



## **AGENDA**

### **PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY**

Regular Meeting No. 2016-07  
July 6, 2016 – 7:00 P.M.  
City Hall Council Chambers

#### **CALL TO ORDER:**

#### **PLEDGE OF ALLEGIANCE:**

#### **ROLL CALL:**

#### **ADOPTION OF MINUTES:**

1. Regular Meeting No. 2016-06; June 1, 2016

#### **ANNOUNCEMENTS:**

#### **OLD BUSINESS:**

1. V-9-2016 – SUTTON PROPERTIES OF PALM BAY II, LLC (FRED E. SUTTON)

A variance request to reduce the minimum width requirement of an existing off-street parking area from 10-feet to 9-feet in a CC, Community Commercial District as established by Section 185.140(B)(2) of the Palm Bay Code of Ordinances.

Tax Parcel 13, Section 22, Township 28, Range 37, Brevard County, Florida, containing 1.53 acres, more or less. (Located north of and adjacent to Palm Bay Road NE, in the vicinity east of Manor Drive NE and west of Bottlebrush Drive NE, specifically at 2135 Palm Bay Road NE)

2. V-13-2016 - DIMITRIOS MAKOS

A variance request to allow an existing home to encroach 2.3 feet into the 25-foot side corner setback and a proposed 6-foot high fence to encroach 12.3 feet into the 25-foot side corner setback in an RS-1, Single Family Residential District as established by Section 185.033(F)(7)(c).

Lot 13, Block 323, Port Malabar Unit 9, Section 5, Township 29, Range 37, Brevard County, Florida, containing .25 acres, more or less. (Located at the northeast intersection of Durango Street SE and Cavern Avenue SE, specifically at 1001 Durango Street SE)

**NEW BUSINESS:**

1. CU-1-2016 – ROY WAYNE YATES (KIM REZANKA, REP.)

A conditional use request to allow the expansion of an existing borrow pit in a GU, General Use Holding District.

Tax Parcels 1 and 9, Section 21, Township 30, Range 37, Brevard County, Florida, containing 244.42 acres, more or less. (Located west of and adjacent to Babcock Street SE, south of the Deer Run Subdivision)

2. CU-18-2016 – CHURCH OF OUR SAVIOR (REV. LOREN FOX)

A conditional use request to allow a proposed private school to locate in an existing church in an IU, Institutional Use District.

Tract C.01, Port Malabar Unit 4, Section 25, Township 28, Range 37, Brevard County, Florida, containing 6.28 acres, more or less. (Located at the southwest intersection of Jersey Lane NE and Newcastle Drive NE, specifically at 1000 Jersey Lane NE)

3. CP-15-2016 – CITY OF PALM BAY (GROWTH MANAGEMENT DEPARTMENT)

A Comprehensive Plan Future Land Use Map small scale amendment from Recreation and Open Space Use to Single Family Residential Use.

Tract E, Port Malabar Unit 48, Section 24, Township 28, Range 36, Brevard County, Florida, containing 4.54 acres, more or less. (Located at the southeast intersection of Rheine Road NW and Treu Terrace NW).

4. CP-16-2016 – CITY OF PALM BAY (GROWTH MANAGEMENT DEPARTMENT)

A Comprehensive Plan Future Land Use Map small scale amendment from Recreation and Open Space Use to Single Family Residential Use.

Tract J, Port Malabar Unit 42, Section 28, Township 28, Range 36, Brevard County, Florida, containing 4.36 acres, more or less. (Located west of and adjacent to Delano Avenue NW, in the vicinity south of Hazelton Street NW and north of Delaware Street NW)

5. CP-17-2016 – CITY OF PALM BAY (GROWTH MANAGEMENT DEPARTMENT)

A Comprehensive Plan Future Land Use Map small scale amendment from Recreation and Open Space Use to Single Family Residential Use.

Tract E, Port Malabar Unit 7, Section 31, Township 28, Range 37, Brevard County, Florida, containing 2.7 acres, more or less. (Located at the southeast intersection of Delancey Street NE and Breezeway Avenue NE)

6. CP-18-2016 – CITY OF PALM BAY (GROWTH MANAGEMENT DEPARTMENT)

A Comprehensive Plan Future Land Use Map small scale amendment from Recreation and Open Space Use to Single Family Residential Use.

Tract A, Port Malabar Unit 23, Section 32, Township 29, Range 37, Brevard County, Florida, containing 3.27 acres, more or less. (Located at the southeast intersection of Tower Street SE and Quentin Avenue SE)

7. CP-19-2016 – CITY OF PALM BAY (GROWTH MANAGEMENT DEPARTMENT)

A Comprehensive Plan Future Land Use Map small scale amendment from Conservation Use to Commercial Use.

A portion of Tract B, Port Malabar Country Club Unit 7, Section 20, Township 28, Range 37, Brevard County, Florida, containing 5 acres, more or less. (Located south of and adjacent to Palm Bay Road NE in the vicinity east of Riviera Drive NE and west of Port Malabar Boulevard NE)

8. CPZ-19-2016 – CITY OF PALM BAY (GROWTH MANAGEMENT DEPARTMENT)

A zoning amendment from an FC, Floodway Conservation District to a CC, Community Commercial District.

A portion of Tract B, Port Malabar Country Club Unit 7, Section 20, Township 28, Range 37, Brevard County, Florida, containing 5 acres, more or less. (Located south of and adjacent to Palm Bay Road NE in the vicinity east of Riviera Drive NE and west of Port Malabar Boulevard NE)

9. CP-20-2016 – CITY OF PALM BAY (GROWTH MANAGEMENT DEPARTMENT)

A Comprehensive Plan Future Land Use Map small scale amendment from Recreation and Open Space Use and Single Family Residential Use to Commercial Use.

A portion of Tract A and all of Tract A.01, Port Malabar Country Club Unit 6, Section 21, Township 28, Range 37, Brevard County, Florida, containing 1 acre, more or less. (Located at the northwest intersection of Mariposa Drive NE and Port Malabar Boulevard NE)

10. CPZ-20-2016 – CITY OF PALM BAY (GROWTH MANAGEMENT DEPARTMENT)

A zoning amendment from an RS-2, Single Family Residential District to a CC, Community Commercial District.

A portion of Tract A and all of Tract A.01, Port Malabar Country Club Unit 6, Section 21, Township 28, Range 37, Brevard County, Florida, containing 1 acre, more or less. (Located at the northwest intersection of Mariposa Drive NE and Port Malabar Boulevard NE)

11. T-19-2016 – CITY OF PALM BAY (GROWTH MANAGEMENT DEPARTMENT)

A textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 184: Subdivisions, to modify Section 184.04 Definitions; to modify Section 184.21 Sidewalks/Pedestrian Ways to allow developments to bond for future sidewalks; and to create Section 184.35 Minor Subdivisions to establish provisions for the division of parcels into no more than six contiguous lots.

12. T-20-2016 – CITY OF PALM BAY (GROWTH MANAGEMENT DEPARTMENT)

A textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 171: Fair Share Impact Fees, Section 171.50 Water and Wastewater Impact Fees, in order to reflect the annual increase in Water and Wastewater capital charges (impact fees) and recovery usage fees for Fiscal Year 2016-2017 and to change the effective dates for the impact fees and recovery usage fees to October 1, 2016

**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. (§ 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.