

From: [Ragain, Rebecca](#)
To: [Jones, Jennifer](#)
Subject: FW: Waiver
Date: Tuesday, February 18, 2020 10:32:32 AM
Attachments: [Georgiana \(1\).docx](#)

From: Joe Mayer <joe@bmeg.net>
Sent: Tuesday, February 18, 2020 6:38 AM
To: Ramos, Tania <Tania.Ramos@brevardfl.gov>
Cc: pelandbuss@aol.com; Ragain, Rebecca <Rebecca.Ragain@brevardfl.gov>
Subject: RE: Waiver

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

Tania and Rebecca,

The applicant agrees with the proposed conditions, and has gone a step farther. See proposed adjusted conditions attached. We are proposing to restrict the lots affected with a 35' rear setback, so that the houses are no closer to the adjacent subdivision than they would be with the buffer. We would provide the required deed restrictions and conditions with the HOA docs to be submitted with the plat, so that you can confirm compliance. If this is acceptable we request placement on the next available consent agenda. Thank you.

joe

The applicant has offered the following conditions of approval to mitigate the waiver:

- Regular maintenance of the rear yard drainage will be provided in perpetuity by the HOA and/or individual lot owners and recorded as such in the covenants and Restrictions.
- The plat for the subdivision will stipulate the 15-foot drainage easement will be free of obstructions, structures, landscaping, etc. and maintained by the HOA or individual property owners.
- Provisions of a deed restriction indicating no vegetation, grading changes, or improvements of any kind that would impair damage.
- Provision of a deed restriction imposing a 35' rear lot setback for all structures (except pools and fences).