

## AGENDA

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

August 1, 2013

**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: Dr. Michael Carey, Trinity Presbyterian Church, Satellite Beach (District 4)

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. Mel Scott, Assistant County Manager
- B. Morris Richardson, Assistant County Attorney
- C. Robin Fisher, District 1 Commissioner
- D. Chuck Nelson, District 2 Commissioner
- E. Trudie Infantini, District 3 Commissioner
- F. Mary Bolin Lewis, District 4 Commissioner, Vice Chairman
- G. Andy Anderson, District 5 Commissioner, Chairman

\*Revised 7/29/13  
8:10 a.m.

- III. **CONSENT AGENDA (The entire Consent Agenda will be passed in one motion to include everything under Section III.)**
- IV. **PUBLIC COMMENTS (Comments may not address subsequent Agenda items.)**
- V. **PUBLIC HEARINGS**

**A. Tabled Items**

**THE FOLLOWING ITEM WAS TABLED FROM THE 05/02/13 BCC MEETING**

**DISTRICT 1**

**\*V.A.1. (13PZ-00002) – RICHARD LEE BEATTIE –** (Bruce A. Moia, P.E.) requests a Small Scale Plan Amendment to change the FLU designation from NC & Res 15 to CC on 6.21 acres, +/-; AND a change from BU-1, AU & BU-2 to all BU-2, with removal of an existing BDP, on 14.76 acres. Located on the south side of Hwy. 520, approx. 500 ft. west of Lake Poinsett Rd. (5155 Hwy 520, Cocoa)

**THIS ITEM HAS BEEN WITHDRAWN FROM THE AGENDA BY THE APPLICANT (LETTER RECEIVED 07/22/13)**

**B. P&Z Board Recommendations of July 8, 2013**

**DISTRICT 1**

**V.B.1. (13PZ-00017) – ARTHUR B. WATTS –** requests a change from GU to ARR on 1.04 acres. Located on the northeast corner of Soggy Bottom Ave. & Satellite Blvd. (1371 Satellite Blvd., Cocoa)

**P&Z Recommendation:** Ott/Cannon – Approved. Vote was unanimous.

**V.B.2. (13PZ-00021) – MICHAEL L. AND ANGELA D. CARLILE –** request a change from RU-1-9 to AU (Agricultural Residential) on .50-acre. Located on the north side of LaGrange Rd., approx. 260 ft. E of Old Dixie Hwy. (2450 LaGrange Rd., Titusville)

**P&Z Recommendation:** Schmitt/Ott – Approved. Vote was unanimous.

**\*V.B.3. (13PZ-00029) – WILLOW LAKES RV PARK, INC. -** (Loys Ward) – requests a Small Scale Plan Amendment (13S.05) to change the Future Land Use designation from Residential 2 to Residential 6, and a change from TR-2 to RVP on 4.97 acres more or less. Located on the north side of Parrish Rd., approx. 840 ft. E of U.S. 1. (2650 & 2690 Parrish Rd., Titusville)

**THIS ITEM HAS BEEN AUTOMATICALLY TABLED TO THE BCC MEETING ON 09/12/13 (LETTER RECEIVED 07/23/13)**

**V. PUBLIC HEARINGS (CONTINUED)****B. P&Z Board Recommendations of July 8, 2013 (continued)**

**V.B.4. (13PZ-00033) – SIMTEC, INC.** – (Valerie J. Hubbard) – requests a Small Scale Plan Amendment (13S.06) to change the Future Land Use designation from Neighborhood Commercial to Community Commercial, and a change from RU-2-10 to BU-1 on 1.44 acres more or less. Located on the west side of U.S. Hwy 1, approx. 890 ft. south of Canaveral Groves Blvd., in the Cocoa area.

**LPA Recommendation:** Harber/Moia – Approved. Vote was unanimous.

**P&Z Recommendation:** Harber/Thodey – Approved. Vote was unanimous.

**DISTRICT 3**

**V.B.5. (13PZ-00028) – AQUARINA COMMUNITY SERVICES ASSOCIATION** - (Ed Muendel) – requests a Conditional Use Permit for Alcoholic Beverages for On-Premises Consumption in Conjunction with a Restaurant in a PUD zoning classification on 3 acres. Located on the northwest corner of Hwy A1A and Aquarina Blvd. (7500 Hwy A1A, Melbourne Beach)

**P&Z Recommendation:** Schmitt/Harber – Approved. Vote was unanimous.

**V.B.6. (13PZ-00032) – JOSEPH TINTERA** – requests an amendment to an existing Binding Development Plan (BDP) to add Golf Cart Sales and Repair in a BU-1 zoning classification on 3.03 acres. Located on the west side of U.S. Hwy 1, approx. 710 ft. south of Micco Rd. (8200 U.S. Hwy 1., Micco)

**P&Z Recommendation:** Ott/Moia – Approved. Vote was unanimous.

**V.B.7. (13PZ-00034) – STATE OF FLORIDA, IITF** – (Justin Stovall) – requests a Conditional Use Permit for Alcoholic Beverages (Beer & Wine only) for On-Premises Consumption in conjunction with a restaurant, in a GML(P) zoning classification on 6.19 acres. Located on the east side of Hwy A1A at foot of bridge across Sebastian Inlet, in the Melbourne Beach area.

**P&Z Recommendation:** Schmitt/Harber – Approved. Vote was unanimous.

**THE FOLLOWING ITEM WAS TABLED FROM THE 5-6-13 P&Z MEETING AND THE 5-30-13 BCC MEETING:**

**DISTRICT 2**

**V.B.8. (13PZ-00008) – LEAH MARINA HOLDINGS, LLC** - (Thierry Brunshwig) – requests a CUP for mitigating a Non-Conforming Use pursuant to Section 62-1190 in an RU-1-11 (Single-Family Residential) zoning classification, on 8.88 acres, +/- . Located on the west side of S. Banana River Dr., approx. 0.2 mile south of Mili Ave. (Part of 1357 S. Banana River Dr., Merritt Island)

**P&Z Recommendation:** Ott/Harber – Tabled to the August 5, 2013 P&Z Meeting. Vote was unanimous.

**V. PUBLIC HEARINGS (CONTINUED)****C. Administrative Rezoning Recommendations of July 8, 2013****DISTRICT 2**

**V.C.1. (13PZ-00035)** – Section 13, Township 24, Range 36, Sub. RC, Block E, Lots 42-45, owned by Peter S. & Jeanee R. James; George E. & Jennifer P. Hauer; Frederick W. Jr. & Dorothy B. Nevers; and Timothy W. & Deanne M. Widrick - .97 acres located in the Island Crossing Subdivision, Phase 4A.

**Current Zoning:** RU-1-7 (Single-Family Residential) and RU-1-13 (Single-Family Residential)

**Proposed Zoning:** All RU-1-13 (Single-Family Residential)

**P&Z Recommendation:** Moia/Harber – Approved. Vote was unanimous.

**V.C.2. (13PZ-00036)** – Section 19, Township 24, Range 37, Parcel 504 owned by School Board of Brevard County – 18.5 acres located on the west side of N. Banana River Drive, 120 ft. north of Bermuda Ave.

**Current Zoning:** GU (General Use)

**Proposed Zoning:** GML(I) (Government Managed Lands – Institutional)

**P&Z Recommendation:** Schmitt/Harber – Approved. Vote was unanimous.

**V.C.3. (13PZ-00037)** Section 18, Township 24, Range 37, Parcel 267 owned by School Board of Brevard County – 16.03 acres located on the north side of Martin Boulevard, between Palm Lake Drive and Queen Ann Street.

**Current Zoning:** GU (General Use)

**Proposed Zoning:** GML(I) (Government Managed Lands – Institutional)

**P&Z Recommendation:** Harber/Moia – Approved. Vote was unanimous.

**\*V.C.4. (13PZ-00038)** Section 13, Township 24, Range 36, Parcel 750 owned by Michael A. DiChristopher - 15.05 acres located on the west end of Martin Boulevard, 2,470 ft. south of Furman Road.

**Current Zoning:** GU (General Use)

**Proposed Zoning:** EA (Environmental Areas)

**THIS ITEM HAS BEEN WITHDRAWN BY STAFF**

**\*V.C.5. (13PZ-00039)** Section 13, Township 24, Range 36, Parcel 500 owned by Helow Properties Ltd. – 35.2 acres located west of W. Scots Avenue, 2,600 ft. south of Furman Road.

**Current Zoning:** GU (General User)

**Proposed Zoning:** EA (Environmental Areas)

**THIS ITEM HAS BEEN WITHDRAWN BY STAFF**

**\*V.C.6. (13PZ-00040)** Section 13, Township 24, Range 36, Parcel 4 owned by Kabboord Properties, Inc. – 26.5 acres located 7,200 ft. east of Courtenay Parkway on south side of Furman Road.

**Current Zoning:** GU (General Use)

**Proposed Zoning:** EA (Environmental Areas)

**THIS ITEM HAS BEEN WITHDRAWN BY STAFF**

**V. PUBLIC HEARINGS (CONTINUED)****C. Administrative Rezoning Recommendations of July 8, 2013 (continued)**

**V.C.7. (13PZ-00041)** Section 31, Township 24, Range 37, Part of Parcel 262 owned by East Florida Motor Sales, Inc. – 1.28 acres located 950 ft. south of Hwy 520, on west side of Newfound Harbor Drive.

**Current Zoning:** RU-2-15 (Medium Density Multi-Family Residential)

**Proposed Zoning:** RU-2-4 (Low Density Multi-Family Residential)

**P&Z Recommendation:** Ott/Schmitt – Approved. Vote was unanimous.

**\*V.C.8. (13PZ-00042)** Section 13, Township 24, Range 36, Parcel 4.1 owned by Guang Ming Liu – 5.4 acres located 7,000 ft. east of Courtenay Parkway on the south side of Furman Road.

**Current Zoning:** GU (General Use)

**Proposed Zoning:** EA (Environmental Areas)

**THIS ITEM HAS BEEN WITHDRAWN BY STAFF**

**V.C.9. (13PZ-00043)** Section 18, Township 24, Range 37, Subdivision 30, Block D, Lots 1-5 owned by Stanley E. & Marcella P. Elliott; Hugh H. & Deborah J. Griffith; David S. II & Katy M. Metcalf; Steven W. & Lori A. Moore; and Brian & Jennifer Noonan - 1.3 acres located in the Island Crossing Subdivision Phase 3

**Current Zoning:** RU-1-7 (Single-Family Residential) and RU-1-13 (Single-Family Residential)

**Proposed Zoning:** All RU-1-13 (Single-Family Residential)

**P&Z Recommendation:** Moia/Ott – Approved. Vote was unanimous.

**V.C.10. (13PZ-00044)** Section 18, Township 24, Range 37, Subdivision RC/30, Block E, Lots 51-54 owned by Raymond G. & Angela M. Goral; Anthony P. Sacco, Trustee and Judith C. Sacco, Trustee; James Howard Collins and Elaine Cole Collins, Trustee; and, Nicholas Ellis and Kathleen Medley - 1.02 acres located in the Island Crossing Subdivision Phase 3

**Current Zoning:** RU-1-7 (Single-Family Residential) and RU-1-13 (Single-Family Residential)

**Proposed Zoning:** All RU-1-13 (Single-Family Residential)

**P&Z Recommendation:** Moia/Cannon – Approved. Vote was unanimous.

\*D. Ordinance, Re: Amending Section 62-2117, Parking of Box Trucks on Residential Lots (First Hearing)

\*E. Ordinance, Re: Amending Section 62-1953(7) of the GML Zoning Classification to Support the Removal of Towers and Antennae Height Limitations When Used for Public Service or Public Safety Purposes

**VI. UNFINISHED BUSINESS**

A. Citizen Request, Re: Kim Rezanka on Behalf of CKAR, LLC – Lift Hold on Issuance of Business Tax Receipts for Adult Game Arcades

**VII. NEW BUSINESS**

- A. Development and Environmental Services Group
  - \*1. Preliminary Plat and Final Engineering Approval, Re: Stadium Villas – 13SP00176 (District 4)
  - \*2. Permission to Reject All Bids and Rebid for 14 Days, Re: Bid #B-3-13-45 – Pine Island Conservation Area Stormwater Improvements, Phase 2
  
- B. Management and Community Services Group
  
- C. Financial and Economic Development Group
  
- D. County Attorney
  
- E. County Manager
  - \*1. Acceptance of Award, Re: FY 2013-2014 Federal Emergency Management Agency (FEMA), Assistance to Firefighters Grant (AFG), Staffing for Adequate Fire and Emergency Response Grant (SAFER), Aimed at Hiring Unemployed Military Veterans
  
- F. Miscellaneous

**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 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>.**