

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, 2008

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: Bishop Jackie Gordon, Shiloh Christian Center, Melbourne, Florida

PLEDGE OF ALLEGIANCE: Commissioner Mary Bolin, District 4

I. RESOLUTIONS, AWARDS AND PRESENTATIONS (LESS THAN 5 MINUTES)

A. Staff Recognition

II. BOARD REPORTS AND PRESENTATIONS (MORE THAN 5 MINUTES)

A. Peggy Busacca, County Manager

B. Scott Knox, County Attorney

C. Chuck Nelson, District 2 Commissioner

D. Helen Voltz, District 3 Commissioner

E. Mary Bolin, District 4 Commissioner, Vice Chairman

II. BOARD REPORTS AND PRESENTATIONS (CONTINUED)

- F. Jackie Colon, District 5 Commissioner
- G. Truman Scarborough, District 1 Commissioner, Chairman

III. CONSENT AGENDA (The entire Consent Agenda will be passed in one motion to include everything under Section III.)

IV. ITEMS REMOVED FROM CONSENT AGENDA BY CITIZENS

V. PUBLIC COMMENTS (Comments may not address subsequent Agenda items.)

VI. PUBLIC HEARINGS

Zoning Portion of BCC Agenda for Thursday, October 2, 2008:

A. Tabled Items

THE FOLLOWING ITEM WAS HEARD BY P&Z ON 8/11/08 AND TABLED BY BCC ON 9/4/08:

VI.A.1. (Z0808203) – GULF-ATLANTIC PROPERTIES, INC. – (Alan Bunting) – requests a CUP for Alcoholic Beverages for On-Premises Consumption in a BU-2 classification on 0.52 acre. Located on the east side of Banana River Dr., approx. 250 ft. north of Merritt Island Cswy.

P&Z Recommendation: Wise/Morrison – Approved. Vote was unanimous.

B. P&Z Board Recommendations of September 8, 2008 (PSJ – September 10, 2008):

DISTRICT 4

VI.B.1. (Z0809401) - SCORPION PROPERTIES, LLC – (Chris A. Webber) – requests a CUP for Alcoholic Beverages for On-Premises Consumption in a BU-1 classification on 1.04 acres. Located on the west side of South Patrick Dr., approx. 300 ft. south of Tortoise View Dr.

VI. PUBLIC HEARINGS (CONTINUED)**B. P&Z Board Recommendations of September 8, 2008 (PSJ – September 10, 2008): (continued)**

P&Z Recommendation: Ott/McLellan – Approved. Vote was 10:1, with Frink voting nay.

VI.B.2. (Z0809402) – MMJC REALTY, INC. – (Raymond Corrigan) – requests a CUP for a Commercial/Recreational Marina in a BU-1 classification on 4.1730 acres, +/- . Located on the southeast corner of Coquina Ridge Dr. & U.S. 1.

P&Z Recommendation: Frink/Jagrowski – Tabled to the P&Z mtg. on 10/6/08 & BCC mtg. on 11/6/08. Vote was unanimous.

VI.B.3. (Z0809403) – WILLIAM R. & VICKI J. ORNDORF – request a change from RR-1 to AU on 4.15 acres. Located on the west side of Palomino Rd., approx. 290 ft. south of Arabian Ct.

P&Z Recommendation: Frink/Cannon – Approved, with a Binding Development Plan, limiting AU uses to horticultural activity, with no greenhouses. Vote was unanimous.

DISTRICT 5

VI.B.4. (Z0809501) – JOSEPH C. PRITCHETT – (Tamara M. Pritchett) – requests a change from RU-1-9 & RR-1 to all RR-1, with a CUP for Farm Animals and Fowl, and removal of the existing BDP, on 4.33 acres. Located on the west side of New York St., approx. 0.13 mile south of Miami Ave.

P&Z Recommendation: Wise/Jagrowski – Approved for one (1) 4-H steer. Vote was unanimous.

VI.B.5. (Z0809502) – DRAGON POINT REAL ESTATE HOLDINGS, LLC – (Robert I. Lee) – requests a Small Scale Plan Amendment (08S.14) to change the Future Land Use designation from IND to CC, and a change from IU to BU-2 on 2.75 acres. Located on the west side of John Rodes Blvd., approx. 0.35 mile south of Ellis Rd.

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

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

DISTRICT 1

VI.B.6 – (PSJ80901) – FLORIDA POWER & LIGHT, CO. – (Philip Nohrr) - request a change from IU, AU and RU-2-10 to GML(U) with a CUP for Electric, Natural Gas, Water and Wastewater Utilities on 39.848 acres. Located on the east side of N. Hwy. 1, approx. 1.5 mile north of Camp Rd.

PSJ Recommendation: Yorston/Porter – Approved. Vote was unanimous.

VI. PUBLIC HEARINGS (CONTINUED)**B. P&Z Board Recommendations of September 8, 2008 (PSJ – September 10, 2008): (continued)****DISTRICT 2**

VI.B.7. (Z0809201) – S.Y. & SANDY Y.H. LI – (Robert L. Beals) – request a Small Scale Plan Amendment (08S.13) to change the Future Land Use designation from Res. 15 to CC, and a change from PUD to BU-1 on 2.44 acres. Located on the east side of S. Courtenay Pkwy., just north of Live Oak Blvd.

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

P&Z Recommendation: Ott/McLellan – Approved, with a Binding Development Plan, limiting uses. Vote was unanimous.

- *C. Ordinance, Re: Amending GML Zoning Classification to Add Private, PSC-Regulated Utilities (Second Reading)

VII. UNFINISHED BUSINESS**VIII. NEW BUSINESS****IX. ITEMS REMOVED FROM CONSENT AGENDA BY COMMISSION**

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 199, Adelphia Cable Channel 51, and Comcast Cable Channel 26, and simulcast on WBFT-LP 105.5 FM. 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.brevardclerk.us>.