

## **LOCAL PLANNING AGENCY/PLANNING AND ZONING BOARD MINUTES**

The Brevard County Local Planning Agency/Planning & Zoning Board met in regular session on Monday, July 20, 2020, at 3:00 p.m., in the Commission Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

The meeting was called to order by Chair Mark Wadsworth, at 3:00 p.m.

Board members present were: Ron Bartcher; Brian Hodgers; Harry Carswell; Ben Glover; Mark Wadsworth, Chair; Peter Filiberto, Vice Chair; Bruce Moia; and Joe Buchanan.

Staff members present were: Jeffrey Ball, Planning and Zoning Manager; Abigail Jorandby, Assistant County Attorney; and Jennifer Jones, Special Projects Coordinator.

### **1. Marker 24 Marina, LLC (Peter Black)**

A request for CUP (Conditional Use Permit) for Commercial/Recreational and Commercial/Industrial Marina in the RU-1-11 (Single-Family Residential) and BU-2 (Retail, Warehousing, and Wholesale Commercial) zoning classifications. The property is 7.08 acres, located on both sides of S. Banana River Drive, approximately 160 feet north of West Virginia Avenue. (20Z00009) (Tax Account 3018251) (District 2)

Peter Black, 1200 S. Banana River Drive, stated the west side of the subject property has a previously approved CUP from 2019 when it was recommended that to legitimize the use of the property on the east side of the marina, it needed to be encompassed with a CUP for fuel sales, marina boat slips, and other things listed in the application.

Public Comment:

Carrie Moore, 1415 S. Banana River Drive, stated she lives on the west side of S. Banana River Drive, south of the marina, and she knows the owner is trying to improve the area, but she doesn't understand what exactly it means for her, and she is worried about property taxes going up. She said she is against the request because she doesn't want to pay more taxes.

Ben Glover stated as long as her property is homesteaded, as part of the Save Our Homes Act, taxes cannot be increased more than 3% per year. If property taxes did go up, it would take a long time before it got too expensive for her to afford her home.

Mark Wadsworth called for any further public comment, and seeing none he brought the item back to the board.

Joe Buchanan stated after visiting the site, he thinks the owner is doing a good job building the marina to standards that it might not have been before. He asked if the holding tanks in the boats are required up to 25 feet. Mr. Black replied yes, and there is a pump-out system on the dock that facilitates each boat. Mr. Buchanan asked how often the pump-out station works. Mr. Black replied it is not very active because currently there are no liveaboards; it was previously a liveaboard marina, which he wanted to steer away from because he is building homes around the marina and he wanted it to be quiet for the residents in the community, so people visiting on the weekends are the target market.

Mr. Buchanan asked about the capacity of the restrooms on the east side near the front of the club. Mr. Black stated there is enough capacity and there are also two new restrooms in the office that was constructed in May, along with a restroom facility to go on the north end of the main pier to facilitate anybody in that area.

Mr. Buchanan asked how the fuel gets from the fuel tanks to the fuel dock. Mr. Black stated it will be piped underground to the fuel dock, and the dispensers will be at the beginning of the dock.

Mr. Buchanan asked how many short term rentals and personal watercraft the marina will have. Mr. Black replied he doesn't intend to have any personal watercraft, but he would like to have a small pontoon boat for neighbors to rent.

Mr. Buchanan asked about the capacity of the private club. Mr. Black stated the private club is for the homeowner's association members, and it's also for special events for boat owners only.

Ron Bartcher stated asked if a berm has been created on the south side of the property, as was stated at the August 2019 meeting. Mr. Black replied 50% of it has been created on the south side of the boatyard. Mr. Bartcher asked if the berm could be extended to the west to protect the residents living south. Mr. Black stated there is a 3.5-foot retaining wall that's 15 feet off the property line, and then there is storm drainage to help accommodate the water, and there's also some landscaping.

Mr. Bartcher stated the southwest corner appears to be mostly open and visible to residents who live in that corner have, and asked if Mr. Black will put in some landscaping or a concrete barrier. Mr. Black replied anything on the development side has a 15-foot landscape buffer around it. The boatyard has landscape buffering and a concrete wall will be constructed, which was part of the approval of the previous CUP.

Peter Filiberto asked if the development on the east side will be on septic or sewer. Mr. Black replied there is currently a septic tank there, but sewer is not currently available. Mr. Filiberto asked what he will do with the old septic tank. Mr. Black replied that will be addressed during site planning, but hopefully it will be improved. He further stated that to hook up to the sewer on the west side, he would have to go under the road, then north 390 feet, and then west. Mr. Filiberto asked if he would consider an advanced septic system. Mr. Black replied yes.

Motion by Joe Buchanan, seconded by Brian Hodgess, to approve the requested CUP for Commercial/Recreational and Commercial/Industrial Marina in the RU-1-11 and BU-2 zoning classifications. The motion passed unanimously.

**Adjournment:**

Upon consensus of the board, the meeting adjourned at 3:17 p.m.