

LOCAL PLANNING AGENCY/PLANNING AND ZONING BOARD MINUTES

The Brevard County Local Planning Agency/Planning & Zoning Board met in regular session on Monday, August 24, 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 Woltz; Brian Hodgers; Harry Carswell; Mark Wadsworth, Chair; Peter Filiberto, Vice Chair; Bruce Moia; and Joe Buchanan. Bruce Moia's presence was noted at 3:11 p.m.

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

Excerpt of Complete Minutes

1. Skyview Plaza (Paige Lane)

A request for CUP (Conditional Use Permit) for Alcoholic Beverages (full liquor) for On-Premises Consumption in conjunction with a bar, in a BU-1 (General Retail Commercial) zoning classification. The property is 3,700 +/- square feet, located on the southwest corner of Ocean Boulevard and Highway A1A (220 Highway A1A, Satellite Beach) (20Z00017) (Tax Account 2607202) (District 4)

Paige Lane, 440 South Waterway Drive, Satellite Beach, stated in 1998 he placed a liquor license in Unit 220, and through a clerical error at that time, it was only approved for beer and wine consumption. The license was in continual use until last year when the bar was sold by the person he sold it to, and now he represents the shopping center as a realtor, and there is a tenant who would like to continue using the space as a full liquor bar. He stated during the process of applying for a new liquor license in that unit it has been discovered that the use is still considered beer and wine only because of the clerical error in 1998 and again in 2016. He said the unit has been historically used as a full liquor bar, and the new tenant would like to continue that operation.

Joe Buchanan stated he visited the site, and the property offers a vegetative roadway buffer behind the plaza, and across Flamingo Road, some of the residents have a large wooden fence that provides additional buffering. He asked if the new expansion for outdoor dining will continue throughout the week.

Mr. Lane replied he is not asking for outdoor seating, he is only asking for the same footprint as the previous bar. He said if the potential tenants want to expand the footprint, that would be another process and the request would have to come back to the board.

Mr. Buchanan stated the outdoor area is approximately 300 square feet, so 15 – 17 people would be the maximum. Mr. Lane stated for the purpose of the request today, he is not asking for any outdoor seating. The previous owner set up an area outside where people could smoke, but there are no liquor sales in that area; the new tenant will keep it as a smoking area.

Mr. Buchanan asked if the outdoor seating would be included in the total seating for the inside and outside. Jeffrey Ball replied the application indicates there is a request for an outdoor seating area of approximately 200 square feet to the rear of the property.

Mr. Lane stated the previous owner might have expanded the footprint; he included all of the areas on the drawings he provided for the application, so the drawing may include the back area for smoking, but there is no bar in that area.

Mr. Buchanan stated the abutting adult entertainment needs to be separated. Mr. Lane stated there is a separation between the two units, and the units are not connected in any way.

Peter Filiberto stated the request appears to be a housekeeping item, and it appears the two businesses are separated.

Motion by Peter Filiberto, seconded by Joe Buchanan, to approve the requested CUP for Alcoholic Beverages (full liquor) for On-Premises Consumption in conjunction with a bar, in a BU-1 zoning classification. The motion passed unanimously. Bruce Moia absent.