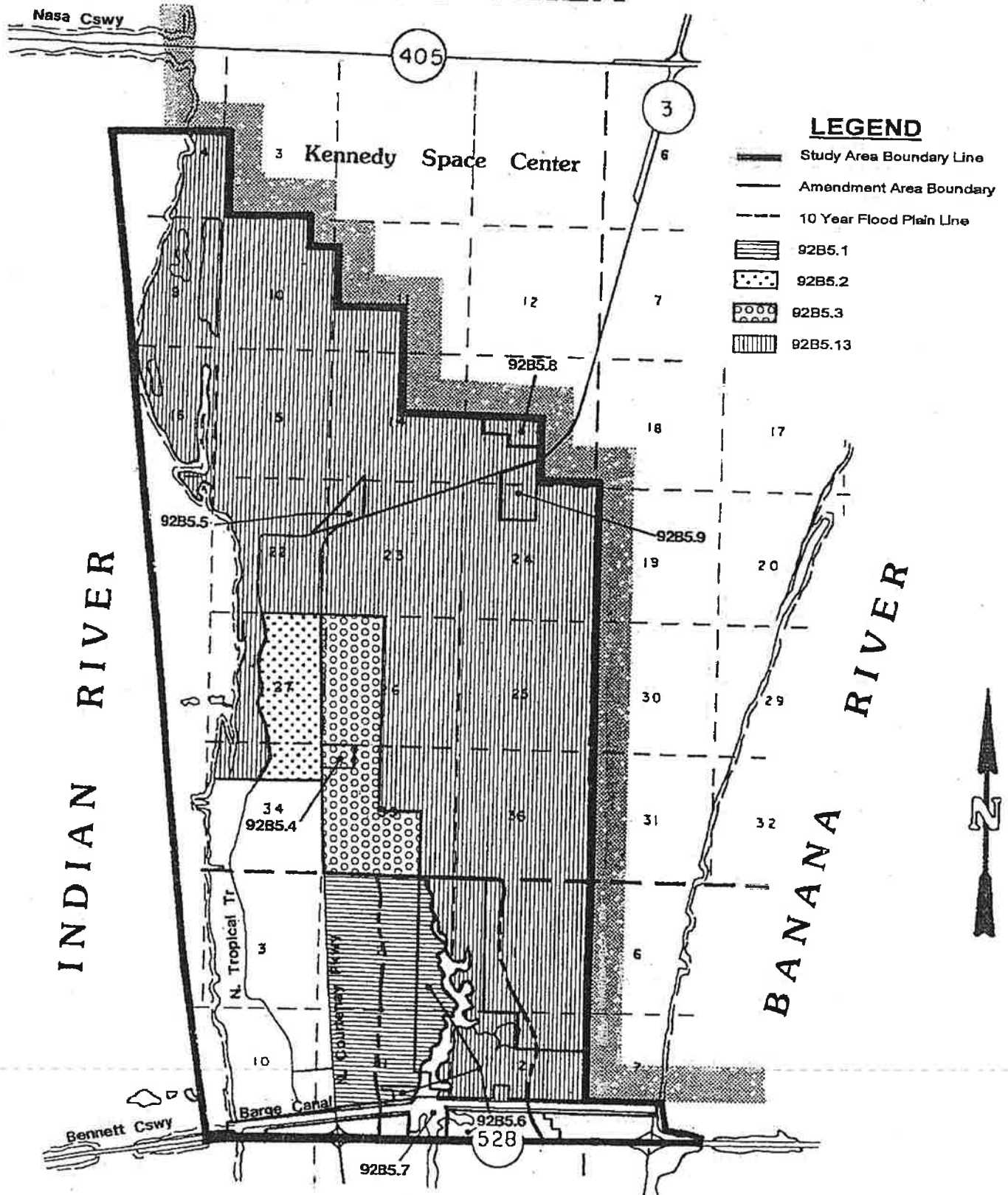
**Impact on Population Projections:** This amendment would reduce the potential build out in the area from an estimated 889 units to 619 units based on existing conditions and anticipated environmental regulations. Assuming an average of 2.41 persons per household, the population reduction would be 651 persons.

# FUTURE LAND USE MAP AMENDMENT 92B.5.3

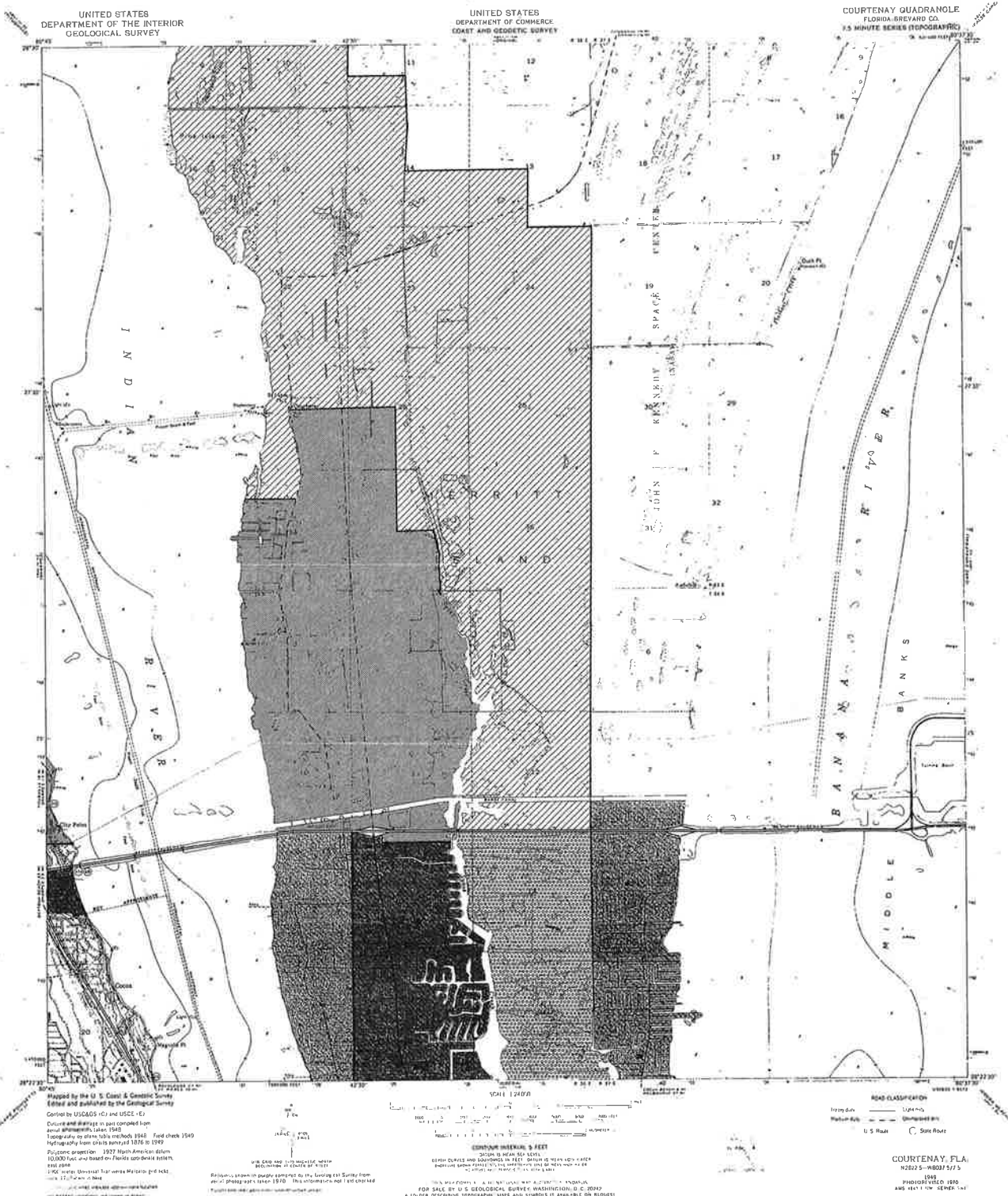
## RESIDENTIAL DENSITY



# NORTH MERRITT ISLAND STUDY AREA



# LAND USE MAP SERIES



## SERVICE SECTORS (RESIDENTIAL DENSITY GUIDELINES)

- URBAN** 30 Units/Acre Maximum\*
- URBANIZING** 12 Units/Acre Maximum\*
- URBAN FRINGE** 4 Units/Acre Maximum\*
- SUBURBAN** 2 Units/Acre Maximum\*
- RURAL** 1 Unit/2.5 Acres to 1 Unit/Acre Maximum\*

\*Unless otherwise established by this Comprehensive Plan (Reference Policy 1.6 Future Land Use Element)

### BREVARD COUNTY, FLORIDA

# LAND USE MAP SERIES



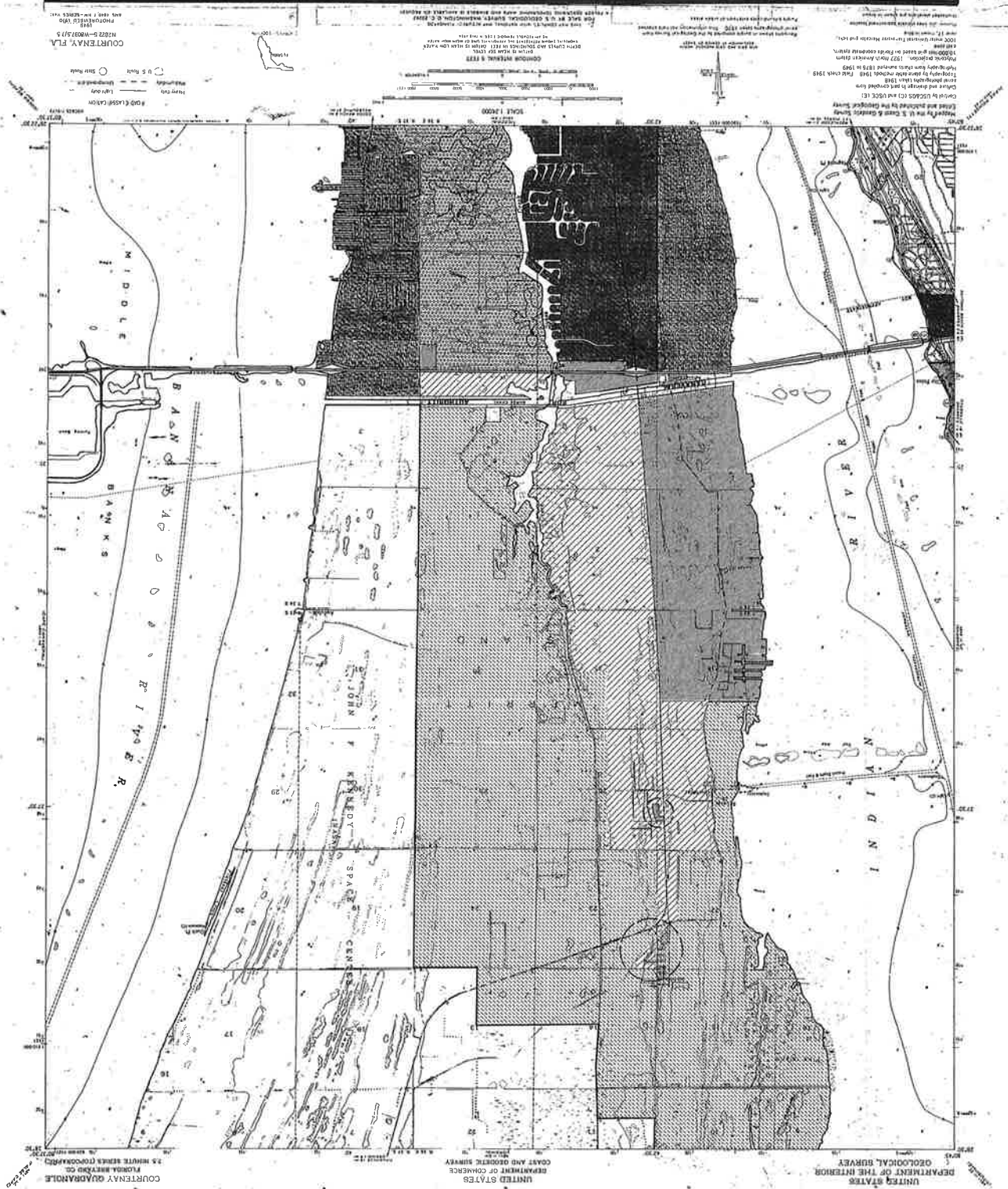
UNITED STATES DEPARTMENT OF THE INTERIOR GEOLOGICAL SURVEY  
 UNITED STATES DEPARTMENT OF COMMERCE COAST AND GEODETIC SURVEY  
 COURTESY QUADRAHOLE 7.5 HOUR SERIES (PROSPECTIVE)  
 COURTESY FLA. PHOTOGRAPHIC AIR SERVICE  
 COURTESY FLA. PHOTOGRAPHIC AIR SERVICE  
 COURTESY FLA. PHOTOGRAPHIC AIR SERVICE

## FUTURE LAND USE (GENERALIZED)

	RESIDENTIAL		PLANNED INDUSTRIAL PARK
	MIXED-USE		HEAVY OR LIGHT INDUSTRIAL
	AGRICULTURE		RECREATION
	CONSERVATION		PUBLIC FACILITIES
	MIXED-USE EXPANSION		PROPOSED INTERCHANGE
	MAJOR ARTERIAL OR HIGHER		MINOR ARTERIAL
	COLLECTOR		LOCAL ROADS
	SERVING AS COLLECTORS		NEW CORRIDORS

1 Locations and distances subject to policies 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8, 1.9, 2.0, 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, 2.9, 3.0, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 4.0, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 5.0, 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 6.0, 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, 6.8, 6.9, 7.0, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 8.0, 8.1, 8.2, 8.3, 8.4, 8.5, 8.6, 8.7, 8.8, 8.9, 9.0, 9.1, 9.2, 9.3, 9.4, 9.5, 9.6, 9.7, 9.8, 9.9, 10.0, 10.1, 10.2, 10.3, 10.4, 10.5, 10.6, 10.7, 10.8, 10.9, 11.0, 11.1, 11.2, 11.3, 11.4, 11.5, 11.6, 11.7, 11.8, 11.9, 12.0, 12.1, 12.2, 12.3, 12.4, 12.5, 12.6, 12.7, 12.8, 12.9, 13.0, 13.1, 13.2, 13.3, 13.4, 13.5, 13.6, 13.7, 13.8, 13.9, 14.0, 14.1, 14.2, 14.3, 14.4, 14.5, 14.6, 14.7, 14.8, 14.9, 15.0, 15.1, 15.2, 15.3, 15.4, 15.5, 15.6, 15.7, 15.8, 15.9, 16.0, 16.1, 16.2, 16.3, 16.4, 16.5, 16.6, 16.7, 16.8, 16.9, 17.0, 17.1, 17.2, 17.3, 17.4, 17.5, 17.6, 17.7, 17.8, 17.9, 18.0, 18.1, 18.2, 18.3, 18.4, 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51.7, 51.8, 51.9, 52.0, 52.1, 52.2, 52.3, 52.4, 52.5, 52.6, 52.7, 52.8, 52.9, 53.0, 53.1, 53.2, 53.3, 53.4, 53.5, 53.6, 53.7, 53.8, 53.9, 54.0, 54.1, 54.2, 54.3, 54.4, 54.5, 54.6, 54.7, 54.8, 54.9, 55.0, 55.1, 55.2, 55.3, 55.4, 55.5, 55.6, 55.7, 55.8, 55.9, 56.0, 56.1, 56.2, 56.3, 56.4, 56.5, 56.6, 56.7, 56.8, 56.9, 57.0, 57.1, 57.2, 57.3, 57.4, 57.5, 57.6, 57.7, 57.8, 57.9, 58.0, 58.1, 58.2, 58.3, 58.4, 58.5, 58.6, 58.7, 58.8, 58.9, 59.0, 59.1, 59.2, 59.3, 59.4, 59.5, 59.6, 59.7, 59.8, 59.9, 60.0, 60.1, 60.2, 60.3, 60.4, 60.5, 60.6, 60.7, 60.8, 60.9, 61.0, 61.1, 61.2, 61.3, 61.4, 61.5, 61.6, 61.7, 61.8, 61.9, 62.0, 62.1, 62.2, 62.3, 62.4, 62.5, 62.6, 62.7, 62.8, 62.9, 63.0, 63.1, 63.2, 63.3, 63.4, 63.5, 63.6, 63.7, 63.8, 63.9, 64.0, 64.1, 64.2, 64.3, 64.4, 64.5, 64.6, 64.7, 64.8, 64.9, 65.0, 65.1, 65.2, 65.3, 65.4, 65.5, 65.6, 65.7, 65.8, 65.9, 66.0, 66.1, 66.2, 66.3, 66.4, 66.5, 66.6, 66.7, 66.8, 66.9, 67.0, 67.1, 67.2, 67.3, 67.4, 67.5, 67.6, 67.7, 67.8, 67.9, 68.0, 68.1, 68.2, 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172.8, 172.9, 173.0, 173.1, 173.2, 173.3, 173.4, 173.5, 173.6, 173.7, 173.8, 173.9, 174.0, 174.1, 174.2, 174.3, 174.4, 174.5, 174.6, 174.7, 174.8, 174.9, 175.0, 175.1, 175.2, 175.3, 175.4, 175.5, 175.6, 175.7, 175.8, 175.9, 176.0, 176.1, 176.2, 176.3, 176.4, 176.5, 176.6, 176.7, 176.8, 176.9, 177.0, 177.1, 177.2, 177.3, 177.4, 177.5, 177.6, 177.7, 177.8, 177.9, 178.0, 178.1, 178.2, 178.3, 178.4, 178.5, 178.6,

# LAND USE MAP SERIES

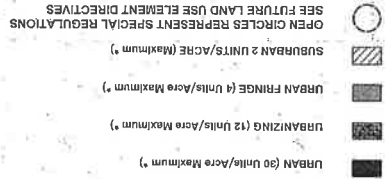


# RESIDENTIAL DENSITY GUIDELINES

Municipal Annexations:

SEE FUTURE LAND USE ELEMENT DIRECTIVES  
 OPEN CIRCLES REPRESENT SPECIAL REGULATIONS

Suburban 2 Units/Acre (Maximum)  
 Suburban 1 Unit/5 Acres (Maximum)  
 Rural (1 Unit/5 Acres Maximum)



Adopted: Sept. 8, 1988  
 Amended: April 17, 1989  
 March 19, 1991  
 August 20, 1992

# BREVARD COUNTY, FLORIDA

Revised: April 30, 1992

COURTNEY, FLA.  
 10225 S. WOODLAND  
 MIAMI, FL 33156  
 PHONE: (305) 551-1100  
 FAX: (305) 551-1101

Map of the State of Florida showing the location of Brevard County. The map is oriented with North at the top. The county is located in the central-eastern part of the state, bounded by the Indian River to the east and the Atlantic Ocean to the south and west.

Scale: 1" = 1/2 Mile  
 1" = 1/4 Mile  
 1" = 1/8 Mile  
 1" = 1/16 Mile

Scale: 1" = 1/2 Mile  
 1" = 1/4 Mile  
 1" = 1/8 Mile  
 1" = 1/16 Mile

UNITED STATES  
 DEPARTMENT OF THE INTERIOR  
 GEOLOGICAL SURVEY

UNITED STATES  
 DEPARTMENT OF COMMERCE  
 COAST AND GEODETIC SURVEY

COURTNEY QUADRANGLE  
 FLORIDA SHEET CROSS-CORRELATION  
 U.S. NAVY SERIES CROSS-CORRELATION

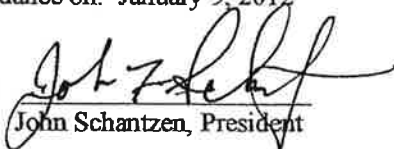
REVISED BY-LAWS  
OF  
THE NORTH MERRITT ISLAND HOMEOWNERS ASSOCIATION, INC.

Submitted by: By-Laws Review Committee  
Peter Burrige, Chairperson  
Darleen Hunt  
Sandra Pesce

Approved by Board on: November 7, 2011

Approved by general membership  
In attendance on: January 9, 2012

Signed:

  
John Schantzen, President

  
Connie Cole, Secretary

**Paragraph I – Preamble**

SECTION 1 – Name and Authority

These By-Laws shall be part of the articles of incorporation of the North Merritt Island Homeowners Association, Incorporated, herein referred to as “The Association”. In the event of a basic contradiction between these By-Laws and Articles of Incorporation, the Articles of Incorporation shall be the governing authority.

For purpose of simplification, any reference to gender wherever used shall be construed to include both sexes.

SECTION 2 – Purpose

The purpose of this Association is to protect the interests of property owners who reside on North Merritt Island (north of the Barge Canal up to Kennedy Space Center) with particular emphasis on: growth, life style of residents, ecology, area appearance and property values. The Association will endeavor to limit density on all planned zoning to no more than one unit per acre.



SECTION 3 – Political Restrictions

The Association shall be non-partisan and at no time shall politics and party affiliations affect decisions or actions under consideration. If an officer, director or committee chairperson files as a candidate for public office and pays the required filing fees, then he must resign from the position held. This restriction does not apply in cases of election or appointment within a political party or as a member of a civic board, commission or committee.

SECTION 4 – Association Year

The association Year is from July 1 through June 30.

**Paragraph II – Membership**

SECTION 1 – Full Membership

- 1.1 A full member is an individual who resides and owns a residence on North Merritt Island and who pays the Association annual dues. (Note: individual pertains to a natural person only, not a corporation).
- 1.2 Each individual who pays the annual Association dues is eligible to vote.
- 1.3 Members who have belonged to the Association for six months may hold office.

## SECTION 2 – Associate Membership

- 2.1 An associate member is an individual who resides or owns residential property on North Merritt Island but does not qualify for full membership privileges.
- 2.2 Associate members may not vote or hold office except under a special limited exception.

## SECTION 3 – Honorary Membership

- 3.1 Honorary membership may be granted upon the approval of the board and general membership to persons of distinction and high position who are homeowners in Brevard County and endorse the principles of the Association.
- 3.2 Honorary members are not charged dues.
- 3.3 Honorary members may not vote or hold office in the Association.

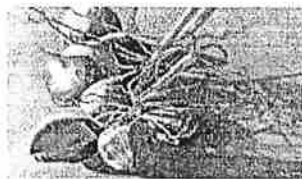
## Paragraph III – Dues

- 1.1 The membership dues of the Association shall be ten dollars per voting member payable annually, June 30. New members who pay dues after March 1<sup>st</sup> will be considered paid members through June 30 of the following year.
- 1.2 The dues are not refundable in the event of resignation or departure of a member for any reason.
- 1.3 Members whose dues are not current will be considered inactive and are no longer eligible to vote.
- 1.4 Dues/memberships are not transferable in the event a member sells his property.

## Paragraph IV – Voting and Quorums

### SECTION 1 – Voting

- 1.1 Each dues paying full member of the Association shall be allowed one vote at general meetings or the Association.
- 1.2 A majority of qualified members present shall carry any motion presented to the general meeting. A majority shall consist of one-half plus one of the members present.
- 1.3 Proxy votes will be admitted only on approval of the Board of Directors in advance (at least four days prior to the scheduled meeting). The proxy must bear the signature of the member and must be on the proxy ballot form provided by the nominating committee. (See Paragraph IX Sec. 2.3).
- 1.4 The method of voting on motions presented at general meetings will be by show of hands or ballot at the discretion of the President.
- 1.5 Election of officers/directors at the general meeting in June shall be by secret ballot (See Paragraph IX Sec. 2.4).
- 1.6 In the event that there is no more than one candidate for each position, the slate may be elected by motion and vote of members present by a show of hands.



## North Merritt Island Homeowner's Association, Inc. Board of Directors & Volunteers

### ELECTED OFFICERS

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[Membership](#)  
[Bulletin Board](#)  
[Items of Interest](#)  
[Meetings](#)  
[Zoning/Land Use](#)  
[Newsletter](#)  
[Disaster Relief](#)  
[By Laws](#)  
[Links](#)

<b>President</b>	Chris Cook	321.453.7022	<a href="#">Email Chris</a>
<b>Vice President</b>	Mary Hillberg	321.453.0220	<a href="#">Email Mary</a>
<b>Secretary</b>	Ted Balke	908-917-6769	<a href="#">Email Ted</a>
<b>Treasurer</b>	Tanya Knappman	321.795.3771	<a href="#">Email Tanya</a>
<b>Sgts. at Arms</b>	Shaye Williams & David Bobbitt	321.453.5452	<a href="#">Email Shaye</a> <a href="#">Email David</a>

### Special Committees:

<b>Publicity</b>	Dr. David Bradford	321.454.4667	<a href="#">Email Dr. Bradford</a>
<b>Zoning</b>	Kim Smith & Chris Minerva	321.453.3323 321.449.4004	<a href="#">Email Kim</a> <a href="#">Email Chris</a>
<b>Membership</b>	Nancy Minerva & Sandy Pesce	321.453.3323 321.449.4004	<a href="#">Email Nancy</a> <a href="#">Email Sandy</a>
<b>Other Volunteer Postions:</b>	Ted Balke	908.917.6769	<a href="#">Email Ted</a>
<b>Beautification</b>	Mary Hillberg	321.453.0220	<a href="#">Email Mary</a>

### DISTRICT REPRESENTATIVES

**District 1 - Bill Hillberg - 321.453.0220 (Barge Canal on both sides of Courtenay to Hall Road)**

**District 2 - Jack Ratterman & Jeff Vayda- 321.452.9989 & 321.459.3199 (W. Hall Road to and including W. Crisafulli Road and W. side of Courtenay)**

**District 3 - Sandy Pesce - 321.455.6378 (E. Hall Road to and including E. Crisafulli and E. side of Courtenay)**

**District 4 - John Schantzen - 321.394.6685 (N. of Crisafulli to KSC)**

**Members who live in these district areas are encouraged to contact their District Representative for information about their North Merritt Island community.**

**Note: The Board of Directors for NMIHOA consists of the nine elected Officers and District Representatives. Specific committee chairs such as publicity, zoning and membership, may be appointed as Directors-at-Large when recommended to be so by the President, approved by the Board of Directors and voted by the members at a General Membership Meeting. Their appointed additions to the board are for that year only and expire the following June.**



[Email the Webmaster](#)

Last updated on Sunday, August 03, 2014 3:17:25 PM

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U.S. Department of  
Homeland Security

United States  
Coast Guard



Commander  
Seventh Coast Guard District

909 S.E. First Avenue  
Miami, FL 33131-3050  
Staff Symbol: (obr)  
Phone: (305) 415-6744  
Fax: (305) 415-6763  
Email: mleberum@d7.uscg.mil

**RECEIVED**

JAN 05 2004

16593/2941  
November 27, 2003

**DELAND OPERATIONS**

Public Notice 15-03

The Coast Guard is changing the operating regulations of the Christa McAuliffe Bridge; SR 3, across the Canaveral Barge Canal at Cape Canaveral, Florida. Under this final rule, the bridge need open only twice an hour from 6 a.m. to 10 p.m. for vessel traffic, except during the morning and evening rush hours when the bridge may remain closed to facilitate vehicular traffic. The rule will also require the bridge to open with 3 hours notice from 10:01 p.m. to 5:59 a.m. This change will improve the flow of vehicular traffic without significantly impacting the needs of navigation.

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[CGD07-02-160]  
RIN 1625-AA09

Drawbridge Operation Regulation; Canaveral  
Barge Canal, Cape Canaveral, Brevard County,  
FL

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is changing the operating regulations of the Christa McAuliffe Bridge, SR 3, across the Canaveral Barge Canal at Cape Canaveral, Florida. Under this final rule, the bridge need open only twice an hour from 6 a.m. to 10 p.m. for vessel traffic, except during the morning and evening rush hours when the bridge may remain closed to facilitate vehicular traffic. The rule will also require the bridge to open with 3 hours notice from 10:01 p.m. to 5:59 a.m. This change will improve the flow of vehicular traffic without significantly impacting the needs of navigation.

DATES: This rule is effective December 19, 2003.

ADDRESSES: Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket [CGD07-02-160] and are available for inspection or copying at Commander (obr), Seventh Coast Guard District, 909 SE 1st Avenue, Room 432, Miami, FL 33131, between

7:30 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The Bridge Branch of the Seventh Coast Guard District maintains the public docket for this rulemaking.

FOR FURTHER INFORMATION CONTACT: Mr. Barry Dragon, Project Officer, Seventh Coast Guard District, Bridge Branch, at (305) 415-6743.

**SUPPLEMENTARY INFORMATION:**

**Regulatory History**

On May 20, 2003, we published a notice of proposed rulemaking (NPRM) entitled Drawbridge Operation Regulations; Canaveral Barge Canal, Cape Canaveral, Brevard County, FL, in the Federal Register (68 FR 27504). We received two letters commenting on the proposed rule. No public meeting was requested, and none was held.

**Background and Purpose**

The Christa McAuliffe Bridge, SR 3, across the Canaveral Barge Canal is a twin, double bascule leaf bridge with a vertical clearance of 21.6 feet at mean high water and a horizontal clearance of 90.3 feet. The current operating regulations, published in 33 CFR 117.273(a), provide for the bridge to open on signal from 6 a.m. to 10 p.m. except that, from 6:15 a.m. to 7:45 a.m. and from 3:30 p.m. to 5:15 p.m., Monday through Friday, except Federal holidays, the bridge need not open for the passage of vessels. From 10:01 p.m. to 5:59 a.m., everyday, the bridge shall open on signal if at least three hours notice is given to the bridge tender. The bridge shall open as soon as possible for the passage of public vessels of the United States, tugs and tows and vessels in distress. The local residents requested a change to the current operating schedule to ease the flow of vehicular traffic on and off of Cape Canaveral through their neighborhood. On May 22, 2002, a

temporary final rule was published in the Federal Register (67 FR 35903) to facilitate repairs to the bridge. In pertinent part, for four months, from 8:15 a.m. to 3 p.m., Monday through Friday except Federal holidays, the draw opened on the hour and half hour for the passage of vessels. This temporary change to the bridge openings for a limited time during the day met the reasonable needs of navigation and improved the flow of vehicular traffic in the neighborhood while facilitating repairs to the bridge. In addition, the difference between the number of bridge openings under the temporary rule and the historical number of bridge openings under the existing, permanent rule is minimal. Accordingly, based on the results of the temporary rule and the minimal difference in bridge openings, the final rule will meet the reasonable needs of navigation on this waterway.

#### Discussion of Comments and Changes

We received two comments concerning this rule, one from the Florida Division of Historical Resources, which determined that this rule did not affect historical properties, and one from a concerned citizen, which stated that the rule would not relieve vehicular traffic congestion due to the dynamics of vehicular traffic routing problems in a nearby intersection. While the intersection in question may contribute to overall traffic difficulties, this rule will assist in easing traffic flow during peak vehicular hours of movement to and from Cape Canaveral.

#### Regulatory Evaluation

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not "significant" under the regulatory policies and procedures of the Department of Homeland Security (DHS). The Coast Guard expects the economic impact of this rule to be so minimal that a full Regulatory Evaluation is unnecessary. The final rule only slightly modifies the current closure periods, from 6:15 a.m. to 7:45 a.m. and 3:30 p.m. to 5:15 p.m., to 6:15 a.m. to 8:15 a.m. and 3:10 p.m. to 5:59 p.m. The final rule also continues to provide for regular openings, from 6 a.m. to 10 p.m., twice an hour, which results in almost the same number of openings provided under the existing rule.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered whether this rule would have a significant economic impact on a substantial number of small

entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule would not have a significant economic impact on a substantial number of small entities.

#### Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), we offered to assist small entities in understanding the rule so that they can better evaluate its effects on them and participate in the rulemaking process. Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1-888-REG-FAIR (1-888-734-3247).

#### Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

#### Federalism

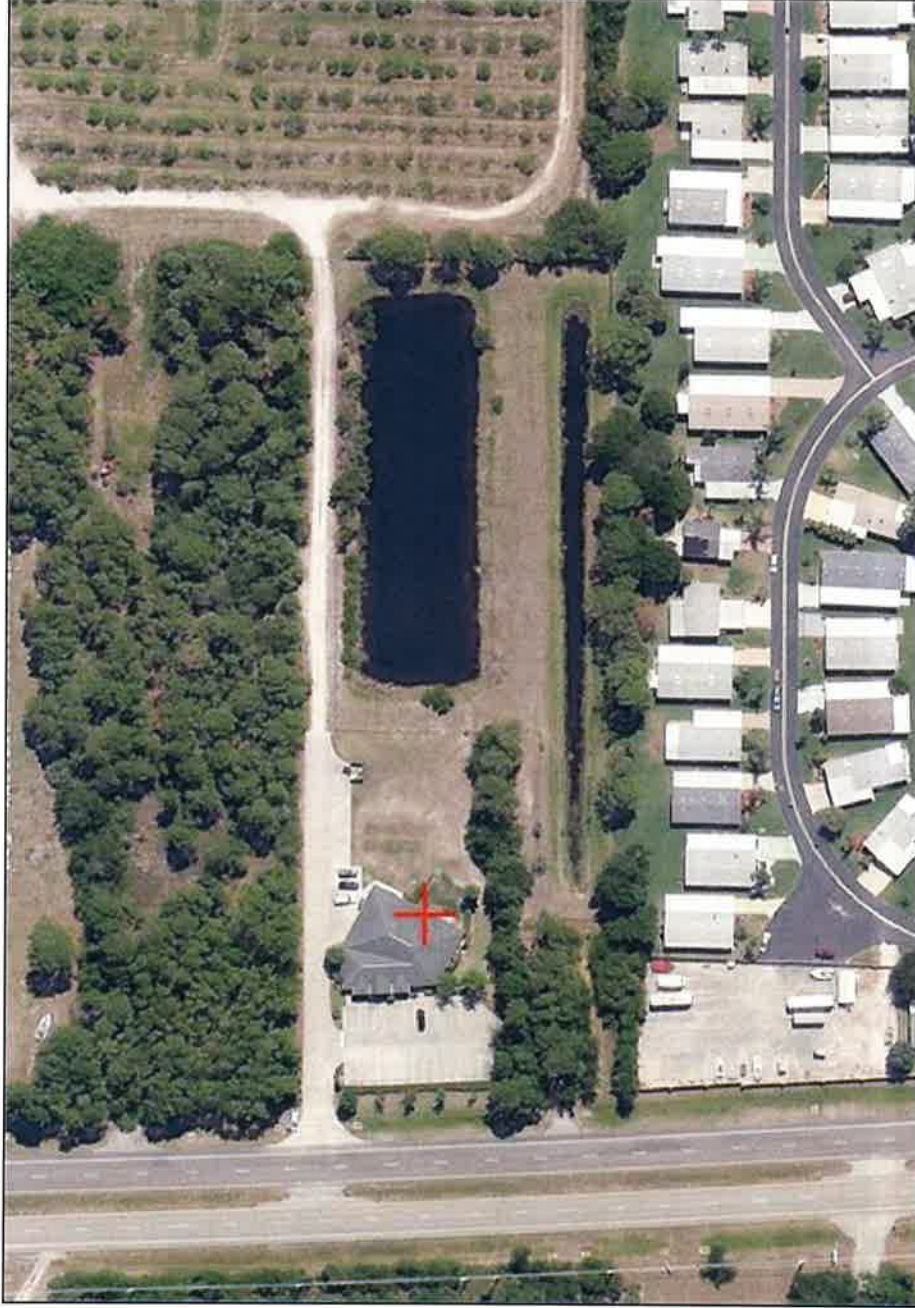
A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

#### Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630,



North  Pictometry® Imagery provided by the Brevard County Property Appraiser 8/7/2014. Image Date: 4/24/2012

May 30, 2013

Comprehensive Plan", setting forth Plan Amendment 2013-1.3; amending Section 62-501, entitled "Contents of the Plan"; specifically amending Section 62-501, Part I, Entitled Conservation Element; and Part III, entitled Recreation and Open Space Element; providing for internal consistency with these amendments; providing legal status; providing a severability clause; and providing an effective date.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Trudie Infantini, Commissioner District 3
<b>SECONDER:</b>	Mary Bolin-Lewis, Vice Chairman/Commissioner District 4
<b>AYES:</b>	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

**ITEM V.B.6., (12PZ-00084) - ATLANTIC COAST PALADIN ESTATES, LLC; MICCO ROAD INVESTMENTS, LLC; AND PALADIN ESTATES HOMEOWNERS ASSOCIATION, INC. - (BRUCE MOIA) - REQUESTS A CHANGE FROM EU, WITH TWO EXISTING BDPS, TO RU-1-13, WITH A REPLACEMENT BDP, ON 99.85 ACRES. LOCATED ON THE SOUTHEAST CORNER OF MICCO RD & PALADIN CIRCLE. (IN THE MICCO AREA)**



The Board approved the item, with the Binding Development Plan to include that new residences to have their own irrigation well.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Trudie Infantini, Commissioner District 3
<b>SECONDER:</b>	Mary Bolin Lewis, Vice Chairman/Commissioner District 4
<b>AYES:</b>	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

**ITEM V.F., PRELIMINARY PLAT AND FINAL ENGINEERING APPROVAL, RE: RODINA DRIVE ROAD PLAT – THE VIERA COMPANY**

Chairman Anderson called for a public hearing to consider a preliminary plat and final engineering approval for Rodina Drive Road Plat - The Viera Company.

There being no comments or objections, the Board granted preliminary plat and final engineering approval for Rodina Drive Road Plat, subject to minor changes, if necessary, and developer responsible for obtaining all other necessary jurisdictional permits.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Mary Bolin Lewis, Vice Chairman/Commissioner District 4
<b>SECONDER:</b>	Trudie Infantini, Commissioner District 3
<b>AYES:</b>	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

**ITEM VI.A., DISCUSSION, RE: BREVARD COUNTY HURRICANE SANDY EMERGENCY BEACH BERM PROJECT**

Commission District # 3 (12PZ-00084)  
 Initial Hearing Dates: P&Z 5/6/13 BCC 5/30/13

**REZONING REVIEW WORKSHEET**

**Applicant Name:** ATLANTIC COAST PALADIN ESTATES, LLC; MICCO ROAD INVESTMENTS, LLC; AND PALADIN ESTATES HOMEOWNERS ASSOCIATION, INC.

**Request:** EU w/two existing BDP's to RU-1-13 w/replacement BDP

**Subject Property:**  
 Parcel ID#: Multiple  
 Tax Acct#: Multiple  
 Location: SE corner of Micco Rd. & Paladin Circle  
 Address: No assigned address – In the Micco area  
 Acreage: 99.85

**Consistency with Land Use Regulations**

- YES Current zoning can be considered under the Future Land Use Designation. Sec. 62-1255
- YES Proposal can be considered under the Future Land Use Designation. Sec. 62-1255
- YES Would proposal maintain acceptable Levels of Service (LOS) (XIII 1.6.C)

	<b>CURRENT</b>	<b>PROPOSED</b>
<b>Zoning</b>	EU with BDPs	RU-1-13 with BDP
<b>Potential*</b>	99 units	180 units
<b>Can be Considered under FLU MAP</b>	YES with BDP RESIDENTIAL 1	YES subject to Large Scale Comprehensive Plan Amendment to RESIDENTIAL 2

\*Zoning potential for concurrency analysis purposes only, subject to applicable land development regulations.

Trips from Existing Zoning	823	74	Segment Number	518
Trips from Proposed Zoning	844	75.9	Segment Name	Fleming – Grant
Maximum Acceptable Volume (MAV)	15,600	1,404	Acceptable LOS	E
Current Volume	7,594	683.4	Directional Split	
Volume With Proposed Development	8,438	759.3	ITE CODE 210 Existing 86 Platted lots Proposed 180 Platted lots	
Current Volume / MAV	48%	48.6%		
Volume / MAV with Proposal	54%	54%		
Current LOS	E	E		
LOS With Proposal	E	E		

## Land Use Compatibility

FLUE Policy 1.1 requires consideration of land use compatibility and character of the area.

The request is for the RU-1-13 zoning classification. 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. RU-1-13 does not permit horses, barns or horticulture. The surrounding properties are zoned EU and GU to the north, northeast and northwest; EU and AU to the south, southeast and southwest. The GU classification is a holding category, allowing single-family residences on five acre lots with a minimum width and depth of 300 feet. The minimum house size in GU is 750 square feet. The AU zoning classification permits single-family residences and agricultural pursuits on 2 ½ acre lots, with a minimum lot width and depth of 150 feet. The minimum house size in AU is 750 square feet. The AU classification also permits the raising/grazing of animals, fowl and beekeeping. This area is characterized by Micco Road and a mixture of agricultural and residential uses. The Board should evaluate the compatibility of this application within the context of Administrative Policies 2 - 8 of the Future Land Use Element, as outlined on pages 2 through 5 of these staff comments.

## Environmental Constraints

\* Does the project appear to meet county use or density restrictions based upon:  
\* Refer to NRMO's comments following these staff comments.

The following environmental factors may affect development potential (Policies 1.1.A, II.2.E, and 3.1.F, of the Future Land Use Element):

Environmental Factor	Preliminary Assessment of Factor	Environmental Factor	Preliminary Assessment of Factor
Hydric Soils	Hydric Soils Mapped	Coastal Protection	NA
Aquifer Recharge Soils	Not Mapped	Surface Water Protection	NA
Floodplains	Not Mapped	Habitat for Protected Species	Potential

Note: This is a preliminary review based upon environmental maps available to the Natural Resources Management Office (NRMO) at the time of this review and does not include a site inspection to verify the accuracy of this information. This review does not ensure whether a proposed use or development of the property can be permitted under current federal, state or local regulations. Hydric Soils may be associated with wetlands. If applicable, the full text of NRMO's comments follow these staff comments.

**Other Considerations:** This zoning request is a companion application to Comprehensive Plan Amendment 2013-1.1 which seeks to change the Future Land Use designation of this property from Residential 1 to residential 2. The Board must adopt the amendment in order to approve this rezoning request.

As background, in 2009, 13.1 acres of the subject property was approved for EU zoning with a Binding Development Plan limiting development to one unit per acre and limit access to the existing main entrance point of Paladin Estates (Z-11519). In 2000, the Board of County Commissioners approved the property to the south, approximately 86 acres, as EU with a Binding Development Plan (BDP) limiting density to a maximum of one unit per acre (Z-10340). Although the EU zoning classification would permit lots that were less than one acre in size, the proposed Binding Development Plan (BDP) limited the overall density to one unit per acre for the subject property and made the application consistent with the Residential 1 designation.

This request represents the applicants desire to increase the number of units from 99 (86 existing platted lots) to 180 by reducing the lot size to 75' X 75', with a minimum lot size of 7,500 square feet, consistent with the RU-1-13 zoning classification. Currently the subject property consists of 99.85 acres with existing constructed roadway and storm water infrastructure located on the south side of Micco Road. The property must be replatted to accommodate the additional lots.

As part of this request the applicant is replacing the existing BDPs. The proposed BDP will limit density to two units per acre and limit ingress and egress to Micco Road, only through Paladin Circle. Moreover, the Developer/Owner shall not allow vehicle access to Micco Road from individual lots.

The subject property fronts on Micco Road and has approximately 1,640 feet of road frontage. The IN(L) zoned property to the west was approved as a place of worship (Z-11440) in 2008 but remains undeveloped as does the RR-1 tract to the south of the proposed place of worship parcel. The property to the north, across Micco Road is developed with agricultural groves. Caddy-corner to the northeast is Barefoot Bay development, to the east is developed with commercial-agricultural uses.

As prescribed by Section 13.2 of the Interlocal Agreement for Public School Facility Planning and School Concurrency the Brevard County School Board has preformed a non-binding review of the impact of the proposed rezoning relative to student generation. (See attached Letter) The School Board's evaluation states that "at this time, there is projected to be insufficient capacity at Sunrise Elementary for the very last phase of this project. Because there is a shortfall of available capacity in this concurrency service area of the St. Sebastian Lakes Preserve development, the capacity of adjacent concurrency service areas must be considered. The adjacent elementary concurrency service areas are those of Port Malabar Elementary and Westside Elementary."

**Summary:** This zoning request is a companion application to Comprehensive Plan Amendment 2013-1.1 which seeks to change the Future Land Use designation of this property from Residential 1 to residential 2. The Board must adopt the amendment in order to approve this rezoning request.

This application represents the Applicant's desire to reduce lot size and increase the number of single-family lots for development. The replat the Lakes of St. Sebastian Preserve development would increase the number of single-family home lots from 99 (86 existing platted lots) to 180 lots and reduce the lot sizes to be consistent with the RU-1-13 zoning classification. The proposed BDP, which will replace the existing BDPs that limit the current density to one unit per acre and limit access, would now limit density to two units per acre and limit ingress and egress to Micco Road, only through Paladin Circle and shall not allow vehicle access to Micco Road from individual lots, similar to the previously approved BDP.

The Board should consider the School Board's review of the impact of the proposed rezoning relative to student generation as outlined in the following letter.

**Zoning History 12 PZ-00084 Paladin et.al.**



- Z-11519 AU to EU, Approved with a BDP with an amendment that access be limited to be through the existing main entrance point of Paladin Estates only, Approved 10/26/2009
- Z-10670 CUP for Land Alteration (9.95 acres) in AU & EU retaining existing BDP for 90 days with conditions (see file) and no further subdivision of this property for land alteration, Approved 2/2002
- Z-10340 GU and AU to EU with a BDP limiting density to one unit per acre with the applicant agreeing to do everything possible to encourage trucks to go west to Babcock Street rather than east to US 1. 1/19/00
- DNZ-10059 CUP Land Alteration in AU, Denied 3/1990
- DNZ-10058 CUP Land Alteration in AU, Denied 3/1990

RESOLUTION NO. Z-11519

On motion by Commissioner Infantini, seconded by Commissioner Bolin, the following resolution was adopted by a unanimous vote:

WHEREAS, ATLANTIC COAST PALADIN ESTATES, LLC has applied for a change of classification from AU (Agricultural Residential) to EU (Estate Use Residential), with a Binding Development Plan, limiting density to one unit per acre, on property described as a part of A.A. Berry's Plat of Fleming Grant, as recorded in Plat Book 2, at Page 25, of the Public Records of Brevard County, Florida, more particularly described as follows: Commence at the northeast corner of Section 16, Township 30S, Range 38E, Brevard County, Florida; thence N89 deg. 50'25"W, along the north line thereof, 2,660.35 ft.; thence S00 deg. 00'30"E, 50 ft. to the south right-of-way line of Micco Rd., as presently occupied, and the Point of Beginning; thence N89 deg. 32'45"W, along said south right-of-way, a distance of 1,639.13 ft.; thence S00 deg. 36'19"W, a distance of 530.34 ft.; thence S89 deg. 32'45"E, a distance of 324.78 ft.; thence N00 deg. 00'30"W, a distance of 230.35 ft.; thence S89 deg. 32'45"E, a distance of 1,320.04 ft.; thence N00 deg. 00'30"W, a distance of 300.01 ft.; to said south right-of-way line and the point of beginning. (13.01 acres) Located on the south side of Micco Rd., approx. 200 ft. west of Dottie Dr.

Section 16, Township 30 S, Range 38 E, and

WHEREAS, a public hearing of the Brevard County Planning & 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 & Zoning Board recommended that the application be approved, with a Binding Development Plan; and

WHEREAS, the Board, after considering said application and the Brevard County Planning & Zoning Board's recommendation, and hearing all interested parties, and after due and proper consideration having been given to the matter, find that the application should be Approved, with an amendment to the submitted Binding Development Plan to add that access be limited to be through the existing main entrance point of Paladin Estates, only; now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested change of classification from AU (Agricultural Residential) to EU (Estate Use Residential) be APPROVED, with a Binding Development Plan, recorded in ORB 6052, Pages 282 through 286, dated 10/26/09, with an amendment to add that access be limited to be through the existing main entrance point of Paladin Estates, only, and that the zoning classification relating to the above described property be changed to EU (Estate Use Residential), and the Planning & 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 October 26, 2009.

BOARD OF COUNTY COMMISSIONERS  
Brevard County, Florida

by Chuck Nelson, Chairman  
As approved by the Board on August 6, 2009.

ATTEST:

SCOTT ELLIS, CLERK

(SEAL)

(P&Z Hearing - June 8, 2009)

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 (1) year of approval or if construction does not commence within two years of approval. A PUD 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.

Z11519

Prepared by:  
RK ENGINEERING  
385 PINEDA COURT SUITE 200  
MELBOURNE, FL 32940

**BINDING DEVELOPMENT PLAN**

THIS AGREEMENT, entered into this 20 day of <sup>Oct</sup> 2000 between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and ATLANTIC COAST PALADIN ESTATES, LLC, a Florida corporation (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 EU zoning classification(s) and desires to develop the property as a single-family home subdivision, 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 impact 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. 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.

2. The Developer/Owner shall limit density to 1 unit per acre/Total of 13 Single-Family Lots and may be further restricted by any changes to the Comprehensive Plan or the Land Development Regulations.

3. The Developer/Owner shall limit ingress and egress to Micco Road, only through Paladin Circle, which is the existing main entrance road for Paladin Estates Subdivision. Developer/Owner shall not allow vehicle access to Micco Rd. from individual lots.

4. 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

**Z11519**

RETURN: Clerk to the Board #27

in developing the property. This agreement provides no vested rights against changes to the comprehensive plan or land development regulations as they may apply to this property.


5. Developer/Owner, upon execution of this Agreement, shall pay to the County the cost of recording this Agreement in Brevard County, Florida.

6. 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 be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject property, and be subject to the above referenced conditions as approved by the Board of County Commissioners on August 5, 2009. In the event the subject property is annexed into a municipality and rezoned, this Agreement shall be null and void.

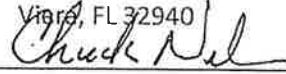
7. Violation of this Agreement will also constitute a violation of the Zoning Classification and this Agreement may be enforced by Sections 1.7 and 62-5, Code of Ordinances of Brevard County, Florida, as it may be amended.

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

ATTEST:

  
\_\_\_\_\_  
Scott Ellis, Clerk  
(SEAL)

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

  
\_\_\_\_\_  
Chuck Nelson, Chairman

As approved by the Board on 10/20/09

STATE OF FLORIDA  
COUNTY OF BREVARD

STATE OF FLORIDA  
COUNTY OF BREVARD

This is to certify that the foregoing is a true and current copy of BDP

STATE OF FLORIDA

witnessed by my hand and official seal this 28 day of October 2009

COUNTY OF BREVARD

SCOTT ELLIS

Clerk Circuit Court  
BY  C.

The foregoing instrument was acknowledged before me this 20 day of October, 2009 by, Chairman of the Board of County Commissioners of Brevard County, Florida, who is personally known to me or who has produced as identification.

  
\_\_\_\_\_  
Notary Public

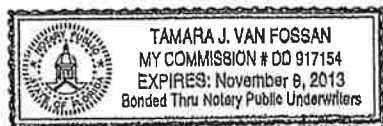
My commission expires

Notary Public

SEAL

Tamara J. Van Fossan

Commission No.:



(Name typed, printed or stamped)

Z11519

RETURN: Clerk to the Board #2.

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

WITNESSES:

[Signature]

RICHARD L. CHAPUS  
(Witness Name typed or printed)

[Signature]

Angela M. Kelsey  
(Witness Name typed or printed)

DEVELOPER/OWNER

[Signature]

1812 SW 31<sup>st</sup> Avenue, Pembroke Park, FL 33009  
(Address)

CHARLES KELSEY

(Managing Member)  
CHARLES M. KELSEY III

(Name typed, printed or stamped)

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of, August, 2009, by, MANAGING MEMBER, CHARLES KELSEY, OF ATLANTIC COAST PALADIN ESTATES, LLC, who is personally known to me or who has produced as identification.

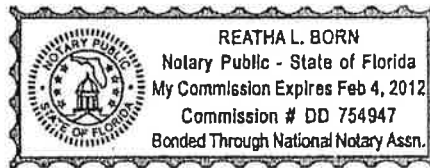
My commission expires  
SEAL  
Commission No.:

[Signature]

Notary Public

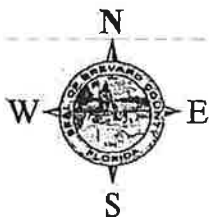
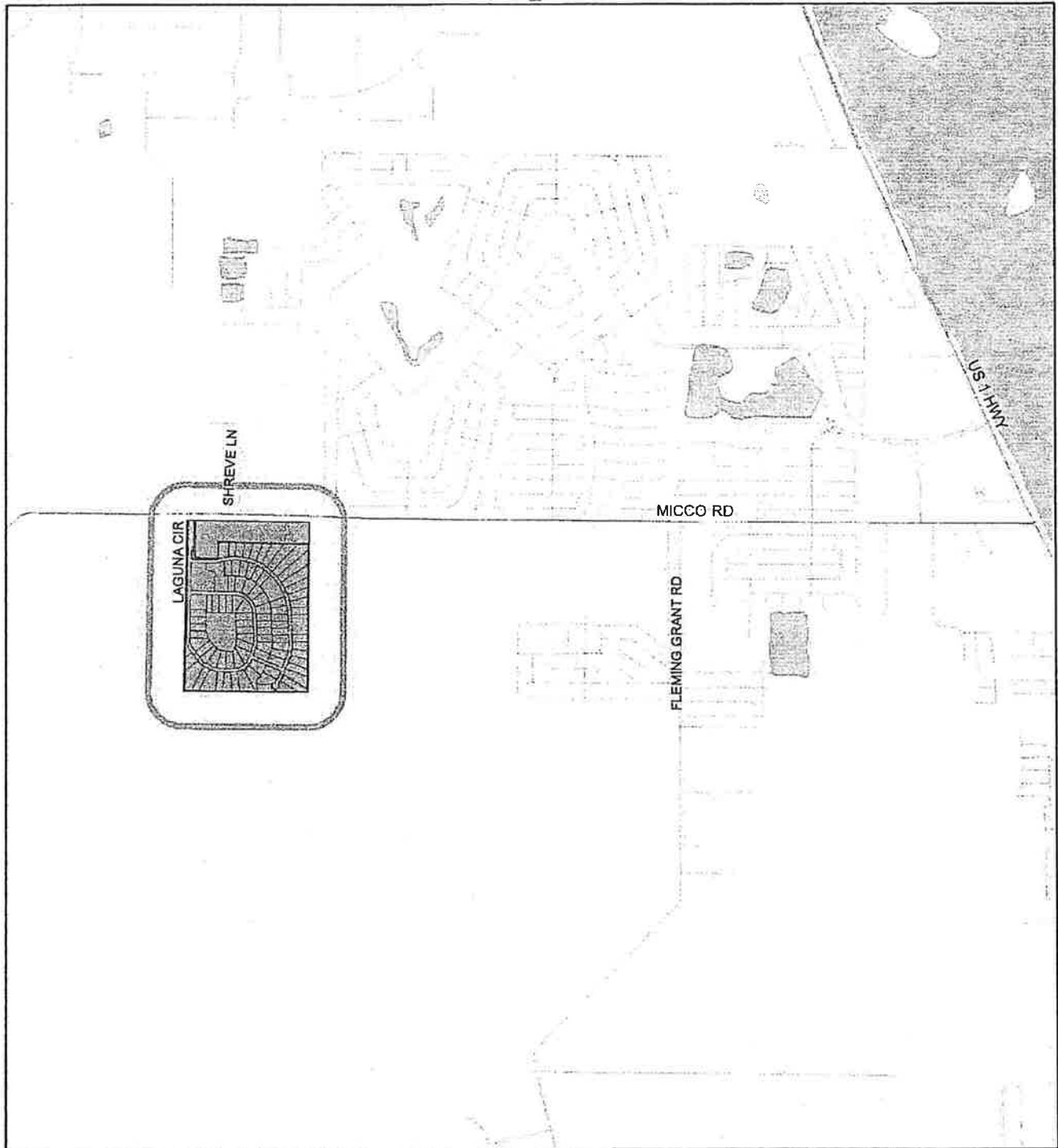
Reatha L Born

(Name typed, printed or stamped) Rev. 9/15/2008 4



Z11519

LOCATION MAP  
ATLANTIC COAST PALADIN ESTATES  
12PZ\_00084



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

Buffer Distance: 500 feet

 Buffer

 Subject Property

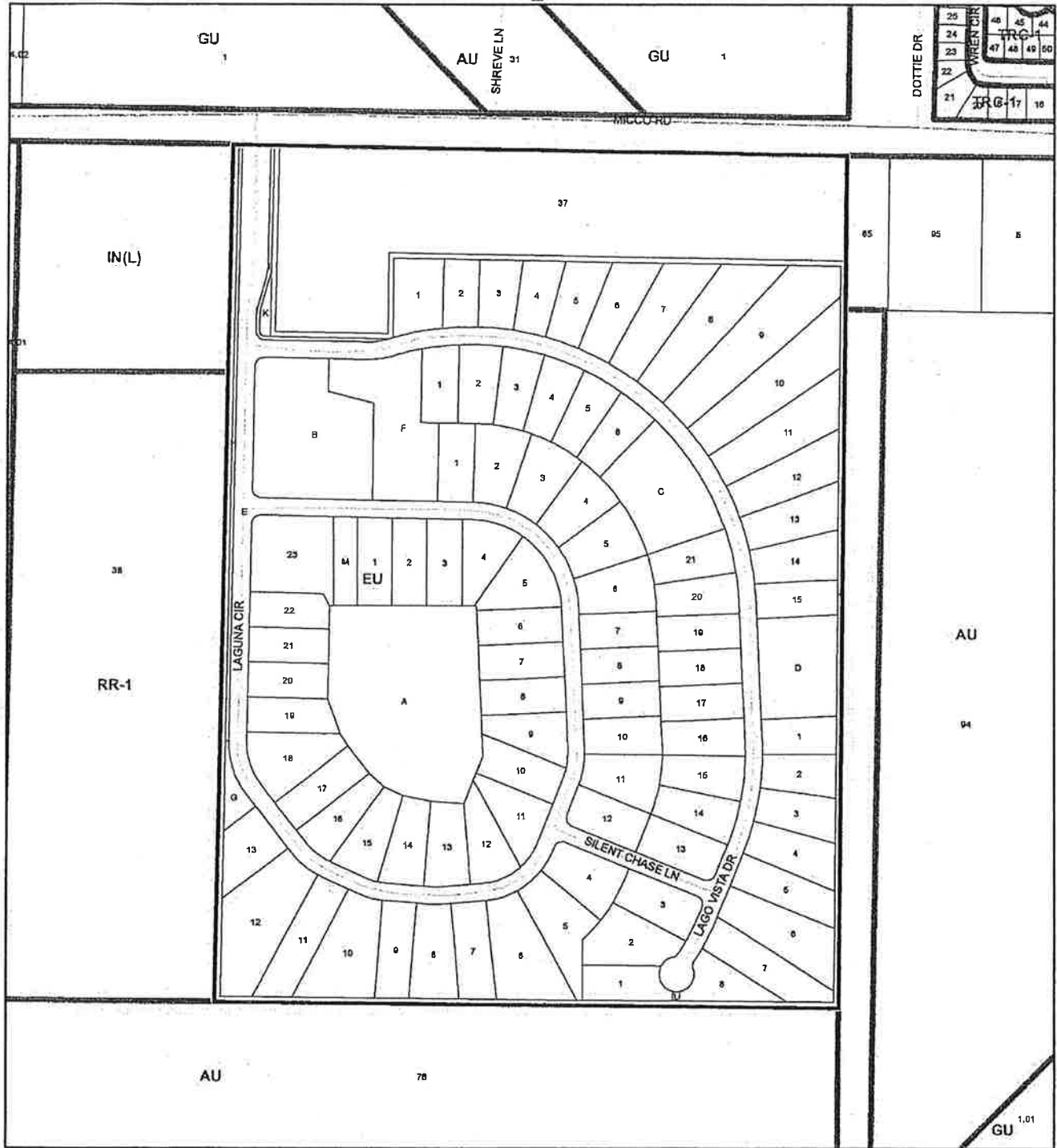
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions herein.

Produced by the Brevard County Planning and Zoning Office - GIS Section Date: 4/10/2013

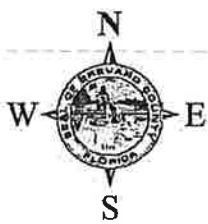
# ZONING MAP

## ATLANTIC COAST PALADIN ESTATES

12PZ\_00084



1:4,800 or 1 inch = 400 feet



- Subject Property
- Parcels
- Zoning

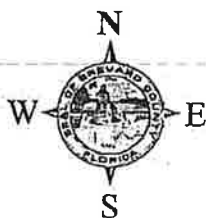
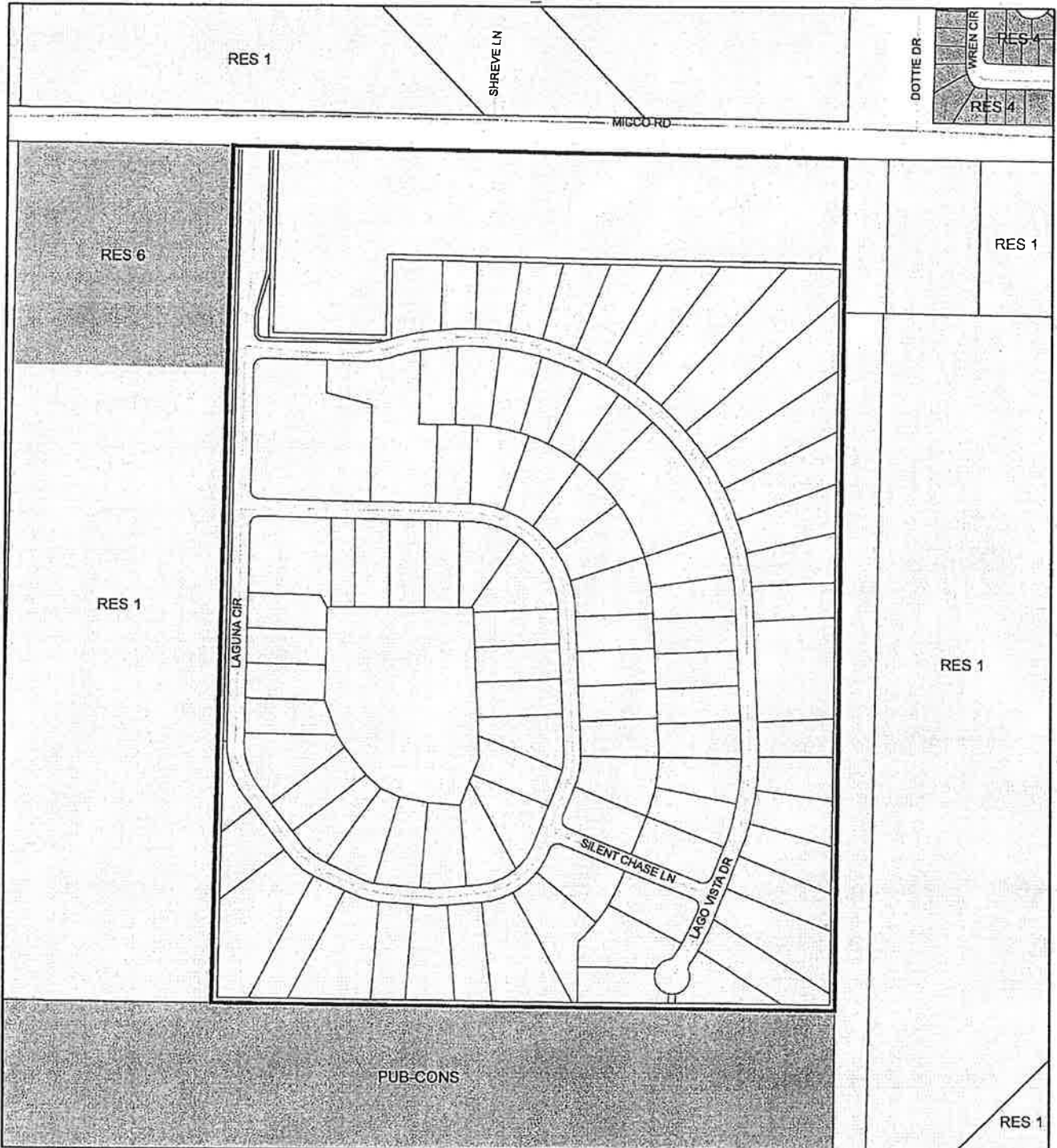
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by the Brevard County Planning and Zoning Office - GIS Section Date: 4/10/2013

# FUTURE LAND USE MAP

ATLANTIC COAST PALADIN ESTATES

12PZ\_00084



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 the Brevard County Planning and Zoning Office - GIS Section Date: 4/10/2013

A photograph of a road with trees and a street sign. The road is paved and has a white line on the side. There are green trees and bushes on the right side of the road. A street sign is visible on the right side of the road, showing the number 20. The sky is bright and overcast.

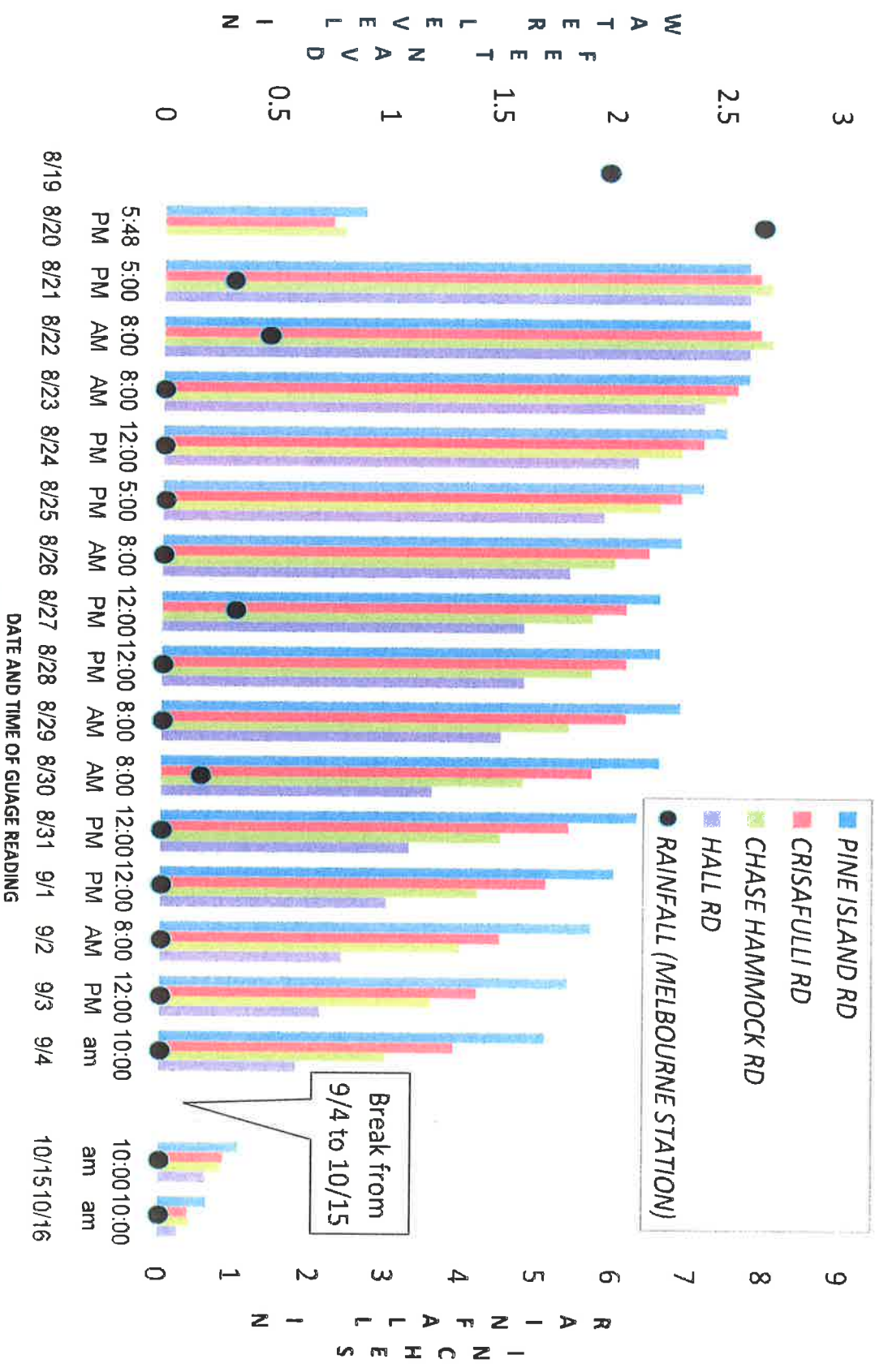
# North Merritt Island

## Post-TS Fay Drainage Evaluation Looking Forward

Brevard County  
Natural Resources Management Office  
And  
Public Works Department



# Pine Island & Judson Canal Water Levels







PLAN VIEW



PROFILE VIEW

# CRISAFULLI ROAD

JONES  
EDMUNDS



PLAN VIEW



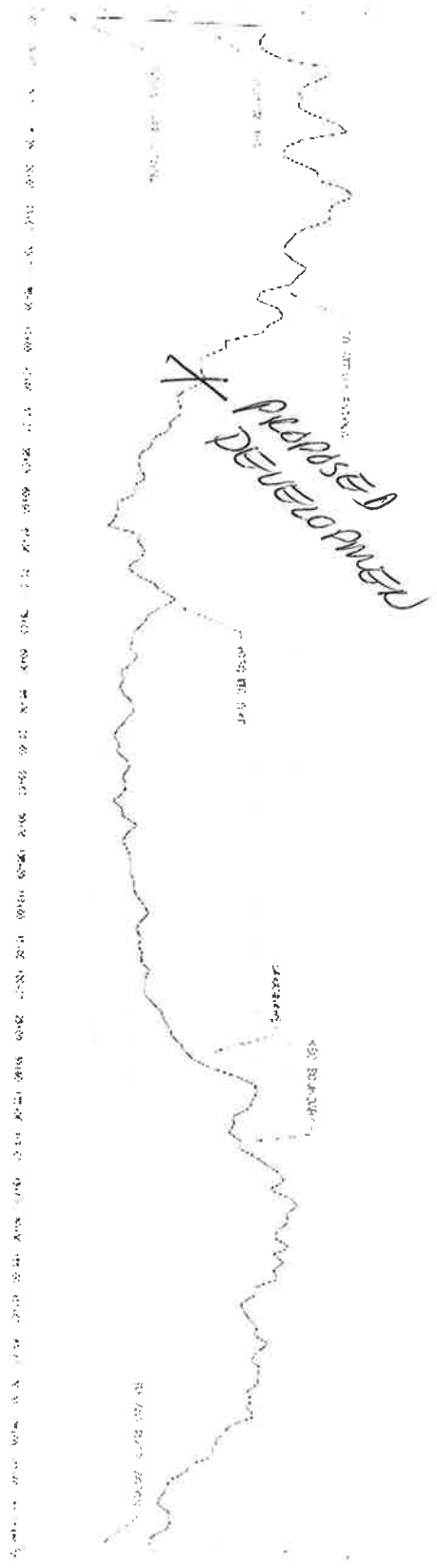
PROFILE VIEW

# CHASE HAMMOCK ROAD

JONES  
EDMUNDS



PLAN VIEW



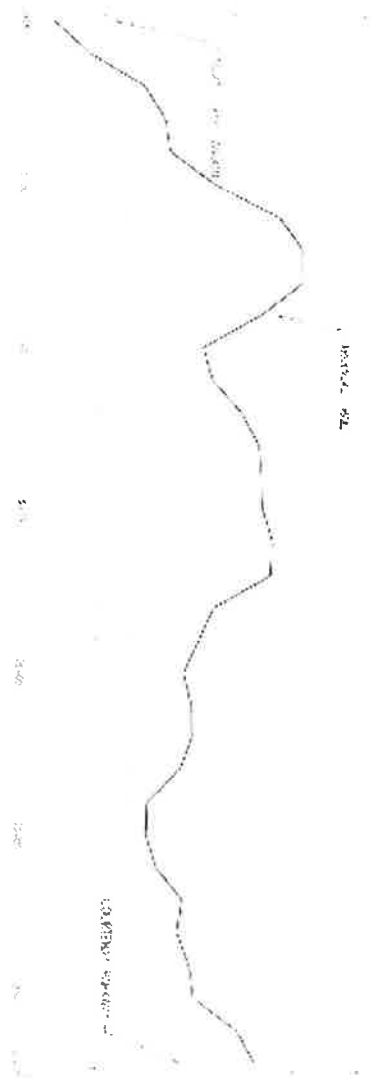
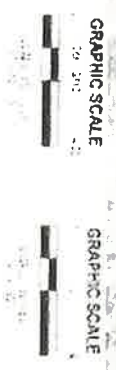
PROFILE VIEW

# HALL ROAD

JONES  
EDMUNDS



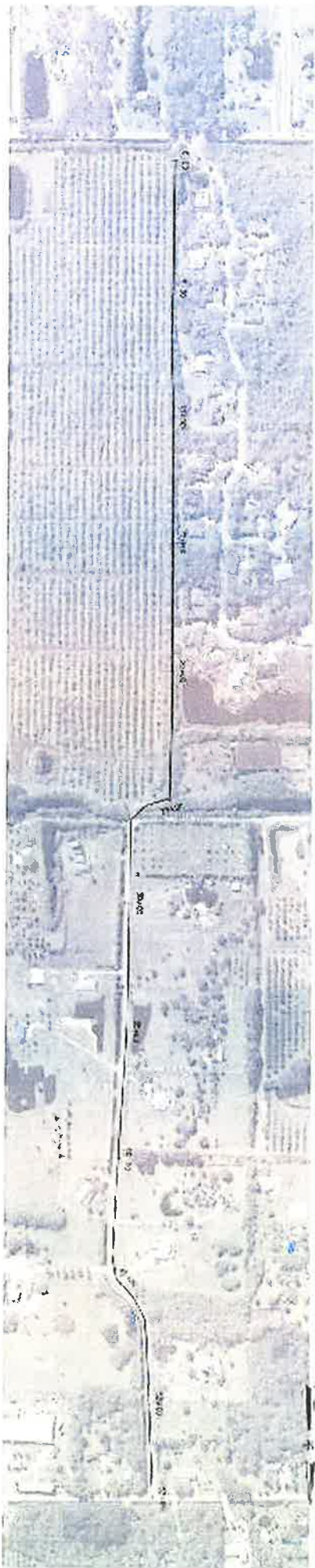
PLAN VIEW



PROFILE VIEW

# CHURCH ROAD

JONES  
EDMUNDS



PLAN VIEW



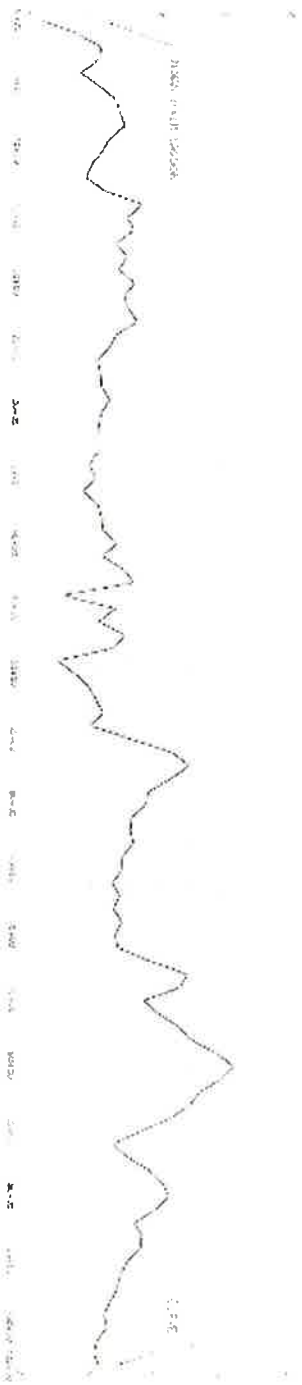
PROFILE VIEW

# JOSEPH COURT

JONES  
EDMUNDS



PLAN VIEW



PROFILE VIEW

# PINE ISLAND ROAD - FROM INDIAN RIVER EAST TO CURVE

JONES  
EDMUNDS



PLAN VIEW



PROFILE VIEW

# PINE ISLAND / JUDSON ROADS - FROM CURVE SOUTH TO HALL ROAD

JONES  
EDMUNDS



PLAN VIEW



PROFILE VIEW

# IMPOUNDMENT DIKE - FROM HALL ROAD SOUTH TO BARGE CANAL

JONES  
EDMUNDS



PLAN VIEW

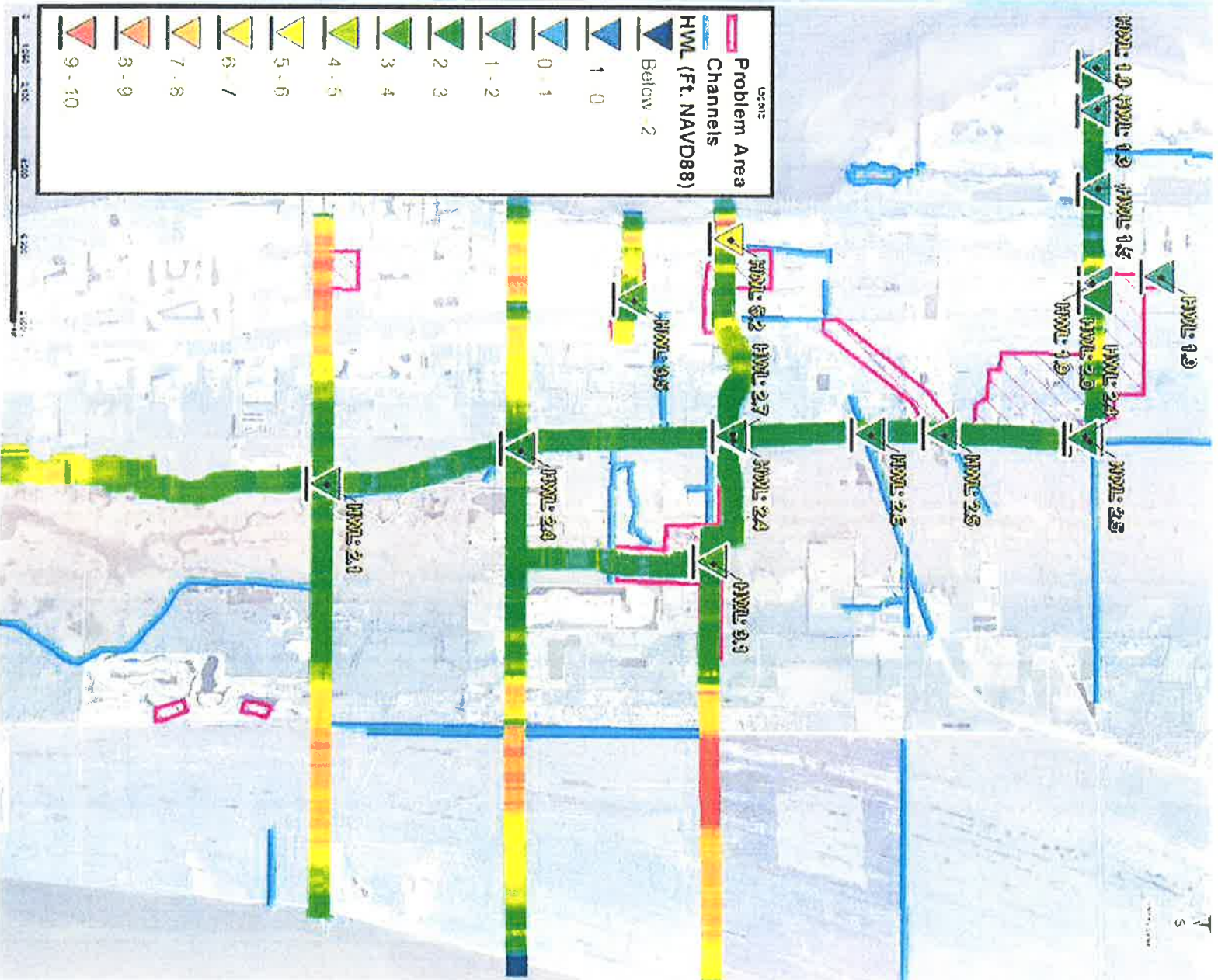


PROFILE VIEW

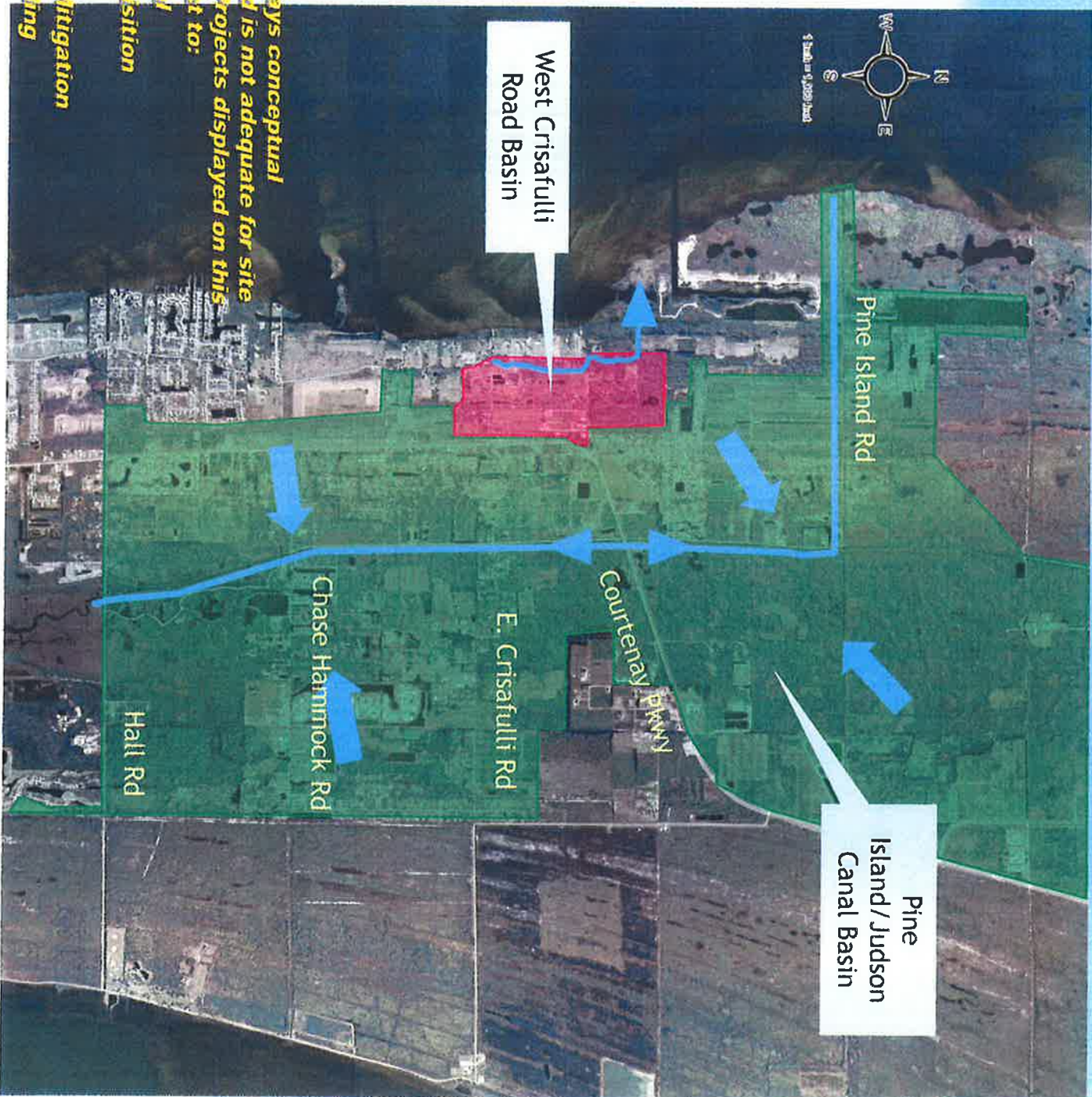
# IMPOUNDMENT DIKE - ALONG NORTH SIDE OF BARGE CANAL

JONES  
EDMUNDS

# Water & Surface Elevations



# Current Drainage



*This map displays conceptual information and is not adequate for site specific use. Projects displayed on this map are subject to:*

- Board Approval
- Property Acquisition
- Engineering
- Permitting & Mitigation
- Available Funding

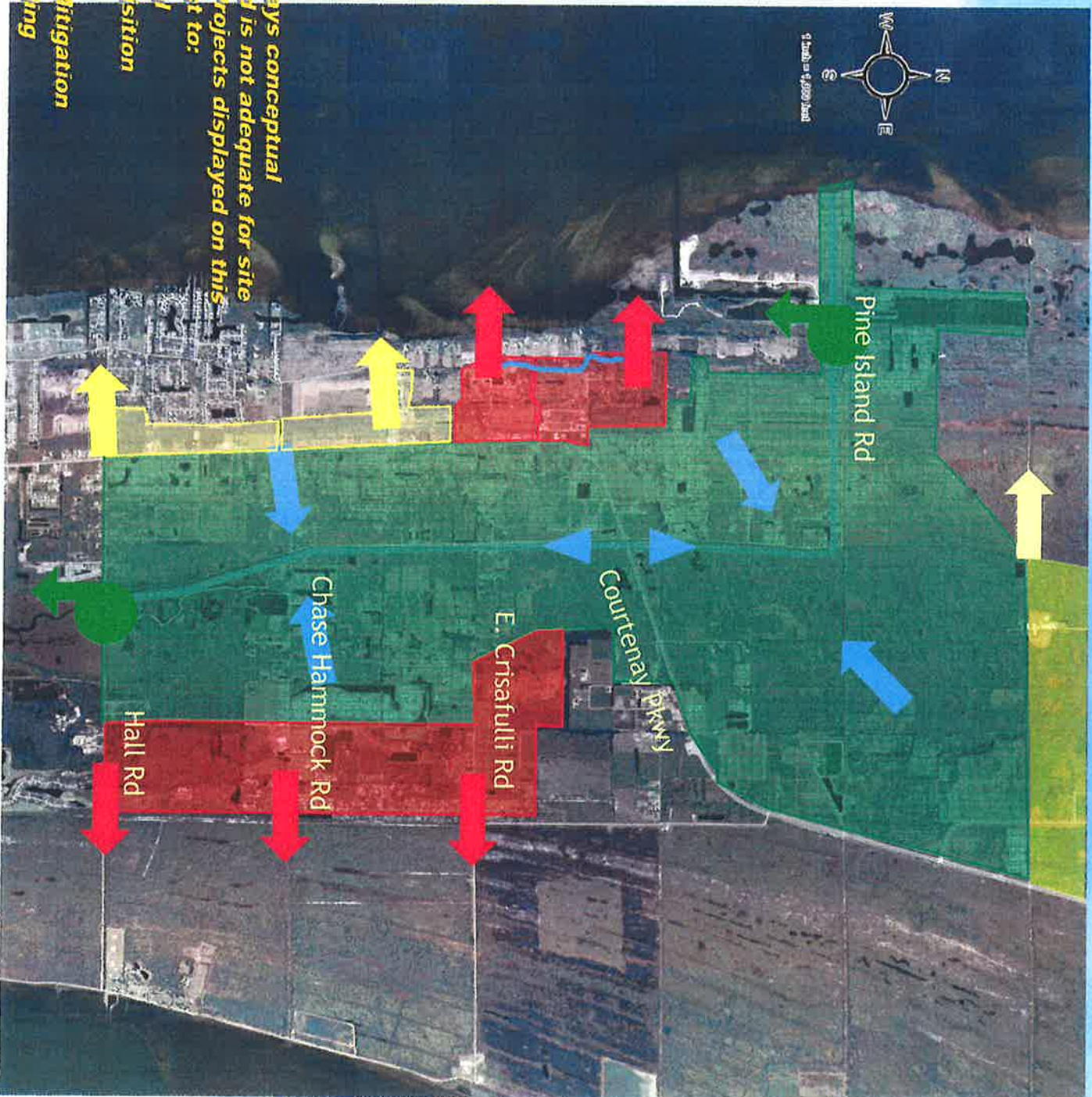
# 1996 Proposed Drainage Strategy



*This map displays conceptual information and is not adequate for site specific use. Projects displayed on this map are subject to:*

- Board Approval
- Property Acquisition
- Engineering
- Permitting & Mitigation
- Available Funding

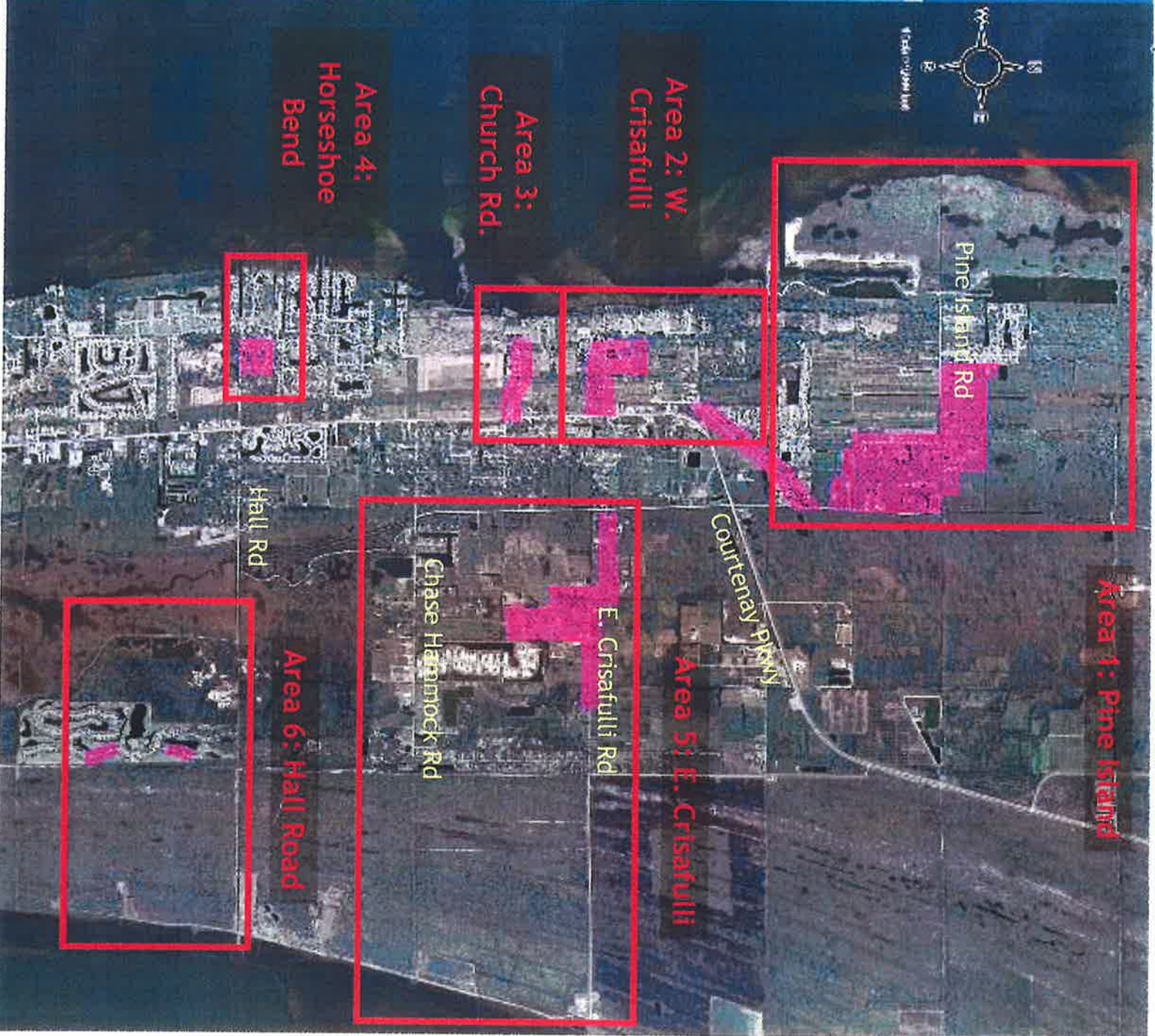
# 2008 Proposed Strategy



*This map displays conceptual information and is not adequate for site specific use. Projects displayed on this map are subject to:*

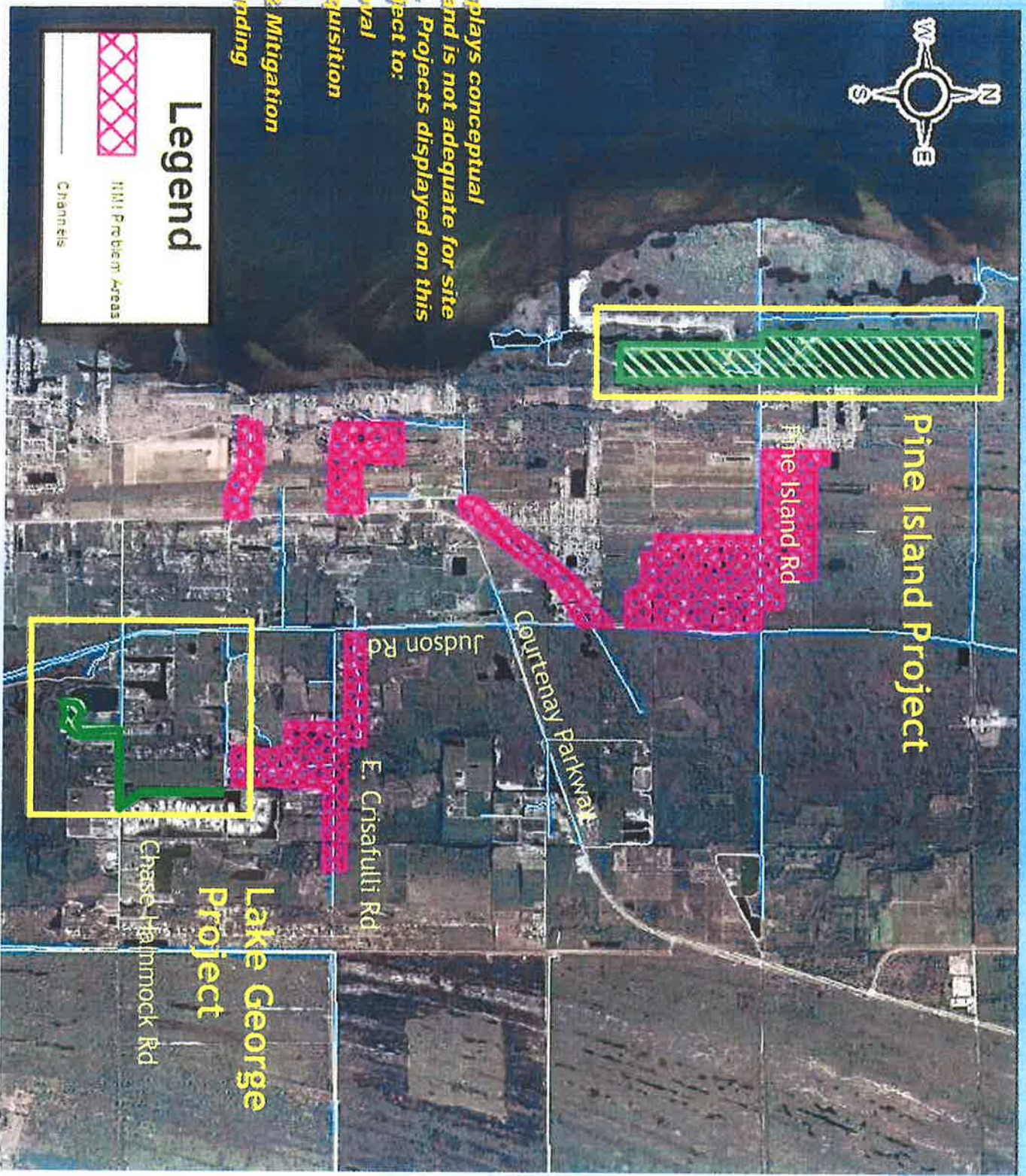
- Board Approval**
- Property Acquisition**
- Engineering**
- Permitting & Mitigation**
- Available Funding**

# Proposed Project Areas



- This map displays conceptual information and is not adequate for site specific use. Projects displayed on this map are subject to:*
- **Board Approval**
  - **Property Acquisition**
  - **Engineering**
  - **Permitting & Mitigation**
  - **Available Funding**

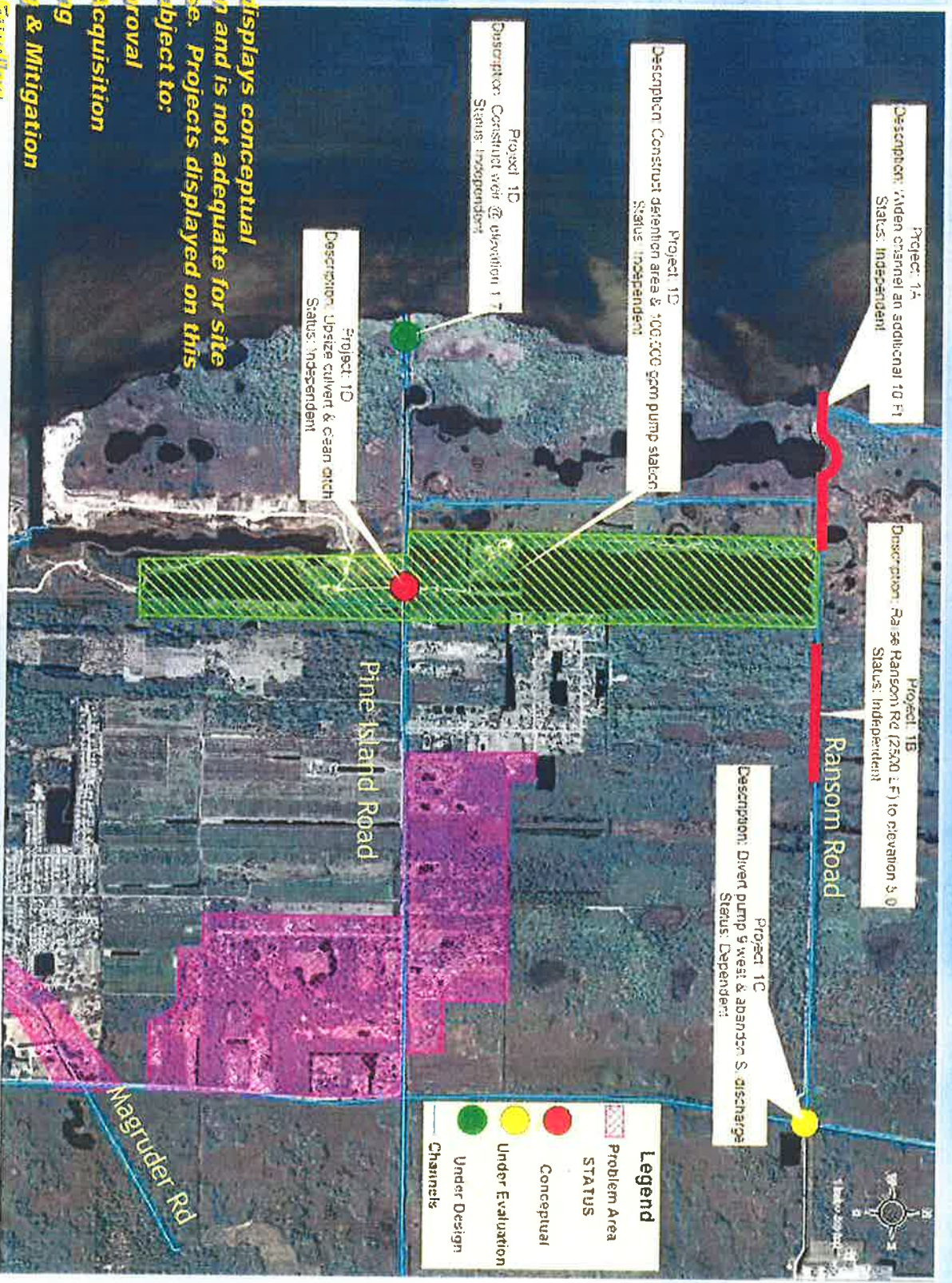
# Permitted Projects



*This map displays conceptual information and is not adequate for site specific use. Projects displayed on this map are subject to:*

- Board Approval**
- Property Acquisition**
- Engineering**
- Permitting & Mitigation**
- Available Funding**

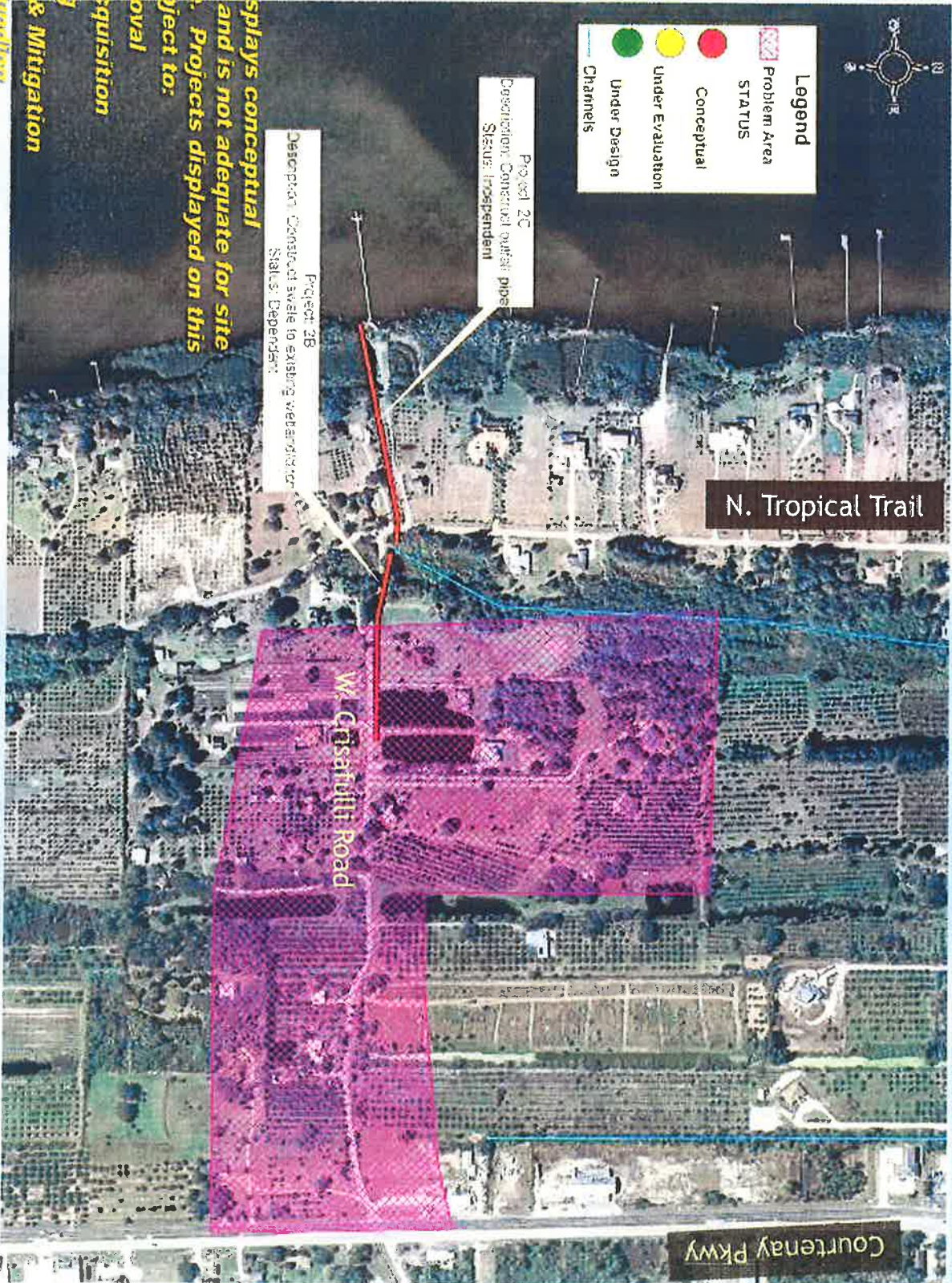
# Area 1: Pine Island



**This map displays conceptual information and is not adequate for site specific use. Projects displayed on this map are subject to:**

- Board Approval
- Property Acquisition
- Engineering
- Permitting & Mitigation
- Available Funding

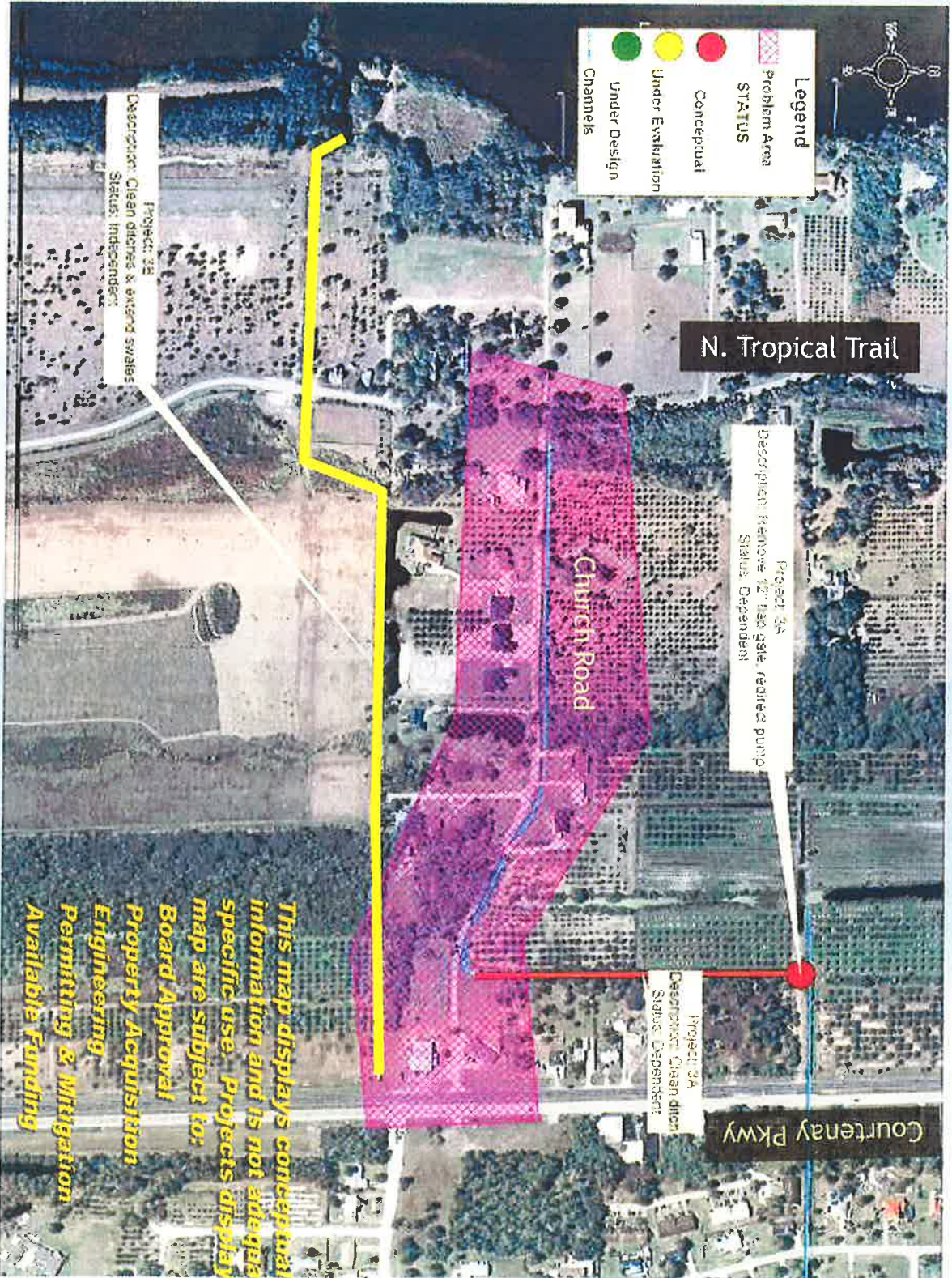
# Area 2: West Crisafulli Road



**This map displays conceptual information and is not adequate for site specific use. Projects displayed on this map are subject to:**

- Board Approval
- Property Acquisition
- Engineering
- Permitting & Mitigation
- Available Funding

# Area 3: Church Road



*This map displays conceptual information and is not adequate for site specific use. Projects displayed on this map are subject to: Board Approval, Property Acquisition, Engineering, Permitting & Mitigation, Available Funding*

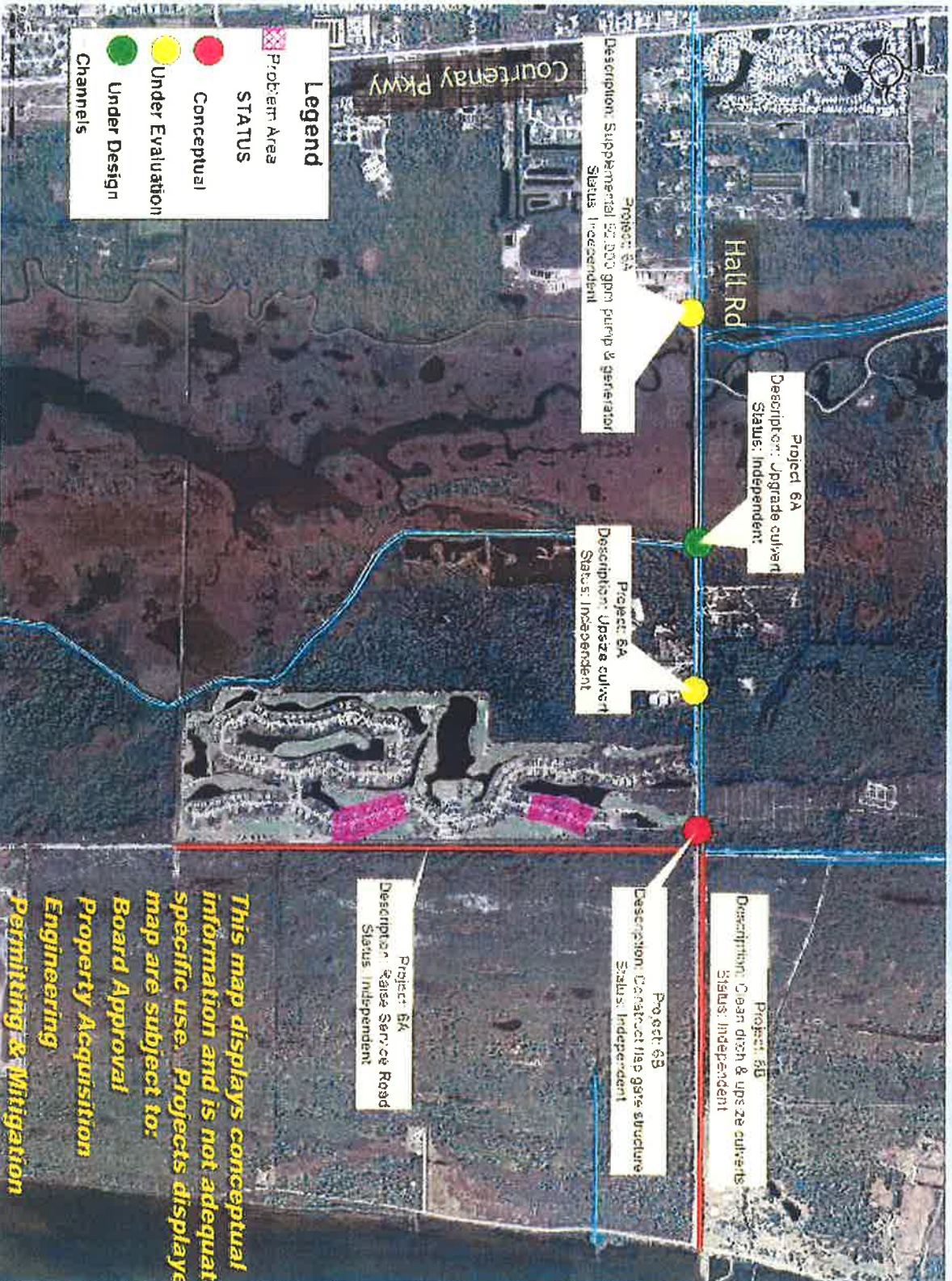
# Area 4: Horseshoe Bend



*This map displays conceptual information and is not adequate for site specific use. Projects displayed on this map are subject to: Board Approval, Property Acquisition, Engineering, Permitting & Mitigation, Available Funding*



# Area 6: Hall Road

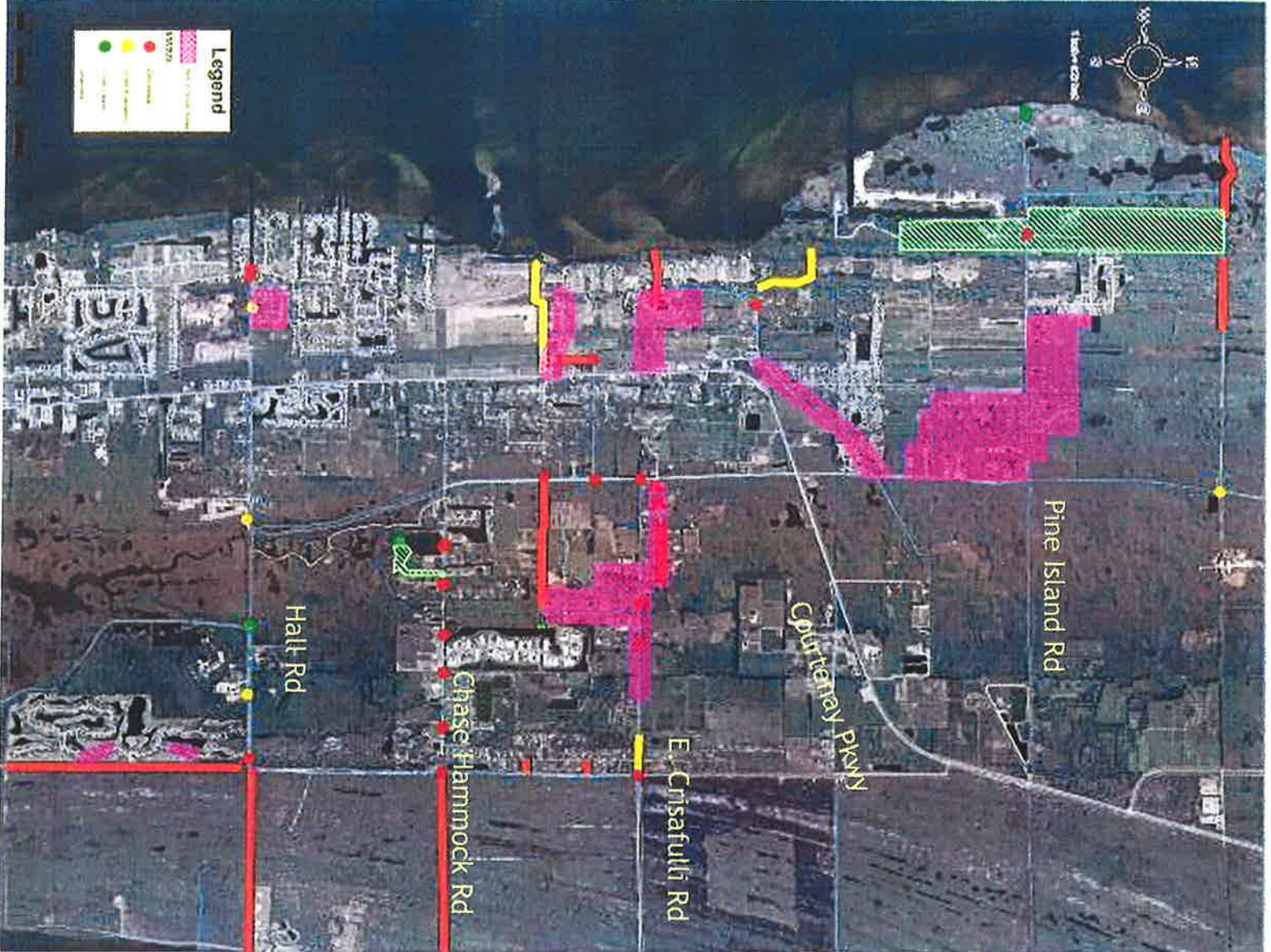


*This map displays conceptual information and is not adequate for site specific use. Projects displayed on this map are subject to:*

- Board Approval**
- Property Acquisition**
- Engineering**
- Permitting & Mitigation**

**Available Printing**

# Projects Map



*This map displays conceptual information and is not adequate for site specific use. Projects displayed on this map are subject to:*

- Board Approval
- Property Acquisition
- Engineering
- Permitting & Mitigation
- Available Funding

# Discussion, Questions & Comments

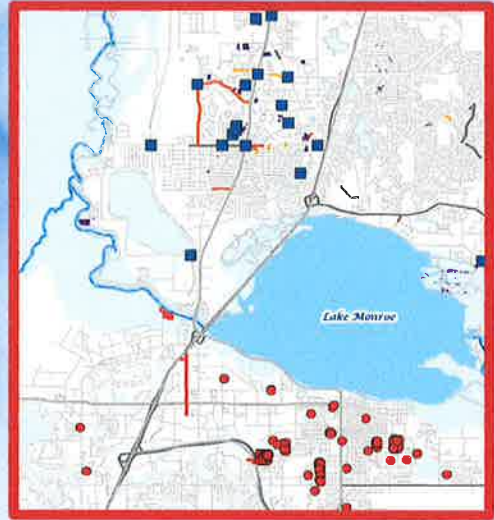
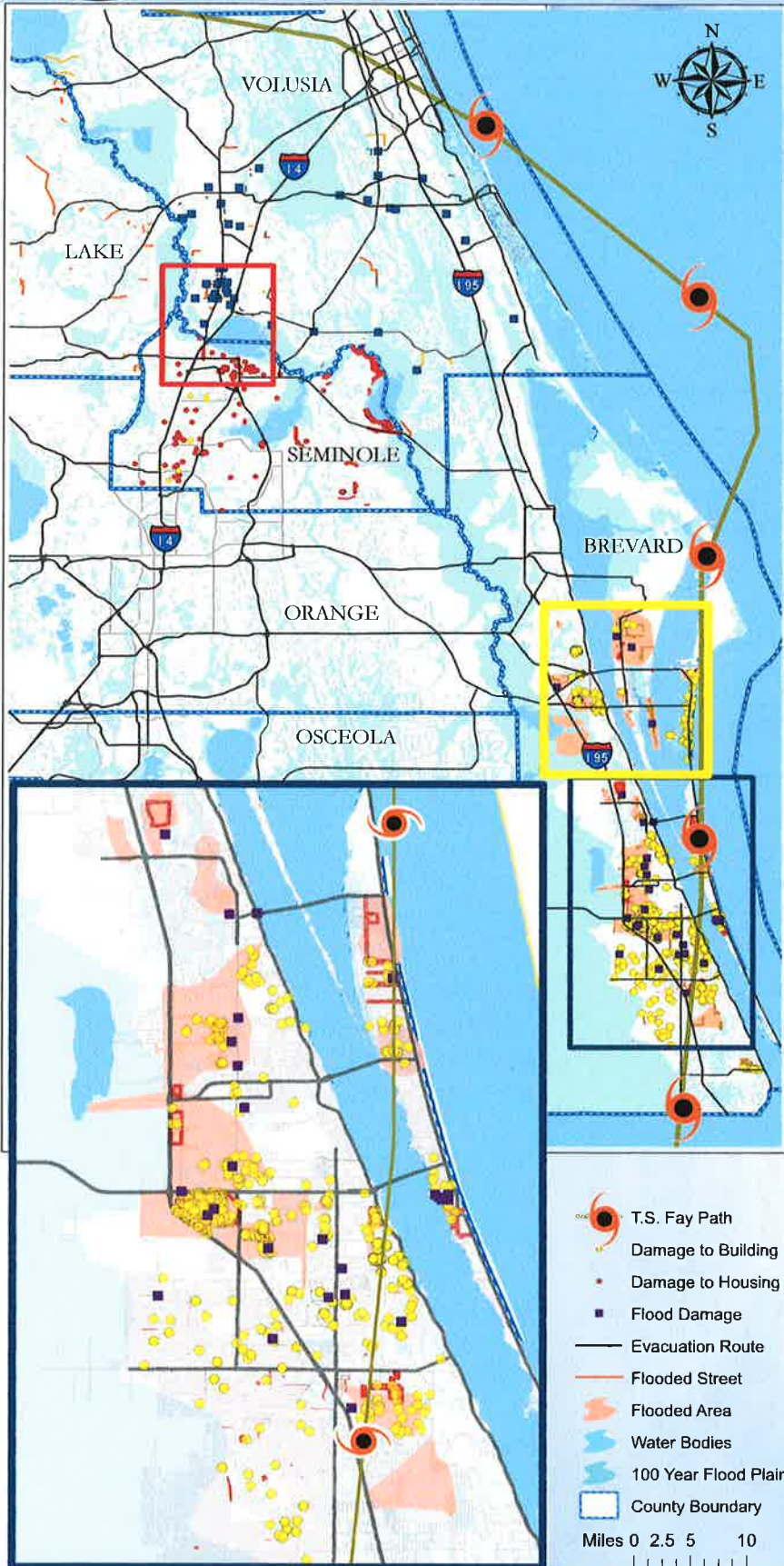
This presentation will be available through the county website on January 6, 2009 by connecting to the following link:

<http://natres.brevardcounty.us/hottopics.cfm>



# Tropical Storm Fay Flood Damage

## Flood Damage in the East Central Florida Region during August 2008



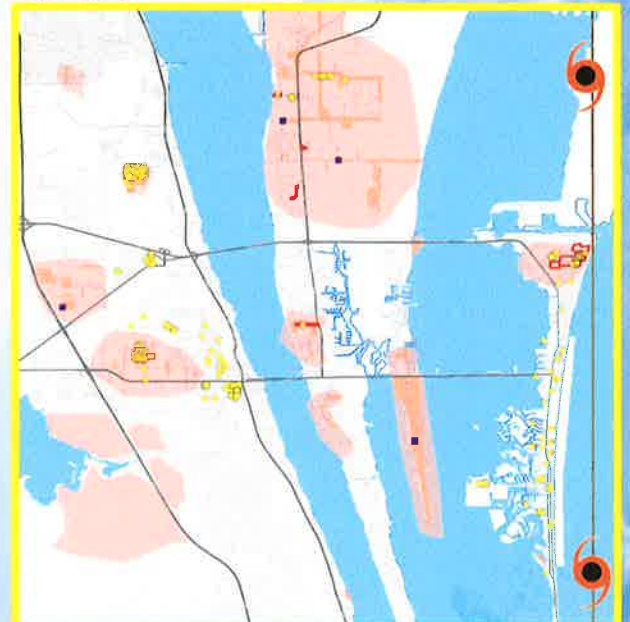
In late August of 2008, Tropical Storm Fay made 4 landfalls in Florida. After crossing the state, Tropical Storm Fay slowly moved along Florida's eastern coastline, bringing extensive flooding to the east central Florida region. The six counties in the region, Brevard, Lake, Orange, Osceola, Seminole, and Volusia experienced more than 1,150 inches of total rainfall over five days. The City of Melbourne, Brevard County, recorded more than 11" of rainfall in one twenty four hour period, flooding approximately 80 neighborhoods with homes under nearly 3-5 feet of water. A maximum rainfall total of 27.65" was recorded at Windover Farms, 8 miles northwest of the city.

After the storm had passed over the region, the St. John's River which runs north along portions of Brevard, Seminole, Lake, and Volusia Counties, continued to rise, causing major flooding events at De Land (Volusia County) and Sanford and Geneva (Seminole County). Many roadways and homes were damaged as the river's water level continued to climb even after the storm had passed over the area.

Preliminary assessments indicate at least 2300 homes received flood damage from Tropical Storm Fay with early flood damage assessments of over 33 million dollars to the East Central Florida Region alone. Home and infrastructure damage in Brevard County was estimated to be nearly \$10 to \$12 million.

Storm Total Rainfall (inches) from August 18th until August 23	
Brevard	825.83"
Lake	43.18"
Seminole	76.70"
Orange	65.60"
Osceola	25.91"
Volusia	112.56"
<b>TOTAL</b>	<b>1,149.68"</b>

The table on the left represents the recorded rainfall from the NWS post tropical storm report on Fay. The results indicated on the map represent the preliminary and collected damage reports from each of the counties and their individual municipalities.



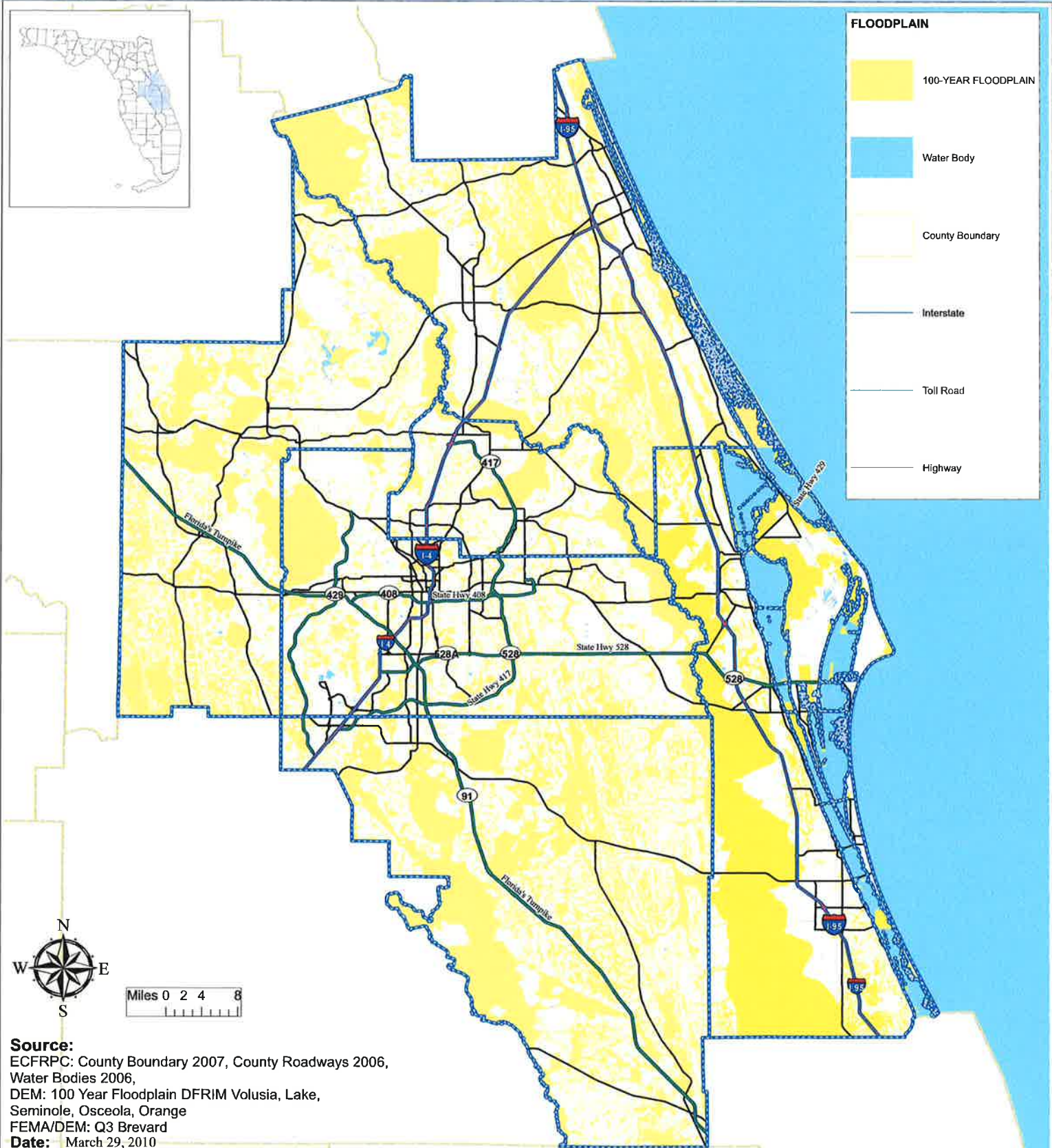
This map is intended for use for planning purposes only and is not to be considered as a legal document. The CFGIS and associated agencies have made reasonable efforts to ensure the accuracy of this map. However, the CFGIS and associated agencies provide no warranty as to the accuracy or reliability of any data or information contained herein. Any reliance on the information contained herein is at the user's own risk. The CFGIS and associated agencies are not responsible for any errors or omissions in this map or any data or information contained herein. The CFGIS and associated agencies are not responsible for any errors or omissions in this map or any data or information contained herein. The CFGIS and associated agencies are not responsible for any errors or omissions in this map or any data or information contained herein. The CFGIS and associated agencies are not responsible for any errors or omissions in this map or any data or information contained herein.

The CFGIS would like to greatly thank the following agencies and individuals for their support in providing data for this report: Volusia County, Seminole County, Orange County, Lake County, Osceola County, Brevard County, De Land, Florida, Orange County, Seminole County, Lake County, Volusia County, and the City of De Land. Data was collected from the NWS, August 18th through August 23rd, 2008. The data was collected from the NWS, August 18th through August 23rd, 2008. The data was collected from the NWS, August 18th through August 23rd, 2008. The data was collected from the NWS, August 18th through August 23rd, 2008.



# 100 Year Floodplain

## 100 Year Floodplain, Q3 and DFIRM, in the East Central Florida Region



**Source:**  
ECFRPC: County Boundary 2007, County Roadways 2006,  
Water Bodies 2006,  
DEM: 100 Year Floodplain DFRIM Volusia, Lake,  
Seminole, Osceola, Orange  
FEMA/DEM: Q3 Brevard  
**Date:** March 29, 2010

This map is intended to be used for planning purposes only and is not to be construed as a legal document. The GIS data available on this map may need field verification as it corresponds to regional scale representation. The ECFRPC and associated agencies have taken reasonable efforts to ensure the accuracy of this map. However, the ECFRPC and associated agencies provide no warranty as to the map's accuracy or completeness, and assume no liability for losses or damages incurred by persons relying on the information provided. Any reliance on the information contained herein is at the user's own risk. Users of geographic information by governmental entities, other state agencies, water management districts, regional planning councils, local governments, and other governmental entities are urged to verify the accuracy of the information presented on this map and other geographic information materials, as the source of data for planning or any other purpose, they must take into account that the accuracy and reliability of such maps and data may be limited by various factors, including the scale of the map, the timeliness and accuracy of the underlying information, the availability of more accurate and precise or distance of ground truthing or past versions of the underlying information contained in such maps and other geographic information. This notice does not apply to maps adopted pursuant to part IV of chapter 185.



**NATIONAL FLOOD INSURANCE PROGRAM**

**FIRM FLOOD INSURANCE RATE MAP**

BREVARD COUNTY,  
FLORIDA AND  
INCORPORATED AREAS

PANEL 290 OF 727

**CONTAINS:**  
**COMMUNITY**

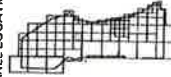
**NUMBER PANEL SUFFIX**

COCOA, CITY OF	120020	0290	E
UNINCORPORATED AREAS	125092	0290	E

**MAP NUMBER:**  
12009C0290 E

**EFFECTIVE DATE:**  
APRIL 3, 1989

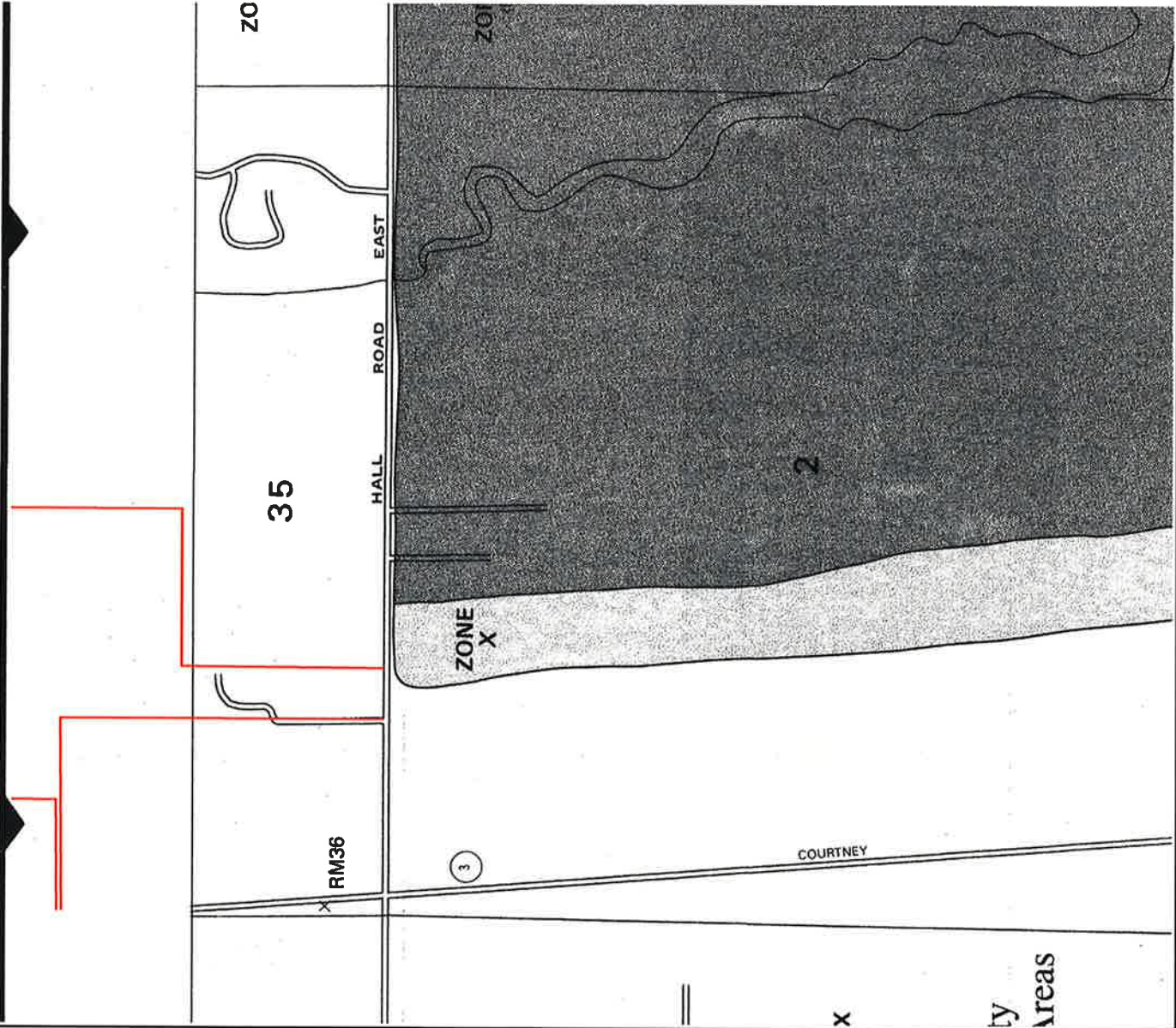
PANEL LOCATION



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using FIRVette - Desktop version 3.0. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. Further information about National Flood Insurance Program flood hazard maps is available at <http://www.nsc.fema.gov/>.

**E**





APPROXIMATE SCALE IN FEET  
1000 0 1000

ZONE X

TH COURTENAY PARKWAY

RM35

ROAD

CHASE HAMMOCK RO

35

NATIONAL FLOOD INSURANCE PROGRAM

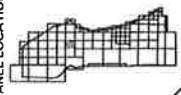
**FIRM**  
**FLOOD INSURANCE RATE MAP**

BREVARD COUNTY,  
FLORIDA AND  
INCORPORATED AREAS

PANEL 280 OF 727

CONTAINS:  
COMMUNITY UNINCORPORATED AREAS 125092 0280 E

PANEL LOCATION



MAP NUMBER:  
12009C0280 E

EFFECTIVE DATE:  
APRIL 3, 1989

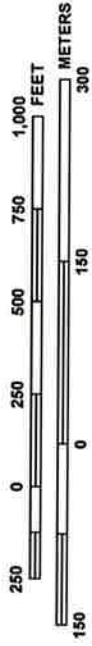


Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using FIRMette - Desktop version 3.0. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. Further information about National Flood Insurance Program flood hazard maps is available at <http://www.nsc.fema.gov/>.



MAP SCALE 1" = 500'



NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0329G

# FIRM FLOOD INSURANCE RATE MAP BREVARD COUNTY, FLORIDA AND INCORPORATED AREAS

**PANEL 329 OF 825**  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:  
COMMUNITY NUMBER PANEL SUFFIX  
BREVARD COUNTY 125092 0329 G

Notice to User: The Map Number shown below should be used when placing map orders, the Community Number shown above should be used on insurance applications for the subject community.



**MAP NUMBER**  
12009C0329G  
**MAP REVISED**  
MARCH 17, 2014

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using FIRMette - Desktop version 3.0. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. Further information about National Flood Insurance Program flood hazard maps is available at <http://www.msc.fema.gov/>.

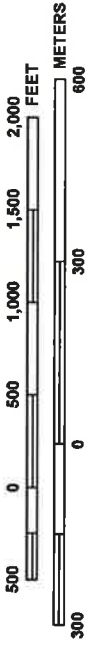


JOINS PANEL 0340

750000 FT



MAP SCALE 1" = 1000'



# NFIP NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0340G

## FIRM FLOOD INSURANCE RATE MAP BREVARD COUNTY, FLORIDA AND INCORPORATED AREAS

PANEL 340 OF 825

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
BREVARD COUNTY	125092	0340	G
CAPE CANAVERAL PORT AUTHORITY	120619	0340	G
COCOA, CITY OF	120020	0340	G

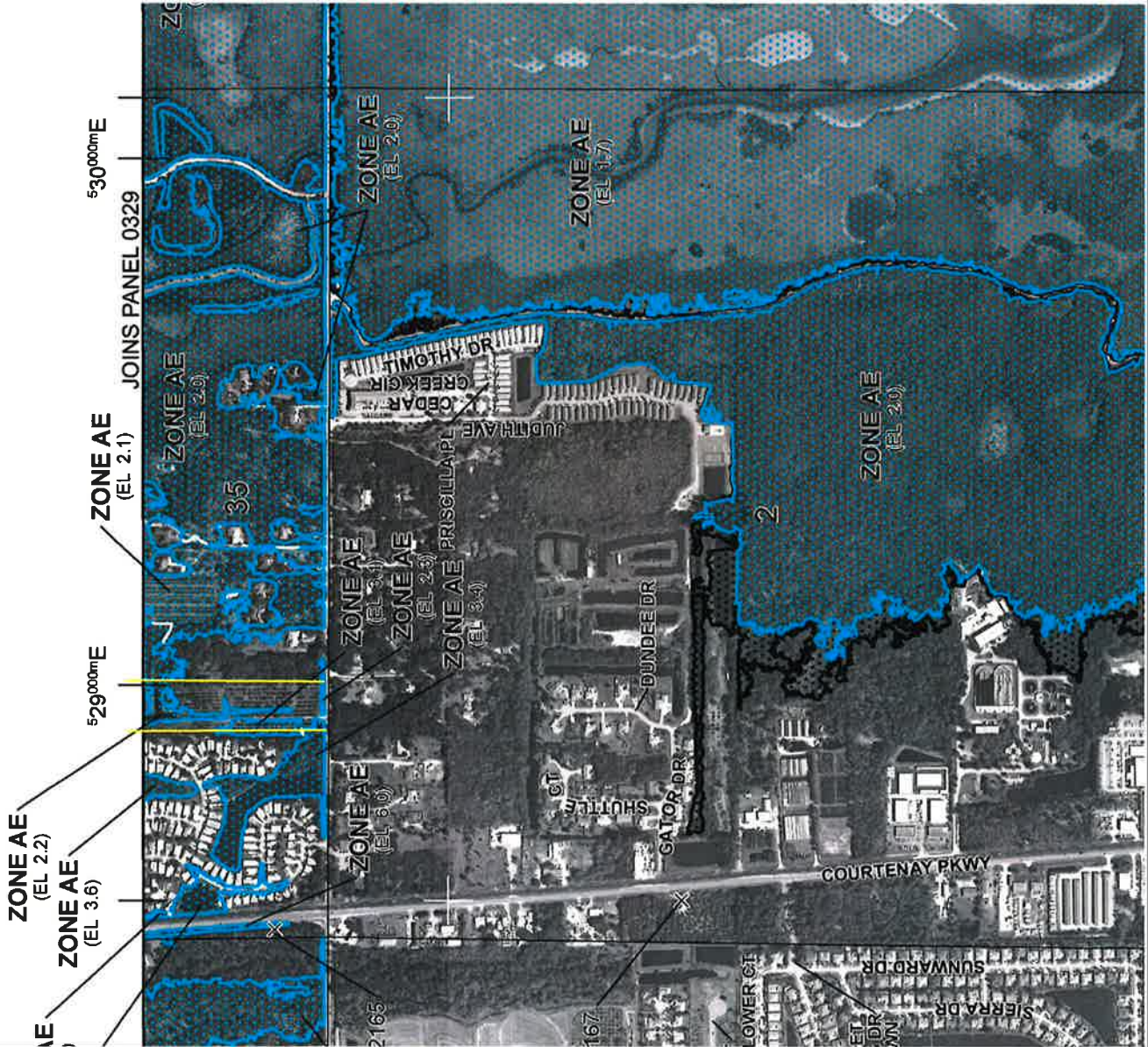
Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER  
12009C0340G

MAP REVISED  
MARCH 17, 2014



Federal Emergency Management Agency



This is an official copy of a portion of the above referenced Flood map. It was extracted using FIRMette - Desktop version 3.0. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. Further information about National Flood Insurance Program flood hazard maps is available at <http://www.msc.fema.gov/>.