



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 5560, **Version:** 1

Subject:

Temporary Site Plan Approval and Approval of Waivers, Re: Space Coast Daily Park Fairgrounds (23SP00006)
Applicant: Giles Malone (District 4)

Fiscal Impact:

None

Dept/Office:

Planning & Development

Requested Action:

The applicant is seeking the Board of County Commissioners' temporary approval of the Space Coast Daily Park Fairgrounds Site Plan 23SP00006 and associated waivers subject to the conditions contained herein for the issuance of Special Event Permits in accordance Chapter 10, Article II, of Brevard County Code of Ordinances.

Summary Explanation and Background:

The applicant met with County staff on January 23, 2023, to discuss relocating the fair from Brevard County School Board-owned property immediately North of Viera High School to the neighboring parcels to the North. At the meeting, it was determined that since the applicant was proposing to install infrastructure, site plan approval was needed in order for staff to issue a Special Event Permit for the fair. Section 10-27 defines a Special Event as any temporary public gathering of 50 or more persons for entertainment in an open area that does not comply with Section 62-1921, Commercial Entertainment and Amusement Enterprises, or public events held in facilities that are not within the original purpose of the facility.

The applicant is seeking temporary approval of the site plan, providing the minimum necessary safety improvements, due to their severe time constraint to have a fair beginning on March 29, 2023. In addition to the temporary site plan approval, the applicant is requesting the Board grant waivers of the other site plan requirements identified in the staff comment letter dated February 24, 2023, due to the temporary and intermittent use of property. The nature of this request exceeds staff's administrative authority and warrants an evaluation by the Board in accordance with Section 62-3202(g). This section states, "the county manager or their designee shall be the final approving authority for all site development plans that comply with the requirements of all applicable codes, regulations, and statutes. However, if in the opinion of the county manager or their designee, the intensity and location of the development warrants an evaluation by the board, the applicant shall be advised that Board action will be necessary to obtain site plan approval."

The applicant understands and agrees that the granting of this request is subject to the following stipulations and conditions:

- This approval does not apply to all other jurisdictional requirements (e.g., SJRWMD, USFWS, FWC, FLDEP, USACOE, FDOT, & FDACS)
- The applicant shall make all necessary safety and Florida Fire Prevention Code improvements identified during the review of the site plan prior to the issuance of the Special Event Permit for the fair and maintain such improvements.
- The applicant shall obtain Special Event Permits in accordance with Chapter 10, Article II, of Brevard County Code of Ordinances for each event. This approval does not replace specific conditions germane to the special event permits nor does it supersede the provision Section 62-1921 commercial entertainment and amusement enterprises.
- The approval of the temporary Site Plan shall be limited to a five-year period from the date of the Board action.
- The applicant shall ensure the site complies with all US Department of Justice ADA requirements and is maintained in a manner and frequency to ensure continued compliance.
- The applicant shall ensure that the site and event meet the operational requirements of the Florida Fire Prevention Code.

Reference: 23SP00006, Special Event Permit #5038

Contact: Tad Calkins, Director, Extension 58299

Clerk to the Board Instructions: