



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 1179, **Version:** 1

Subject:

Waiver of Subdivision Perimeter Buffer, Re: Georgiana Reserve Subdivision (20WV00002)
Developer: Georgiana Community Developers, LLC District 2

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

The applicant is seeking a waiver to Section 62-2883(d), which requires a 15-foot perimeter buffer, platted as a common tract separate from the individual lots, to allow for a 15-foot drainage easement along the south and west property boundaries.

Summary Explanation and Background:

Section 62-2883(d) requires that subdivisions provide a minimum 15-foot buffer, undisturbed along all property boundaries, platted as a common tract separate and screening between the boundaries of residential in a natural and undisturbed state, or landscaping with county approval. They are proposing to utilize this area as a 15-foot private drainage easement with no landscape improvements.

Georgiana Reserve subdivision is a new subdivision proposed south of Guy Island Drive and South Courtenay Parkway, containing 35 single family lots on 21.97 acres. South of the proposed subdivision is the Twin Rivers Subdivision which was platted in 1989, prior to adoption of the buffer requirement. Lots in Twin Rivers Subdivision have a 20-foot public utilities and drainage easement along the rear lot lines. To the west are four unplatted lots with existing homes.

The Board may wish to consider the following observations in granting this waiver:

- Setbacks are established from lot lines, the 15-foot easement will allow structure to be closer to adjacent properties. Thereby reducing the separation between developments.
- Existing homes adjacent to this area were built prior to the requirement of Section 62-2883(d), and do not benefit from their own buffer tract.
- Removal of the buffer tract would result in the drainage area being included within the rear of each lot. Maintenance of the intended flow of drainage in the easement area would be more difficult and grading could be compromised with individual homeowner responsibility of this area.

The Board's approval is subject to the following conditions offered by the applicant 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).

Reference: 20WV00002, 18SD00017

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