



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 2194, **Version:** 1

Subject:

Watermark Investors, LLC (Bruce Moia) requests an amendment to an existing PUD. (20Z00032) (Tax Accounts 2317197, 2317198, and 3017165) (District 1)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

It is requested that the Planning and Zoning Board conduct a public hearing to consider an amendment to an existing PUD (Planned Unit Development).

Summary Explanation and Background:

The applicant is requesting a change to their PDP (Preliminary Development Plan) to allow for a third access point located at the southern end of Monroe Avenue (NW portion of the PUD). The applicant is also requesting two additional waivers to reduce the active open space requirement from 5.5 acres to 2.6 acres and a partial waiver of the subdivision code's 15-foot perimeter buffer tract requirement. The two previously approved waivers for minimum lot width and minimum lot area are included as informational purposes only. Section 62-1442 states, "The applicant shall specifically include the alternative development standard(s) in the preliminary development plan and shall present its justification to the planning and zoning board of county commissioners in public hearing." This request will not affect these two previous waivers.

Changes to the PDP depicts a reduction in the number of single-family residential lots from 417 lots to 363 lots (overall reduction of 54 lots); the plan also proposes an increase in the amount of proposed total open space from 39.5 acres to 45.9 acres under a 4-phase development plan. However, the active open space component is reduced from the 5.5 acres to 2.6 acres. Pursuant to Section 62-1448, this change is considered to be a substantial change that warrants Board approval.

Pursuant to 62-2957, developments with 350+ dwelling units are required to have two access points, plus 1 for each 200 dwelling units. Since the proposed third access point provides access into an existing residential area, the Board may consider limiting this access to "emergency access only".

The Board may wish to consider whether this request for a third access connection and waivers to reduce the active open space requirement from 5.5 acres to 2.6 acres and a partial waiver of the subdivision code's 15-foot perimeter buffer tract requirement are consistent and compatible with the surrounding area. The Board may wish to consider if there are special circumstances to mitigate off-site impacts.

1. Proposed - Waiver to reduce the active open space requirement from 5.5 acres to 2.6 acres.
2. Proposed - Waiver (partial waiver) of the subdivision code's 15-foot perimeter buffer tract requirement as depicted on the preliminary development plan
3. Proposed third access point to be "emergency use only"

The Board should be aware that approval of this request not only entails review of the Zoning request itself, but also of the PDP that accompanies the request.

The Board of County Commissioners will consider the request on **Thursday, December 3, 2020, at 5:00 p.m.** at the Brevard County Government Center, 2725 Judge Fran Jamieson Way, Building C, 1st Floor, Viera, Florida.

Clerk to the Board Instructions:

None