
BOARD OF ADJUSTMENT
MEETING NOTICE AND AGENDA

Tuesday, January 17, 2011 - 6:30 p.m.

Rockledge City Hall, 1600 Huntington Lane, Rockledge Florida 32955

EVERY PERSON ADDRESSING THE BOARD OF ADJUSTMENT
MUST COMPLETE A SPEAKER'S CARD

The cards are located near the door of the Council Chamber.
Completed cards are to be given to the Recording Secretary
before the meeting convenes or prior to the introduction of a particular agenda item.

1. CALL TO ORDER
2. APPROVAL OF MINUTES & ATTENDANCE RECORD
Meeting of December 20, 2011
3. PUBLIC HEARINGS
 - A. SE-11-02, Home of the Aged
Located at 1250 Cielo Way, off Three Meadows Drive, north of Barnes Boulevard
Property Owner, Jean Fritzner Reme
4. UNFINISHED BUSINESS
None
5. NEW BUSINESS
Election of Officers
6. ADJOURN



ANY PERSON WHO DESIRES TO APPEAL ANY DECISION MADE BY THE
ROCKLEDGE BOARD OF ADJUSTMENT WILL NEED TO ENSURE
THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE,
WHICH RECORD INCLUDES TESTIMONY AND EVIDENCE
UPON WHICH THE APPEAL IS TO BE BASED.

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ROCKLEDGE BOARD OF ADJUSTMENT MEETING MINUTES

Tuesday, December 20, 2011 - 6:30 p.m.

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1. CALL TO ORDER

The Rockledge Board of Adjustment met on December 20, 2011, at 6:30 p.m. in the Council Chamber at Rockledge City Hall, 1600 Huntington Lane, Rockledge, Florida.

MEMBERS PRESENT: Duane Daski, Chairman
 Mark Amos, Vice Chairman
 Kenrick Bisnath
 Robert LaMarr
 Robert M. Packard

MEMBERS ABSENT: None

STAFF PRESENT: Dennis Clements Building Official
 Joseph Miniclier City Attorney
 Deanna Pomichter Recording Secretary

With a quorum present Chairman Daski called the meeting to order.

2. APPROVAL OF MINUTES AND ATTENDANCE RECORD

Meeting of September 20, 2011

Motion by Kenrick Bisnath to approve the Minutes and Attendance Record of the September 20, 2011 meeting. Second by Robert LaMarr. All in favor. Motion carries.

3. PUBLIC HEARINGS

A. SE-11-02, Jean Fritzner Reme, Home for the Aged, 1250 Cielo Way

City Attorney Miniclier stated that the Planning Commission tabled the Home for the Aged until their January meeting and that it would be advised to have their comments before proceeding with this Board.

Motion by Mark Amos to table the Home for the Aged, 1250 Cielo Way until January's meeting. Second by Kenrick Bisnath. All in favor. Motion carries.

4. UNFINISHED BUSINESS

None

5. NEW BUSINESS

None

6. ADJOURN

There being no further business to come before the Board of Adjustment, Chairman Daski declared the meeting to be adjourned at 6:34 p.m.

Submitted by:

Recording Secretary

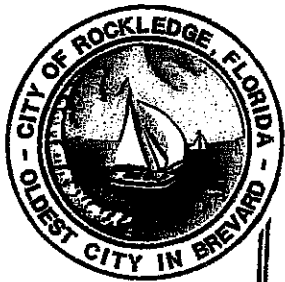
Approved by:

Board of Adjustment Chairman

**CITY OF ROCKLEDGE
BOARD OF ADJUSTMENT
ATTENDANCE RECORD 2011**

Name	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.
BISNATH, Kenirck	N	N	N	P	N	N	N	N	P	N	N	P
DASKI, Duane, Chairman	N	N	N	P	N	N	N	N	P	N	N	P
PACKARD, Robert	N	N	N	P	N	N	N	N	P	N	N	P
LAMARR, Robert	N	N	N	P	N	N	N	N	P	N	N	P
AMOS, Mark, Vice Chairman	N	N	N	P	N	N	N	N	P	N	N	P

P = Present
 A = Absent
 N = No meeting scheduled
 X = Unexcused



CITY OF ROCKLEDGE

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN: Notice is hereby given that a request has been made to the Board of Adjustment of the City of Rockledge, Florida, by Jean F Reme, property owner, 3013 Bellwind Circle, Rockledge, Florida, 32955, for a special exception pursuant to Section 62.52(c)(5) of the Rockledge Code of Ordinances, Land Development Regulations, to permit a Home for the Aged in the R3 (Multi-family, High Density) District in Planning District #7 on property located at 1250 Cielo Way, Units 1-8, Rockledge, Florida.

The City of Rockledge Planning Commission will meet at the Rockledge City Hall, 1600 Huntington Lane, Rockledge, Florida, on Tuesday, December 6, 2011, at 6:00 p.m., to review the request for recommendation to the City of Rockledge Board of Adjustment.

A Public Hearing will be held before the Board of Adjustment at Rockledge City Hall, 1600 Huntington Lane, Rockledge, Florida on Tuesday, December 20, 2011, at 6:30 p.m., or as soon thereafter as possible, at which time parties in interest and citizens shall have the opportunity to be heard.

ALL PERSONS AND PARTIES ARE HEREBY ADVISED THAT IF THEY SHOULD DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD OF ADJUSTMENT OF THE CITY OF ROCKLEDGE WITH RESPECT TO ANY MATTER CONSIDERED AT THE PUBLIC MEETING OR HEARING DESCRIBED IN THIS NOTICE, THEY WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, SAID PERSON OR PARTY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

CITY OF ROCKLEDGE


Betsi Beatty Moist
City Clerk

CITY HALL

1600 Huntington Lane

Rockledge, FL 32955

Telephone: 321-690-3978

Fax: 321-690-3987

BUILDING DIVISION

1600 Huntington Lane

Rockledge, FL 32955

Telephone: 321-690-3984

Fax: 321-690-6481

FIRE & EMERGENCY

SERVICES DEPT.

1800 Rockledge Blvd.

Rockledge, FL 32955

Telephone: 321-690-3968

Fax: 321-634-3592

POLICE DEPT.

123 Barton Boulevard

Rockledge, FL 32955

Telephone: 321-690-3988

Fax: 321-690-3996

PUBLIC WORKS DEPT.

400 N. Garden Road

Rockledge, FL 32955

Telephone: 321-690-3961

Fax: 321-690-3965

SEWER & WATER

TREATMENT & WATER

PLUMBING DEPT.

30 Jack Oates Blvd.

Rockledge, FL 32955

Telephone: 321-690-3975

Fax: 321-690-3998

NOTICE Special Exception, SE-11-02 (Reme)

Staff Report

This is a Special Exception request and the applicant has the right to submit a binding site plan or not. At this point the applicant is willing to bind themselves with the following eight items. They would still reserve the right to make modifications to the submitted site plan, but not to the 8 items mentioned below, without going through the Planning Commission and Board of Adjustment, if the Special Exception is approved.

The questions which are to be answered as part of the Special Exception need to reference compliance to current land development regulations. Please remember that as part of the Site Plan review process the Planning Commission and City Council must still review and approve a site plan, **(Not this one)**, which will be reviewed by staff for compliance with our Land Development Regulations.

Please also be aware that Special Exceptions cannot be denied, unless it is shown that the project is a detriment to the health, safety and welfare to the general public and citizens of Rockledge. Please remember that this is R3 property and a condo or apartment complex could be built on the property without a Special Exception. Base your decision on if you feel the proposed use will be more intense than what is permitted in the district.

Please be aware that it is City staff responsibility to send out notices and make sure the property is posted, this must be done so decisions are not overturned in the future. The Planning Commission is not responsible for making sure city staff notices those people within 500 feet of the property, it should be assumed that all processes have been followed, when you receive the items on your agenda.

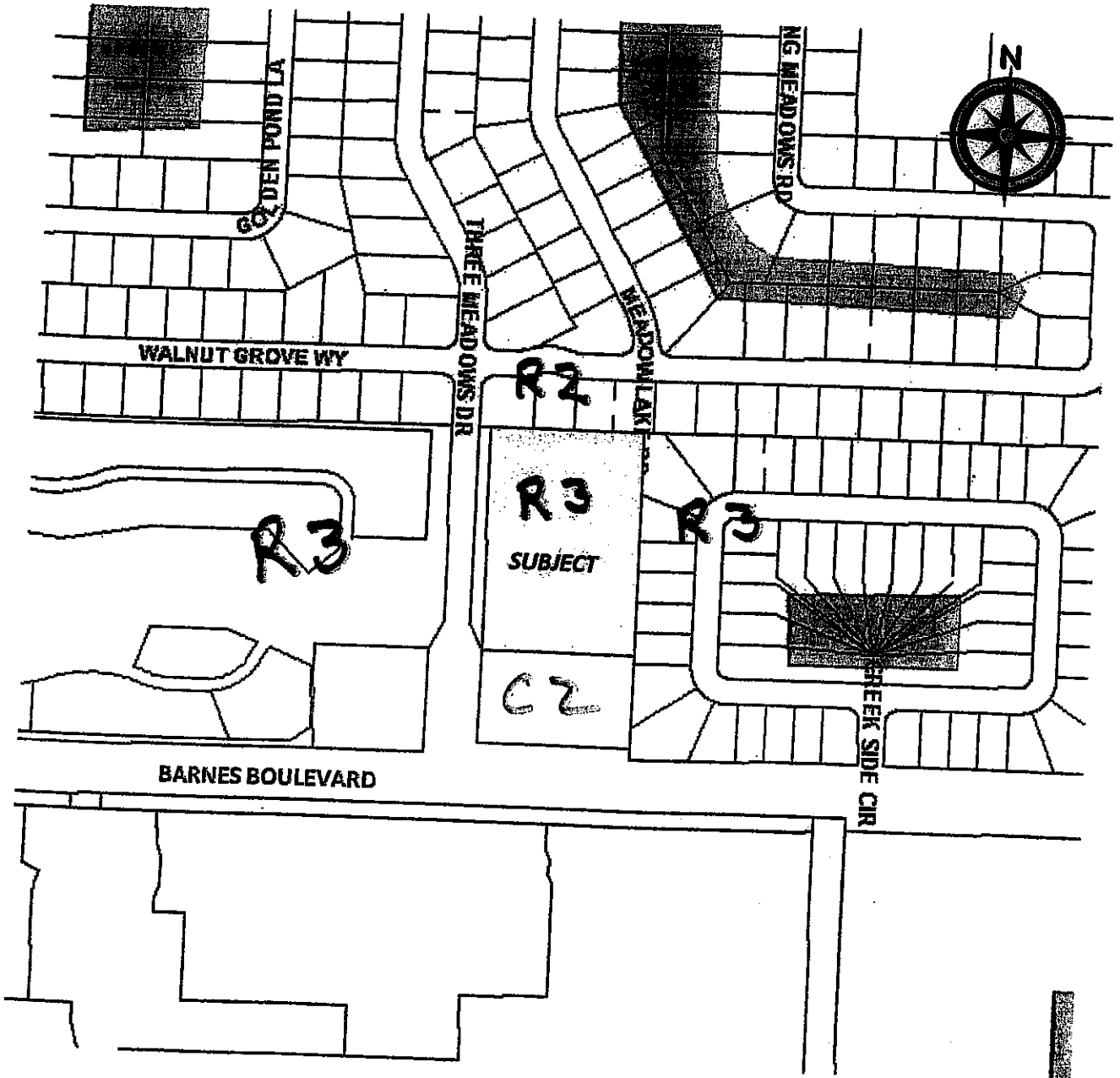
BINDING ELEMENTS OF THE SITE PLAN

THE FOLLOWING ELEMENTS OF THE SITE PLAN SHALL BE BINDING.

1. MAXIMUM BUILDING AREA SHALL BE 78,576 SF.
2. MAXIMUM NUMBER OF STORIES SHALL BE 2.
3. MAXIMUM BUILDING HEIGHT SHALL BE 35'.
4. THE NORTH BUILDING SET BACK SHALL BE A MINIMUM OF 27 FEET.
5. THE EASTERN BUILDING SETBACK SHALL BE MINIMUM OF 22 FEET.
6. THERE SHALL BE 2 DRIVEWAYS ON THREE MEADOWS DR.
7. THERE SHALL BE A MAXIMUM OF 43 UNITS.
8. THERE SHALL BE AN APPROVED 6' HIGH BUFFER WALL ALONG THE NORTH, EAST AND SOUTH PROPERTYLINES.

Don Griffin, Planning Director

12/28/2011





City of Rockledge

SE

APPLICATION FOR SPECIAL EXCEPTION

(Please type or print clearly in blue or black ink)

To be completed by City Staff:

Application No. SE- _____

Date Submitted: _____

Section 1. APPLICANT/PROPERTY OWNER(S)/AGENT INFORMATION.

Name of Property Owner(s) Jean Fritzner Reme
 Residence Address 3013 Bellwind Circle
 City, State, Zip Rockledge, FL 32955
 Mailing Address 3013 Bellwind Circle
 City, State, Zip Rockledge, FL 32955
 Telephone Number 321-626-2234 Fax No. N/A
 Email Address jfreme@hotmail.com

Name of Agent, if any _____
 Mailing Address _____
 City, State, Zip _____
 Telephone Number _____ Fax No. _____
 Email Address _____

Section 2. PROPERTY INFORMATION.

Physical Address of Property 1250 Cielo Way, 1-8, Rockledge, FL 32955
 or, if not available, provide a general location (Example: NW corner of "A" and "B" Streets)

Legal Description of Property: Lot: 20.00 Block: N/A PB/PG: 4489/2379
 Subdivision: _____
 or TOWNSHIP 25 RANGE: 36 SECTION: 21 PARCEL #: 20.0-0000.00
 Parcel ID No. (assigned by Brevard County): 25-36-21.00-00020,0-0000.00

Section 3. CURRENT ZONING CLASSIFICATION.

Identify the current Zoning Classification established by the City of Rockledge (e.g. R2 Single Family Residential).
R3 Multi-Family Dwelling-High Density District

Section 4. PLANNING DISTRICT AND LAND USE CATEGORY.

Identify the Planning District in which this property is located
Planning District 7-Mixed use district-mixture of commercial, recreational, residential land use

Section 5. DESCRIPTION OF SPECIAL EXCEPTION.

Briefly describe the proposed special exception and identify the specific section(s) of the Land Development Regulations that apply.

To allow construction and operation of a home for the aged as permitted as a "Special Exception" in Zoning R3, Planning District 7. Home for the aged is a "multi-residence housing facility intended for senior citizens" (wikipedia definition)

Section 6. SIGNATURES OF OWNERS AND/OR AGENTS.

Sign Name (Property Owner):

Print Name (Property Owner):

Jean Fritzner Reme

Sign Name (Property Owner):

Print Name (Property Owner):

Sign Name (Agent):

Print Name (Agent):

Section 7. ATTACHMENTS AND EXHIBITS.

The following documents must be included when submitting the application package:

As to Section 1.

- A copy of the recorded deed or other legal instrument indicating proof of ownership
- If an agent is listed, a notarized letter or statement of authorization from the property owner(s) authorizing the agent to represent the owner(s) in connection with this application, OR a recorded Power of Attorney, Personal Representative Deed, Trustee Agreement, etc., in the agent's name.

As to Section 2.

- Legal description of the property. If described in metes and bounds, provide the description in hard copy and electronic format (Microsoft Word is preferred).
- Brevard County Property Appraiser's Map reflecting the boundaries of the subject property and indicating properties within a five hundred foot (500') radius of the subject property. The map must be scaled at 1"=200'.
- A list of the names and addresses of all property owners within the 500' radius of the subject property. The list must correlate numerically with the map.
- Mailing labels containing the names and addresses of those property owners within the 500' radius of the subject property, as in the previous item.

As to Application.

- Completed Consistency Statement Sheet provided with the Application Form
- A check in the amount of \$300.00 payable to the City of Rockledge. This amount represents the filing fee associated with the request, and includes the cost of legal advertising, document recording, etc. In the event that the costs exceed the fee amount, the applicant will be responsible to pay the difference.
- OPTIONAL: A site plan for the special exception containing limitations and conditions on use of the property. The site plan, if submitted with this application, will be binding upon the owner/applicant.

CONSISTENCY STATEMENT SHEET

APPLICANT / OWNER NAME: Jean Fritzner Reme

SE Application Number assigned by City Staff: _____

Briefly address each of the statements below as they relate to the requested special exception:

(1) The special exception is consistent with Goals, Objectives and Policies of the Comprehensive Plan.

Planning District 7-Barnes Blvd. Area: Objective "To create a mixed use district having a mixture of commercial, recreational, and residential land uses Development in this district will consist of a balanced mix of commercial, recreational single-family and multifamily residential uses." A home for the aged is a form of multi-family residential use.

(2) The special exception is consistent with the intent of the zoning district within which the special exception is sought.

R3 Zoning: Multi-Family Dwelling (High Density) District. 62.51 Intent: "The provisions of the R3 multi-family dwelling (high density) district are intended to apply to an area predominantly developed with residential uses containing multi-family dwellings." A home for the aged is a form of multi-family dwelling.

(3) The special exception does not create any adverse impact to adjacent property through the creation of noise, light, vibrations, traffic, utility requirements, or stormwater runoff that would not have been created had the property been developed for a principal use in this zoning district.

A home for the aged would be a more passive use than other multi-family uses (apts. condos townhomes etc. as permitted in R3), as very few residents would be driving, the majority of activities would take place indoors, utility requirements are expected to be less than other multi-family uses. Lighting and stormwater would be similar to other multi-family uses. The likelihood of reduced impacts to public facilities are inherent in this type of use.

(4) The special exception will not create any unusual police, fire or emergency service requirements. There would be on site trained and licensed healthcare staff monitoring patients in addition to staff assisting residents with activities of daily living. This greatly decreases the likelihood of the need for emergency services to the site. Emergency service requirements would be no different (possibly less) than other multi-family housing, because of on site medical staff.

(5) That the special exception meets all the requirements of the zoning district in which it is located, such as lot requirements, building setback requirements, lot coverage, height, buffer yards, off-street parking, signs, storage, landscaping, etc..

The special exception meets the requirements of the R3 zoning district, lot requirements building setbacks, lot coverage, height, buffer yards, parking, signs, landscaping etc. as described in LDR Sections: 62.53, 62.54, 62.55, 62.56, 62.57, and 62.58.

NOTICES TO APPLICANT

- Your application will not be processed unless it is complete and all attachments and exhibits are included.
- Once it has been determined that your application is complete, processing will begin and the required public hearing(s) will be scheduled for the first available opportunity.
- Please be aware that you, as applicant, owner, agent, or as an interested party, are prohibited from contacting individually any of the members of the Board of Adjustment or Planning Commission either by telephone, in person, or in writing (including electronic mail).
- You will have the opportunity to provide input in open forum during the scheduled public hearing(s).
- All public hearings are conducted in accordance with the State of Florida Open Meetings Laws / Government in the Sunshine.

Home for the Aged -- Geriatric long-term care facilities which provide supervision and assistance in activities of daily living with medical and nursing services when required.

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ROCKLEDGE PLANNING COMMISSION MEETING MINUTES

Tuesday, January 3, 2012 - 6:00 p.m.

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1. CALL TO ORDER

The Rockledge Planning Commission met on January 3, 2012, at 6:00 p.m. in the Council Chamber at Rockledge City Hall, 1600 Huntington Lane, Rockledge, Florida.

MEMBERS PRESENT: Paul Grossman, Chairman
Michelle Doyle
Ted Hartselle
Troy Rice
Dodie Selig
Brian Wilkins
Rick Morton, Brevard County School Board Rep

MEMBERS ABSENT: Ed Newell (excused)
Keith Brockhouse, Vice Chairman (unexcused)

STAFF PRESENT: Don Griffin, Planning Director
Deanna Pomichter, Recording Secretary

A quorum was present and Chairman Paul Grossman called the meeting to order.

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES & ATTENDANCE RECORD

Meeting of December 6, 2011

Troy Rice stated a correction to the attendance record, requesting Pat O'Neill name needs to be removed for December.

Motion by Troy Rice to approve the Minutes and Attendance Record of the meeting of December 6, 2011 with the correction made to the attendance recorded. Seconded by Ted Hartselle. All in favor. Motion carried.

4. PUBLIC HEARINGS

A. Special Exception, SE-11-02 (Reme) Home for the Aged

Motion by Dodie Selig to remove the item from the table, SE-11-02. Seconded by Brian Wilkins. All in favor. Motion carried.

Planning Director Griffin explained that the owner of the property at Three Meadows Drive, North Barnes Boulevard is requesting a special exception for Home for the Aged in R3 zoning district, multi-family dwelling (high density). Home for the Aged can be defined as a Geriatric long-term care facility which provides supervision and

assistance in activities of daily living with medical and nursing services when required. The property is 3.1 acres and has the ability to have up to 43 units. After meeting with the property owner and the engineer the following elements will be binding on the site plan, maximum building area shall be 78,576 square feet, maximum number of stories shall be 2, Maximum building height shall be 35 feet, the north building setback line shall be a minimum of 27 feet, the eastern building setback line shall be minimum of 22 feet, there shall be no more than 2 driveways on Three Meadows Drive, there shall be a maximum of 43 units, and there shall be an approved six (6) feet high buffer wall along the north, east and south property lines.

Public hearing opened at 6:07 pm., no one came forward, public hearing closed at 6:08 pm.

Discussion followed:

Motion by Troy Rice that the special exception request is consistent with the goals, objectives and polices of the comprehensive plan. Seconded by Michelle Doyle. All in favor. Motion carries.

Motion by Ted Hartselle that the special exception is consistent with the intent of R3 zoning district within which the special exception is sought. Seconded by Dodie Selig. All in favor. Motion carries.

Motion by Dodie Selig that the special exception does not create any adverse impacts to adjacent property through the creation of noise, light, vibrations, traffic, utility requirements, or stormwater runoff that would not have been created had the property been developed for a principal use permitted in the applicable zoning district. Seconded by Michelle Doyle. All in favor Motion carries.

Motion by Michelle Doyle that the special exception will not create any unusual police, fire or emergency services requirements. Seconded by Brian Wilkins. All in favor. Motion carries.

Motion by Brian Wilkins that the site plan for the special exception was submitted, and that said the site plan has eight (8) binding conditions which will limit the uses on the property and is acceptable to the Commission and will be binding upon the property owner. Seconded by Troy Rice. All in favor. Motion carries.

Motion by Troy Rice that the special exception meets or will meet all the requirements of the R3 zoning district in which it is located such as lot requirements, building setback requirements, lot coverage, height, buffer yards, off-street parking, signs, storage, landscaping, etc and will be on the final site plan for approval. Seconded by Brian Wilkins. All in favor. Motion carries.

Motion by Troy Rice to approve the conceptual site plan with binding elements and that the special exception as presented does meet the requirements of Section 23.20(B)(5)(a-f) of the Rockledge Land Development Regulations, and to forward the aforementioned recommendation(s) to the Board of Adjustment for a hearing on January 17, 2012. Seconded by Troy Rice. All in favor. Motion carries.

None

6. UNFINISHED BUSINESS

None

7. NEW BUSINESS

None

8. ADJOURN

There being no further business to come before the Planning Commission, Chairman Grossman adjourned the meeting at 6:17 p.m.

Submitted by:

Recording Secretary

Approved by:

Planning Commission Chairman

ROCKLEDGE PARKING BOARD MEETING MINUTES

Tuesday, December 19, 2011 – 3:00 p.m.

1. CALL TO ORDER

The Rockledge Parking Board met on Tuesday, December 19, 2011 at 3:00 p.m. in the Rockledge City Hall Building Department's Conference Room, 1600 Huntington Lane, Rockledge, Florida.

Members Present: James McKnight, City Manager; Dennis Clements, Building Official; Rick Allen, Fire Chief, Deanna Pomichter, Recording Secretary

Members Absent: None

2. NEW BUSINESS

LOCATION: 1250 Cielo Way, off Three Meadows Drive, north of Barnes Boulevard

APPLICANT: R. K. Engineering and Associated of Brevard, Inc., Richard Kern

REQUEST: Approval for 43 parking space for the Home for the Aged

Building Official Clements stated the Home for the Aged is proposing parking of 25 spaces, one space per two units, for employee parking minimum number 10 spaces with overflow of parking of eight spaces, totaling 43 spaces.

Richard Kern, R. K Engineering and Associated of Brevard, Inc. stated the revised plot plan shows the expansion of the parking area 10 feet to the south and relocating of the dumpster location to allow for the extra three parking spaces.

Mr. Kern also explained that a buffer wall will be installed on the east and south side of the property and on the north and south side in the front setback the wall will be lowered to four feet for the sight triangle abutting the vacate commercial property and residential property.

Motion by James McKnight to approve the 43 parking spaces for the Home of the Aged at 1250 Cielo Way. Seconded by Dennis Clements. All in favor. Motion carries.

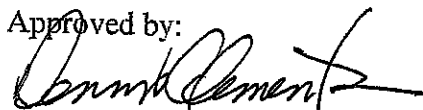
3. OLD BUSINESS

None

4. ADJOURNMENT

There being no further business the meeting adjourned at 3:15 p.m.

Approved by:



Dennis Clements

SPECIAL EXCEPTION WORKSHEET

In accordance with Section 23.20(B)(5)(a-f) of the Rockledge Land Development Regulations, the Planning Commission must confer with the Board of Adjustment on all Special Exception requests. The Board of Adjustment will make the final decision based on their Findings of Fact. Please make sure to address the following issues so they may be forwarded to the Board of Adjustment.

Section 23.20 (B)(5):

- (1) The special exception is consistent with the Goals, Objectives and Policies of the Comprehensive Plan.

Identify Planning District and state Goals, Objectives and Policies:

- (2) The special exception is consistent with the intent of the zoning district within which the special exception is sought.

State consistency with intent of Zoning District:

- (3) The special exception does not create any adverse impacts to adjacent property through the creation of noise, light, vibrations, traffic, utility requirements, or stormwater runoff that would not have been created had the property been developed for a principal use permitted in the applicable zoning district.

State potential adverse impacts to adjacent properties:

- (4) The special exception will not create any unusual police, fire or emergency services requirements.

State any unusual circumstances (if any):

- (5) A site plan for the special exception has been submitted pursuant to Part II (Part III) of these regulations, and that said site plan contains limitations and conditions on use of the property acceptable to the Commission and binding upon the property owner.

State if a binding site plan has been submitted in compliance with Section 31.14.3 of the L.D.R.:

- (6) That the special exception meets all the requirements of the zoning district in which it is located such as lot requirements, building setback requirements, lot coverage, height, buffer yards, off-street parking, signs, storage, landscaping, etc.

State if by granting the special exception all current zoning requirements within that district will be met:

That the special exception as presented **DOES/DOES NOT** meet the requirements of Section 23.20(B)(5)(a-f) of the Rockledge Land Development Regulations, and to forward the aforementioned recommendation(s) to the Board of Adjustment for a hearing on

(Date Specific)