

A G E N D A

MEETING OF THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS
GOVERNING BOARD OF THE BREVARD MOSQUITO CONTROL DISTRICT
GOVERNING BOARD OF THE BAREFOOT BAY WATER AND SEWER DISTRICT
Government Center Commission Room, Building C
2725 Judge Fran Jamieson Way
Viera, Florida

March 5, 2009

IF YOU WISH TO SPEAK TO ANY ITEM ON THE AGENDA, PLEASE FILL OUT A SPEAKER CARD. PERSONS ADDRESSING THE BOARD SHALL HAVE FIVE MINUTES TO COMPLETE HIS/HER COMMENTS ON EACH AGENDA ITEM FOR WHICH HE/SHE HAS FILLED OUT A CARD.

THE BOARD OF COUNTY COMMISSIONERS REQUESTS THAT SPEAKERS APPEARING UNDER THE PUBLIC COMMENT SECTION OF THE AGENDA LIMIT THEIR COMMENTS AND/OR PRESENTATIONS TO MATTERS UNDER THE BOARD'S JURISDICTION. IT IS THE RESPONSIBILITY OF THE CHAIRMAN TO DETERMINE THE TIME LIMIT ON COMMENTS UNDER PUBLIC COMMENT.

5:00 p.m. CALL TO ORDER

INVOCATION BY: Reverend Russell Frahm, Faith Lutheran Church, Merritt Island, Florida

PLEDGE OF ALLEGIANCE: Commissioner Trudie Infantini, District 3

I. RESOLUTIONS, AWARDS AND PRESENTATIONS (LESS THAN 5 MINUTES)

II. BOARD REPORTS AND PRESENTATIONS (MORE THAN 5 MINUTES)

- A. Stockton Whitten, Interim County Manager
- B. Scott Knox, County Attorney
- C. Robin Fisher, District 1 Commissioner
- D. Trudie Infantini, District 3 Commissioner
- E. Mary Bolin, District 4 Commissioner, Vice Chairman

*Revised 3-4-2009

II. BOARD REPORTS AND PRESENTATIONS (CONTINUED)

- F. Andy Anderson, District 5 Commissioner
- G. Chuck Nelson, District 2 Commissioner, Chairman

III. CONSENT AGENDA (The entire Consent Agenda will be passed in one motion to include everything under Section III.)

- *A. Permission to Schedule Executive Session, Re: Discuss Status of Collective Bargaining Negotiations with the Laborer's International Union (LIU), Local 678

IV. PUBLIC COMMENTS (Comments may not address subsequent Agenda items.)**V. PUBLIC HEARINGS**

Zoning Portion of BCC Agenda for Thursday, February 5, 2009:

A. Tabled Items**B. P&Z Board Recommendations of February 9, 2009 (February 12, 2009, for North Merritt Island item)****DISTRICT 4**

V.B.1. (Z0902401) – SAWGRASS LAND DEVELOPMENT COMPANY – (Ryan Rusnak) – requests a CUP for Land Alteration and an amendment to an existing Binding Development Plan in an RU-1-13 zoning classification on 101.74 acres. Located on the north side of Pineda Cswy., approx. 1.10 miles west of Wickham Rd.

P&Z Recommendation: Ott/McLellan – Tabled to the 3/9/09 P&Z meeting. The vote was unanimous.

V.B.2. (Z0902402) – EPH320, LLC – (Jake Wise) – requests a CUP for a Commercial/Recreational Marina, and a CUP for Alcoholic Beverages for On-Premises Consumption in a BU-1 zoning classification on 4.42 acres. Located on the east side of U.S. 1, approx. 0.20 mile south of Allen Hill Ave.

P&Z Recommendation: Jagrowski/Wise – Approved. The vote was unanimous.

DISTRICT 1

V.B.3. (Z0902101) – CHERYL LAWSON & HENRY YOUNG, TRUSTEES; AND ROBYNNE HESTER – (Cheryl Lawson-Young) – request a change from AU to RU-2-4 on 2.38 acres. Located on the east side of Harry T. Moore Ave., approx. 0.29 mile north of Cuyler St.

P&Z Recommendation: Frink/Ward – Approved. The vote was unanimous.

V. PUBLIC HEARINGS (CONTINUED)

B. P&Z Board Recommendations of February 9, 2009 (February 12, 2009, for North Merritt Island item) (continued)

V.B.4. (Z0902102) – EVETTE V. McDONALD – (Cheryl Lawson-Young) – requests a change from AU to RU-2-4 on 0.62 acre. Located on the west side of Harry T. Moore Ave., approx. 700 ft. north of Cuyler St.

P&Z Recommendation: Frink/Cannon – Approved. The vote was unanimous.

DISTRICT 3

V.B.5. (Z0902301) – GUILLERMO & MARJORIE D. ALTONAGA – request a CUP for a Private Boat Dock Accessory to an Adjacent Single-Family Residential Lot, with a waiver from the required 30 ft. of water frontage, and a waiver from the required 7.5-ft. side setbacks on both sides. The property is zoned RU-1-13 and is on 0.03 acre. Located on the north side of Ross Ave., approx. 620 ft. west of Seiler St.

P&Z Recommendation: Frink/Jagrowski – Approved. The vote was unanimous.

V.B.6. (Z0902302) – THANOS P. POULOS - requests a CUP for a Private Boat Dock Accessory to an Adjacent Single-Family Residential Lot, with a waiver from the requirement that the residential lot of record be within 1,000 ft. of the dock parcel, and a waiver from the required 7.5-ft. side setback on the east side. The property is zoned RU-1-13 and is on 0.08 acre. Located on the south side of Ross Ave., approx. 770 ft. west of Seiler St.

P&Z Recommendation: Ward/Jagrowski – Approved. The vote was unanimous.

V.B.7. (Z0902303) – RICARDO M. & MAUREEN M. GOTAY - request a CUP for a Private Boat Dock Accessory to an Adjacent Single-Family Residential Lot, with a waiver from the required 7.5-ft. side setback on the east side. The property is zoned RU-1-13 and is on 0.01 acre. Located on the north side of Ross Ave., approx. 540 ft. west of Seiler St.

P&Z Recommendation: Ludwiczak/McLellan – Approved. The vote was unanimous.

V.B.8. (Z0902304) – ALAN G. & KAREN L. HARBACH - request a CUP for a Private Boat Dock Accessory to an Adjacent Single-Family Residential Lot, with a waiver to the required 30-ft. of water frontage, and a waiver to the required 7.5-ft. setback on both sides. The property is zoned RU-1-13 and is on 0.01 acre. Located on the north side of Ross Ave., approx. 550 ft. west of Seiler St.

P&Z Recommendation: Frink/McLellan – Approved. The vote was unanimous.

THE FOLLOWING ITEM WAS TABLED FROM THE NMI MTG. ON 1/08/09:

V.B.9. (NMI81002) – THE BLUFFS DEVELOPMENT CORPORATION – (Doug Robertson) – requests a change from GU to AU, as amended by the applicant at the NMI mtg. on 10/16/08, on 30 acres. Located on the south side of Pine Island Rd., approx. 0.14 mile west of Preserve Pointe Dr.

***NMI Recommendation:** McFarland/Penn – Approved, with a Binding Development Plan, to not utilize the Open Space Ordinance. Vote was 4:2, with Ott & Penn voting nay.

VI. UNFINISHED BUSINESS**VII. NEW BUSINESS**

- *A. Emergency Ordinance, Re: Imposing a Two Year Moratorium on the Collection of Transportation Impact Fees for Commercial Projects

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations or an interpreter to participate in the proceedings, please notify the County Manager's Office no later than 48 hours prior to the meeting at (321) 633-2010.

Assisted listening system receivers are available for the hearing impaired and can be obtained from SCGTV Staff at the meeting.

We respectfully request that ALL ELECTRONIC ITEMS and CELL PHONES REMAIN OFF while the County Commission is in session. Thank you.

This meeting will be broadcast live on Space Coast Government Television (SCGTV) on Bright House Networks Cable Channel 199, Comcast (North Brevard) Cable Channel 51, and Comcast (South Brevard) Cable Channel 26, and simulcast on WBFT-LP 105.5 FM. SCGTV will also replay this meeting during the coming month on its 24-hour video server nights, weekends, and holidays. Check the SCGTV website for daily program updates at <http://www.scgtv.org>.

The Advanced Agenda may be viewed at: <http://www.brevardclerk.us>.