

H. PUBLIC HEARINGS

Local Planning Agency/Planning and Zoning Board
Monday, July 20, 2020, at 3:00 p.m.

Brevard County Board of County Commissioners
Thursday, August 6, 2020, at 5:00 p.m.

Both at the
Brevard County Government Center
2725 Judge Fran Jamieson Way, Building C, First Floor, Viera, Florida

- 1. (20Z00009) Marker 24 Marina, LLC** (Peter Black) requests a CUP (Conditional Use Permit) for Commercial/Recreational and Commercial/Industrial Marina in the RU-1-11 (Single-Family Residential) and BU-2 (Retail, Warehousing, and Wholesale Commercial) zoning classifications. The property is 7.08 acres, located on both sides of South Banana River Drive, approximately 160 feet north of West Virginia Avenue. (Tax Account 3018251) (District 2)

Planning & Zoning Board Recommendation: Buchanan/Hodgers – Approved. The vote was unanimous.

Board of County Commissioners Action: Smith/Lober – Approved with all existing conditions approved under 19PZ00080, with the exception of a revised Condition 19, and the addition of Conditions 22 and 23. The conditions are as follows: 1.) Remove all portions of the residential lots and portions of Marker 24 Community from the scope of the CUP; 2.) The use of the property shall be limited as described herein; 3.) The use of the property shall be limited to office space with light retail and bathroom/laundry facility, its existing use as a commercial/recreational marina; 4.) Existing six-foot masonry wall located on the north property line as depicted on the sketch will remain in place and shall be maintained; 5.) The marina shall be limited to 104 slips and the marina shall no longer allow full-time liveaboards except for two slips for security purposes only/i.e. dockmaster; 6.) Existing south privacy fence will be replaced with six-foot concrete masonry wall; 7.) No hardening or bulkheading of basin walls unless all applicable permits are obtained from regulating authorities; 8.) A new bath/laundry facility will be constructed on the north end of the basin next to main dock; 9.) No expansion of the basin unless all applicable permits are obtained from regulating authorities; 10.) Any expansion must meet all fire and safety codes; 11.) The owner shall maintain the private sewer system currently in place, which is for marina use only, and any bathroom or laundry facility will be connected to private sewer system; Additionally, the owner shall maintain all existing pump out sites currently on site; 12.) The owner will be required to pay all applicable impact fees upon submission of any application for a building permit if required; 13.) A five-foot wide wooden boardwalk will be installed along the east side of basin to connect the main dock parking to the marina office facility, no boat docking shall be permitted on the boardwalk; 14.) A new one-lane boat ramp will be constructed next to marina office. The new boat ramp shall not increase capacity, and shall not be constructed until after the existing ramp is removed; 15.) The existing boatyard will remain for service and maintenance of boats during the hours of 8:00 a.m. to 5:00 p.m.; 16.) The owner shall be responsible for cleaning and maintenance of the basin culverts and baffles on the northern portion of the basin marina property; 17.) The hours of operation of the marina office shall be from 6:00 a.m. to 9:00 p.m. and said hours shall be posted; 18.) The owner shall require that all activities comply with County performance standards. The owner shall post that no motor repairs shall be performed after 9:00 p.m.; 19.) The property owner is the owner of the bascule bridge located on South Banana River Drive, between the Marker 24 Marina facility (hereinafter “bascule bridge”) as identified on the submitted site plan application. The owner and the owner’s successors in

interest shall maintain the adjacent bascule bridge in good repair and working condition, and shall cooperate with any reasonable requests agreed upon by both the owner and Brevard County or the Florida Department of Transportation (FDOT) regarding the same. Owner and owner's successors in interest, shall have the bascule bridge inspected annually by a licensed professional engineer (with bridge inspection certification) chosen by the owner and provide a copy of the inspection report to the Brevard County Public Works Department Director. Failure of the owner or owner's successors in interest to maintain the bascule bridge in good repair and working condition for vehicular travel and vessel navigation, or failure of the owner or owner's successor in interest to have the bascule bridge inspected by a professional engineer or provide Brevard County annual inspection reports may result in Brevard County closing and/or removing the bascule bridge. Brevard County will provide notification to the owner or owner's successors in interest prior to removal of the bridge and provide a reasonable timeframe agreed upon by the owner and the County to allow the owner or owner's successors in interest to remedy any failure to comply with this condition as identified by Brevard County;

20.) The owner shall provide educational information, including in-water signs and an educational kiosk regarding manatee protection and no wake zones as coordinated with appropriate State and County agencies; 21.) Relocation of existing dumpster shall be southeast of marina office; 22.) The septic system shall be upgraded to the Advanced septic system if the number of plumbing fixtures increase; 23.) All detailing and washing will be conducted indoors. The vote was unanimous.

Public Comment