

A G E N D A

MEETING OF THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS
Government Center Commission Room
2725 Judge Fran Jamieson Way
Viera, Florida

April 15, 2004

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.

5:30 p.m. CALL TO ORDER

INVOCATION BY: Reverend Walter Schilling, Hope Episcopal Church,
Suntree

PLEDGE OF ALLEGIANCE: Commissioner Truman Scarborough, District 1

I. REPORTS

- A. Tom Jenkins, County Manager
- B. Scott Knox, County Attorney
- C. Truman Scarborough, District 1 Commissioner
 - *1. (Deleted)
- D. Ron Pritchard, District 2 Commissioner
- E. Susan Carlson, District 4 Commissioner
- F. Jackie Colon, District 5 Commissioner
- G. Nancy Higgs, Chair of the Board

*Changes to Advanced Agenda

II. RESOLUTIONS AND AWARDS

- *A. Resolution, Re: Supporting Continued Operation of Patrick Air Force Base and Cape Canaveral Air Force Station (Commissioner Pritchard)

III. CONSENT AGENDA

IV. PUBLIC HEARINGS

- A. TABLED ITEMS OF OCTOBER 7, 2002, OCTOBER 13, 2003, AND NOVEMBER 10, 2003 PLANNING AND ZONING MEETING

District 3

IV. A. 1. (Z0310304) CHARLES R. STACK, TRUSTEE, AND GENE

KUBICKI – (R. Mason Blake, Esquire) – request a change from SR to EU-1 with an amendment to the existing BDP on 178.69 acres, located on the northeast corner of Valkaria and Weber Roads.

WITHDRAWN BY APPLICANT.

P&Z Recommendation: Approved amendment to the BDP, allowing for ¼ acre minimum lots, and development to comply with the open-space subdivision regulations in Section 62-3000. Rezoning request was withdrawn by the applicant at the public hearing.

District 5

- IV. A. 2. (Z0210501) WILLIAM P. TURNBAUGH, TRUSTEE** – requests a change from AU to RR-1 on 81.09 acres, located on the east side of Simon Rd., south of Milwaukee Ave.

P&Z Recommendation: Approved.

- B. PLANNING AND ZONING BOARD RECOMMENDATIONS OF MARCH 8, 2004

District 3

- IV. B. 1. (Z0403301)** This item has been removed from the agenda.

IV. PUBLIC HEARINGS (CONTINUED)**B. PLANNING AND ZONING BOARD RECOMMENDATIONS OF MARCH 8, 2004 (CONTINUED)****District 4**

IV. B. 2. (Z0403401) LAURIE J. KENNEDY POWELL – requests a CUP for Farm Animals and Fowl in an RR-1 zone on 5 acres, located on the south side of The Willows Dr., west of Clydesdale Blvd.

P&Z Recommendation: Approved for a total of six Alpacas.

IV. B. 3. (Z0403402) COUSINS PROPERTIES, INC. – (Ryan Shrimplin, WD Partners) – requests a CUP for Alcoholic Beverages for On-Premises Consumption in a PUD zone on 1.31 +/- acres, located on the east side of Lake Andrew Dr., south of Judge Fran Jamieson Way.

P&Z Recommendation: Approved accessory to a restaurant use only.

District 1

IV. B. 4. (Z0403101) JAMES S. BROWNE – requests a Small Scale Plan Amendment (04S.4) that proposes to change the Future Land Use Map designation from Neighborhood Commercial and Residential 2 to Community Commercial; AND a change of classification from AU to BU-1 on 5.12 acres, located on the east side of US 1, north of Kingman Rd.

LPA Recommendation: Approved Community Commercial.

P&Z Recommendation: Approved BU-1 uses to a depth of 300 ft., with the remainder of the property limited to office use only.

IV. B. 5. (Z0403102) JAMES S. SMITH, III AND BARBARA SMITH – request a change from GU to AU on 1.08 acres, located on the south side of Greenville St., west of Alan Sheppard Ave.

P&Z Recommendation: Approved with a BDP, to exclude farm animals and horticulture activities otherwise permitted in the AU classification.

IV. PUBLIC HEARINGS (CONTINUED)**B. PLANNING AND ZONING BOARD RECOMMENDATIONS OF MARCH 8, 2004 (CONTINUED)**

The following two items were tabled by P&Z (1/5/04) and by BCC (2/5/04):

IV. B. 6. (Z0401107) J.J. PARRISH, JR. TRUSTEE – (John H. Evans, Esquire) – requests a change from AU to RU-1-11 on 178.71 +/- acres, located at the northwest corner of Hammock Rd. and Wiley Ave, and extending west to Palmetto Ave.

P&Z Recommendation: Tabled to the 4/12/04 P&Z and 5/6/04 BCC meetings, at the request of the applicant.

IV. B. 7. (Z0401108) NEVINS FRUIT COMPANY, INC. - (John H. Evans, Esquire) – requests a change from AU to RU-1-11 on 20+/- acres, located on the southwest corner of Brockett and Hammock Roads.

This item has been withdrawn by the applicant.

C. PORT ST. JOHN DEPENDENT SPECIAL DISTRICT BOARD RECOMMENDATIONS**D. NORTH MERRITT ISLAND (NMI) DEPENDENT SPECIAL DISTRICT BOARD RECOMMENDATIONS**

The following item was tabled from the 2/12/04 NMI Meeting and 3/04/04 BCC meeting.

IV. D. 1. (NMI40201) LOYAL ORDER OF THE MOOSE LODGE NO. 2073, INC. – (Michael S. Minot) - requests a change from AU to RVP on 5 acres, located on the east side of N. Courtenay Pkwy. (S.R. 3), north of the Barge Canal.

NMI Recommendation: Approved with amended Binding Development Plan to add a two-week maximum stay provision, to stipulate that red cedar trees will be planted 15 feet apart, and to exclude that portion of the property north of the Moose Lodge building from being used for RV sites.

IV. PUBLIC HEARINGS (CONTINUED)

E. ADMINISTRATIVE REZONINGS

V. UNFINISHED BUSINESS (5 minutes per speaker)

- *A. Resolution, Re: Approving Findings of Fact for Sawgrass South at Suntree (District 4) (04-13-04)

VI. NEW BUSINESS (5 minutes per speaker)

VII. PUBLIC COMMENTS

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 the Sound Technician 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 1 or 99, Adelphia Cable Channel 51, and Comcast Cable Channel 26. SCGTV will also replay this meeting during the coming month on its 24-hour video serve nights, weekends, and holidays. Check the SCGTV website for daily program updates at <http://www.scgtv.org>.

