

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

February 4, 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: Pastor Pete Inman, Lighthouse Assembly of God, Melbourne (District 3)

PLEDGE OF ALLEGIANCE: Commissioner Andy Anderson, District 5

- I. **RESOLUTIONS, AWARDS, AND PRESENTATIONS (LESS THAN 5 MINUTES)**
- II. **CONSENT AGENDA (The entire Consent Agenda will be passed in one motion to include everything under Section II.)**
- III. **PUBLIC COMMENTS (30 minutes)**

IV. PUBLIC HEARINGS**A. Tabled Items****DISTRICT 4**

THE FOLLOWING ITEM WAS HEARD BY P&Z (10/05/15) AND TABLED BY BCC (12/03/15)

IV.A.1. (15PZ00056) – IMPERIAL SOUTH, INC. – (Will Reynolds) – requests a change of classification from PIP to RU-2-15 on 30.7 acres, located on the east side of Wickham Rd., approx. 330 ft. south of Jordan Blass Dr. (2975 Allen Hill Ave., Melbourne (Tax Parcel 253); 2600 Promenade Dr., Melbourne (Tax Parcel 254); 6375 N. Wickham Rd. Ste. 107, Melbourne (Tax Parcel 756); Tax Parcels 265 and 250 have no assigned address and are in the Melbourne area)

P&Z Recommendation: Thodey/Aydelotte – Denied. Vote was unanimous.

B. P&Z Recommendations of January 4, 2016**DISTRICT 1**

***IV.B.1. (15PZ00067) – CHARLIE & MARIAN LAGGES** – (Theodore Kyriakoulis) – requests a CUP for Alcoholic Beverages (full liquor) for On-Premises Consumption in Conjunction with a Restaurant, in a BU-1 zoning classification, on 0.39 acres, located on the west side of U.S. Hwy 1, approx. 175 ft. north of Fay Blvd. (6813 N. U.S. Hwy 1, Cocoa)

PSJ Recommendation: Chinaris/Porter – Approved with the following conditions: 1.) That the applicant provide re-calculation of square footage of restaurant excluding kitchen, storage, food prep, and restrooms; 2.) That the applicant provide a new plot plan showing adequate number of parking spaces per re-calculated square footage; 3.) That the approval of the CUP for alcoholic beverages (full liquor) for on-premises consumption be in conjunction with a restaurant only; and 4.), That the applicant obtain approval from property owner to the north for overflow parking during that business's non-operation hours, and approval from the County to be able to provide parking on the County easement on the south property line. Vote was unanimous.

IV.B.2. (15PZ00069) – JOSEPH W. & EDELMIRA HADDOW – requests a change of classification from RU-2-10(6.6) to AU on 5 acres, located on the east side of Adamson Rd., approx. 0.68 mile north of S.R. 524 (1085 Adamson Rd., Cocoa)

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

DISTRICT 2

IV.B.3. (15PZ00071) – 123 HARDING, LLC – requests a change of classification from BU-1 and RU-2-10 to all RU-2-10 on 0.21 acres, located on the south side of Harding Ave., approx. 175 ft. east of N. Atlantic Avenue. (123 Harding Ave., Cocoa Beach)

P&Z Recommendation: Lawandales/LaMarr – Approved. Vote was unanimous.

IV. PUBLIC HEARINGS (CONTINUED)**B. P&Z Recommendations of January 4, 2016 (continued)**

IV.B.4. (15PZ00076) – BONAVENTURE ENTERPRISE, LLC – (Charles Schenck) – requests a change of classification from RA-2-10(5) to AU and removal of a BSP on 40.63 acres, located on the west side of Crescent Dr., approx. 0.19 mile west of Clearlake Rd., (Tax Parcels 8, 9, & 9.4 = No assigned address. Lot 50 = 853 Evening Side Dr., Cocoa)

P&Z Recommendation: Aydelotte/Barber – Approved. Vote was unanimous.

IV.B.5. (15PZ00078) – RALPH & CYNTHIA PERRONE – (Mark Homer) – requests a Small Scale Plan Amendment (15S.08) from NC to CC, and a change of classification from BU-1-A to BU-1, and removal of a BSP, on 1.07 acres, located on the northeast corner of N. Courtenay Pkwy., and Skyline Blvd. (140 Skyline Blvd., Merritt Island)

LPA Recommendation: Lawandales/Barber – Approved. Vote was 9:1, with Thodey voting nay.

P&Z Recommendation: Barber/Lawandales – Approved with a BDP (Binding Development Plan) limited to the following: Providing a minimum eight foot (8') masonry wall along the eastern boundary of the property, and a Type A buffer along the easterly 30 feet of the north property line, along with a twenty foot (20') wide vegetative buffer along the east boundary with an additional three trees at least 8 feet high or greater and a 20% increase in shrubbery at the time of installation; median buffer on Skyline Blvd. shall be landscaped and maintained by the Developer/Owners; Developer/Owners will coordinate with the County and FDOT to minimize traffic impacts to the residents and property owners along Skyline Blvd; use of the property shall be limited to a restaurant use with a drive through lane or other use allowed in BU-1-A, and the height of the building shall be limited to one story provided the use is limited to a restaurant; the setback of the building from the eastern boundary will be at least 74.6 feet as depicted on the conceptual site plan, provided that road improvements to North Courtenay Parkway are not required by FDOT that would result in the site improvements being shifted to the east; and that the trash receptacle is to be moved to the western portion of the property.

IV.B.6. (15PZ00079) – SOUTHGATE INVESTMENTS, INC. – (Jake Wise) – requests a Small Scale Plan Amendment (15S.09) from NC and Residential 15 to CC, and a change of classification from RU-2-15 and RU-1-11 to BU-1, on 9.90 acres +/-, located on the southeast corner of Pioneer Rd., and N. Courtenay Pkwy. (No assigned address. In the Merritt Island area.)

LPA Recommendation: Lawandales/Barber – Approved. Vote was unanimous.

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

DISTRICT 4

IV.B.7. (15PZ00074) – THE VIERA COMPANY – (Jake Wise) – requests a CUP for Alcoholic Beverages (full liquor) for On-Premises Consumption in Conjunction with a Restaurant in a PUD zoning classification, on 1.10 acres +/-, located on the west side of Stadium Pkwy., approx. 0.098 mile north of Viera Blvd. (No assigned address. In the Viera area.)

P&Z Recommendation: Barber/LaMarr – Approved. Vote was unanimous.

IV. PUBLIC HEARINGS (CONTINUED)**B. P&Z Recommendations of January 4, 2016 (continued)**

IV.B.8. (15PZ00075) – MURRELL PROPERTIES OF BREVARD, LLC – requests a change of classification from RR-1 to BU-1-A on 1 acre, located on the east side of Murrell Road, approx. 0.32 mile south of Roy Wall Boulevard (3545 Murrell Rd., Rockledge)

P&Z Recommendation: LaMarr/Lawandales – Approved. Vote was unanimous.

IV.B.9. (15PZ00077) – INDIAN RIVER COLONY CLUB, INC. – (John Robinson) – requests a change of classification from IN(L) to PUD on 3.19 +/- acres, located on the south side of Continental Ave., approx. 361 ft. east of Murrell Rd. (6845 Murrell Rd., Melbourne)

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

- *C. Ordinance, Re: Adoption of Comprehensive Plan Package 2015-2 Plan Amendments (Districts 1-5)

V. UNFINISHED BUSINESS

- A. Board Consideration, Re: Time Extension for CFAR to Relocate Captive Wildlife to Forever Florida Reserve in Osceola County (District 1)

VI. NEW BUSINESS

- D. County Attorney

- *1. Board Direction of Resolution, Re: Department of Juvenile Justice (DJJ) Proposed Legislation Regarding Cost Share of Detention for House Bill 1279 and Senate Bill 1322

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

VIII. BOARD REPORTS AND PRESENTATIONS (CONTINUED)

- 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.