



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 1571, **Version:** 1

Subject:

Waiver of Subdivision Perimeter Buffer, Re: Harbor Island Beach Club (20WV00007) (District 3)
Developer: Phoenix Park Fund V, LP

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

The applicant is seeking a waiver to Section 62-2883(d) of the subdivision requirements to allow private drainage, public utility easements, and fencing in the northern and southern buffer tracts. Along the western boundary is an existing 10' conservation buffer, the 50' surface water protection buffer, and a dock access.

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. Landscape improvements may be constructed within the buffer subject to review and approval. Although they are providing buffer tracts, the developer of Harbor Island Beach Club is requesting a waiver of the requirement that the 15' perimeter buffers remain undisturbed. Along with landscape improvements and fencing, there will also be drainage and utilities within the northern and southern buffers. The western boundary of the project abuts the Indian River and is buffered by existing 10' conservation buffer, the 50' surface water protection buffer.

Harbor Island Beach Club is a new subdivision proposed south of Melbourne Beach at the intersection Strand Drive (previously known as Versailles Drive) and Highway A1A. The project redevelops a site that was previously an apartment complex destroyed by hurricanes in 2004. The proposed subdivision contains 54 single family units and 88 condominium units on approximately 20.71 acres. North of the proposed subdivision is Ocean Ridge Subdivision, with eleven existing homes along this boundary of the project site. It was platted in 1996 without the benefit of a buffer tract. Along the southern boundary is The Landings of Melbourne Beach, an eight-unit condominium; Dewie Acres, platted in 1952 with 17 lots and a 10' easement for a private road; and Melbourne Beach Ocean View Townhomes, a four-unit condominium.

Staff has not granted approval of waiver request # 20WV00007, and pursuant to Section 62-3207 of the Code, requests that it be evaluated by the Board of County Commissioners. The Board may wish to consider whether the inclusion of the stormwater and utility improvements along with the proposed landscaping in the natural buffer tract affects the intent of the code.

Reference: 20WV00007, 20SD00006, 18SP00007

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