



Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 115
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

December 4, 2019

Bruce Moia, P.E.
MBV Engineering, Inc.
1250 W. Eau Gallie Blvd., Unit H
Melbourne, FL 32935

Telephone: (321) 253-1510
E-mail: brucem@mbveng.com

Application Number: **19ER00037**
Application Name: **Squid Lips Cocoa Beach**

RE: Review Comments

Your application was reviewed for compliance with the Brevard County Code and other applicable regulations and ordinances. The following comments were received from the various review agencies. Please make the appropriate revisions and resubmit two (2) sets of revised plans with a cover letter providing a written response **listing each agency comment and your response** to each of the items shown as a deficiency below and how it has been resolved. **Project number and name** must be referenced with the response. Also include the form **"Document Submittal for Subsequent Reviews"** found online at our website at this location <http://www.brevardcounty.us/docs/default-source/planning-and-development/document-submittal-for-subsequent-reviews.pdf?sfvrsn=2>

Subsequent project review fees required for next submittal: \$ 000.00

ENGINEERING DESIGN - 321-637-5437

Reviewed by: Nicholas Gagliardo, 321-637-5437 x58335, nicholas.gagliardo@brevardfl.gov

Deficiencies

1. Please add a legend to describe the various text sizes and styles used. Are these proposed elevations or existing elevations?
2. Sheet C-5, please clarify notes on eastern parking stall in northern unpaved area stating "Construct additional Retention Area #5..." and Additional Retention Area #1B. Will these parking spaces be demolished for two additional pond areas?
 - a. If so, please show proposed pond outlines and revise the total number of parking to exclude these parking spaces. Please show additional parking to meet the required 109 spaces total per the July 12, 2018 approved parking reduction waiver. Please cloud these areas for clarity.

3. Sheet C-6, parking spaces in southeast corner of property shown conflicting with one another. Please revise parking spaces to prevent conflict. As shown, this parking is not acceptable.
4. With the millings removed from the stabilized parking areas (noted as approximately 4-inches), please show the As-Built elevations in the parking areas on the drainage plans. If the parking areas were raised to the existing elevation, please specify the replacement material used to raise the parking area 4-inches. Replacement material shall be non-calcareous as previously approved; shell material slated for future improvement is an acceptable material. Additionally, please provide spot elevations demonstrating proposed drainage pattern for these areas. Note, unstabilized material will lead to excessive erosion in a sheet-flow condition during high intensity storm events, and will cause future maintenance issues for both the parking and pond.
5. Please clarify grading for Retention Area 3 and associated subbasin. Elevations shown (2.79) in parking appear to allow ponding in the southern accessible parking space. This was also observed on a site visit. Please provide additional spot elevations showing positive drainage to Retention Area #3 (TOB 2.80) and provide additional detail as to how water will enter this area (ie. concrete weir, etc.). Currently pond was filled in and an earthen berm was observed preventing sheet flow into the previous retention area. If no improvements are planned to be made, please remove this retention area from the stormwater calculations.
6. Please update the Stage-Storage Relationship table in the submitted Stormwater Report. Currently the pond bottoms (elevation 2.45) are shown within 1-ft of the seasonal high ground water elevation which will functional impede the ability of the ponds to recover and treat as intended. Geotechnical boring in Retention Area 1 shown as elevation 2.7 per Soil Boring Summary on Sheet C-4, elevation 1.7 in Retention Area #2, and elevation 2.0 near Retention Area 3. Per Brevard County Code of Ordinance 62-3756 Exhibit A to Division 6, Section 4.4(k) dry pond bottom shall be at least one-foot above the seasonal high-water elevation.
 - a. Based on response to comment #1 above, spot elevations shown on this engineering revision do not provide a consistent pond bottom grade and do not support the elevations used to calculate treatment volume in the stormwater calculations. Please clarify existing versus proposed elevations for the pond areas. Several pond bottom elevations are shown within one foot of the seasonal high-water elevation. Please update the plans and stormwater calcs for consistency and adherence to the code.
7. In the Stormwater Report; Please include the updated BMPTrains input and results.

LAND DEVELOPMENT/PLATTING - 321-633-2065

Reviewed by: Tim Craven, (321) 633-2072 x 54133, tim.craven@brevardfl.gov

Approved

LANDSCAPE/CLEARING - 321-633-2016

1) Reviewed by Jeanne Allen 321-633-2016 ext 58433 Jeanne.allen@brevardfl.gov

2) Based on previous failed landscape inspection, it is apparent that the Crinum lilies cannot handle the conditions at that location - perhaps too much wind/salt spray, and/or not enough water/lack of irrigation. Maybe a tougher shrub such as sea grape or buttonwood would survive

the current conditions. Also, this layer should be spaced about 4 feet on center.

3) Dwarf bottlebrush has moderate aerosol salt tolerance, and will not do well in that location. Tougher alternatives will survive better such as a dwarf Pittosporum variety, Chrysobalanus icaco (cocoplum), coontie, or green island ficus. Should be spaced about 3 feet on center.

4) Shorter plantings (salt tolerant) around the sign are acceptable if necessary.

5) How will plantings be watered until established? Please specify on plans.

NATURAL RESOURCES – 321-633-2016

Reviewed by: Vanessa Arnal, (321) 633-2016 x52904, vanessa.arnal@brevardfl.gov

Deficiencies

1. Please revise the Demolition Summary accordingly to changes proposed on Sheet C-2. Areas being removed have been reduced according to the acreage labeled on the Sheet. Please revise loading and treatment calculations based on revised impervious areas.

2. A recent visit to the site is showing water in retention areas 1 and 2. Please revise your calculations. Material in the pond must match percolation rates used in the modeling and design. In addition, a trench was cut off from the retention area 2, discharging into the lagoon.

3. Please see Engineering comments regarding retention.

4. Additional comments may be provided upon receipt of new or incomplete information.

SURVEY - 321-633-2080

Reviewed by: Tony Vitale, (321) 633-2080 x 52818, tony.vitale@brevardfl.gov

Approved

TRAFFIC ENGINEERING - 321-633-2077

Reviewed by: Devin A. Swanson, (321) 633-2077, devin.swanson@brevardfl.gov

Approved

UTILITY SERVICES - 321-633-2091

Reviewed by: Lucas Siegfried, (321) 633-2091 x58384, lucas.siegfried@brevardfl.gov

Approved

ZONING - 321-633-2070

Reviewer: Peter J. Martin, 321-350-8268, peter.martin@brevardfl.gov

1) The project site is subject to a Mediation Settlement Agreement between Banana Riverfront, LLC and Brevard County dated March 1, 2017. Please state on the site plan that: "This site shall be developed and utilized in compliance with the terms of the Mediation Settlement Agreement between Banana Riverfront, LLC and Brevard County dated March 1, 2017." Please also state on the site plan: "Prior to having live music on the deck, Riverfront shall install both a noise curtain on the north side of the property from the hard cover canopy to the roof of the building and a 'mass-loaded vinyl' sound blanket over the bandstand area. Amplified live music on the deck shall be limited to the following times and durations: 1) Monday – Thursday: 6:00 pm – 10:00 pm; 2) Friday, Saturday, Federal Holidays and any day immediately prior to a Federal holiday: 2:00 PM – 10:00 PM with music not to exceed a 4-hour block with a minimum of 1 hour between blocks music."

2) Please state on site plan whether site is or is not required to submit Risk Management Plan (RMP) pursuant to U.S. Environmental Protection Agency (EPA) regulations. If an RMP is required, please return that information to this office. If RMP is not required, please add this note to site plan: "The uses proposed as part of this site plan do not require a submittal of a Risk Management Plan pursuant to U.S. Environmental Protection Agency (EPA) regulations and shall not exceed EPA's Risk Management Plan

3) Please ensure all signs comply with Section 62-3301-62-3319 of Article IX, Sign Code. Signs can be submitted for zoning review with site plan or wait to be reviewed through building permit process. Please either provide all sign details or have signs reviewed at permit stage and remove signs from site plan. Variances, if applicable, must be approved prior to permitting.

Thank you,

Tim Craven
Planner I



BOARD OF COUNTY COMMISSIONERS

January 2, 2020

Bruce Moia, P.E.
MBV Engineering, Inc.
1250 W. Eau Gallie Blvd., Unit H
Melbourne, FL 32935

Telephone: (321) 253-1510
E-mail: brucem@mbveng.com

Application Number: **19ER00037**
Application Name: **Squid Lips Cocoa Beach**

RE: Review Comments

Your application was reviewed for compliance with the Brevard County Code and other applicable regulations and ordinances. The following comments were received from the various review agencies. Please make the appropriate revisions and resubmit five (5) sets of revised plans with a cover letter providing a written response **listing each agency comment and your response** to each of the items shown as a deficiency below and how it has been resolved. **Project number and name** must be referenced with the response. Also include the form **“Document Submittal for Subsequent Reviews”** found online at our website at this location <http://www.brevardcounty.us/docs/default-source/planning-and-development/document-submittal-for-subsequent-reviews.pdf?sfvrsn=2>

Subsequent project review fees required for next submittal: \$ 000.00

ENGINEERING DESIGN - 321-637-5437

Reviewed by: Nicholas Gagliardo, 321-637-5437 x 58335, nicholas.gagliardo@brevardfl.gov
Deficiencies

1. Previous Comments #1, #5, #6, and #7 were not addressed, and are copied in full below. Please address in the re-submission. Additionally, based on field inspection on 12/3/19, two additional pumps were observed on-site within pond #1, one with a sump dug to drain excess standing water. If the pumps are to remain, please add to the plans, show intake elevations at or above the required treatment elevation, and show pre-condition discharge rates are not being exceeded. The continued presence of standing water further evidences that these ponds will not function properly given their proximity to the season high groundwater elevation. Additional geotechnical bores may be necessary to support any changes to the estimated season high water table in the different ponds. Previously a lower elevation of 1.73 was suggested, but the presence of standing water brings these elevations to question. Please

address with Previous Comment (P.C.) #6 below.

P.C. 1. Please add a legend to describe the various text sizes and styles used. Are these proposed elevations or existing elevations?

P.C. 5. Please clarify grading for Retention Area 3 and associated subbasin. Elevations shown (2.79) in parking appear to allow ponding in the southern accessible parking space. This was also observed on a site visit. Please provide additional spot elevations showing positive drainage to Retention Area #3 (TOB 2.80) and provide additional detail as to how water will enter this area (ie. concrete weir, etc.). Currently pond was filled in and an earthen berm was observed preventing sheet flow into the previous retention area. If no improvements are planned to be made, please remove this retention area from the stormwater calculations.

P.C. 6. Please update the Stage-Storage Relationship table in the submitted Stormwater Report. Currently the pond bottoms (elevation 2.45) are shown within 1-ft of the seasonal high ground water elevation which will functional impede the ability of the ponds to recover and treat as intended. Geotechnical boring in Retention Area 1 shown as elevation 2.7 per Soil Boring Summary on Sheet C-4, elevation 1.7 in Retention Area #2, and elevation 2.0 near Retention Area 3. Per Brevard County Code of Ordinance 62-3756 Exhibit A to Division 6, Section 4.4(k) dry pond bottom shall be at least one-foot above the seasonal high water elevation.

a. Based on response to comment #1 above, spot elevations shown on this engineering revision do not provide a consistent pond bottom grade and do not support the elevations used to calculate treatment volume in the stormwater calculations. Please clarify existing versus proposed elevations for the pond areas. Several pond bottom elevations are shown within one foot of the seasonal high water elevation. Please update the plans and stormwater calcs for consistency and adherence to the code.

P.C. 7. In the Stormwater Report; Please include the updated BMPTrains input and results.

LAND DEVELOPMENT/PLATTING - 321-633-2065

Reviewed by: Tim Craven, (321) 633-2072 x 54133, tim.craven@brevardfl.gov

Approved

LANDSCAPE/CLEARING - 321-633-2016

Reviewed by Jeanne Allen 321-633-2016 ext 58433 Jeanne.allen@brevardfl.gov

Approved

NATURAL RESOURCES – 321-633-2016

Reviewed by: Vanessa Arnal, (321) 633-2016 x52904, vanessa.arnal@brevardfl.gov

Deficiencies

1. Regarding our previous comment number one there are some discrepancies between the approved plans (17AD00026) and the last two engineering revision submittals:

a. Asphalt area to be removed (with a building that will also be removed) is labeled as 3413 sf in approved plans (17AD00026) vs 3235sf on engineering revision 19ER00037 plans. Also, “Existing asphalt” and “Total impervious removed” on the Demolition summary are not consistent throughout plans. Please revise.

b. Approved plans 17AD00026 an extra 1730sf that were to be removed and turn into a

retention area, exempt from treatment calculations. The engineering revision 19ER00037 plans is keeping this area as impervious. Please revise loading and treatment calculations based on revised impervious areas.

2. Regarding our previous comment number 2, a discussion with Engineering confirmed percolation rates are fine. However please address to Engineering comments about the pond bottom elevation in Retention Area No. 1 and proximity with Season High Water Table and request for additional geotechnical borings.

3. A trench cut off from the retention area 2, directly discharging into the lagoon is not shown on any approved or pending plans. This is an illegal discharge into the IRL. Failure to resolve this will result in potential county/state enforcement action.

4. Additional comments may be provided upon receipt of new or incomplete information.

SURVEY - 321-633-2080

Reviewed by: Tony Vitale, (321) 633-2080 x 52818, tony.vitale@brevardfl.gov

Approved

TRAFFIC ENGINEERING - 321-633-2077

Reviewed by: Devin A. Swanson, (321) 633-2077, devin.swanson@brevardfl.gov

Approved

UTILITY SERVICES - 321-633-2091

Reviewed by: Lucas Siegfried, (321) 633-2091 x58384, lucas.siegfried@brevardfl.gov

Approved

ZONING - 321-633-2070

Reviewer: Peter J. Martin, 321-350-8268, peter.martin@brevardfl.gov

Deficiencies

Please take action regarding, not merely acknowledge, comment 1. Please simply place the two following notes on the plan:

1. "This site shall be developed and utilized in compliance with the terms of the Mediation Settlement Agreement between Banana Riverfront, LLC and Brevard County dated March 1, 2017."

2. Prior to having live music on the deck, Riverfront shall install both a noise curtain on the north side of the property from the hard cover canopy to the roof of the building and a 'mass-loaded vinyl' sound blanket over the bandstand area. Amplified live music on the deck shall be limited to the following times and durations: 1) Monday - Thursday: 6:00 pm - 10:00 pm; 2) Friday, Saturday, Federal Holidays and any day immediately prior to a Federal holiday: 2:00 PM - 10:00 PM with music not to exceed a 4-hour block with a minimum of 1 hour between blocks of music."

Thank you.

All other comments adequately addressed.

Thank you,

Tim Craven
Planner I



Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 115
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

February 13, 2020

Bruce Moia, P.E.
MBV Engineering, Inc.
1250 W. Eau Gallie Blvd., Unit H
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Deficiencies

Reviewed by: Nicholas Gagliardo, 321-637-5437 Extension 58335#, nicholas.gagliardo@brevardfl.gov

1. Previous Comments were not addressed.

P.C. 1. It is unclear in the plans which elevations are existing and which are proposed. Please add a legend to the plans to clarify. Bold pond contours do not extend around the ponds; will only new pond areas be regraded? Pond elevations in the plans do not match the stormwater calculations, please update for consistency.

P.C. 5. Retention Area #3 is not currently functional based on existing grades / condition. If the intention is to leave this area unimproved, please remove this area from the required treatment volume calculations.

P.C. 6. Per Brevard County Code of Ordinance 62-3756 Exhibit A to Division 6, Section 4.4(k) dry pond bottom shall be at least one-foot above the seasonal high water elevation. Please revise pond bottom elevations accordingly. Per the Geotechnical Testing, S.H.W.T. in Retention Area #1 is 2.7, S.H.W.T. in Retention Area #2 is 1.7, S.H.W.T. in Retention Area #3 is 2.0.

P.C. 7. Please clarify basin areas for retention areas shown, and update the BMPTrains model to accurately reflect captured area. Current calculations assume 100% catchment area which is not supported with elevations and grading shown.

LAND DEVELOPMENT/PLATTING - 321-633-2065

Reviewed by: Tim Craven, (321) 633-2072 x 54133, tim.craven@brevardfl.gov

Approved

LANDSCAPE/CLEARING - 321-633-2016

Reviewed by Jeanne Allen 321-633-2016 ext 58433 Jeanne.allen@brevardfl.gov

Approved

NATURAL RESOURCES – 321-633-2016

Reviewed by: Vanessa Arnal, (321) 633-2016 x52904, vanessa.arnal@brevardfl.gov

Approved

SURVEY - 321-633-2080

Reviewed by: Tony Vitale, (321) 633-2080 x 52818, tony.vitale@brevardfl.gov

Approved

TRAFFIC ENGINEERING - 321-633-2077

Reviewed by: Devin A. Swanson, (321) 633-2077, devin.swanson@brevardfl.gov

Approved

UTILITY SERVICES - 321-633-2091

Reviewed by: Rudy Mulamba, (321) 633-2091 x58380, rudy.mulamba@brevardfl.gov

Approved

ZONING - 321-633-2070

Reviewer: Peter J. Martin, 321-350-8268, peter.martin@brevardfl.gov

Approved



BOARD OF COUNTY COMMISSIONERS

April 8, 2020

Bruce Moia, P.E.
MBV Engineering, Inc.
1250 W. Eau Gallie Blvd., Unit H
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ENGINEERING DESIGN - 321-637-5437

Reviewed by: Nicholas Gagliardo, 321-637-5437 x 58335#, nicholas.gagliardo@brevardfl.gov

1. Previous Comment "P.C. 6": Current pond bottoms are shown within one-foot of the seasonal high groundwater level. Per 62-3756 Exhibit A to Division 6, Section 4.4(k), "[d]ry ponds may be used if the bottom of the pond is at least one-foot above the seasonal high groundwater level... If the bottom of a dry pond is less than one-foot above the seasonal high ground water level due to physical constraints of the site, or with the approval of the reviewer, the bottom of the pond shall be planted with the wetland vegetation to control cattail growth..." Please coordinate any proposed planting plan with Natural Resources, Jeanne Allen at 321.633.2016 Ext. 58433. Additional plantings within these ponds will need to be incorporated in the Landscape Plan, maintained in perpetuity and subject to the final landscape inspection.

2. Previous Comment "P.C. 1": Thank you for clarifying the grades and elevations shown. Based on this new information, the following comments have been raised:

a. Sheet C-4: Existing Retention Area #1 is only shown with existing contours and includes a note, "EXISTING RETENTION AREA #1 TOP +/- 3.0 BOTTOM +/-2.45." This note is both inconsistent with the stormwater calculations and the existing spot elevations shown mostly between 1.9 and 2.4. Please clarify if the intent for this pond. Will the pond be graded / constructed to have a top of bank at 3.0 and bottom at 2.45? The pond bottom does not meet the minimum elevation of 1-foot above the extrapolated E.S.H.W.T. (between 1.7 and 2.1) in its current state. Please review and revise the plans and calculations as needed. If the pond bottom will be within 1-foot of the E.S.H.W.T. please provide calculations for the proposed pond bottom meeting drawdown requirements and include plantings as noted in the comment above.

b. Sheet C-4: Retention Area #1a is shown with a proposed top of bank of 2.9. Pavement spot elevations in this area are shown below this elevation (2.62, 2.73, 2.51...). Please clarify drainage pattern; currently no inlets are shown for these low areas, and regrading does not appear to be specified.

c. Sheet C-4: Existing spot elevations of 3.1 and 2.4 east of Retention Area #2 do not appear to have positive drainage based on the proposed Retention Area #2, 4A, 4B, and 4C pond top of bank (T.O.B.) contour of 3.5. Will inlets be installed at these low spots to facilitate drainage? Please clarify drainage pattern, and ensure water will not stage onto the A.D.A. accessible sidewalk route. Current MODRET report shows a peak stage of 3.341 for pond #2. Please see comment #3 below for potential modeling revisions that may further affect the peak stage, and address any water staging across the A.D.A. routes as applicable.

d. Sheet C-5: Please clarify proposed grading for Retention Area #1. Will the existing Retention Area #1 T.O.B. on the north side of Pond #1B remain as a high point (at T.O.B. of 3.0?) between Retention Area #1 and #1B? Or will the existing T.O.B. be removed in this area to create one large pond? Currently, the MODRET report shows a peak stage of 3.36 for Pond #1B, which will overflow the Pond #1 T.O.B.; please clarify grading between these ponds.

e. Sheet C-5: K.S.M. Geotech report dated 2020 shows a E.S.H.W.T. elevation of 2.1 for Pond #1b. Please revise pond bottom elevation to achieve a minimum separation to the E.S.H.W.T. of 6-inches.

f. Sheet C-5: Retention Area #3 is called to have a pond bottom of 2.6 and top of bank of 2.8; however, existing spot elevation along the bottom of the pond (2.7) do not support these elevations. Please revise the calculations to exclude this pond, or show proposed contours to re-shape this pond.

g. Sheet C-5: Pavement low spot elevation of 2.88 between existing 1-story building and bicycle rack does not appear to have positive drainage. Please show how the pavement runoff is directed into the retention areas for treatment. Will a flume be constructed? Please clarify stormwater treatment for this pavement sub-basin.

h. Please verify and adjust pond stage-area values based on comments above (e.g. pond #1 top and bottom elevation, pond #1b bottom elevation, pond #3 bottom elevation) and ensure that pond area/volume within the property limits are being included in the

calculations for the pond/treatment volumes. Currently, pond #1 and #1b both appear to be including pond area/volume outside of the property limits.

3. Previous Comment "P.C. 6": Thank you for the additional geotechnical information. Per the KSM report dated March 18th, 2020, the E.S.H.W.T. at location 2 was approximately 10-inches below grade. Per Sheet C-4 of the plans, the ground elevation at the bore hole location was 2.30; however, the E.S.H.W.T. is listed as elevation 1.8 in the MODRET Model, which is not reflective of 10-inches below grade (elevation 1.5). Please clarify the E.S.H.W.T. in this retention area and update the MODRET Model accordingly.

LAND DEVELOPMENT/PLATTING - 321-633-2065

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Approved

LANDSCAPE/CLEARING - 321-633-2016

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Approved

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Reviewer: Peter J. Martin, 321-350-8268, peter.martin@brevardfl.gov

Approved