

A D V A N C E D
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

August 2, 2012

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 Dan Mix, Emmanuel Baptist Church, Merritt Island
(District 2)

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. Trudie Infantini, District 3 Commissioner
- E. Mary Bolin Lewis, District 4 Commissioner

II. BOARD REPORTS AND PRESENTATIONS (CONTINUED)

- F. Andy Anderson, District 5 Commissioner, Vice Chairman
- 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.)**IV. PUBLIC COMMENTS (Comments may not address subsequent Agenda items.)****V. PUBLIC HEARINGS****A. Tabled Items****B. P&Z Board Recommendation of July 9, 2012, and NMI Recommendation of July 12, 2012****DISTRICT 1**

V.B.1. (12PZ-00032) – NILES E. RUBAR, JR. – requests a change from GU to AU on 1.01 acres. Located on the north side of Chica St., approx. 500 ft. west of Knoxville Ave. (3224 Chica St., Cocoa)

P&Z Recommendation: Ott/Thodey - Approved. Vote was unanimous.

V.B.2. (12PZ-00039) – CHARLES L. JONES, JR. – requests a change from BU-1 & SR to AU on 3.81 acres. Located on the north side of Hwy. 520, approx. 0.4 mile west of Satellite Blvd. (in the Canaveral Groves area)

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

V.B.3. (12PZ-00040) – AMMIE G. DANIEL, TRUSTEE – (Mike Ammons) – requests a Small Scale Plan Amendment from NC to CC; and a change from AU to BU-1 on 1.14 acres. Located on the north side of Kilmarnoch Lane, approx. 650 ft. west of South St. (part of 3436 Kilmarnoch Lane, Titusville).

LPA Recommendation: Schmitt/Ott – Approved. Vote was unanimous.

P&Z Recommendation: Schmitt/Ott – Approved, with a Binding Development Plan, limiting the use to wedding ceremonies only. Vote was unanimous.

DISTRICT 2

V.B.4. (12PZ-00031) – VASTIANA BOATSWAIN AND DONOVAN SIMMS – request a change from RU-2-10 to IN(L) on 0.25 acre. Located on the east side of High St., approx. 185 ft. south of Reid St. (924 High St., Cocoa)

P&Z Recommendation: Schmitt/Ott – Approved, with a Binding Development Plan, limiting the number of residents to six. Vote was unanimous.

V. PUBLIC HEARINGS (CONTINUED)**V.B.5. (12PZ-00035) – WITHDRAWN BY APPLICANT.**

V.B.6. (12PZ-00038) – CARL F. & KATHLEEN R. UVARO, TRUSTEES; JASON CARMINE UVARO; STEVEN J. & BETH M. HOSKINS; AND MICHAEL FRANCIS DUFFIELD – (Carl Uvaro) – request a change from RU-2-12, with a BDP, to BU-1, with removal of existing BDP, on 1.41 acres. Located, and having frontage on, the east side of S. Orlando Ave., the north side of Summer St., the west side of S. Atlantic Ave., and the south side of 20th St. (in the Cocoa Beach area).

P&Z Recommendation: Harber/Aydelotte – Denied. Vote was 4:3, with Barber, Moia & Goggin voting nay.

V.B.7. (12PZ-00036) – ELIZABETH R. POWELL – (Jordan D. Powell) requests a Small Scale Plan from NC to CC; and a change from AU to BU-1 on 0.48 acre. Located on the east side of N. Courtenay Pkwy., approx. 365 ft. south of Crisafulli Rd. (5870 N. Courtenay Pkwy., Merritt Island)

NMI Recommendation: Hillberg/Lindhorst – Approved. Vote was unanimous.

LPA Recommendation: Thodey/ Moia - Tabled to the P&Z mtg. on 9/10/12, Vote was unanimous.

DISTRICT 3

V.B.8. (12PZ-00042) – BARBARA SMITH ARTHUR, TRUSTEE, AND JOHN ROBERT SMITH, JR. – (H. Lee Chapman, III) – request a CUP for a Tower & Antenna in an AU zoning classification on 0.055 acre, +/- . Located at the west end of Old Florida Trail, approx. 0.6 mile west of Hwy. A1A (part of 750 Old Florida Trail, Melbourne Beach)

P&Z Recommendation: Schmitt/Cannon – Approved. Vote was 8:2, with Ott & Moia voting nay.

DISTRICT 4

V.B.9. (12PZ-00037) – SHOREVIEW LIMITED PARTNERSHIP – (Philip F. Nohrr, Esq.) – requests a change from RU-2-10 to RU-2-30, with a BDP, on 8.39 acres. Located on the southwest corner of Berkeley St. & Hwy. A1A. (50 Berkeley St., Satellite Beach)

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

V.B.10. (12PZ-00043) – THE VIERA COMPANY - (David Trone) – requests a CUP for Alcoholic Beverages for On-Premises Consumption in a PUD zoning classification on 3.36 acres, +/- . Located on the east side of Lake Andrew Dr., approx. 0.65 mile north of Wickham Rd. (In the West Viera area)

P&Z Recommendation: Thodey/Moia – Approved, limited to Building C, as depicted on the site plan provided by the applicant. Vote was unanimous.

V. PUBLIC HEARINGS (CONTINUED)**DISTRICT 1**

V.B.11. (12PZ-00044) – COCOA EXPO SPORTS CENTER, LLC, AND UPLAND INVESTMENTS, LLC – (Jeffrey C. Unnerstall) – request a Small Scale Plan Amendment (12S.03) to change the FLU Map Designation from NC to CC on 3.76 acres; AND a change from BU-1, with a CUP for Permanent Entertainment & Amusement Enterprises, and a CUP for the Sale of Alcoholic Beverages, and a BSP; GU; TR-1 and TR-3 to ALL BU-1, with a BDP (replacing existing BSP), and a CUP for Outdoor Entertainment & Amusement Enterprises, and a CUP for Alcoholic Beverages for On-Premises Consumption on 47.85 acres. Located on the northeast corner of S.R. 520 and Friday Rd. (no assigned address)

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

P&Z Recommendation: Moia/Harber – Approved, with a Binding Development Plan embodying stipulations provided to the board from staff, and with the recommendations that the parking spaces on the west side of Friday Rd. at the corner between the gas station and the single-family residential zoning, be removed to preserve buffering, and that the masonry wall requirement be waived, with the requirement that the perimeter around any property abutting residential be either opaque wood or vinyl/PVC, and contingent upon the ordinance amending the CUP for Commercial Entertainment and Amusement Enterprises being approved by the BCC. Vote was unanimous.

V.B.12. (12PZ-00045) – COCOA EXPO SPORTS CENTER, LLC, AND UPLAND INVESTMENTS, LLC – (Jeffrey Unnerstall) – request a Small Scale Plan Amendment (12S.04) to change the FLU Map Designation from NC to CC; and a change from TR-1 & AU to BU-1 on 9.99 acres, more or less. Located on the north side of S.R. 520, approx. 180 ft. west side of Friday Rd., and also having frontage on the west side of Friday, north of S.R. 520. (no assigned address)

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

P&Z Recommendation: Moia/Harber – Approved, with a Binding Development Plan embodying stipulations provided to the board from staff, and with the recommendations that the parking spaces on the west side of Friday Rd. at the corner between the gas station and the single-family residential zoning, be removed to preserve buffering, and that the masonry wall requirement be waived, with the requirement that the perimeter around any property abutting residential be either opaque wood or vinyl/PVC, and contingent upon the ordinance amending the CUP for Commercial Entertainment and Amusement Enterprises being approved by the BCC. Vote was unanimous.

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

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>.