



BOARD OF COUNTY COMMISSIONERS

Planning and Development
Planning and Zoning
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940
(321) 633-2070 Phone

LAND DEVELOPMENT WAIVER APPLICATION

This form should be used for all waiver requests or appeals associated with the Code of Ordinances, Section 62, as it relates to Subdivisions, Minor Subdivisions, and Site Plans. Fees for Waivers are \$775.00.

Application Type:

- Subdivision Waiver
Site Plan Waiver
Other

If other, please indicate

Tax Account Numbers:

2100183

Tax Account 1 Tax Account 2

Project Information and Site Address:

Meadow Pointe Subdivision JACKSON FAMILY TRUST/CB DAVIS FAMILY TRUST

Project Name Property Owner
27603 SR 46 SORRENTO FL 32776
Street City State Zip Code

Applicant Information:

Mike Roche Starlight Homes Florida L.L.C.

Applicant Name Company
1064 Greenwood Blvd., Ste. 124 Lake Mary FL 32746
Street City State Zip Code

407-708-0171 tina.lee@ashtonwoods.com
Primary Phone Secondary Phone Email Address

Engineer/Contractor (if different from applicant):

Scott Nickle, VP

DRMP, Inc.

Engineer or Project Manager

Company

100 Parnell St.

Merritt Island

FL

32922

Street

City

State

Zip Code

321-453-0010

snickle@drmp.com

Primary Phone

Secondary Phone

Email Address

Description of Waiver Request and Code Section:

Applicant is requesting a waiver of Section 62-2883(d) requiring a 15 foot wide perimeter buffer to remain undisturbed. A 15 foot wide perimeter buffer tract is proposed and preservation of any existing vegetation is proposed wherever possible, however there is a portion that the existing vegetation cannot be preserved.

If you wish to appeal any decision made by County staff on the wavier, you may request that the Board of County Commissioners make a determination. The Board's decision approving or disapproving the waiver or interpretation is final.



Owner/Applicant Signature

Scott Nickle, VP

Print Name

Land Development Application Document Submittal Requirements

Waivers for Site Plans or Subdivisions require an application, waiver criteria (listed below), an 8 ½-inch x 11 inch vicinity map, and a fee of \$775.00.

Waiver Criteria for Subdivisions and Site Plans

For a waiver to be considered and approved by staff, your request must comply with all of the following criteria. Please explain, in detail, how your request meets the following conditions.

1. The particular physical conditions, shape, or topography of the specific property involved causes an undue hardship to the applicant if the strict letter of the code is carried out.

Due to the unique nature complexity of the subject property and proposed development design constraints associated with existing and proposed drainage systems, ability to avoid grading within portions of the buffer tract is not possible. There is an existing FDOT drainage outfall onto the applicant's property and the project requires rerouting of the FDOT historical drainage within a portion of the perimeter buffer.

See attached exhibit identifying affected locations

2. The granting of the waiver will not be injurious to the other adjacent property.

This waiver request does not impact or negatively effect adjacent properties. In fact, since a portion of the proposed project involves rerouting the FDOT stormwater outfall onto the property, it is likely that granting of the waiver would facilitate improvement of drainage for adjacent properties.

3. The conditions, upon which a request for waivers are based, are particular to the property for which the waiver is sought and are not generally applicable to other property and do not result from actions of the applicant.

As stated in the response above, the subject property has unique characteristics associated with a historical FDOT outfall onto the property and serves other adjacent properties. The applicant is proposing to relocate the FDOT outfall within his property to provide appropriate stormwater conveyance.

4. The waiver is consistent with the intent and purpose of the county zoning regulations, the county land use plan, and the requirements of this article.

The requested waiver is consistent with intent and purpose of the zoning regulations and land use plan. A 15 foot wide buffer will still be provided and for any areas requiring removal of vegetation, replacement plantings will be provided, consistent with County requirements.

5. Delays attributed to state or federal permits.

N/A.

6. Natural disasters.

N/A.

7. County development engineer and affected agencies concur that an undue hardship was placed on the applicant. (To be filled out by County staff)

Office Use Only

Request Date

Fees

Board Date

Original Project Number

Waiver Number

Coordinator Initials

Reference Files

County Manager/Designee Approval