



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 1914, **Version:** 1

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### **Subject:**

Waiver Request, Re: Waiver of Wall Requirement for O'Reilly's Mims Site Plan (20SP00017 and 20WV00010)

### **Fiscal Impact:**

None

### **Dept/Office:**

Planning and Development

### **Requested Action:**

The applicant is requesting that the Board of County Commissioners grant a waiver of Section 62-3202(h)(10) which requires a 6-foot masonry or solid wall when commercial developments within a BU-1, BU-2, or Industrial zoning are adjacent to residential zoning to maintain the natural vegetation.

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

Section 62-3202(h)(10) stipulates that site development plans within BU-1, BU-2, or industrial zoning classifications shall construct a minimum of a six-foot high masonry or solid wall, including, but not limited to, concrete block walls, pre-cast (solid) walls, or foam core/steel support with stucco finish, when the subject property abuts a residential zoning classification. In this case, the subject property abuts three residentially zoned properties to the east with approximately 170 feet to 200 feet of natural area separation between those properties and the proposed improvements. The proposed building is located 220 feet west, and proposed parking 200 feet west of the property line. The applicant asserts that a masonry wall along this property line will impact the natural vegetative buffer that the current residential use enjoys. It is the applicant's desire to maintain the natural vegetation.

Please be advised that the Board's approval applies specifically to the conditions of Site Plan application 20SP00017. Any future development, redevelopment, or land alteration of the subject property that modifies the aforementioned site plan or reduces the vegetative buffer will void the wall waiver.

### **Clerk to the Board Instructions:**