



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 2044, **Version:** 1

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### **Subject:**

Waiver of Subdivision Perimeter Buffer, Re: Armen Groves Subdivision (20WV00014)  
Developer: NAJJAD, Inc. District 2

### **Fiscal Impact:**

None

### **Dept/Office:**

Planning and Development

### **Requested Action:**

The applicant is seeking a waiver to Section 62-2883(d), that would omit the requirement to provide a natural 15' buffer tract along a portion of the northern property line of the subdivision.

### **Summary Explanation and Background:**

Section 62-2883(d) requires that subdivisions provide a minimum 15' buffer, undisturbed along all property boundaries, platted as a common tract separate from individual lots. The buffer tract is intended to provide screening between the boundaries of residential developments. The developer of Armen Groves is requesting a waiver of the 15' perimeter buffer along a portion of the northern property line where residential lots are abutting a 100' FPL easement on the adjacent property. The remainder of the project will have the 15' perimeter buffer as required.

Armen Groves is a new subdivision proposed north of Smith Road in Merritt Island, containing 36 single family lots on 27.72 acres. In 2017 the Board spent a significant amount of time in discussion before approving a rezoning request for EU with a Binding Development Plan limited to 40 units. The developer also agreed to additional buffering conditions including construction of 200 feet of 6' high wall along the east side of the entrance, and the location of a retention pond on the south side of the development to provide additional buffering for the existing parcels. He also stated that the development will meet all of Brevard County roads, drainage, water, sewer, and environmental requirements. The area affected by the requested waiver was not discussed during the zoning hearing.

North of the proposed subdivision, the Savannah Landing Subdivision is currently under construction. The 100' FPL easement is located on the Savannah Landing property abutting Armen Groves. They did not request a waiver from the 15' buffer tract requirement, but it will overlap with the 100' FPL easement.

Staff has not granted approval of waiver request 20WV00014, and pursuant to Section 62-3207 of the Code, requests that it be evaluated by the Board of County Commissioners. Board approval of this project does not relieve the developer from obtaining all other necessary jurisdictional permits.

Reference: 20WV00014, 18SD00015

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