

PLANNING AND ZONING BOARD MEETING AGENDA

Monday, May 24, 2010 at 7:00 P.M.

Town Hall Building, 4240 Highway U.S. 1, Grant Valkaria, FL 32949

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

Don Whitehouse - Chairperson
Dan Robino, Vice Chairperson
Denni Burr
Christine King
Ron Jenkin
Bob Thiem
Allen Webb
Alfred Strandgard (Alternate 1)
David VanAsdale (Alternate 2)

Any person desiring to appeal any decision made by this Board, with respect to any matter considered at this meeting or hearing, will need a record of the proceedings for such purposes, must insure that a verbatim record and transcript of the proceedings, which record includes the testimony and evidence upon which the appeal is to be based. It shall be the responsibility of the person desiring to appeal any decision to prepare a verbatim record and transcript at his/her expense, as the Town does not provide one.

ATTN: PERSONS WITH DISABILITIES. In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations to participate in this proceeding shall, at least forty-eight (48) hours prior to the meeting, contact the Town Clerk at 951-1380.

D. CHANGES TO AGENDA

E. PRESENTATION

Presentation by Scott Glaubitz, B.S.E Consultants RE: Orbit RV Park Expansion

F. PUBLIC HEARING – VARIANCE NO. V-2010-01 (Board Action)

PROPERTY DESCRIBED AS FOLLOWS: 29-37-14-00-00771.0.0-0000.00

Further Described As Being Located At 1440 Valkaria Road, Grant Valkaria, Florida

Property Is Zoned AU, Agricultural Residential Zoning Classification

Total affected acreage: 1.52 acres

Applicant: James W. Morgart

Variance Requested: A variance to Brevard County Code Chapter 62, Section 62-1334(5)b as adopted by the Town of Grant Valkaria at time of incorporation to allow a detached garage to the front of the front building line of the principal building.

G. PUBLIC HEARING - ORDINANCE NO. 2010-04 (Board Action)

AN ORDINANCE OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA, PERTAINING TO ADULT ENTERTAINMENT AND SEXUALLY ORIENTED BUSINESSES (COLLECTIVELY AND FREQUENTLY DESCRIBED HEREIN AS SIMPLY ADULT ENTERTAINMENT ESTABLISHMENTS); CREATING DIVISION 1; PROVIDING FOR A SHORT TITLE; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR DEFINITIONS; PROVIDING FOR A PENALTY AND ADDITIONAL REMEDIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INTERPRETATION AND CONSTRUCTION OF THE ORDINANCE; PROVIDING FOR LEGISLATIVE AUTHORITY; PROVIDING FOR PREEMPTION, APPLICABILITY OF THE ORDINANCE, PURPOSE AND PRESUMPTIONS OF FACT; PROVIDING FOR PROOF OF ALCOHOLIC CONTENT OF BEVERAGES; PROVIDING FOR ADMINISTRATIVE RESPONSIBILITIES AND POWER OF ADMINISTRATIVE AGENCIES; PROVIDING

FOR GENERAL REQUIREMENTS FOR LICENSED ESTABLISHMENTS; PROVIDING FOR LOCATION REQUIREMENTS; PROVIDING FOR RESTRICTIONS ON ADVERTISING; PROVIDING FOR DESIGN OF ENTRANCE AND SIGN CRITERIA; PROVIDING FOR PROSCRIPTIONS; PROHIBITING THE ADMISSIONS OF MINORS IN LICENSED PREMISES; PROHIBITING THE SALE OF ADULT MATERIALS TO MINORS; CREATING DIVISION 2; PROVIDING FOR SPECIFIC LICENSING REQUIREMENTS; PROVIDING FOR THE CLASSIFICATION OF ADULT ENTERTAINMENT LICENSES; PROVIDING FOR THE DISQUALIFICATION FOR A LICENSE; PROVIDING FOR APPLICATIONS FOR ADULT ENTERTAINMENT LICENSES; PROVIDING A CONTINUING DUTY OF A LICENSEE TO DISCLOSE INFORMATION TO THE TOWN; PROVIDING FOR INVESTIGATIONS; PROVIDING FOR THE APPROVAL OR DENIAL OF AN APPLICATION; PROHIBITING MULTIPLE LICENSES FOR A SINGLE PREMISES; PROVIDING FOR REQUIREMENTS FOR LEASED PREMISES; PROVIDING FOR REGULATORY FEES; PROVIDING FOR THE DISPLAY OF LICENSE; PROVIDING FOR TERM AND RENEWAL; PROVIDING FOR LICENSE TRANSFER; PROVIDING FOR THE CHANGE OF LOCATION OR NAME OF BUSINESS; PROVIDING FOR THE SUSPENSION OR REVOCATION OF LICENSES; PROVIDING FOR LICENSEE RECORDS AND REPORTS; PROVIDING FOR PROVISIONS RELATED TO THE TRANSFER OF LICENSES; PROVIDING AN APPEAL PROCESS FOR THE SUSPENSION OR REVOCATION OF LICENSES; PROVIDING APPEAL PROCEDURES FOR THE SUSPENSION AND REVOCATION OF LICENSES; CREATING DIVISION 3; PROVIDING FOR WORKER RECORDS; CREATING DIVISION 4; PROVIDING FOR REQUIREMENTS FOR LEISURE SPA ESTABLISHMENTS; PROVIDING FOR THE CONTROL OF COMMUNICABLE DISEASES; PROVIDING FOR EMPLOYEE QUALIFICATIONS; PROVIDING FOR HOME MASSAGE TREATMENT; PROVIDING FOR THE ADMISSION AND TREATMENT OF MINORS, HOURS OF OPERATION, INSPECTIONS AND PROHIBITIONS; CREATING DIVISION 5; PROVIDING REQUIREMENTS FOR ADULT MOTION PICTURE THEATERS; PROVIDING FOR ADMISSION OF MINORS, INSPECTIONS AND PROHIBITIONS; CREATING DIVISION 6; PROVIDING FOR ADMISSION OF MINORS, INSPECTIONS AND PROHIBITIONS; PROVIDING FOR PROVISIONS RELATING TO NOTICE OF SALE OF ADULT MATERIALS AND AUTHORITY TO REQUIRE ADDITIONAL INFORMATION; CREATING DIVISION 7; PROVIDING PROVISIONS FOR ADULT DANCING ESTABLISHMENTS; PROVIDING FOR INSPECTIONS; CREATING DIVISION 8; PROVIDING FOR PROVISIONS FOR ESCORT SERVICES; CREATING DIVISION 9; PROVIDING FOR PENAL PROVISIONS; PROVIDING FOR PROHIBITED ACTS WHERE ALCOHOLIC BEVERAGES ARE PRESENT; PROVIDING FOR PROHIBITED ACTS GENERALLY; PROVIDING FOR PROHIBITED ACTS BY CUSTOMERS; PROVIDING FOR IMMUNITY FROM PROSECUTION FOR TRESPASS RELATING TO DEPARTMENTS, EMPLOYEES, ATTORNEYS, AND OFFICERS OR AGENTS OF THE TOWN OF GRANT-VALKARIA OR ANY LAW ENFORCEMENT OFFICER; PROHIBITING ADULT ENTERTAINMENT ESTABLISHMENTS AS HOME OCCUPATIONS; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

H. APPROVAL OF MINUTES

- 1) Planning and Zoning Board Meeting Minutes of April 26, 2010.

I. NEW BUSINESS

- 1) Discussion/ Action RE: Ordinance No. 2010-05 – An Ordinance Of The Town of Grant-Valkaria, Brevard County, Florida; Amending Section 62-2100.5 Of The Town Land Development Regulations As Adopted By The Town In The Town’s Charter; Providing For Accessory Building And Accessory Use Standards; Providing For Severability; Providing An Effective Date. (Accessory Structure Ordinance)

J. PUBLIC COMMENT

Speakers wishing to provide public comment on non-agenda items should follow the Planning and Zoning Board’s public speaking procedures in which each speaker completes a speaker card with name and subject and provides the card to the Clerk. Speaker cards will be passed to the Planning and Zoning Board Chair who will call each identified public comment speaker during this part of the agenda.

K. ADJOURNMENT