



# AGENDA

## PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY

Regular Meeting 2022-04  
April 6, 2022 - 7:00 PM

City Hall Council Chambers, 120 Malabar Road SE

### CALL TO ORDER:

### PLEDGE OF ALLEGIANCE:

### ROLL CALL:

### ADOPTION OF MINUTES:

1. [Regular Meeting 2022-03; March 2, 2022](#)

### ANNOUNCEMENTS:

### OLD/UNFINISHED BUSINESS:

1. [\\*\\*CU-9-2022 - Summit Shah, Sunshine Petro, Inc. \(Carmine Ferraro, Crossover Commercial Group, Inc., Rep.\) - A Conditional Use to allow retail automotive gasoline/fuel sales for a proposed fuel station, with a convenience store and drive-through, in a CC, Community Commercial District, in accordance with Section 185.043\(D\)\(3\) of the Palm Bay Code of Ordinances. Tax Parcel 603, Section 15, Township 29, Range 37, Brevard County, Florida, containing approximately 1.5 acres. Located at the northeast corner of Babcock Street SE and Valkaria Road](#)

### NEW BUSINESS:

1. [\\*\\*V-12-2022 - CONTINUED to 05/04 P&Z - Francisco J. Feliciano - A Variance to allow a proposed screened lanai to encroach 8 feet into the 20-foot rear setback, as established in the Declaration of Covenants, Conditions and Restrictions for Amberwood at Bayside Lakes PUD. Lot 108, Amberwood at Bayside Lakes, Section 30, Township 29, Range 37, Brevard County, Florida, containing approximately .16 acres. Located north of and adjacent to Dillard Drive SE, specifically at 711 Dillard Drive SE](#)
2. [CP-9-2022 - Richard Pribell - A small-scale Comprehensive Plan Future Land Use Map amendment from Public/Semi-Public Use and Conservation Use to Rural Single Family Use. Tax Parcels 756 and 753, Section 26, Township 28, Range 37, Brevard County, Florida, containing approximately 9.66 acres. Located north of and adjacent to Port Malabar Boulevard NE, in the vicinity east of Clearmont Street NE](#)

3. [\*\*\\*\\*CPZ-9-2022 - Richard Pribell - A Zoning Amendment from an IU, Institutional Use District and an FC, Floodway Conservation District to an RR, Rural Residential District. Tax Parcels 756 and 753, Section 26, Township 28, Range 37, Brevard County, Florida, containing approximately 9.66 acres. Located north of and adjacent to Port Malabar Boulevard NE, in the vicinity east of Clearmont Street NE\*\*](#)
4. [\*\*CP-14-2022 - REQUEST TO CONTINUE TO 05/04 P&Z - Osprey Landing - Scott M. True, Manager, PF Naples, LLC \(Bruce Moia, P.E., MBV Engineering, Inc., Rep.\) - A large-scale Comprehensive Plan Future Land Use Map amendment from Industrial Use to Single-Family Residential Use. Tax Parcels 1 and 2, Section 14, Township 29, Range 36, Brevard County, Florida, containing approximately 191 acres. Located at the southwest corner of Garvey Road SW and Melbourne-Tillman Water Control District Drainage Canal 16\*\*](#)
5. [\*\*\\*\\*PD-14-2022 - REQUEST TO CONTINUE TO 05/04 P&Z - Osprey Landing - Scott M. True, Manager, PF Naples, LLC \(Bruce Moia, P.E., MBV Engineering, Inc., Rep.\) - A Preliminary Development Plan to allow a proposed PUD for an 850-lot residential development called Osprey Landing. Tax Parcels 1 and 2, Section 14, Township 29, Range 36, Brevard County, Florida, containing approximately 191 acres. Located at the southwest corner of Garvey Road SW and Melbourne-Tillman Water Control District Drainage Canal 16\*\*](#)
6. [\*\*\\*\\*PD-15-2022 - REQUEST TO CONTINUE TO 05/04 P&Z - Jupiter Bay - Gregory Sachs, Sachs Capital Group, LP and Gerald Lakin, Identical Investments, LLC \(Represented by Bruce Moia, P.E. and David Bassford, P.E., MBV Engineering, Inc. / Kim Rezanka, Lacey Lyon Rezanka Attorneys at Law\) - A Preliminary Development Plan to allow a proposed PUD for a 236-unit mixed use development called Jupiter Bay. Tax Parcels 750, 751, and 752 along with Tract K of Port Malabar Unit 10, Section 6, Township 29, Range 37, Brevard County, Florida, containing approximately 24.69 acres. Located at the southwest corner of Jupiter Boulevard SE and Brevard Avenue SE\*\*](#)
7. [\*\*\\*\\*FD-16-2022 - REQUEST TO CONTINUE TO 05/04 P&Z - Chaparral Phase IV and V - John Ryan, Chaparral Properties, LLC \(Jake Wise, P.E., Construction Engineering Group, LLC, Rep.\) - A Final Development Plan to allow a proposed PUD for a 255-lot single-family residential development called Chaparral Phase IV and V. Tract ST-2 and Tax Parcels 1, 751, 752, and 753 of Section 4, Township 29, Range 36 along with Tax Parcels 3 and 4 of Section 9, Township 29, Range 36, Brevard County, Florida, containing approximately 136.70 acres. Located in the vicinity south of Malabar Road SW, west of Brentwood Lakes Subdivision and Melbourne-Tillman Water Control District Canal 9R\*\*](#)
8. [\*\*CP-15-2022 - Artesia Palm Bay - Mimis Mitropoulos, ACIS Investment Group, LLC \(Represented by Bruce Moia, P.E., MBV Engineering, Inc. / Kim Rezanka, Lacey Lyon Rezanka Attorneys at Law / Jeremy Mears, Brownstone Group\) - A small-scale Comprehensive Plan Future Land Use Map amendment from Multiple-Family Residential Use, Professional Office Use, and Single-Family Residential Use to Commercial Use and Multiple-Family Residential Use. Tax Parcels 502, 513, 501.1, and 500, Section 34, Township 28, Range 37, Brevard County, Florida, containing approximately 18.44 acres. Located between and adjacent to Malabar Road NE and Biddle Street NE\*\*](#)
9. [\*\*\\*\\*CPZ-15-2022 - Artesia Palm Bay - Mimis Mitropoulos, ACIS Investment Group, LLC \(Represented by Bruce Moia, P.E., MBV Engineering, Inc. / Kim Rezanka, Lacey Lyon Rezanka Attorneys at Law / Jeremy Mears, Brownstone Group\) - A Zoning Amendment from an RM-15, Single-, Two-, Multiple-Family Residential District; an OP, Office Professional District; and an RS-2, Single-Family\*\*](#)

Residential District to an HC, Highway Commercial District and an RM-10, Single-, Two-, Multiple-Family Residential District. Tax Parcels 502, 513, 501.1, and 500, Section 34, Township 28, Range 37, Brevard County, Florida, containing approximately 18.44 acres. Located between and adjacent to Malabar Road NE and Biddle Street NE

## **OTHER BUSINESS:**

## **ADJOURNMENT:**

If an individual decides to appeal any decision made by the Planning and Zoning Board/Local Planning Agency with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (FS 286.0105). Such person must provide a method for recording the proceedings verbatim.

Any aggrieved or adversely affected person desiring to become a party in the quasi-judicial proceeding shall provide written notice to the city clerk which notice shall, at a minimum, set forth the aggrieved or affected person's name, address, and telephone number, indicate how the aggrieved or affected person qualifies as an aggrieved or affected person and indicate whether the aggrieved or affected person is in favor of or opposed to the requested quasi-judicial action. The required notice must be received by the clerk no later than five (5) business days at the close of business, which is 5 p.m., before the hearing. (Section 59.03, Palm Bay Code of Ordinances)

In accordance with the Americans with Disabilities Act, persons needing special accommodations for this meeting shall, at least 48 hours prior to the meeting, contact the Land Development Division at (321) 733-3042 or Florida Relay System at 711.

If you use assistive technology (such as a Braille reader, a screen reader, or TTY) and the format of any material on this website or documents contained therein interferes with your ability to access information, please contact us. To enable us to respond in a manner most helpful to you, please indicate the nature of your accessibility problem, the preferred format in which to receive the material, the web address of the requested material, and your contact information. Users who need accessibility assistance can also contact us by phone through the Federal Information Relay Service at 1-800-877-8339 for TTY/Voice communication.

**\*\*Quasi-Judicial Proceeding.**