



AGENDA

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY

Regular Meeting 2022-05

May 4, 2022 - 6:00 PM

City Hall Council Chambers, 120 Malabar Road SE

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ADOPTION OF MINUTES:

1. **Regular Meeting 2022-04; April 6, 2022**

ANNOUNCEMENTS:

OLD/UNFINISHED BUSINESS:

1. ****V-12-2022 - 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-14-2022 - 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**
3. ****PD-14-2022 - 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**
4. ****FD-16-2022 - REQUEST TO CONTINUE TO 06/01 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

5. ****PD-15-2022 - REQUEST TO CONTINUE TO 06/01 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**

NEW BUSINESS:

1. **CP-16-2022 - REQUEST TO CONTINUE TO 06/01 P&Z - Jupiter Bay - Gregory Sachs, Sachs Capital Group, LP and Gerald Lakin, Identical Investments, LLC (Bruce Moia, P.E. and David Bassford, P.E., MBV Engineering, Reps.) - A small-scale Comprehensive Plan Future Land Use Map amendment from Single-Family Residential Use to Multiple-Family Residential Use. Tax Parcel 752, Section 6, Township 29, Range 37, Brevard County, Florida, containing approximately .83 acres. Located in the vicinity north of Jupiter Boulevard SE and west of Brevard Avenue SE**
2. ****CU-17-2022 - Faith Baptist Church of Palm Bay, Inc. (Caleb Phelps, Rep.) - A Conditional Use to allow for accessory church use of an existing building in an RS-1, Single-Family Residential District, as established by Section 185.088(A) of the Palm Bay Code of Ordinances - Lot 23, Block 2461, Port Malabar Unit 48, Section 24, Township 28, Range 36, Brevard County, Florida, containing approximately .34 acres. Located west of and adjacent to Orlov Road NW, in the vicinity north of Emerson Drive NW, specifically at 491 Orlov Road NW**
3. ****CU-18-2022 - Brisben Coquina Pit Phase 3 - William O. Brisben, Babcock, LLC (Robert V. Schwerer, Esq. and Hassan Kamal, P.E., BSE Consultants, Inc., Reps.) - An amendment to a previously approved conditional use (Resolution 2019-07 as modified by Resolution 2021-11) to expand the existing mining excavation of a borrow pit in a GU, General Use Holding District - A portion of Tract 24, San Sebastian Farms, Section 21, Township 30, Range 37, Brevard County, Florida, containing approximately 137.78 acres. Located at the northwest corner of Babcock Street SE and Centerlane Road SE**
4. ****FD-20-2022 - Bayside Landings – John G. Noonan, Bishop, Signatory Diocese of Orlando (David Bassford, MBV Engineering and Chip Bryan, Condev Properties, Reps.) – A Final Development Plan to allow a proposed PUD for a 123-unit residential development called The Landings at Bayside - Tract I-1, Bayside Lakes Commercial Center Phase 4, Section 30, Township 29, Range 37, Brevard County, Florida, containing approximately 21.00 acres. Southwest corner of Cogan Drive SE and Osmosis Drive SE**
5. **CP-18-2022 - Bibi and Gurudeo Chand (Jake Wise, P.E., Construction Engineering Group, LLC, Rep.) - A small-scale Comprehensive Plan Future Land Use Map amendment from Commercial Use to Multiple-Family Residential Use (capped at 10 units per acre) - Tract A, Port Malabar Unit 39, Section 34, Township 28, Range 36, Brevard County, Florida, containing approximately 6.52 acres. Located east of and**

adjacent to Krassner Drive NW, in the vicinity north of Hayworth Circle NW

6. ****CPZ-18-2022 - Bibi and Gurudeo Chand (Jake Wise, P.E., Construction Engineering Group, LLC, Rep.) - A Zoning Amendment from an NC, Neighborhood Commercial District to an RM-10, Single-, Two-, Multiple-Family Residential District - Tract A, Port Malabar Unit 39, Section 34, Township 28, Range 36, Brevard County, Florida, containing approximately 6.52 acres. Located east of and adjacent to Krassner Drive NW, in the vicinity north of Hayworth Circle NW**
7. **CP-19-2022 - Epler Park - Marjorie W. Riggle, Trustee of the Thomas C. Welsh and Ruth Z. Welsh Trust (Kim Rezanka, Lacey Lyons Rezanka Attorneys At Law, Rep.) - A small-scale Comprehensive Plan Future Land Use Map amendment from Single-Family Residential Use to Commercial Use. Tax Parcel 501, Section 19, Township 28, Range 37, Brevard County, Florida, containing approximately 6.177 acres. Located south of and adjacent to Palm Bay Road NE, in the vicinity east of Athens Drive NE**
8. ****CPZ-19-2022 - Epler Park - Marjorie W. Riggle, Trustee of the Thomas C. Welsh and Ruth Z. Welsh Trust (Kim Rezanka, Lacey Lyons Rezanka Attorneys At Law, Rep.) - A Zoning Amendment from an RR, Rural Residential District to an RC, Restricted Commercial District. Tax Parcel 501, Section 19, Township 28, Range 37, Brevard County, Florida, containing approximately 6.177 acres. Located south of and adjacent to Palm Bay Road NE, in the vicinity east of Athens Drive NE**
9. **CP-20-2022 - Celebration Square - Jeffery Unnerstall, Eztopeliz LLC (David Bassford, P.E., MBV Engineering, Inc. / Todd Jacobus, Woodfield Development, LLC, Reps.) - A small-scale Comprehensive Plan Future Land Use Map amendment from Single-Family Residential Use to Mixed Use - Tax Parcel 1, Section 25, Township 28, Range 37, Brevard County, Florida, containing approximately 2.49 acres. Located east of and adjacent to Dixie Highway NE, in the vicinity south of Florin Road NE**
10. ****CPZ-20-2022 - Celebration Square - Jeffery Unnerstall, Eztopeliz LLC (David Bassford, P.E., MBV Engineering, Inc. / Todd Jacobus, Woodfield Development, LLC, Reps.) - A Zoning Amendment from a PCRD, Planned Community Redevelopment District; an HC, Highway Commercial District; and an RS-1, Single-Family Residential District to a BMU, Bayfront Mixed Use District - Tax Parcel 1 along with Tracts AA, BB, and CC of Replat of Port Malabar Unit 1, Section 25, Township 28, Range 37, Brevard County, Florida, containing approximately 12.78 acres. Located east and west of Dixie Highway NE, in the vicinity south of Florin Road NE**
11. **CP-21-2022 - De Groodt Subdivision - Michael H. Erdman, Kew, LLC (Chris Ossa, P.E. and Kinan Husainy, P.E., Kimley-Horn & Associates / Kimberly Rezanka, Lacey Lyon Rezanka Attorneys At Law, Reps.) - A small-scale Comprehensive Plan Future Land Use Map amendment from Rural Single-Family Use to Single-Family Residential Use - Tax Parcel 750, Section 24, Township 29, Range 36, Brevard County, Florida, containing approximately 43.55 acres. Located east of and adjacent to De Groodt Road SW, in the vicinity west of Brandy Creek Circle SE**
12. ****PD-21-2022 - De Groodt Subdivision - Michael H. Erdman, Kew, LLC (Chris Ossa, P.E. and Kinan Husainy, P.E., Kimley-Horn & Associates / Kimberly Rezanka, Lacey Lyon Rezanka Attorneys At Law, Reps.) - A Preliminary Development Plan to allow a proposed PUD for a single-family residential development called De Groodt Subdivision - Tax Parcel 750, Section 24, Township 29, Range 36, Brevard County, Florida, containing approximately 43.55 acres. Located east of and adjacent to De Groodt Road SW, in the vicinity west of Brandy Creek Circle SE**

13. **CP-22-2022 - City of Palm Bay (Farhood “Fred” Rezvani, Fred DeNicci Construction, Rep.) - A small-scale Comprehensive Plan Future Land Use Map amendment from Recreation and Open Space Use to Single-Family Residential Use - Tract C, Port Malabar Unit 15, Section 9, Township 29, Range 37, Brevard County, Florida, containing approximately 2.3 acres. Located south of and adjacent to Jacob Street SE, in the vicinity east of Culpepper Avenue SE**
14. **T-19-2022 – Subdivision Model Homes - City of Palm Bay (Growth Management Department) - A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 184: Subdivisions, Section 184.15(B)(5), to modify text regarding the issuance of building permits for model homes**

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.**