

MHOA

Micco HOME OWNERS ASSOCIATION, INC.

MHOA OFFICERS

Chelle Woods,
President

Ted Beck,
Vice President

Anne Briggs,
Secretary

Henriette Daulton,
Treasurer

DIRECTORS

Jan Black
Jim Dunn
Sue Olson
Joan Legue
Wilma Weglein

Contact Us:
Miccohomeowners
@aol.com

TO: Commissioner Tobia
RE: 20Z00030 – Lazy River Investments – Fleming Grant Road, Micco.
DATE: 11/20/2020

Micco Homeowners Association is in favor of the proposed AU(L) zoning change to 1:2.5 with a maximum 8 homes on this 20 acre property. We do, however, have the same strong issues we had in 2019 due to the fact there is no current BDP for this development located directly on the St Sebastian River which flows directly into the Indian River Lagoon. Our focus is the continued need to protect the health of the Indian River Lagoon by limiting contaminants flowing into the St Sebastian River.

Therefore we request that you consider:

- **NO HOMES within the Coastal High Hazard Area.** Development within this 5-acre area is a direct threat to the River and the Indian River Lagoon due to homeowner contaminants, pesticides, drain field/septic leaks and excess storm water runoff flowing directly into the river. Comments in 2019 from DEO and ECFRPC also support this need. **Please require all 8 homes be located outside this Coastal High Hazard Area.**
- **STORM WATER needs to be captured outside of the Coastal High Hazard Area which is also an AE Flood Zone.** The new BDP needs to designate where and how Stormwater will be captured within this development.
- **ADVANCED SEPTIC must be required** for all new homes near the Coastal High Hazard Area which is also an AE flood zone and drain fields need to be kept out of this area. In 2019, SJRWMD, DEP, DEO recognized the importance of removing 65% nitrogen with Advanced Septic on this property.
- **NO FILL DIRT within AE Flood Zone.** FEMA's Base Flood Elevation is 5.3 feet NAVD for this flood zone. This means a lot of fill dirt is required to elevate or "flood proof" each home within this area. What happens to the flood waters? How do the existing specimen trees survive the fill dirt?

To preserve the health of the IRL, please require a current BDP for this development with a maximum of 8 homes located outside the Coastal High Hazard Area.

Sincerely,
Chelle Woods, MHOA President, 9912 Riverview Drive Micco

COASTAL HIGH HAZARD AREA MAP

LAZY RIVER INVESTMENTS, LLC

20Z00030



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/10/2020

— Subject Property

Parcels

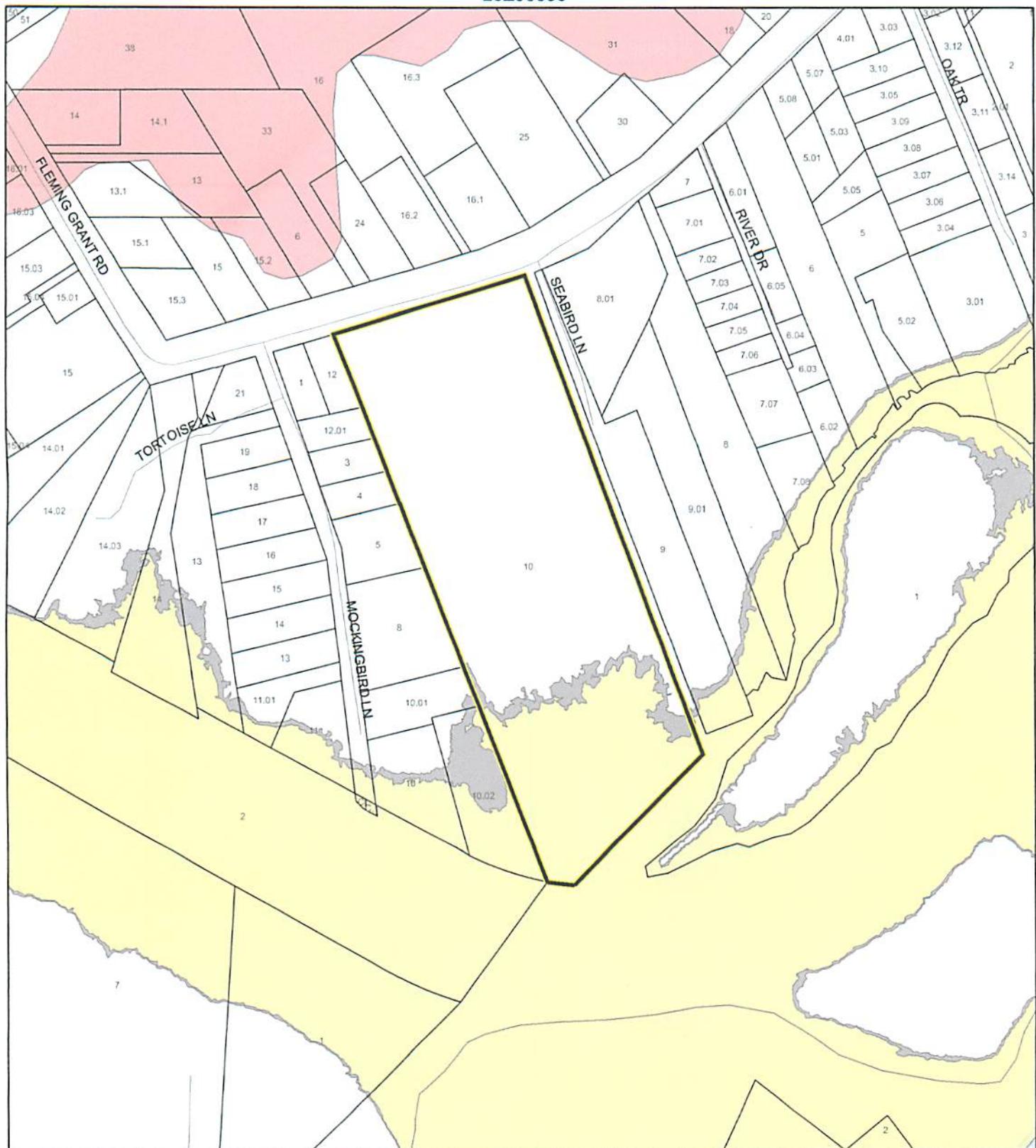
Coastal High Hazard Area

SurgeZoneCat1

FEMA FLOOD ZONES MAP

LAZY RIVER INVESTMENTS, LLC

20Z00030



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 9/10/2020

FEMA Flood Zones

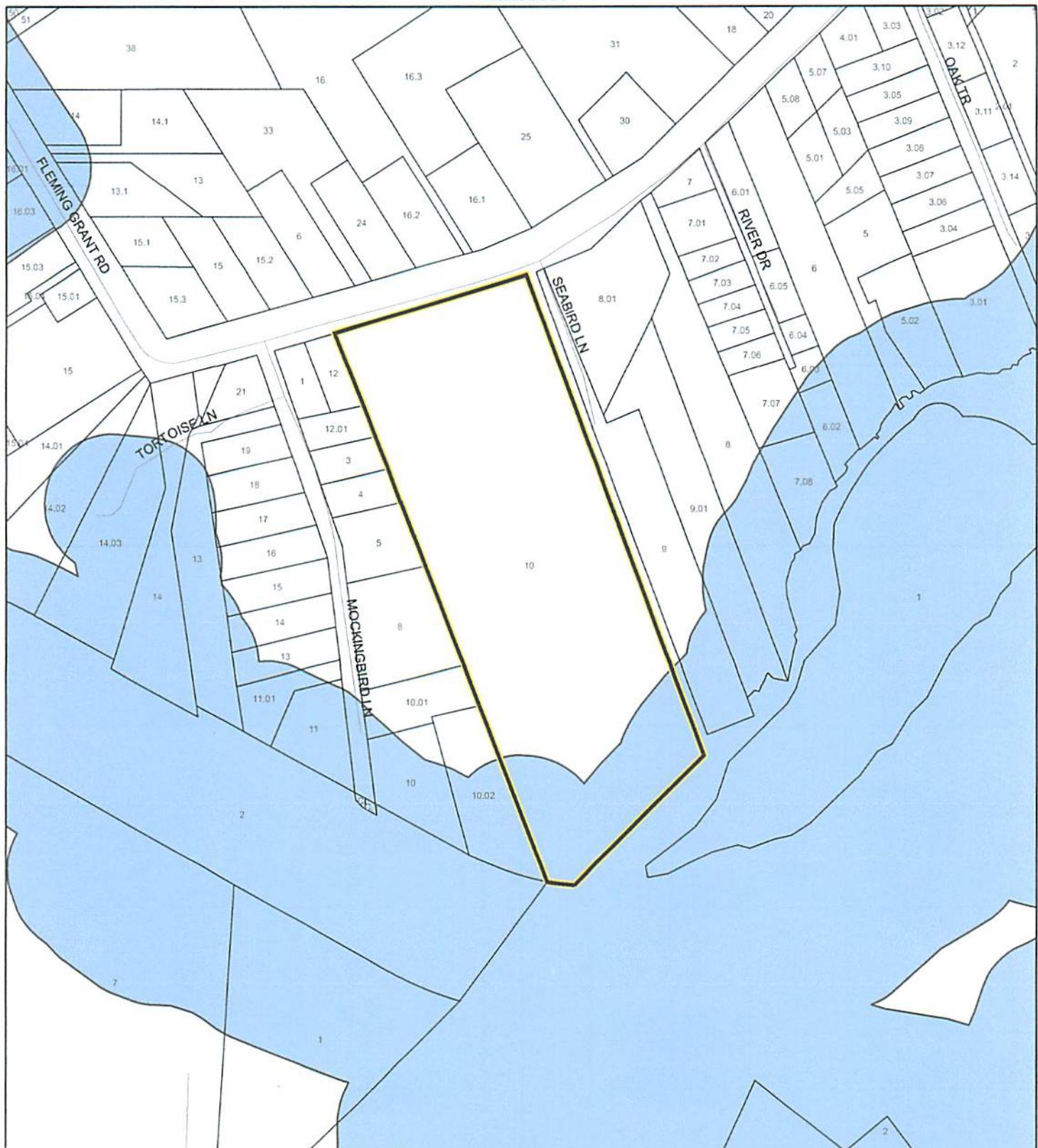
This legend provides a key for interpreting the symbols used in the flood hazard map. It includes:

- A pink square for 'A'.
- A yellow square for 'AO'.
- A white square with a black border for 'X'.
- A yellow square for 'AE'.
- An orange square for 'Open Water'.
- A green square with a black border for 'X Protected By Levee'.
- A blue square for 'AH'.
- A yellow square for 'VE'.
- A grey square for '0.2 Percent Annual Chance Flood Hazard'.
- A white square for '0.2 Percent Annual Chance Flood Hazard Contained in Channel'.
- A thick black line for 'Subject Property'.
- A white square with a black border for 'Parcels'.

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

LAZY RIVER INVESTMENTS, LLC

20Z00030



1:4,800 or 1 inch = 400 feet



This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/10/2020

— Subject Property

Parcels

Septic Overlay

40 Meters

60 Meters

All Distances

From: lindyb@cfl.rr.com
To: [Commissioner, D3](#); [Commissioner, D3](#)
Subject: Item H6 of Thursday's Zoning Meeting
Date: Monday, November 30, 2020 4:02:16 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Commissioner Tobia:

I understand that there will be a Zoning Meeting this coming Thursday, December 3, 2020, at which item H6 is a request by Lazy River Investments to change zoning for a piece of property from Fleming Grant Rd to the shoreline of the St Sebastian River, which could result in 8 homes being built in this area.

I do not object to the change per se, but there are some environmental issues that need to be addressed when this change is granted. Two of the most important among them are:

1. No homes should be built in the Coastal High Hazard Area, as this could be a further threat to the health of the Indian River Lagoon, into which the St Sebastian River flows.
1. If septic tanks are to be built for these homes, Advanced Septic must be used near the Coastal High Hazard Area. Last year SJRWMD, DEP and DEO all recognized the importance of removing 65% nitrogen with Advanced Septic on this property.

It is therefore important that this change not be granted without a Binding Development Plan that will take these, and other environmental issues into consideration!

Thank you for your time and attention to these important concerns.

Yours truly,

Linda Behret
5960 Herons Landing Dr
Viera, FL. 32955

From: [Julie Mallisturner](#)
To: [Commissioner, D2](#); [Commissioner, D3](#); d4commissioner@brevardfl.gov; [Commissioner, D1](#); d5commissioner@brevardfl.gov
Subject: Development of Property on Sebastian River
Date: Tuesday, December 1, 2020 8:33:25 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Commissioners:

I am very concerned about yet another attempt at developing property on the Coastal High Area of the St. Sebastian River in Micco. What a beautiful-pristine area...reminiscent of Old Florida, a rarity these days... a tourist attraction that is sadly becoming obsolete. What is needed before approving further development is a reasonable Binding Development Plan.

I understand that zoning for this property could go through without any Binding Development Plan. There should not be **approval of the zoning request without the BPD.**

There should be no homes built within the Coastal High Hazard Area. The Indian River Lagoon does not need more contaminants, pesticides, septic tanks leaks flowing into it as a result of building in this area.

This developer has been relentless. I urge you to take the high road and consider the environmental and economical impacts of approving development in this area. Please keep natural Florida and its preservation in mind when voting!

Sincerely,

Julie Turner
(321) 266-2786

[Sent from Yahoo Mail for iPhone](#)

From: [Leslie Maloney](#)
Subject: Micco Property-St Sebastian River
Date: Tuesday, December 1, 2020 11:40:56 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Greetings Commissioner,

The Micco property that came before you several times last year is back for your consideration. It still has many problems that will affect the Indian River Lagoon. **The biggest concern is that if there is a zoning change there must be a binding development plan.**

Within that plan I hope you will consider the following:

- 1) No homes should be built in the Coastal High Hazard Area. This will protect the IRL from homeowner contaminants like fertilizers, pesticides, septic leaks etc.
- 2) The homes must be required to capture stormwater outside the CHH area. There should be a specific plan of how this will be done.
- 3) Advanced Septic must be required.
- 4) No Fill Dirt should be used due to the fact that this is a flood zone and that fill dirt will eventually end up in the IRL--more nutrients. Also, fill dirt is known to kill specimen trees.

Brevard taxpayers are paying to restore the IRL, do your part as a commissioner and protect it against irresponsible development.

In summary , vote for a BDP which requires no more than 8 homes all built outside the Coastal High Hazard Area on this Micco property.

Thanks for your consideration,
Leslie Maloney
Melbourne Beach

From: [Commissioner_D3](#)
To: [Jones, Jennifer](#)
Subject: FW: Lazy River Investments - Micco zoning
Date: Tuesday, December 1, 2020 1:06:13 PM

Ms. Jones,

Please see below, our office has received another email disclosure.

Thank you,

Katelynne Prasad

Constituent Affairs Director

County Commissioner John Tobia, District 3

PH: (321) 633-2075 * Fax: (321) 633-2196

2539 Palm Bay Road NE, Suite 4

Palm Bay, FL 32905

From: B D <rel_eng@yahoo.com>

Sent: Tuesday, December 1, 2020 1:02 PM

To: Commissioner, D3 <d3.commissioner@brevardfl.gov>

Subject: Lazy River Investments - Micco zoning

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Commissioner Tobia,

Reference 20Z00030 Lazy River Investments – Fleming Grant Road, Micco FL

I am asking that you vote against any development in the Coastal High Hazard Area of the referenced proposed development. Any building in a flood zone near a river is simply irresponsible. The citizens of Brevard County need you to protect them from any increased damage to our water quality. Continued damage to our water quality directly adds a financial burden through lost tourist based employment, and reduced home values.

Allowing further destruction of our waterways will lead to increased taxes. These taxes will be needed to mitigate fish kills and restore algae tainted waters. Every time we allow building in an environmentally sensitive area, we are destroying the very reason most people moved to this county. Please ensure this development does not endanger

our environment and add to our citizen's financial burden.

Thank you,
Bill DeBusk

2674 Tuscarora Ct.
West Melbourne FL 32904

From: [Commissioner, D3](#)
To: [Jones, Jennifer](#)
Subject: FW: Fleming Grant Rd property -- Lazy River Investments
Date: Tuesday, December 1, 2020 2:08:28 PM

Ms. Jones,

Below is another email disclosure our office has received.

Thank you,

Katelynne Prasad

Constituent Affairs Director

County Commissioner John Tobia, District 3

PH: (321) 633-2075 * Fax: (321) 633-2196
2539 Palm Bay Road NE, Suite 4
Palm Bay, FL 32905

From: Douglas and Mary Sphar <canoe2@digital.net>

Sent: Tuesday, December 1, 2020 1:40 PM

To: Commissioner, D3 <d3.commissioner@brevardfl.gov>

Subject: Fleming Grant Rd property -- Lazy River Investments

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Commissioner Tobia,

The 20-acre property on Fleming Grant Rd in Micco is on the BCC agenda again on Thursday, but I am seeing no current BDP in the agenda packet. The draft BDP in the supporting documentation is from November 2019.

As I understand the situation from the Planning and Development Department, the applicant needs to have a BDP voted on at a meeting where that document is advertised.

What worries me is that the applicant could get approval for the rezoning without the BDP, and any leverage from withholding the rezoning approval would be gone when the BDP subsequently comes up for BCC approval.

A BDP could state that any homes need to be sited outside the approximately 5 acres comprising the Coastal High Hazard Area (CHHA), which basically overlaps FEMA flood zone AE. The BDP could also specify that there should be no fill and no stormwater ponds in the CHHA. In addition, the BDP could address advanced septic and preservation of the

specimen oak trees.

Any development on this property needs to be very carefully planned. This property appears to be the most vulnerable, or at least one of the most vulnerable, to storm surge with associated flooding in the area between Fleming Grant Road and the river. Any runoff from the property has implications for the health of the Indian River Lagoon.

I have no objections to the choice of zoning category, but I don't want to see the rezoning request granted without an adequate BDP.

Thank you for considering my opinion.

Mary Sphar

825 Cliftons Cove Ct.

Cocoa, FL 32926

From: [B.D](#)
To: [Commissioner, D4](#)
Subject: Lazy River Investments - Micco zoning
Date: Tuesday, December 1, 2020 1:10:59 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Commissioner Smith,

Reference 20Z00030 Lazy River Investments – Fleming Grant Road, Micco FL

I am asking that you vote against any development in the Coastal High Hazard Area of the referenced proposed development. Any building in a flood zone near a river is simply irresponsible. The citizens of Brevard County need you to protect them from any increased damage to our water quality. Continued damage to our water quality directly adds a financial burden through lost tourist based employment, and reduced home values.

Allowing further destruction of our waterways will lead to increased taxes. These taxes will be needed to mitigate fish kills and restore algae tainted waters. Every time we allow building in an environmentally sensitive area, we are destroying the very reason most people moved to this county. Please ensure this development does not endanger our environment and add to our citizen's financial burden.

Thank you,
Bill DeBusk

2674 Tuscarora Ct.
West Melbourne FL 32904

From: [Leslie Maloney](#)
Subject: Micco Property-St Sebastian River
Date: Tuesday, December 1, 2020 11:40:56 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Greetings Commissioner,

The Micco property that came before you several times last year is back for your consideration. It still has many problems that will affect the Indian River Lagoon. **The biggest concern is that if there is a zoning change there must be a binding development plan.**

Within that plan I hope you will consider the following:

- 1) No homes should be built in the Coastal High Hazard Area. This will protect the IRL from homeowner contaminants like fertilizers, pesticides, septic leaks etc.
- 2) The homes must be required to capture stormwater outside the CHH area. There should be a specific plan of how this will be done.
- 3) Advanced Septic must be required.
- 4) No Fill Dirt should be used due to the fact that this is a flood zone and that fill dirt will eventually end up in the IRL--more nutrients. Also, fill dirt is known to kill specimen trees.

Brevard taxpayers are paying to restore the IRL, do your part as a commissioner and protect it against irresponsible development.

In summary , vote for a BDP which requires no more than 8 homes all built outside the Coastal High Hazard Area on this Micco property.

Thanks for your consideration,
Leslie Maloney
Melbourne Beach

From: [Anne Briggs](#)
To: [Commissioner, D4](#)
Subject: 20 Acres on Fleming Grant Road, Micco (20Z00030)
Date: Friday, November 20, 2020 2:54:51 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Ref: 20Z00030, 19PZ00093

Dear Commissioner Smith,

As you may recall, on 5 December 2019, you and your fellow Commissioners voted unanimously to deny the request of Lazy River Investments, LLC on the matter of development and re-zoning of 20 acres on Fleming Grant Road bordering the Saint Sebastian River. (19PZ00093) Many residents of Micco and environmental groups strongly expressed their concern to you about this planned development, and State Comments pointed out several environmental considerations that needed attention.

The developer, Lazy River Investments, LLC has now requested a zoning change on this same parcel from RU1-13 to AU (L). According to Planning and Development, AU(L) restricts building to 1 house to 2.5 acres. This is in compliance with the Comprehensive Plan and Future Land Use designation for land adjacent to the St Sebastian River.

A zoning change hearing was held on 9 November 2020 with Brevard County Planning and Development, and the AU(L) classification was granted by the Board. After reviewing the documents on file for this hearing, we note that the BDP is the same one from November 2019 and has dated information which is incorrect for this current request. Because of this, again, we do not have any idea of what the Developer is actually planning to do on this property. In addition, upon review of the minutes of this meeting, it already looks like there may be some intention on the part of the developer to circumvent the 1:2.5 designation in order to fit 8 homes on the property. Ms Young, who represents the developer, stated, "The site faces other development challenges and it may be difficult to engineer the site to be able to yield 8 lots, and AU(L) affords some flexibility for lot configurations."

This matter comes before you for a vote on 3 December. My husband and I are writing you to ask that you and the other Commissioners once again ensure that the Developer is held to findings from previous hearings and current Staff Comments, particularly those that affect the health of the St Sebastian River and the Indian River Lagoon:

- No construction within the Coastal High Hazard area.
- Nitrogen reducing advanced OSTDS/anaerobic septic systems.
- Protection for mangroves and wetlands, as well as for protected and specimen trees and species.

- Adequate stormwater treatment as flooding is still an issue in this area.
- All lots have 1 house to 2.5 acres.
- Retain the rural, residential character of the neighborhood (no commercial activities on this property.)
- Provide a detailed, current, and acceptable BDP.

Thank you for your consideration and your continued interest in the wellbeing of our community and of our waterways.

Sincerely,

Anne Briggs and Henry Beck

9735 Fleming Grant Road, Micco, FL 32976

From: [Woodard, Patrick](#)
To: [Jones, Jennifer](#)
Cc: [Schmadeke, Adrienne](#); [Bellak, Christine](#)
Subject: FW: Lazy River Investments -- Micco property
Date: Wednesday, December 2, 2020 8:04:39 AM

Jennifer,

Here is another email concerning Agenda Item H 6 at tomorrow's meeting.

Regards,

Pat Woodard



Pat Woodard
Chief Legislative Aide to Commissioner
Smith
Brevard County, District 4
[321.633.2044](tel:321.633.2044) | Patrick.Woodard@brevardfl.gov
2725 Judge Fran Jamieson Way, Bldg. C - Suite
214,
Viera, FL 32940

Please note:

Florida has a very broad public records law. Most written communications to or from the offices of elected officials are public records available to the public and media upon request. Your email communications may, therefore, be subject to public disclosure.

From: Douglas and Mary Sphar <canoe2@digital.net>
Sent: Tuesday, December 01, 2020 5:09 PM
To: Commissioner, D4 <D4.Commissioner@brevardfl.gov>
Cc: Woodard, Patrick <patrick.woodard@brevardfl.gov>
Subject: Lazy River Investments -- Micco property

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Commissioner Smith,

The 20-acre property on Fleming Grant Rd in Micco is on the BCC agenda again on Thursday, but I am seeing no current BDP in the agenda packet. The draft BDP in the supporting documentation is from November 2019.

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Any development on this property needs to be very carefully planned. This property appears to be the most vulnerable, or at least one of the most vulnerable, to storm surge with associated flooding in the area between Fleming Grant Road and the river. Any runoff from the property has implications for the health of the Indian River Lagoon.

I have no objections to the choice of zoning category, but I don't want to see the rezoning request granted without an adequate BDP.

Thank you for considering my opinion.

Mary Sphar

825 Cliftons Cove Ct.

Cocoa, FL 32926

Commissioner, D1

From: Douglas and Mary Sphar <canoe2@digital.net>
Sent: Tuesday, December 1, 2020 5:06 PM
To: Commissioner, D1
Cc: Newell, Marcia
Subject: Lazy River Investments -- Micco property

Categories: NATE

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Commissioner Pritchett,

The 20-acre property on Fleming Grant Rd in Micco is on the BCC agenda again on Thursday, but I am seeing no current BDP in the agenda packet. The draft BDP in the supporting documentation is from November 2019.

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Thank you for considering my opinion.

Mary Sphar

825 Cliftons Cove Ct.

Cocoa, FL 32926

Commissioner, D1

From: B D <rel_eng@yahoo.com>
Sent: Tuesday, December 1, 2020 1:08 PM
To: Commissioner, D1
Subject: Lazy River Investments - Micco zoning

Categories: NATE

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Commissioner Pritchett,

Reference 20Z00030 Lazy River Investments – Fleming Grant Road, Micco FL

I am asking that you vote against any development in the Coastal High Hazard Area of the referenced proposed development. Any building in a flood zone near a river is simply irresponsible. The citizens of Brevard County need you to protect them from any increased damage to our water quality. Continued damage to our water quality directly adds a financial burden through lost tourist based employment, and reduced home values.

Allowing further destruction of our waterways will lead to increased taxes. These taxes will be needed to mitigate fish kills and restore algae tainted waters. Every time we allow building in an environmentally sensitive area, we are destroying the very reason most people moved to this county. Please ensure this development does not endanger our environment and add to our citizen's financial burden.

Thank you,
Bill DeBusk

2674 Tuscarora Ct.
West Melbourne FL 32904

Commissioner, D1

From: Leslie Maloney <maloneyl731@gmail.com>
Sent: Tuesday, December 1, 2020 11:41 AM
Subject: Micco Property-St Sebastian River

Categories: NATE

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Greetings Commissioner,

The Micco property that came before you several times last year is back for your consideration. It still has many problems that will affect the Indian River Lagoon. **The biggest concern is that if there is a zoning change there must be a binding development plan.**

Within that plan I hope you will consider the following:

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In summary , vote for a BDP which requires no more than 8 homes all built outside the Coastal High Hazard Area on this Micco property.

Thanks for your consideration,
Leslie Maloney
Melbourne Beach

Commissioner, D1

From: lindyb@cfl.rr.com
Sent: Monday, November 30, 2020 3:56 PM
To: Commissioner, D1
Subject: Item H6 of Thursday's Zoning Meeting

Categories: NATE

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Commissioner Pritchett:

I understand that there will be a Zoning Meeting this coming Thursday, December 3, 2020, at which item H6 is a request by Lazy River Investments to change zoning for a piece of property from Fleming Grant Rd to the shoreline of the St Sebastian River, which could result in 8 homes being built in this area.

I do not object to the change per se, but there are some environmental issues that need to be addressed when this change is granted. Two of the most important among them are:

1. No homes should be built in the Coastal High Hazard Area, as this could be a further threat to the health of the Indian River Lagoon, into which the St Sebastian River flows.
1. If septic tanks are to be built for these homes, Advanced Septic must be used near the Coastal High Hazard Area. Last year SJRWMD, DEP and DEO all recognized the importance of removing 65% nitrogen with Advanced Septic on this property.

It is therefore important that this change not be granted without a Binding Development Plan that will take these, and other environmental issues into consideration!

Thank you for your time and attention to these important concerns.

Yours truly,

Linda Behret
5960 Herons Landing Dr
Viera, FL. 32955

Commissioner, D1

From: Linda McLain <lmclain45@yahoo.com>
Sent: Friday, November 27, 2020 5:02 PM
To: Commissioner, D2; Commissioner, D1; Commissioner, D3; Commissioner, D4;
Commissioner, D5
Subject: 20Z00030 Zoning Request- Lazy River Investments, LLC-Dec 3 meeting

Categories: NATE

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

My name is Linda Brannan and I live at 9675 Fleming Grant Rd in Micco, across the street from the subject property. I was very active with my neighbors and the Micco Homeowners in opposing the original application from the owner of this property asking to develop it into small homesites under the existing RU1 13 zoning. Our goal was to see this land developed with minimum 1 home per 2.5 acres as the existing comp plan for our area requires. The zoning this owner is requesting now would provide for that goal.

I have talked to many of my neighbors now, who originally opposed his plan and they are in favor of this request for the zoning change to AU L. We understand that AU L may allow him to make his lots narrower than a higher AU zoning, but that does not bother us. We just want him to keep the density at 1 home per 2.5 acres. That limits the amount of homes that can be built there to possibly 8.

I am writing this letter to let you know that we support this request. It is not our goal to punish this new owner, but to keep the density in compliance with the comprehensive land use plan. Thank you.

Sincerely,

Linda Brannan
9675 Fleming Grant Rd
Micco, FL 32976
772-664-2274

From: [Commissioner, D1](#)
To: [Jones, Jennifer](#)
Subject: Agenda item H6, December 3, 2020
Date: Wednesday, December 2, 2020 1:53:06 PM
Attachments: [miccolidl2.docx](#)
[image001.png](#)

Good Afternoon,

Attached and Below are public comments in regards to Item H.6 for tomorrow's meeting.

Best Regards,

Nate Smith

Legislative Aide to Commissioner Rita Pritchett



District 1 Commission Office
2000 South Washington Avenue, Suite 2
Titusville, FL 32780
321-607-6901

Please note:

Florida has a very broad public records law. Most written communications to or from the offices of elected officials are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

From: David Botto <dbotto1@cfl.rr.com>
Sent: Wednesday, December 2, 2020 12:39 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>
Subject: Agenda item H6, Fleming Grant Road, Micco, December 3, 2020

know the content is safe.

Dear Chairwoman Pritchett and Distinguished Members,

The Marine Resources Council (MRC) is dedicated to the preservation and restoration of the Indian River Lagoon and we are pro-actively supporting the Save Our Lagoon Project Plan which seeks, at great cost, to correct and repair the results of past mistakes that caused great harm to the Lagoon. In addition, MRC is a property owner in this area and joins residents in expressing our concern.

Please refer to our previous letter on this subject, attached.

MRC fully supports the position regarding built location and low impact development of this property as expressed by the residents in a recent E Mail to you.

We are concerned that no newly prepared Binding Development Plan (BDP) is indicated in this latest proposal. This property is literally on the bank of the Sebastian River as it empties into the Indian River Lagoon Preserve. It includes extensive wet land and high hazard flood zone within its borders. It is a classic example of land that requires intense management of development, or no development at all. A detailed BDP must be required in order for Brevard County to apply responsible management that will ensure no harm to the Lagoon.

We must look to the future.

Respectfully,

David C. Botto, Chair
Intergovernmental Committee
Marine Resources Council

September 26, 2019

Brevard County Board of County Commissioners
2725 Judge Fran Jamieson Way
Viera, FL 32940

SUBJ: Micco Land Development 19PZ00093

Dear Chairwoman Isnardi and Distinguished Members;

The Marine Resources Council (MRC) is dedicated to the preservation and restoration of the Indian River Lagoon (IRL) and we are pro-actively supporting the Save Our Lagoon Project Plan which seeks, at great cost, to correct and repair past mistakes that caused great harm to the lagoon. We are concerned that much of the accelerated development now occurring in Brevard County poses danger to the future health of the Indian River Lagoon. Such development, even though meeting current requirements, will add to the pollution entering the lagoon in violation of federal and state mandates. In the long term, it will nullify many of the objectives of the Save Our Lagoon Project Plan.

To counter this, we have strongly encouraged the adoption of Low Impact Development (LID) that will cost effectively minimize the impact on the IRL of much needed development. Its objective is to control storm water at its source through simple actions that result in post development run-off that mimics the original. The concept is founded on the critical need to increase pervious, water storing land and to reduce the destructive run-off loss of water, an increasingly valuable resource.

We believe that the pending development of the Micco property, known as 19PZ00093, is an opportunity to showcase the many advantages of LID. The subject property is adjacent to and drains directly into the St. Sebastian River as it enters a lagoon Aquatic Preserve. At least five State agencies have emphasized the importance of this land to the water quality of the lagoon. Brevard County recently denied a density zoning change for this land. The developer now intends to develop under current zoning density of eight units. Careful site planning and execution must be applied to this sensitive land to ensure that this development does no harm. We recommend that Brevard insist on an agreement with the developer that LID Best Management Practices be applied, to the extent reasonable, for site location, design, preparation and construction. These practices are widely used and effective in minimizing storm water run-off pollution. They also reduce the need for costly stormwater infrastructure and, in some cases, have enabled increased density by eliminating the need for large water storage areas. We offer our assistance in this endeavor.

We must look to the future.

Respectfully,

Leesa Souto, Ph.D.
Executive Director
Marine Resources Council
3275 Dixie Hwy, NE
Palm Bay, FL 32905

321-725-7775