

## Horst, Rachel

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**From:** CEER@brevardfl.gov  
**Sent:** Saturday, January 3, 2026 2:15 PM  
**To:** Horst, Rachel  
**Subject:** A new CEER Recommendation has been submitted as ID #2026007

### Recommendation # 2026007

Dear CEER Administrator,

Speak Up Brevard Recommendation ID #2026007 has been submitted. Please login to the CEER Application to start the recommendation evaluation workflow.

#### Contact Information:

##### Group/Organization

<b>Name</b>	Joanne Maksym
<b>Address</b>	1997 Auburn Lakes Drive, Rockledge FL 32955
<b>Phone</b>	(440) 429-6727
<b>Email</b>	maksym4@att.net
<b>Alternate Email</b>	maksym4@att.net

#### Recommendation Information:

<b>Recommendation ID</b>	2026007
<b>Recommendation Title</b>	ADA -Accessible Golf Cart Overpass
<b>Areas Affected</b>	Viera East Residents
<b>Department Affected</b>	BOARD OF COUNTY COMMISSIONERS
<b>Current problem</b>	For many residents, golf carts are not recreational. They are a necessary mobility accommodation. Under current conditions, accessing the community requires navigating or crossing roadways that are unsafe for slow-moving carts and for individuals who cannot safely manage traffic, curbs, or uneven terrain.
<b>Recommendation</b>	I am here to propose the construction of an ADA-accessible golf cart overpass over I-95 at Spyglass and Murrell Road to provide safe access for residents-especially individuals with disabilities, mobility impairments, and seniors-to reach our community amenities. Please see Attachment for my formal public input submission regarding the proposed ADA-accessible golf cart overpass over I-95 at Spyglass and Murrell Rd. in Brevard County.
<b>Attachments</b>	GolfCartOverpass.docx NotRenderingCorrectlyInIE.docx Screenshot 2026-01-01 145059.png

Screenshot 2026-01-01 145313.png  
TEST.txt

Please do not reply to this e-mail, as it will go to an unmonitored mailbox.

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January 2, 2026

Joanne Maksym  
1997 Auburn Lakes Dr.  
Rockledge, FL 32955  
(440) 429-6727  
[maksym4@att.net](mailto:maksym4@att.net)

**RE: Formal Request for ADA & Florida Accessibility Compliance: Golf Cart Overpass over I-95 at Spyglass and Murrell Rd, Brevard County**

Dear Brevard County Commissioners, Planning Officials, Public Works Staff, and ADA Coordinator,

Thank you for the opportunity to provide public input regarding infrastructure, safety, and accessibility needs within Brevard County. I respectfully submit this formal request for the county's consideration of a **dedicated, ADA-accessible golf cart overpass** over I-95 at Spyglass and Murrell Road to provide safe, equitable, and meaningful access to community amenities for residents with disabilities, mobility impairments, and seniors.

For many residents, golf carts are not recreational vehicles but function as a **necessary mobility accommodation** due to disability or physical limitation. Under current conditions, residents who rely on golf carts or mobility devices must cross or travel alongside active roadways in order to access community facilities. These conditions present **foreseeable and significant safety risks**, particularly for individuals who cannot safely navigate vehicular traffic, curbs, uneven surfaces, slopes, or extended walking distances. As a result, existing access routes operate as a **barrier to equal participation** for residents with disabilities.

**Federal ADA Requirements**

Under **Title II of the Americans with Disabilities Act (ADA)**, public entities are required to ensure that services, programs, and activities are **readily accessible to and usable by individuals with disabilities** (28 C.F.R. § 35.150). Public entities must also make **reasonable modifications** to policies, practices, or procedures to avoid discrimination unless doing so would fundamentally alter the nature of the service (28 C.F.R. § 35.130(b)(7)). Additionally, newly constructed or altered facilities must be designed and constructed to be readily **accessible and usable** by individuals with disabilities (28 C.F.R. § 35.151).

When the only available route places individuals with disabilities in unsafe or hazardous conditions, access is not "meaningful" as required by the ADA.

**Florida Accessibility & Transportation Standards**

Florida law reinforces and incorporates federal accessibility requirements through the **Florida Accessibility Code for Building Construction (FACBC)**, adopted pursuant to **Florida Statutes §§ 553.501–553.513**, which applies to public facilities and emphasizes accessible routes, slopes, safety, and usability for individuals with disabilities.

Additionally, the **Florida Department of Transportation (FDOT)** requires accessibility to be integrated into transportation infrastructure through:

- **FDOT Complete Streets Policy**, which promotes safe and accessible travel for users of all ages and abilities, including individuals using mobility devices
- **FDOT Design Manual (FDM)**, which incorporates ADA and PROWAG-based accessibility principles for pedestrian and transportation-related facilities
- FDOT's obligation to ensure compliance with **ADA Title II** for facilities within or connected to public rights-of-way

A dedicated, ADA-compliant golf cart overpass over I-95 at Spyglass and Murrell Road would align with these federal and state requirements by providing a **safe, continuous, and accessible route** that eliminates conflict with high-speed vehicle traffic and removes a critical accessibility barrier.

### **Safety, Risk Management, and Community Benefits**

Construction of an ADA-accessible golf cart overpass over I-95 would:

- Remove an existing **accessibility barrier** affecting residents with disabilities
- Improve **public safety** by separating slow-moving carts and mobility devices from high-speed traffic
- Reduce traffic conflicts and **foreseeable injury risks**
- Promote independence, dignity, and full participation in community life
- Demonstrate proactive compliance with **ADA, Florida Statutes, and FDOT accessibility standards**
- Reduce potential liability associated with known accessibility and safety hazards

### **Personal Impact**

For residents like my husband and son and others with disabilities, the lack of a safe and accessible route across I-95 is not a minor inconvenience—it is a daily and ongoing barrier. What may appear to be a short or manageable distance for some residents can be physically unsafe or impossible for individuals with mobility limitations. Without an accessible overpass, residents are forced to choose between risking serious injury, relying on others for transportation, or foregoing access to community amenities altogether. An ADA-accessible golf cart overpass would restore independence, improve safety, and ensure equal participation—outcomes that federal and Florida accessibility laws were enacted to protect.

### **Requested Action**

I respectfully request that Brevard County:

1. Initiate an **ADA- and Florida Accessibility–focused feasibility and safety study** for a golf cart overpass over I-95 at Spyglass and Murrell Road
2. Evaluate the project for compliance with **ADA Title II, FACBC, and FDOT accessibility standards**
3. Engage residents with disabilities and the county ADA Coordinator in the planning and evaluation process

Thank you for your time, consideration, and commitment to fostering a safe, inclusive, and accessible community for all residents. I appreciate Brevard County’s attention to this critical accessibility, safety, and compliance matter.

Sincerely,

Joanne Maksym



BOARD OF COUNTY COMMISSIONERS

**TO:** James P. Liesenfelt, County Manager

**THRU:** Tad Calkins, Assistant County Manager, Development and Environmental Services Group

**FROM:** Billy Prasad, Director, Planning and Development Department

**SUBJECT:** Citizen Efficiency and Effectiveness Recommendation #2026007

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CEER #2026007, titled ADA -Accessible Golf Cart Overpass, was received by the County from Joanne Maksym.

**Citizen Statement:**

For many residents, golf carts are not recreational. They are a necessary mobility accommodation. Under current conditions, accessing the community requires navigating or crossing roadways that are unsafe for slow-moving carts and for individuals who cannot safely manage traffic, curbs, or uneven terrain.

**Citizen Recommendation:**

I am here to propose the construction of an ADA-accessible golf cart overpass over I-95 at Spyglass and Murrell Road to provide safe access for residents-especially individuals with disabilities, mobility impairments, and seniors-to reach our community amenities.

Please see Attachment for my formal public input submission regarding the proposed ADA-accessible golf cart overpass over I-95 at Spyglass and Murrell Rd. in Brevard County.

**Staff Analysis:**

The extension of Spyglass Hill Rd. to Napolo Dr. (including an overpass over I-95) is a planned project for which Brevard County sought and obtained a developer commitment for construction during the approval process for the Viera DRI. As mitigation for transportation impacts of the Viera DRI, the developer, the Viera Company, agreed to a condition in the Viera DRI Development Order that it would construct a "4 lane bridge and roadway connecting Spyglass Hill Road to Napolo Drive from Lake Andrew Drive to Murrell Road." The Viera Company agreed that "the improvement shall be substantially complete and open for public use coincident with the completion (i.e. issuance of certificates of occupancy) of 50% of the development program identified as Phase 4 . . ." The



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development program of Phase 4 is delineated in the following chart taken from the Development Order:

EXHIBIT 4

DRI Master Development Program

Land Use (See Notes)	Phase 1 Through October 23, 2032	Phase 2A Through October 23, 2032	Phase 3 Through October 23, 2032	Cumulative Through Phase 3	Phase 4 Through October 24, 2042	Totals
Residential (units)	6,126	3,550	4,674	14,350	17,269	31,619
Office Development (s.f.)	1,355,342	230,927	186,140	1,772,409	1,732,058	3,504,467
-General Office (s.f.)	1,355,342	230,927		1,586,269	1,732,058	3,318,327
-Government Office (s.f.)	*	*	186,140	186,140*	-----	186,140*
Hospital Health Clinic (beds and s.f.)						
-VA Clinics (s.f.)	107,500		30,000	137,500		137,500
-Hospital Beds		150	172	322		322
-ACLF Nursing Home (beds)	580	92	284	956	104	1,060
Industrial Plants or Parks Distribution, Warehousing or Wholesaling Facilities	85,518		109,500	195,018	327,482	522,500
-Office/Warehouse (s.f.)	22,500			22,500		22,500
-Light Industrial (s.f.)	63,018		109,500	172,518	327,482	500,000
Retail and Service Development (s/f/)	1,641,168	355,000	259,862	2,256,030	1,182,097	3,438,127
Hotel or Motel Development		128		128	622	750



**Planning & Development Department**

2725 Judge Fran Jamieson Way

Building A, Room 114

Viera, Florida 32940

**BOARD OF COUNTY COMMISSIONERS**

The 2024 Biennial Update to the DRI indicated that “Development is proceeding in accordance with this condition [to extend Spyglass Hill Dr.]. As to the above-referenced improvement for the “Spyglass Overpass,” the timing of the improvement has not yet been triggered because only 282,850 square feet of non-residential development (including office, retail, and light industrial) and 1,518 residential units have been built within Phase 4.”

Staff will continue to monitor the progress of development within the Viera DRI, and ensure all commitments, including the construction of the extension of Spyglass Hill Dr., are met. When the project is ripe, County staff will work with Viera Company to ensure that the project meets all ADA requirements and will consider at that time the cost-benefit analysis of making the extension golf cart accessible. If the Board were to direct the staff to move forward outside of the development order, the County would be responsible for funding the improvement.

**Staff Recommended Action:**

It is recommended the Board of County Commissioners reject CEER # 2026007 as Viera is required to build an overpass and there is no funding available for the County to build an ADA-accessible overpass.