

PLANNING AND ZONING BOARD MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, September 12, 2011**, at **3:00 p.m.**, in the Commission Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

Board members present were: Henry Minneboo, Chair; Aneta Ott, Vice-Chair; Bill Cannon; Linda Wise; Laura Ward; Peter Aydelotte; Clyde Thodey; Jerry Jagrowski; Sue Schmitt; Tony Masone; Robert LaMarr; and Loretta Goggin.

Staff members present were: Cindy Fox, Planning, Zoning & Enforcement Manager; Morris Richardson, Asst. County Attorney; and Candy Hanselman, Zoning Support Manager.

The Chair, Henry Minneboo, called the meeting to order at 3:00 p.m.

Henry Minneboo – This is the Planning & Zoning Board meeting. And we're an advisory board to the Board of County Commissioners. So everything you hear today - and the final decisions made by the Board of County Commissioners will be on October the 6th, back in this same meeting room, at 5:00 p.m. So those of you that will continue on needs to mark that down. And that's October the 6th, 5:00 p.m. Today, each applicant will be given 15 minutes to convey their message on their particular project. Those people speaking for and against will be given five minutes. So I'll keep you timed up here. Did everybody have an opportunity to look at the minutes of August 26th "sic" (should August 22nd)?

Motion by Aneta Ott, seconded by Jerry Jagrowski, to approve the minutes from the P&Z meeting on August 22, 2011. The vote was unanimous to approved the minutes, as submitted.

Henry Minneboo – Before we get started, I'd like to introduce – we lost a pretty good board member here about a month and a half ago. But thank goodness the Commission sent us a new person, not real, real new, but – I'd like to introduce Sue Schmitt to the board. She's been good enough to come and participate with us, and she certainly brings a lot of knowledge to this board. She can probably help me a lot. Sue, we're glad you're here.

Sue Schmitt – Thank you.

At the beginning of the meeting, there were eight regular members, and three alternates, present. The eight regular members, and the alternate from District 2, voted on Item #1. Thereafter, there were nine regular members present. The nine regular members, and the alternates from Districts 1 and 5, voted throughout the remainder of the agenda.

DISTRICT 2

V.B.1. (Z1109201) – OVERLOOK TOWERS – (Lauralee Westine) requests a CUP for a Tower & Antenna in a BU-1 zoning classification on 3.58 acres, more or less. Located on the southwest corner of E. Merritt Ave. & Palmetto Ave. (89 E. Merritt Ave., Merritt Island)

P&Z Recommendation: Thodey/Ward – "Automatically tabled" to the P&Z mtg. on 10/3/11. Vote was unanimous.

Cindy Fox – This item's been automatically tabled to your October 10th "sic" (should be October 3rd) meeting. I still need a motion. The MIRA Board reviewed this and tabled it at their August meeting.

Henry Minneboo – Is there a motion to table Item 1 from District 1, V.B.1?

Clyde Thodey – Motion to go ahead and postpone it, and table it.

Henry Minneboo – Motion by Clyde.

Laura Ward – Second.

Henry Minneboo – And seconded by Laura.

Henry Minneboo called the question, and the board tabled the request, as stated above. The vote was unanimous.

DISTRICT 4

V.B.2. (Z1109401) – SRK VIERA VILLAGE ASSOCIATES, L.P. – (David Hastings) – requests a CUP for Alcoholic Beverages for On-Premises Consumption in a PUD zoning classification on 11.22 acres. Located on the west side of Murrell Rd., approx. 420 ft. north of Viera Blvd. (5410 Murrell Rd., Rockledge)

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

Henry Minneboo – Is the applicant here. Yes, sir. You want to come up? Just state your name and address for the record, please.

David Hastings – It's David Hastings. And the address is 4760 Chardonnay Drive, Rockledge, Florida, 32955. And what we want to do is we want to put a small lounge inside of our existing liquor store for a little on-premises consumption, pretty much a lounge, not a bar. And we're in the plaza down by Beef O'Brady's. And that's pretty much it.

Henry Minneboo – Is Beef O'Brady's on the same side?

David Hastings – It's on the other side.

Henry Minneboo – On the opposite side.

David Hastings – And we've got the other corner there. But there's been CUP's approved on both sides of us.

Henry Minneboo – Is there any questions from the board to this gentleman?

Sue Schmitt – I have one. Mr. Hastings, can you tell us how many people you'll be able to accommodate with this?

David Hastings – Yes. We're doing a small one, and it's going to have 16 seats. And we're going to limit it to that.

Sue Schmitt – And that will be posted on your doors, and all that, capacity 16?

David Hastings – Yes.

Jerry Jagrowski – What do you have for parking slots near you?

David Hastings – Four hundred.

Jerry Jagrowski – More than enough.

David Hastings – We used to have the Winn-Dixie – I mean, Cash ‘N Carry used to be there. They moved out, and we have a lot of spots.

Henry Minneboo – Is there anybody out in the audience would like to speak for, or against, this item? (no response) Seeing none, I bring it back to the board.

Sue Schmitt – I move approval.

Henry Minneboo – Motion by Sue, seconded by Jerry (Mr. Jagrowski’s second was made without a microphone; therefore, it is not audible on the record), to approve the CUP on V.B.2.

Henry Minneboo called the question, and the board recommended approval of the request. The vote was unanimous.

DISTRICT 1

V.B.3. (Z1109102) – STEVE A. & JULIE M. BRYAN – request a change from GU to AU on 1.01 acres. Located on the south side of Fargo St., approx. 490 ft. west of Knoxville Ave. (3227 Fargo St., Cocoa)

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

Henry Minneboo – Is the applicant here?

Steve Bryan – My name’s Steve Bryan. We’re looking to get our property zoned agricultural for chickens.

Henry Minneboo – Your address?

Steve Bryan – 3227 Fargo Street.

Henry Minneboo – Is there any questions of the gentlemen here from the board?

Jerry Jagrowski – Yes, sir. How many chickens and horses do you plan to have?

Steve Bryan – No horses, 25 chickens.

Jerry Jagrowski – Thank you.

Henry Minneboo – Any other questions? (no response) Seeing none, I go out to the audience. Is there anybody in the audience would like to speak for, or against, this? (no response) Seeing none, I bring it back to the board.

Aneta Ott – I make a motion for approval.

Henry Minneboo – Motion by Aneta. Who did – Loretta? Good. Second by Loretta (Ms. Goggin’s second was made without a microphone; therefore, it is not audible on the record).

Henry Minneboo called the question, and the board recommended approval of the request. The vote was unanimous.

V.B.4. (Z1109103) – MICHAEL & EDWINA C. DARLING – request a change of classification from GU to AU on 1.01 acres) Located on the southwest corner of Bayfield St. & Cherokee Ave. (3201 Bayfield St., Cocoa)

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

Michael Darling – I'm Michael Darling, 3201 Bayfield Street. I would like to go agricultural to have one horse. And we put horticulture on there, but we would like to retract that, because we never really realized that after we leave there, somebody could actually put plants all the way up to the front road. And we really don't want that to happen.

Henry Minneboo – Staff?

Cindy Fox – That's fine.

Henry Minneboo – You okay? Great. Is there any questions for the gentleman? (no response) Seeing none from this board, I go out to the audience. Is there anybody like to speak for, or against, this? (no response) Seeing none, I bring it back to the board. Motion by Aneta (Ms. Ott's motion was made without a microphone; therefore, it is not audible on the record), to approve.

Clyde Thodey – Second.

Henry Minneboo – Seconded by Clyde.

Henry Minneboo called the question, and the board recommended approval of the request. The vote was unanimous.

V.B.5. (Z1109104) – EUGENE BROWN & LOIS KENT BROWN – (Kevin D. Jester) – request a change from RU-1-11 to AU, and removal of an existing Binding Development Plan (Z-11322), on 65.05 acres. Located on the north side of Cuyler St., approx. 0.38 mile west of Harry T. Moore Ave. (In the Mims area)

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

Cindy Fox – I'd just like to make sure that the board understands. This applicant is only going to be purchasing a portion of the property that's being rezoned, and he'll be able to describe what he wants to do on the property. The north part of the property is occupied by an existing borrow pit that currently has an active permit for a borrow pit.

Henry Minneboo – O.K. Sir, you want to identify yourself for the record, please?

Kevin Jester – My name is Kevin Jester. Currently, we're living at 1301 Maytown Road, in Oak Hill, Florida. My wife and I are beekeepers, and we applied for the zoning change. We're purchasing 35 acres of the property from Mr. Brown, and we're wanting to establish our beekeeping business there. So we'll have a residence and a warehouse there for our business.

Henry Minneboo – Is there any questions from the board?

Clyde Thodey – You going to give us some free samples?

Kevin Jester – If you want them.

Sue Schmitt – Sir, you said you live in Oak Hill now. Are you moving to Brevard, or...

Kevin Jester – Yes. We are purchasing this property to build a house on and to set up our business. So when we get the zoning, and once we're able to build there, then we're going to move there. That will be our primary residence.

Sue Schmitt – We like taxpayers.

Henry Minneboo – There's not many left. What was the binding development – what was it?

Cindy Fox – The property previously was rezoned for single-family development, and there was a cap on density.

Henry Minneboo – O.K. That makes sense. Any other questions? (no response) Seeing none, I go out to the audience. Is there anybody in the audience who would like to speak for, or against, this item? (no response) Seeing none, I bring it back to the board.

Aneta Ott – Sounds like a winner to me. I make a motion for approval.

Henry Minneboo – Motion by Peter (Mr. Aydelotte's motion was made without a microphone; therefore, it is not audible on the record), and seconded by Aneta, to approve.

Henry Minneboo called the question, and the board recommended approval of the request. The motion was unanimous.

The meeting was adjourned at 3:11 p.m.