

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

November 3, 2016

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: Chaplain Jon Nienhuis, Brevard County Sheriff's Office
(District 1)

PLEDGE OF ALLEGIANCE: Commissioner Trudie Infantini, District 3

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

*A. Resolution, Re: Proclaiming the Week of November 6 – 12, 2016, as Perioperative Nurse Week (District 3)

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

A. Development and Environmental Services Group

Natural Resources Management Department

Planning and Development Department

Public Works Department

*Revised 10/31/16
4:08 p.m.

II. CONSENT AGENDA (CONTINUED)

A. Development and Environmental Services Group (continued)

Solid Waste Management Department

Utility Services Department

Valkaria Airport

B. Community Services Group

Housing and Human Services

Library Services Department

Parks and Recreation Department

Tourism

Transit Services Department

University of Florida; Brevard County Extension

C. Public Safety and Support Services Group

Central Services

Emergency Management

Fire Rescue

Human Resources

Information Technology

SCGTV

D. Administrative Services Group

Budget

County Attorney

County Manager

*1. Interlocal Agreement with Merritt Island Redevelopment Agency (MIRA), Re: Administrative Amendment

II. CONSENT AGENDA (CONTINUED)**D. Administrative Services Group (continued)**

- *2. Confirmation, Re: Jill J. Hayes as Budget Office Director

Miscellaneous**III. PUBLIC COMMENTS (30 minutes)****IV. PUBLIC HEARINGS****A. Tabled Items****THE FOLLOWING ITEM WAS TABLED FROM THE 08/08/16 P&Z MEETING AND THE 09/01/06 & 10/13/16 BCC MEETINGS****DISTRICT 2**

IV.A.1. (16PZ00064) – JANICE RENK – (Robert Potter) - requests a change in classification from AU to RU-2-8, on 1.89 acres, located on the east side of S. Tropical Trail, approx. 102 ft. south of River Cliff Lane (892 S. Tropical Trail, Merritt Island.)

P&Z Recommendation of 09/12/16: LaMarr/McLellan – Denied. Vote was unanimous.

THE FOLLOWING ITEM WAS TABLED FROM THE 07/11/16 AND 08/08/16 P&Z MEETINGS AND THE 08/04/16, 09/01/16, & 10/13/16 BCC MEETINGS**DISTRICT 2**

IV.A.2. (16PZ00055) – BANANA RIVERFRONT, LLC – (Kim Rezanka) – requests a Small Scale Plan Amendment (16S.05) to change the Future Land Use from Residential 15 and CC to all CC; a change of classification from RU-2-15 to BU-1; and a Conditional Use Permit for Alcoholic Beverages (full liquor) for On-Premises Consumption in Conjunction with a Restaurant, on 2.44 acres, located on the west side of Orlando Ave., approx. 415 ft. north of Crescent Beach Dr. (2200 S. Orlando Ave., Cocoa Beach.)

LPA Recommendation of 09/12/16: Barber/Thodey – Approved. Vote was unanimous.

P&Z Recommendation of 09/12/16: Barber/Cannon – Approved with a Binding Development Plan limiting use of the property to a restaurant, along with the following conditions on the Conditional Use Permit: 1.) Install a sound barrier curtain on the north side of the canopy, from the top of the canopy down to the existing roof level within 60 days of issuance of permit by Brevard County for the curtain installation. There will be no live music on the deck until the sound barrier curtain is installed. If the sound barrier curtain does not mitigate the noise to within County Code requirements, a mass loaded vinyl covering will be installed on the canopy ceiling over the bandstand area; 2.) Limit outside live music to 10:00 p.m. on Fridays and Saturdays, Sundays until 8:30 p.m. unless Sunday falls on a night prior to a Monday holiday, then until 10:00 p.m. Outside live music on Mondays-Thursdays will be limited to solo, duo, or acoustical acts, except if weekday is a holiday or a night prior to a holiday, then may have a full live band until

IV. PUBLIC HEARINGS (CONTINUED)

10:00 p.m.; 3.) Install and pay for signage indicating 'No Left Turn' onto Orlando Avenue/A1A within 60 days of approval of CUP; 4.) Contract with Waste Management to install a large trash compactor to handle waste concerns within 15 days of issuance of permit by Brevard County for pouring a concrete slab on which to locate compactor; 5.) Strict adherence to Brevard County Performance Standards regarding smell and sound; and 5.), Establish a stormwater management plan to control runoff from the property to the Indian River Lagoon. Vote was 8:1, with Minneboo voting nay.

B. P&Z Recommendations of October 10, 2016; and NMI Recommendation of October 13, 2016

DISTRICT 5

IV.B.1. (16PZ00081) – DAVID B. ROBERTSON – (Kim Rezanka) - requests a change of classification from RR-1 to EU, with a BDP limited to 8 units, on 4.92 acres, located on the north side of Aurora Rd., approx. 0.28 mile east of Harlock Rd. (4500 Aurora Rd., Melbourne.)
P&Z Recommendation: Barber/McLellan – Denied. Vote was 6:1, with Moia voting nay.

DISTRICT 1

IV.B.2. (16PZ00079) – DARRAYL MINCEY – requests a change of classification from GU to AU on property 2.16 acres, located on the south side of Areca Palm St., approx. 0.37 mile west of Pine St. (5345 Areca Palm St., Cocoa.)
P&Z Recommendation: McLellan/Cannon – Approved. Vote was unanimous.

DISTRICT 2

IV.B.3. (16PZ00080 – GRAHAM D. (JR.) & JOANNE C. LYLE – requests a CUP for Alcoholic Beverages (beer & wine only) for On-Premises Consumption in Conjunction with a Restaurant, in a BU-1 zoning classification, on 0.57 acres, located on the northeast corner of Hwy A1A and Wilson Ave. (6006 N. Atlantic Ave., Cocoa Beach.)
P&Z Recommendation: McLellan/Aydelotte – Approved. Vote was unanimous.

DISTRICT 2

IV.B.4. (16PZ00082) – GERALD CRAYTON, TRUSTEE – (Antron Cotman) – requests removal of an existing BDP, to retain all BU-1 & BU-2 uses, in a BU-2 zoning classification, on 6.07 acres, located on the west side of N. Courtenay Pkwy., approx. 560 ft. north of Crisafulli Rd. (No assigned address for Parcels 751.1 & 798. Parcel 758 = 6025 N. Courtenay Pkwy, Merritt Island.)
NMI Recommendation: Hillberg/Williams – Tabled to the 11/10/16 NMI meeting. Vote was unanimous.

IV. PUBLIC HEARINGS (CONTINUED)**DISTRICT 1****THE FOLLOWING ITEM WAS TABLED FROM THE 09/12/16 P&Z AND 10/13/16 BCC MEETINGS**

IV.B.5. (16PZ00077) - VIOLETA V. WELSH – (Diane Nagel) – requests a change of classification from RU-1-9 to AGR, on 9.68 acres, located on the south side of Parrish Rd., approx. 0.42 mile west of Burnett Rd. At terminus of Robeson Rd. on south end. (No assigned address. In the Cocoa area.)

P&Z Recommendation: Moia/McLellan – Denied. Vote was unanimous.

- *C. Request for Public Interest Determination (PID) by Kim Rezanka, on Behalf of Banana Riverfront, LLC, Re: Squid Lips Restaurant to Allow Placement of Primary Structures Within the Surface Water Protection Buffer, and Impervious Areas Exceeding 30 Percent of the Required Buffer Area (District 2)
- *D. Emergency Ordinance, Re: Amending Chapter 94, Solid Waste, Brevard County Code of Ordinances, Disaster Debris Removal

V. UNFINISHED BUSINESS**VI. NEW BUSINESS****A. Development and Environmental Services Group**

- *1. Board Direction, Re: Ordinance Regulating the Location of Medical Marijuana Dispensaries
- *2. Resolution, Re: Declaring That it is in the Public Interest to Have Hurricane Debris Removed From Private Road Right-of-Ways in Brevard County; and Authorize Solid Waste Management Director to Request That FEMA Approve the Removal of Debris From These Areas

B. Community Services Group**C. Public Safety and Support Services Group****D. County Attorney****E. County Manager**

VI. NEW BUSINESS (CONTINUED)

F. Miscellaneous

VII. PUBLIC COMMENTS (Comments may not address subsequent Agenda items.)**VIII. BOARD REPORTS AND PRESENTATIONS (MORE THAN 5 MINUTES)**

- A. Stockton Whitten, County Manager
- B. Eden Bentley, Deputy County Attorney
- C. Robin Fisher, District 1 Commissioner
- D. Trudie Infantini, District 3 Commissioner
- E. Andy Anderson, District 5 Commissioner
- F. Curt Smith, District 4 Commissioner, Vice Chairman
- G. Jim Barfield, District 2 Commissioner, Chairman

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 499, Comcast (North Brevard) Cable Channel 51, and Comcast (South Brevard) Cable Channel 13. 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.brevardcounty.us>.

In accordance with Resolution 2014-219 Section VIII (8.1) The agenda shall provide a section for public comment limited to thirty (30) minutes following approval of the consent agenda during each regular County Commission meeting. The purpose of public comment is to allow individuals to comment on any topic relating to County business which is not on the meeting agenda. Individuals delivering public comment shall be restricted to a three-minute time limit on their presentation. During this thirty

(30) minute segment of public comment, speakers will be heard in the order in which they turned in a speaker card asking to be heard. Any speaker not heard during the first thirty (30) minute segment will be heard during a second public comment segment held at the conclusion of business specified on the regular Commission agenda. With the exception of emergency items, the Board will take no action under the Public Comment section, but can refer the matter to another meeting agenda.