

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

October 2, 2014

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: (District 1)

PLEDGE OF ALLEGIANCE: Commissioner Trudie Infantini, District 3

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 HEARINGS

A. Tabled Items

B. P&Z Recommendations of September 8, 2014, and NMI Recommendations of September 11, 2014

DISTRICT 5

THE FOLLOWING ITEM WAS AUTOMATICALLY TABLED FROM THE 07/07/14 P&Z MEETING AND THE 08/07/14 BCC MEETING (Letter received 06/25/14); AND TABLED FROM THE 09/08/14 P&Z MEETING

III. PUBLIC HEARINGS (CONTINUED)**B. P&Z Recommendations of September 8, 2014, and NMI Recommendations of September 11, 2014 (continued)**

III.B.1. (14PZ-00055) – MORTGAGE INVESTMENT FUND I, LLC – requests an amendment to an existing CUP for Commercial, Entertainment, and Amusement Enterprises, to include racing, swap meets, and vehicle shows for cars, air boats, tractors, trucks, riding lawn mowers, go carts, and ATV's, with spectator seating, concessions, and a grandstand for awards and live music, with a waiver of 50 ft. from the required 75 ft. setback for a building, mobile home, trailer, vehicle, or maintenance equipment, in an IU zoning classification, on 21.84 acres, located on the south side of Eau Gallie Blvd., approx. 410 ft. west of Jones Rd. (Tax Parcel 751: No assigned address. In the Melbourne area; Tax Parcel 753: 835 Paw Prints Ave., Melbourne; Tax Parcel 766: No assigned address. In the Melbourne area)
P&Z Recommendation: Barber/Moia – Tabled to the 11/10/14 P&Z meeting. Vote was unanimous.

DISTRICT 1

III.B.2. (14PZ-00070) – KYLE LANE, INC. - (Katherine Johnson) – requests a change of classification from BU-2 to AGR, on 14.38 acres, located on the south side of Parrish Rd., approx. 0.12 mile west of Range Rd. (2704 Kyle Lane, Cocoa)
P&Z Recommendation: McLellan/Thodey – Approved. Vote was unanimous.

DISTRICT 2

III.B.3. (14PZ-00069) – STEPHAN PROPERTIES AND TROY W. STEPHAN – requests a change of classification from RU-2-4, RU-2-10(5), and AU, on 5.07 acres, located on the east side of N. Courtenay Pkwy., approx. 0.17 mile north of Kings Way. (412 Kings Manor Ln; 5680 N. Courtenay Pkwy; 476 Kings Manor Ln; 473 Kings Manor Ln; 424 Kings Manor Ln; Tax Parcel 55 = no assigned address; Lot 12.01 = no assigned address)
NMI Recommendation: Hillberg/Lindhorst – Approved with a BDP limited to a 63-bed Assisted Living Facility only. Vote was unanimous.

DISTRICT 1

THE FOLLOWING ITEM WAS HEARD BY THE BCC ON 02-06-14 AND APPROVED WITH A BDP. THE BOARD AGREED TO REOPEN THE PUBLIC HEARING ON 04-15-14. ON 08-11-14 THE P&Z BOARD TABLED THE ITEM TO THE 09-08-14 P&Z MEETING FOR APPLICANT TO POST SIGN

III.B.4. (13PZ-00098) FLORIDA RIVER RAT, LLC – (Jay Schenck) – requests a change of classification from AU and EU-2, with a BDP, to BU-1 on the west 400 feet (3.43 acres); and AU on the remaining 7.26 acres, with removal of existing BDP, on 10.69 acres, located on the east side of U.S.1, approx. .23 mile north of Silver Hill Lane. (No assigned address. In the Cocoa area)

P&Z Recommendation of 01-06-14: Cannon/Goggin – Approved. Vote was unanimous.

BCC ACTION of 02-06-14: Fisher/Anderson – Approved with a Binding Development Plan limited to nursery operations and beekeeping. Vote was unanimous.

BCC ACTION of 04-15-14: Anderson/Nelson – Moved to reopen the public hearing, to be continued at a later date, following re-advertisement and re-noticing at the applicant's expense; and the motion effectively stayed the 120-day period and re-set it once the hearing has been concluded.

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

III. PUBLIC HEARINGS (CONTINUED)**C. Administrative Rezoning Recommendations of September 8, 2014, (P&Z) and September 16, 2014 (BCC)****DISTRICTS 1 - 5**

III.C.1. – (ADMINISTRATIVE REZONING) – Proposed Zoning Overlay for the Development of Communication Facilities within Certain County-owned Properties by Tax Account Numbers

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

BCC ACTION of 09/16/14: Anderson/Nelson – APPROVED. Vote was unanimous

- *D. Ordinance, Re: Modifying Section 62-1953 Towers & Antennas, A New Ordinance Regulating Communication Facilities and Enacting a Wireless Telecommunications Master Plan (Second Reading)

IV. UNFINISHED BUSINESS

- *A. Extension of Time to Respond to the Letter of June 18, 2014, Re: All Aboard Florida (AAF) and Florida East Coast Railway (FEC)

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

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