



**Agenda
City of Cocoa
Board of Adjustment Regular Meeting**

**January 15, 2025
6:00 PM**

65 Stone Street, Cocoa, FL 32922

I. Opening Matters:

1. Call to Order
2. Roll Call
3. Pledge of Allegiance

II. Approval of Agenda and Minutes:

1. Agenda: Regular Meeting of January 15, 2025.
2. Minutes: Regular Meeting of October 16, 2024.

III. Old Business:

IV. New Business:

1. Annual Election of Chairperson and Vice Chairperson for the Board of Adjustment.
2. Special Exception 406 Florida Ave

V. Other Business:

VI. Next Meeting Date:

VII. Adjournment:

General Notice Information:

This is a public meeting. Interested parties are hereby advised that they may appear at said meeting and be heard. The facility wherein this public meeting will be held is accessible to the physically handicapped. In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk of the City of Cocoa, listed below, at least 48 hours prior to the meeting: Monica Arsenault, City Clerk, 65 Stone Street, Cocoa, by telephone at (321) 433-8488 or via email at marsenault@cocoafi.gov.

Pursuant to Section 286.0105, Florida Statutes, the City hereby advises the public that if a

person decides to appeal any decision made by the BOA, P&Z Board/LPA or City Council with respect to any matter considered at its meeting or hearing, that person will need a record of the proceedings and for such purpose, affected persons may need to assure that a verbatim record of the proceedings is made, and such record shall include the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals otherwise not allowed by law.

The BOA or PZ Board/LPA meeting may include the attendance of one (1) or more members of the Cocoa City Council who may or may not participate in the Board discussions held at this public hearing. The BOA, PZ Board/LPA and City Council reserve the right to continue or postpone hearings to a certain date without re-advertising.

BOARD OF ADJUSTMENT AGENDA ITEM

Memo Date: 12/30/2024
Agenda Date: 1/15/2025
Prepared By: Breanna Earley, Assistant City Clerk
Through: Lucilene Ribeiro, Planner
Requested Action: Request Board approval of Agenda of the Board of Adjustment Meeting, held on January 15, 2025, either as written or with amendments.

BACKGROUND:

N/A

PRIORITY AREA CONNECTION:

Community Outreach and Engagement

BUDGETARY IMPACT:

N/A

PREVIOUS ACTION:

N/A

RECOMMENDED MOTION:

Request Board approval of Agenda of the Board of Adjustment Meeting, held on January 15, 2025, either as written or with amendments.



AGENDA
Regular Meeting
January 15, 2025
6:00 p.m.

I. OPENING MATTERS:

- A. CALL TO ORDER
- B. ROLL CALL
- C. PLEDGE OF ALLEGIANCE

II. APPROVAL OF AGENDA AND MINUTES:

AGENDA: Regular Meeting of January 15, 2025
MINUTES: Regular Meeting of October 16, 2024

III. OLD BUSINESS: None

IV. NEW BUSINESS:

- A. Annual Election of Chairperson and Vice Chairperson
- B. **PZ 24-00000015– Special Exception (406 Florida Ave.)**

CONSIDERATION OF A SPECIAL EXCEPTION Consideration of a Special Exception request pursuant to Appendix A, Zoning, Article XI, Section 22(F) of the City of Cocoa Code to allow for a bottle club in the Waterfront Overlay District. The property is identified as 406 Florida Ave, Cocoa, Florida.
Tax Parcel ID: 24-36-33-35-*-23.02

- C. **PZ 24-00800004- Variance (41 Riverside Dr.)**

CONSIDERATION OF A VARIANCE REQUEST, A variance request from Appendix A, Zoning, Article XI, Sec 22 of the City of Cocoa Code to reduce the required 10-foot accessory structure setback in the rear yard by approximately 3 feet on the north property line, and 4.6 feet on the south property line for an approximate 74'x26' pool enclosure. The property is identified as 41 Riverside Dr, Cocoa, Florida. Tax Parcel ID 24-36-33-78-*-W. **WITHDRAWN**

V. OTHER BUSINESS:

Planning and Zoning Board Open Discussion

VI. NEXT MEETING DATE: February 19, 2025.

VII. ADJOURNMENT:

General Notice Information:

This is a public meeting. Interested parties are hereby advised that they may appear at said meeting and be heard. The facility wherein this public meeting will be held is accessible to the physically handicapped. In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk of the City of Cocoa, listed below, at least 48 hours prior to the meeting: Monica Arsenault, City Clerk, 65 Stone Street, Cocoa, by telephone at (321) 433-8488 or via email at marsenault@cocoafl.gov.

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Public Participation Information:

Members of the public may view the meeting agenda, ordinances, project applications, supporting documents, and staff reports on the City's website at the following link prior to attending or commenting:

City of Cocoa meeting calendar at <https://www.cocoafl.gov/291/20338/City-Meetings>

Documents pertaining to the above may also be inspected at the Community Services Department between 8:00 a.m. and 5:00 p.m., Monday through Friday, or by phoning (321) 433-8400.

Interested persons may submit their written comments or questions prior to the meeting through Email at meetings@cocoafl.org, or via E-comments through the online agenda at the link above. Any electronic comments submitted will be made part of the meeting record.

Viewing In Real Time. Interested persons are encouraged to view and listen to the hearings live by accessing the meetings at the following internet address:

City of Cocoa meeting calendar at <https://www.cocoafl.gov/291/20338/City-Meetings>

However, the City is not responsible for technical difficulties that may occur while attempting to view or listen to the meeting on the internet.

Special Information for Quasi-Judicial Hearings:

Any person that (1) can demonstrate that they may suffer special damages different in kind and degree from that of the general public at large; and (2) wishes to present factual or expert witnesses and/or evidence at the quasi-judicial hearing is highly encouraged to immediately contact Lucilene Ribeiro,

Planner, at (321) 433-8535 or, to make proper arrangements for presentation of witnesses and/or evidence. All witnesses should be identified and all evidentiary documents and exhibits that are intended to be distributed to the BOA, P&Z/LPA and City Council should be submitted to Ms. Ribeiro via email or mail at least three (3) days prior to the hearing.

BOARD OF ADJUSTMENT AGENDA ITEM

Memo Date: 12/30/2024
Agenda Date: 1/15/2025
Prepared By: Breanna Earley, Assistant City Clerk
Through: Monica Arsenault, City Clerk
Requested Action: Request Board approval of the Minutes of the Board of Adjustment Meeting held on October 16, 2024, either as written or with amendments.

BACKGROUND:

N/A

PRIORITY AREA CONNECTION:

Community Outreach and Engagement

BUDGETARY IMPACT:

N/A

PREVIOUS ACTION:

N/A

RECOMMENDED MOTION:

Request Board approval of the Minutes of the Board of Adjustment Meeting held on October 16, 2024, either as written or with amendments.

CITY OF COCOA
BOARD OF ADJUSTMENT
MEETING MINUTES
October 16, 2024

A Regular meeting of the Board of Adjustment of the City of Cocoa was held on Wednesday, October 16, 2024 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

I. OPENING MATTERS:

Chairperson Shaia called the meeting to order at 6:00pm.

The Recording Secretary called the roll.

ROLL CALL:

Pam Shaia	Chairperson
Kaitlyn Aliano	Board Member
Robert Butler	Board Member
Robert Dyar	Board Member
Dan Quattrocchi	Board Member

MEMBERS PRESENT:

Pam Shaia	Chairperson
Kaitlyn Aliano	Board Member
Robert Butler	Board Member
Robert Dyar	Board Member
Dan Quattrocchi	Board Member

MEMBERS ABSENT:

None

OTHERS PRESENT:

Kristin Eick	Assistant City Attorney
Luci Ribeiro	City Planner
Lori Chabot	Recording Secretary

II. APPROVAL OF AGENDA & MINUTES:

Prior to the approval of the agenda and minutes, the Recording Secretary notified the board that a correction was made to the minutes. On the last page regarding the Motion

to Adjourn, “**Motion Passed Unanimously (5-0)**” was corrected to say “**Motion Passed Unanimously (3-0)**”.

- * **Motion by Board Member Aliano; Seconded by Board Member Butler to approve the October 16, 2024 Agenda as written and the September 18, 2024 Minutes as written.**

Ayes: Shaia, Aliano, Butler, Dyar, Quattrocchi

Motion Passed Unanimously (5-0).

III. OLD BUSINESS:

None.

IV. NEW BUSINESS:

A. PZ 24-000000013 – Special Exception (412 Brevard Ave)

Consideration of a Special Exception request pursuant to Appendix A, Zoning, Article XI, Section 13(C) (6) and Section 22(F) of the City of Cocoa Code to allow “a bar or lounge, with or without a package store” to operate a cigar lounge bar serving alcohol. The property is identified as 412 Brevard Ave, Cocoa, Florida. Tax Parcel ID: 24-36-33-39-B-6. District.

Luci Ribeiro, City Planner, presented the item via PowerPoint.¹ She explained the hand-written drawing attached to the Agenda and added the seating still needs to be reviewed and approved by the City and is subject to conditions. She added the applicants are present and would like to present.

Applicants Luis Torres Green, Carmen Rivera Aviles and Aleck Greenwood were sworn in by the Recording Secretary.

The applicants presented information via Powerpoint².

Aleck Greenwood, 640 Brevard Ave, Cocoa, spoke regarding this item. His concerns are in regard to the verbiage. He stated there was some confusion whether there would be just beer and wine or if alcohol would be included. He added that it was written differently in the documents. He also asked about food, hours and music.

Ms. Ribeiro explained that the applicants will be required to do a site plan amendment regarding the seating and there was not outside entertainment. Mr. Greenwood added that he was concerned that if this item was approved the special exception will run with the land. Discussion was held regarding this concern.

¹ Exhibit A- 24-598 BOA Presentation

² Exhibit B – His & Hers Cigars Presentation

Mr. Greenwood expressed his concern over the ordinances in general and that he would like the City to review and update them. Ms. Ribeiro advised he ask that of Council.

City Attorney Eick asked the applicants if they wanted to respond. In response, they added that they are requesting beer and wine and appreciate the feedback.

- * **Motion by Board Member Dyar; Seconded by Board Member Aliano to Approve the Special Exception request to allow “a bar or lounge, with or without a package store” to operate a cigar lounge bar serving alcohol. The property is identified as 412 Brevard Ave, Cocoa, Florida. Tax Parcel ID: 24-36-33-39-B-6. District.**

Ayes: Shaia, Dyar, Aliano, Quattrocchi, Butler

Motion Passed Unanimously (5-0).

V. OTHER BUSINESS:

The Recording Secretary notified the board that there would be an item coming to elect a new Vice Chair. Members should be thinking about who to nominate.

VI. NEXT MEETING DATE:

The next meeting date for the Board of Adjustment is November 20, 2024.

VII. ADJOURNMENT:

Motion by Board Member Aliano; Seconded by Board Member Quattrocchi to adjourn the October 16, 2024 meeting.

Motion Passed Unanimously (5-0).

Ayes: Shaia, Aliano, Butler, Dyar, Quattrocchi

There being no further business the meeting adjourned at 6:40 P.M.

Pam Shaia, Chairperson

Lori Chabot, Recording Secretary

BOARD OF ADJUSTMENT AGENDA ITEM

Memo Date: 01/02/2025
Agenda Date: 1/15/2025
Prepared By: Breanna Earley, Assistant City Clerk
Through: Lucilene Ribeiro, Planner
Requested Action: Annual Election of Chairperson and Vice Chairperson for the Board of Adjustment.

BACKGROUND:

Board members nominate and elect a Chairperson and Vice Chairperson annually.

PRIORITY AREA CONNECTION:

Community Outreach and Engagement

BUDGETARY IMPACT:

None

PREVIOUS ACTION:

None

RECOMMENDED MOTION:

Annual Election of Chairperson and Vice Chairperson for the Board of Adjustment.

CITY OF COCOA BOARD AND COMMITTEE MEMBER LIST

Board of Adjustment		Meets Third Wednesday of Every Month @ 6pm		Expirations in May	
MEMBER	ADDRESS	PHONE	APPOINTED	EXPIRES	
Robert Dyar (3/3 of Non-Resident seats)	3513 Indian River Dr. Cocoa, FL 32926 bobbydyar@gmail.com	321-258-8284	05/2021 Appointed	2027	
Dan Quattrocchi (1/3 of the Non-Resident seats)	3056 Skyline Drive Cocoa, FL 32922 danq@quattrocchirealestate.com	321-720-1822 hm 321-452-8668 wk 321-720-1822 cell	05/2022 Reappointed 12/11/19 appointed (fulfilled seat vacated by Mr. Matthew Ford, who did not renew)	2025	
Pam Shaia <i>Chairperson (as of 11/2023)</i> (2/3 of the Non-Resident seats)	308 Brevard Avenue Cocoa, FL 32922 pshaia@cfl.rr.com	256-656-3249 cell 321-305-4584 Wk	05/2022 Reappointed 07/19 appointed (fulfilled Jolley vacancy)	2025	
Patricia Weeks <i>Vice Chairperson as of 11/2023</i> VACANCY	1351 Torton Way Cocoa, FL 32926 Patriciaweeks@bellsouth.net	321-759-8563 hm, wk, cell	05/2021 Reappointed 01/2021 appointed to fulfill reg. term of Dyal 12/11/19 appointed as 1 st alt.	2027	
Robert Butler	4992 Talbot Blvd. Cocoa FL, 32926 Rbut4992@gmail.com	407-791-3550	01/2024 appointed	2027	
James Green VACANCY	3725 Highway 524, #314 Cocoa, FL 32926 Jamesagreen1995@gmail.com	321-795-7508	01/2024	2027	
Kaitlyn Aliano VACANCY	12 Sunrise St. Cocoa, FL 32922 Kaitlyn.weisberg@gmail.com	321-432-8117	01/2021 Appointed	2027	
VACANCY 2 nd Alternate Jenny Swisher	195 Sorrento Drive Cocoa, FL 32922 Gbsemail1@gmail.com	406-581-1162	01/2022 appointed	No expiration	
VACANCY 1 st Alternate Randal Hiester	5292 Talbot Blvd. Cocoa, FL 32926 Rjhbjh2017@yahoo.com	321-501-6369 hm/cell	02/2020 Appointed	No expiration	
LIAISON	Deputy Mayor Weeks	321-474-4924	Updated 12/23		
Counsel: Anthony Garganese	PO Box 2873, Orlando, FL 32802-2873	866-425-9566			
RECORDING SECRETARY	Lori Chabot	433-8491	Updated 10/23		

BOARD OF ADJUSTMENT AGENDA ITEM

Memo Date: 01/02/2025
Agenda Date: 1/15/2025
Prepared By: Lucilene Ribeiro, Planner
Through: Stockton Whitten, City Manager
Requested Action: Consideration of a Special Exception request pursuant to Appendix A, Zoning, Article XI, Section 22(F) of the City of Cocoa Code to allow for a “bar,” specifically a “bottle club” in the Waterfront Overlay District with the recommended conditions.

BACKGROUND:

Date: January 15, 2025

Project No.: PZ-24-00000015

Meeting Date: January 15, 2025

Project Planner: Lucilene Ribeiro, Planner

Applicant: Jessica Lee
2677 Deercroft Dr
Melbourne, FL 32940

Property Owner: Jaron Properties LLC
2506 Westmoreland Dr
Orlando, FL 32804

Requested Action: Consideration of a Special Exception request pursuant to Appendix A, Zoning, Article XI, Section 22(F) of the City of Cocoa Code to allow for a “bar,” specifically a “bottle club” in the Waterfront Overlay District.

Notice Provided: Notice of the public hearing was provided by publishing in the newspaper on December 29, 2024, and posting the property and mailers to property owners within 500 feet.

I. Project Information

The property at 406 Florida Avenue, Cocoa, FL 32922, features an existing 1,581-square-foot building situated on a 0.13-acre parcel. Previously occupied by the Cocoa Sign Company, a local business specializing in sign painting and lettering, the property underwent significant renovations after the company vacated the premises. These improvements enhanced the building's structural integrity and aesthetic appeal, preparing it for its new use.

The building is now leased by The Old Florida House LLC, a family-owned business that

aims to create a welcoming venue for hosting private events, workshops, and community activities. The applicant seeks Special Exception approval to allow patrons to bring and consume alcohol on the premises during operating hours, which are proposed to be from 9:00 AM to 10:00 PM, Monday through Sunday. This use classifies the establishment as a “bottle club,” defined as a venue that furnishes a space for the consumption of alcoholic beverages brought in by patrons.

The Future Land Use (FLU) designation for the property is Mixed Use, and it is zoned CBD. It is located within the Cocoa Waterfront Overlay District, Cocoa Village Subdistrict, which allows for bars and lounges as a special exception only. The definition of a “bar” in Article V of the City’s Zoning Ordinance is a “retail establishment selling alcoholic beverages for consumption on the premises *or an establishment, commonly known as a “bottle club,” in the business of furnishing premises where alcoholic beverages may be consumed.*” Accordingly, a special exception is required. The site is positioned between Factory Street and Derby Street on the east side of Brevard Avenue and is surrounded by CBD zoned commercial properties to the north, south, and west.

No additional changes to the building structure are proposed. The applicant plans to utilize existing public parking facilities near the site to accommodate patrons. According to the City of Cocoa Code, bottle clubs are considered a special exception use within the Overlay District.

The applicant has submitted a conceptual plan (Exhibit E) showing a seating layout designed to accommodate a maximum capacity of 62 seats. This plan will guide the use of the space and ensure compliance with zoning and overlay district requirements.

Future Land Use:	Mixed Use
Zoning District:	CBD
Existing Land Use:	Retail space, property vacant
Council District:	District 1 – Councilmember Goins

Overview of Surrounding Area:

	Future Land Use Designation	Zoning District	Land Use
North	Mixed Use	CBD	Commercial
South	Mixed Use	CBD	Institutional
East	Mixed Use	CBD	Institutional
West	Mixed Use	C-C	Commercial

Please see the existing site, surrounding zoning, and future land uses on the map included as Exhibits “A”, “B” and “C”

II. Special Exception Analysis

Before any special exception may be issued, the Board of Adjustment shall make written findings certifying compliance with the specific rules governing individual special exceptions and that satisfactory provision and arrangement has been made concerning the following where applicable (according to Appendix A, Article XVII, Section 2):

A. Demonstrate that there is ingress and egress to the property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

Staff Finding: Event attendees will utilize street parking along nearby roads and a public parking lot located north of the property. After further analysis, Planning and Zoning recommend a condition requiring that customers leasing the premises, as well as delivery trucks, use the driveway located on the south side of the property for loading and unloading activities. This will help ensure efficient operations and minimize disruptions to traffic and pedestrian flow.

Traffic Analysis

Based on the Fire Department's determination of a maximum occupancy load of 62 patrons, Public Works conducted an analysis of the potential traffic this business would generate on Florida Avenue, which has a minimum level of service (LOS) designation of "E," as outlined in the City of Cocoa Comprehensive Plan. According to the Space Coast Transportation Planning Organization (SCTPO), Florida Avenue is classified as a Minor Arterial – Urban roadway with an Annual Average Daily Traffic (AADT) of 3,680 as of 2023. This is significantly below the threshold for LOS "E" for a Class II (35 MPH or less) arterial, which the FDOT Quality/LOS Handbook defines as having an AADT volume of 15,600 for a two-lane, undivided roadway. Presently, Florida Avenue is not even operating at LOS "C," indicating that it is well below capacity.

This classification and data underscore Florida Avenue's ability to link surrounding land uses and accommodate travel patterns in the area. The proposed business, with its limited capacity, is not anticipated to adversely impact traffic flow or create additional concerns. This analysis confirms that the project meets the Comprehensive Plan's LOS standard for Florida Avenue and that the existing transportation infrastructure is sufficient to support the proposed use without requiring further improvements.

B. Explain where the required off-street parking and loading areas are required, with particular attention to the items in (a) above, and economic, noise, glare, or odor effects of the special exception on the adjoining properties and properties generally in the

district.

Staff Finding: The proposed use will rely on street parking and nearby public parking facilities to accommodate patrons. A designated loading area is not required, as the existing building has a total gross area of less than 4,999 square feet, in accordance with zoning regulations..

The applicant relies on nearby parking within the village district for patron and team member parking and loading/unloading activities. Based on Appendix A Zoning, Art. XII, Sec. 4(d) (45), the unchanged **building** gross floor area allows the City to consider the provided parking spaces sufficient.

Appendix A Zoning, Art. XII, Sec. 4(d)(45) Central Business District, including the Cocoa Village Overlay. The Central Business District, as defined in the City of Cocoa Code, shall have the following special parking requirements:

Whenever there is a change of use or use intensity which changes parking generating factors in a building existing as of August 10, 2004, and the gross floor area of the existing building remains unchanged, no additional parking or loading spaces will be required; however, increases in residential dwelling units shall meet the parking requirements outlined above for specific uses.

This use will be consistent with the entertainment, bar, and nearby uses and is expected to complement and facilitate the economic vitality of the CBD.

The venue is not anticipated to generate additional noise, glare, or odors that would affect adjacent properties, as its operations are similar to those of other local businesses. The applicant will adhere to the City of Cocoa's noise ordinance, which sets the maximum allowable sound levels in commercial areas at 65 dBA between 7:00 a.m. and 7:00 p.m., and 60 dBA between 7:00 p.m. and 7:00 a.m.

C. Explain the impact of refuse and service areas, with particular attention to the items in (a) and (b) above.

Staff Finding: No impact on the existing refuse and service areas is anticipated. The property is equipped with roll-off trash containers serviced according to the Waste Management pickup schedule.

D. Demonstrate sufficient utilities regarding locations, availability, and compatibility.

Staff Finding: The property is adequately served by existing public utilities, including water and sewer services. No additional utility demands are anticipated.

E. Demonstrate that there is adequate screening and buffering with reference to type,

dimension, and character.

Staff Finding: The existing building and surrounding landscape provide sufficient visual screening.

F. Explain the impact of signs, if any, and proposed exterior lighting with reference to glare, traffic, safety, economic effect, and compatibility and harmony with properties in the district.

Staff Finding: Any request for signage, exterior lighting, etc. will be addressed through the building permit process. Because the building is built to the property line, the applicant will only be able to install a permanent sign attached to the façade of the building.

G. Demonstrate that there are adequate yards and open space.

Staff Finding: The property has sufficient open space, and the proposed concept operates indoors. No use of outdoor areas is planned as part of the proposal.

H. Demonstrate how adequate height requirements have been met.

Staff Finding: The existing building complies with height regulations, and no modifications are proposed.

I. Demonstrate how adequate landscaping requirements have been met.

Staff Finding: As the building extends to the property line, there is no available yard area for landscaping, and therefore, no landscaping requirements apply to the property.

J. List any renewal and/or termination dates.

Staff Finding: Staff does not recommend any renewal or termination requirements.

K. Explain how the use will be reasonably compatible with the surrounding uses in its functions, its hours of operation, the type and amount of traffic to be generated, and building size and setbacks, its relationship to land values and other functions that may be used to measure compatibility.

Staff Finding: The proposed use aligns well with other businesses in the area and along Florida Avenue. Its operating hours, ending no later than 10:00 p.m., are earlier than those of similar local establishments, ensuring compatibility with the surrounding environment.

Applicant Responses to the above-referenced criteria are found in Exhibit D, the Application for the Special Exception.

RECOMMENDED CONDITIONS:

Staff recommends APPROVAL of the Special Exception and adoption of the written findings of fact included in the staff report in accordance with Appendix A, Zoning, Article XI, Section 22(F) to allow for a bottle club in the Waterfront Overlay District. , with the following conditions:

1. The Special Exception shall not be effective until the applicant has secured all the permits and approvals necessary for any development related to the Special Exception, such as site plan approval. Such permits shall be obtained within six (6) months of the Board's approval unless the Board grants the applicant additional time.
2. If the use is extended, enlarged, or expanded, additional special exception approval shall be required. The indoor capacity authorized by this approval is limited to 62 people. The site plan included as Exhibit E shall be binding upon the applicant, except that minor modifications may be made during the site plan review process to conform to the City Code or life safety requirements. Any expansion of the bottle club to include outdoor seating/patio space shall require additional special exception approval.
3. Hours of operation shall be limited to 9 a.m. to 10 p.m.
4. If the use as a bottle club is discontinued for a period greater than six (6) months, then the special exception shall become null and void.
5. Loading and unloading of delivery trucks to serve the bottle club shall utilize the existing driveway located on the south side of the property.
6. The special exception is limited to the use of a "bottle club" only and may not be converted to any other type of retail establishment selling alcoholic beverages for consumption on the premises absent further special exception approval.

Any other conditions deemed necessary by the Board of Adjustment

PRIORITY AREA CONNECTION:

Public Safety/Community Standards

BUDGETARY IMPACT:

N/A

PREVIOUS ACTION:

None

RECOMMENDED MOTION:

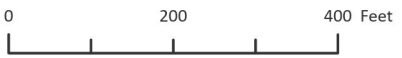
Consideration of a Special Exception request pursuant to Appendix A, Zoning, Article XI, Section 22(F) of the City of Cocoa Code to allow for a “bar,” specifically a “bottle club” in the Waterfront Overlay District with the recommended conditions.



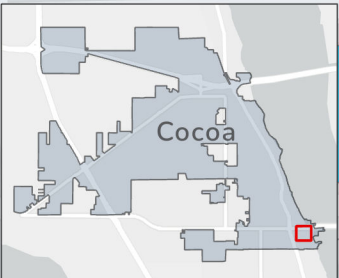
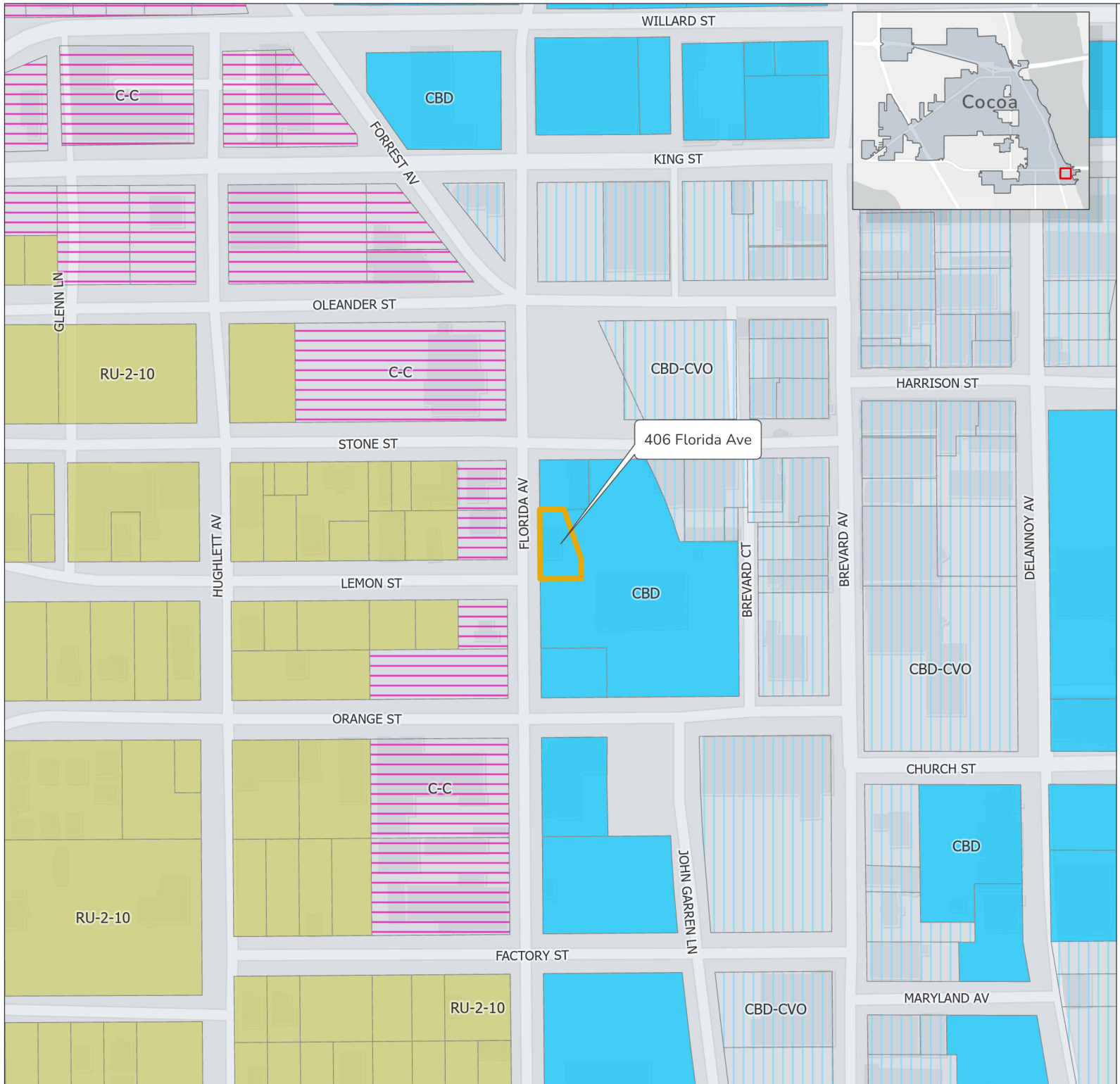
406 FLORIDA AVE LOCATION

December 12, 2024

-  Subject Parcel
-  Parcels
-  Cocoa City Boundary



P20241211-153001.0.1



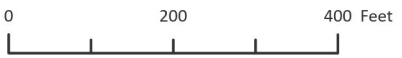
406 FLORIDA AVE ZONING

December 12, 2024

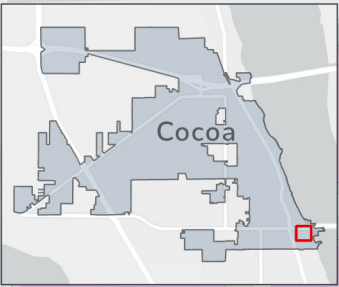
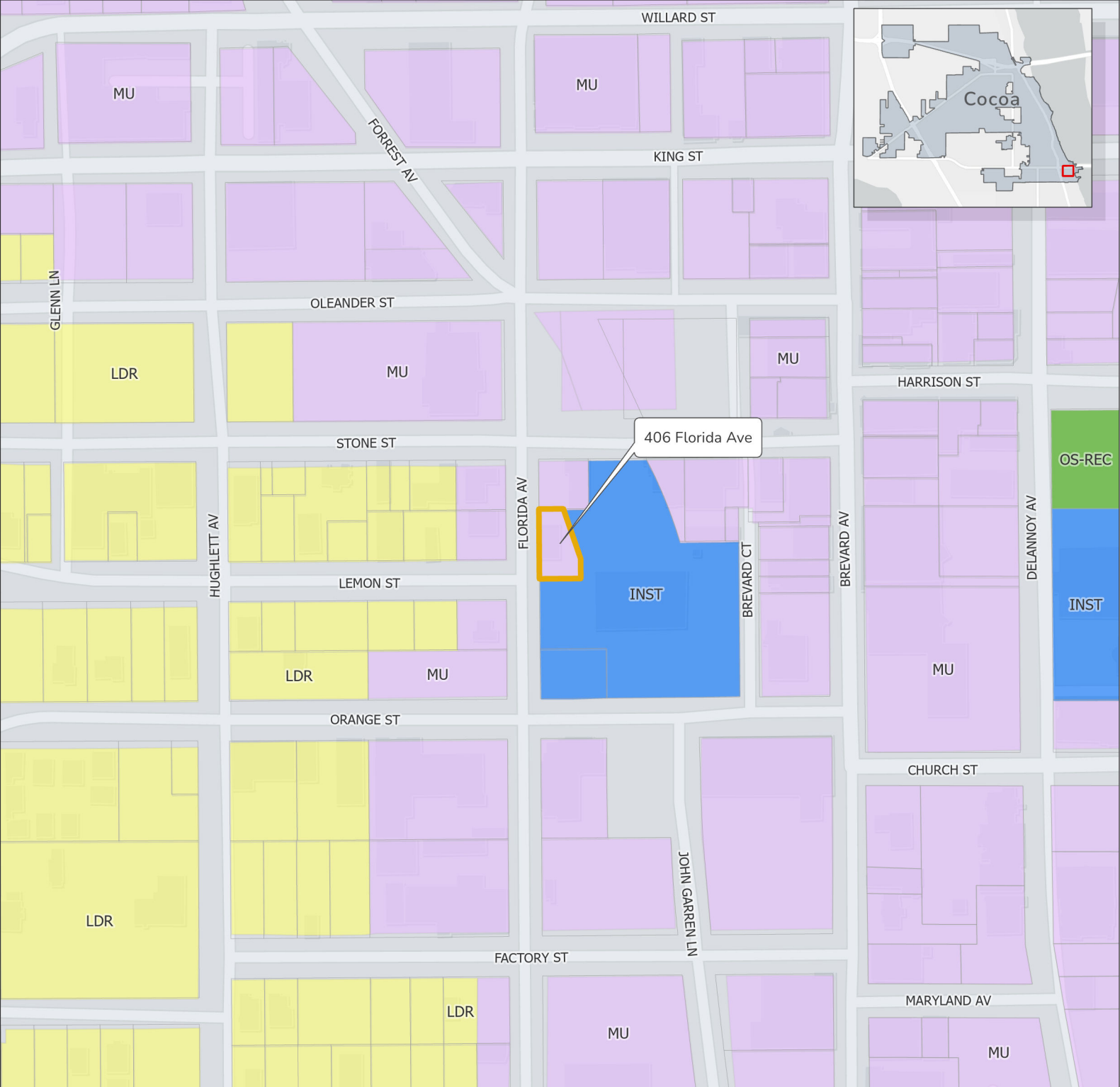
 Subject Parcel

Cocoa Zoning

- RU-2-10 - Low Density Single & Multiple Family Residential
- CBD - Central Business
- CBD-CVO - Central Business Cocoa Village Overlay
- C-C - Core Commercial
- Parcels
- Cocoa City Boundary



P20241211-153001.0.2



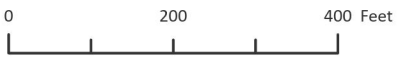
406 FLORIDA AVE FUTURE LAND USE

December 12, 2024

 Subject Parcel

Future Land Use

-  Low Density Residential
-  Mixed Use
-  Institutional
-  Recreation/Open Space
-  Parcels
-  Cocoa City Boundary



P20241211-153001.0.3



Board of Adjustment
Special Exception Application

City Manager's Office
Planning and Zoning
65 Stone Street
Cocoa, Florida 32922

Phone: (321) 433-8535
Fax: (321) 433-8543
E-mail: cocoaplanning@cocoafl.gov
Web: <http://www.cocoafl.org>

This form is divided into steps, which will help you prepare your application, provide supplemental items, and prepare for the Board of Adjustment hearing. A pre-application meeting with Staff is **recommended**.

For Office Use Only - Date Received

Please TYPE or PRINT this application neatly.

Stamp Only When Application is Fully Complete

1. Request: Bottle club license for our event venue
2. Applicable City Code Section(s): ART XI, sec. 22(F) for allowing a bar/ lounge/bottle club in the Cocoa Village Waterfront Overlay District

3. Applicant Information:

* NOTE: Applicant is the main contact, who must attend the meeting!

Company (if applicable): The Old Florida House LLC

Name: Jessica Lee

Mailing Address: 2677 Deercroft Dr

City: Melbourne State: FL Zip Code: 32940

Phone #: 502-321-4920 Fax #: _____

Mobile #: _____ E-mail: jess.martin30@yahoo.com

4. Property Owner Information:

* Check here if same as Applicant → ☐

* If more than one owner, attach additional sheet with names and addresses.

Company (if applicable): Jaron Properties LLC

Name: Jason Perez

Mailing Address: 2506 Westmoreland Dr

City: Orlando State: FL Zip Code: 32804

Phone #: 407-491-4342 Fax #: _____

Mobile #: _____ E-mail: _____

5. Property Information:

Street Address and Location: 406 Florida Ave Cocoa, FL 32922

Parcel ID: 24-36-33-35- - - - - . - - - 23.02

Tax Account Numbers: - - - - -

Land Area: square feet or 0.13 acres

Future Land Use (to be completed by City):

Zoning District (to be completed by City):

Existing Use(s) on Property:

Proposed Use(s) on Property: Event Venue

6. Special Exception Petition:

Before any Special Exception may be issued, the Board of Adjustment must make a positive finding for each of the criteria listed below. Applicants must provide the following information for the Board's review and consideration:

- a. Demonstrate that there is ingress and egress to the property and proposed structures thereon providing automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

N/A , no changes to existing building

- b. Explain where the required off-street parking and loading areas are, with particular attention to the items in (a) above, and economic, noise, glare, or odor effects of the special exception on adjoining properties and properties generally in the districts.

street parking and public parking lot a few feet north of building off Florida Ave and Stone Street

- c. Explain the impact of refuse and service areas are, with particular reference to the items in (a) and (b) above.

Trashcans are kept around back of the building away from doors and does not block any parking areas.

d. Demonstrate that there are sufficient utilities, with reference to location, availability, and compatibility.

No changes to current electrical/lighting, only two appliances in the building which are a refrigerator and microwave

e. Demonstrate that there is adequate screening and buffering with reference to type, dimensions, and character.

No screens needed, existing fence outdoors for privacy and separation

f. Explain the impact of signs, if any, and proposed exterior lighting with references to glare, traffic safety, economic effect, and compatibility and harmony with properties in the districts.

sign is painted on building w/ no lights, no change to existing outdoor lights on building

g. Demonstrate that there are adequate yards and other open space.

Large backyard/outdoor area as well as an open grassy area next to building

h. Demonstrate how adequate height requirements have been met.

No changes to existing building

i. Demonstrate how adequate landscaping requirements have been met.

No changes to landscaping, water and maintain existing lawn and landscaping

j. List any renewal and/or termination dates.

N/A

k. Explain how the use will be reasonably compatible with surrounding uses in its function, its hours of operation, the type and amount of traffic to be generated, and building size and setbacks, its relationship to land values, and other factors that may be used to measure compatibility.

our event venue is consistent with other entertainment and bars in the area. There are multiple bars only a short walk from our business and even another event venue down the road that is much larger. We believe our venue will fit right in with other businesses and also bring new people to Cocoa Village.

7. Please submit the following items in order complete the application:

- a. ☐ **Notarized application.**
- b. ☐ **List of owners within 500 feet.** A "radius map package" from Brevard County containing a certified mailing list with mailing labels and a map of all property owners of record who reside within a 500-foot radius of the subject property is required for public notice. It is the applicant's responsibility to request these materials with the Brevard County GIS Department that are available free of charge. Inquiries need to be emailed to servicedesk@brevardfl.gov and forwarded to the **City of Cocoa Planning and Zoning Department** when available.
- c. ☐ **Application fee.** The fee is \$850. Please make checks payable to the 'City of Cocoa' and submit payment **ONLY** to the Community Services Department. Public mail notice and legal advertising fees must also be paid a few weeks after application submittal.
- d. ☐ **Proof of ownership.** A copy of the most recent recorded warranty deed or record of ownership printed from the Brevard County Property Appraiser website is required.
- e. ☐ **Property Owner Authorization.** If the applicant is not the property owner, then the property owner will need to provide authorization by signing below (See #10 below).
- f. ☐ **Corporate documents.** If the applicant/owner is representing a company, articles of incorporation which show the applicant/owner is authorized to represent the company is required. A data record printout from the Florida Department of State, Division of Corporations website may also be provided (<http://www.sunbiz.org/corpweb/inquiry/search.html>).
- g. ☐ **Certified boundary survey and/or site plan.** Contact Planning & Zoning Division staff to determine if both a boundary survey and a site plan are required. Site plans should be drawn to scale and show the size and shape of the property, location of existing and proposed structures, streets, access points, fences, parking and landscaping areas.
- h. ☐ **Additional information (optional).** Submit any information that may be helpful in understanding the request. This may include photos, sketches, or elevations.

8. **Application filing deadline.** The application filing deadline is the first day of each month at 5:00 pm for public hearings that are held in the following month. Example: Application deadline is Oct. 1st for the November BOA meeting.

9. **Application filing procedure.** This application, together with all required exhibits and attachments, shall be completed and filed with the Planning and Zoning Division prior to the established filing deadline for the public hearing before the Board of Adjustment.

Public hearing process information – please read this!

- **Public hearing date and location.** All regularly scheduled hearings are held on the third Wednesday of each month at 6:00 pm in the Cocoa City Council Chambers located at 65 Stone Street, Cocoa, Florida unless otherwise notified.
- **Presence required at the public hearings.** The applicant or his/her representative must be present to answer any questions concerning the application. If there are extenuating circumstances why the applicant or his/her representative cannot attend, he or she must notify the City in writing prior to the public hearing.
- **Preparing for public hearing.** It is the applicant's responsibility to research and know all laws that may be applicable and may affect the outcome of any decision on the application request. The City assumes no responsibility or liability relating to the applicant's failure to research and know all applicable laws including, but not limited to state, federal, and city laws, codes, land development regulations, and the comprehensive plan. The City recommends all applicants to consider consulting an attorney regarding their applications.
- **Format of public hearing.** The public hearing before the Board of Adjustment is quasi-judicial in nature. State and local law strictly prohibits applicants and/or interested parties from participating in ex-parte communications with Board members in person, by phone, e-mail, or in writing before the application is considered at a public hearing. Applicants are encouraged to review and copy the quasi-judicial rules and procedures used by the Board of Adjustment before the public hearing date. A copy may be obtained from the City Clerk's Office.
- **Exhibits at public hearing.** If photographs, documents, maps or other materials are provided to the Board as evidence at the public hearing, the applicant must leave those instruments with the Recording Secretary. By law those instruments automatically become part of the public records and cannot be returned to the applicant.
- **Witnesses at public hearing.** For the purposes of making a decision on the application, the Board shall only consider testimony of qualified witnesses. A witness is determined by the Board and is generally based on:
 - a. The witness has personal knowledge of the fact in which the witness will testify; and/or
 - b. In the case of testimony consisting of opinions or inferences, the testimony is qualified as the following:
 - 1. *Layman witness:* Testimony of a witness other than an expert witness is qualified only if:
 - The witness can readily, and with equal accuracy and adequacy, communicate what he or she perceived to the Board without testifying in the form of opinions or inferences.
 - The opinions and inferences do not require any special knowledge, skill experience or training.
 - 2. *Expert witness.* Testimony of an expert witness is qualified only if:
 - The subject matter is proper for expert testimony because scientific, technical, or other specialized skill will help the Board understand the evidence being presented, or helps establish a fact in issue.
 - The witness is adequately qualified to express an opinion on the matter.
- **Board action.** If the Board of Adjustment finds that the facts presented in the matter justify approval, it may approve the request, or a portion thereof, and it may specify any conditions deemed necessary to preserve the intent of the City of Cocoa Code. If the Board of Adjustment finds that the facts presented do not justify approval, it must deny the request and will specify the reasons for denial. A decision is usually made at the same meeting that the hearing is held.
- **Appeals.** Appeals of a decision by the Board of Adjustment may be made to the City Council by filing an application with the Community Services Department within fifteen (15) days of the Board's decision. Any party aggrieved by the final decision of the City Council shall have the right to file an appropriate action in a court of competent jurisdiction.

10. Property Owner Authorization.

* Check here if same as Applicant → ☐

I am the fee simple owner (or legal representative) of the property at: _____
and I hereby authorize the applicant to submit this Board of Adjustment Application regarding my property described above.

Jason Perez
(PRINT OWNER NAME)

[Signature]
(OWNER SIGNATURE)

☐ Personally Known OR ☒ Produced Identification

Type of I.D. Produced Driver's License

[Signature]
(NOTARY PUBLIC SIGNATURE)



MADISON ESQUIVEL
Notary Public
State of Florida
Comm# HH492942
Expires 2/14/2028

Madison Esquivel
(Print, Type, or Stamp Commissioned Name of Notary Public)

STATE OF FLORIDA, COUNTY OF Orange ME ~~BREVARD~~

Sworn and subscribed to before me this 25th day of November, 20 24

11. Applicant Signature.

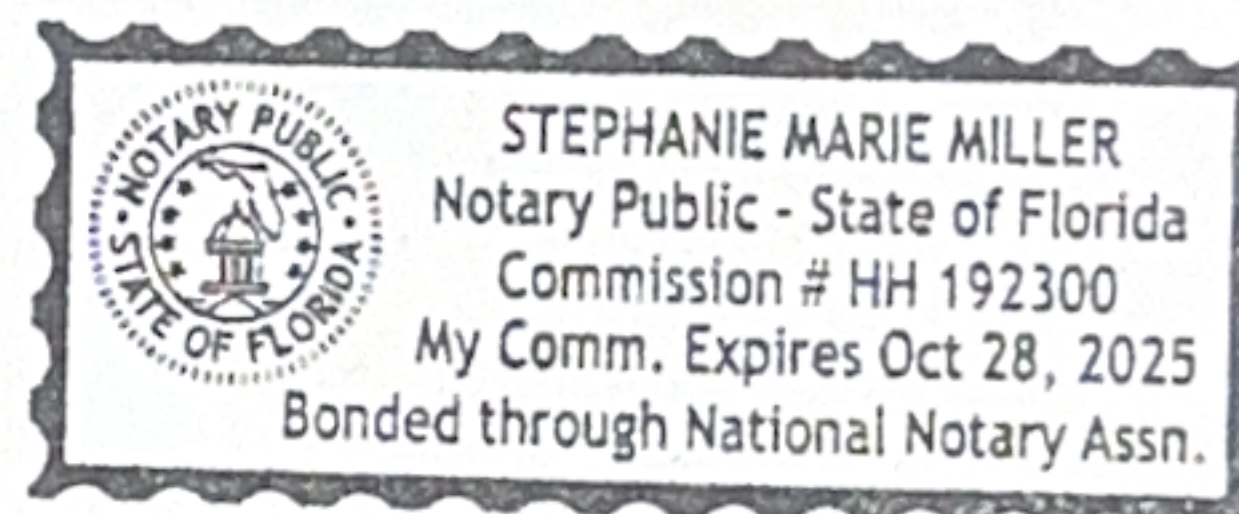
Jessica Lee
(PRINT APPLICANT NAME)

[Signature]
(APPLICANT SIGNATURE)

☐ Personally Known OR ☒ Produced Identification

Type of I.D. Produced FL. DL

[Signature]
(NOTARY PUBLIC SIGNATURE)



Stephanie Miller
(Print, Type, or Stamp Commissioned Name of Notary Public)

STATE OF FLORIDA, COUNTY OF BREVARD

Sworn and subscribed to before me this 25 day of November, 20 24

FOR OFFICE USE ONLY

Fee of \$ _____ in cash ☐ or check ☐ (No. _____) payable to the "City of Cocoa".

Receipt Number: _____

Date: _____

Signature from Planning & Zoning Division:

**Electronic Articles of Organization
For
Florida Limited Liability Company**

L24000234965
FILED 8:00 AM
May 21, 2024
Sec. Of State
nculligan

Article I

The name of the Limited Liability Company is:

THE OLD FLORIDA HOUSE LLC

Article II

The street address of the principal office of the Limited Liability Company is:

2677 DEERCROFT DR
MELBOURNE, FL. US 32940

The mailing address of the Limited Liability Company is:

2677 DEERCROFT DR
MELBOURNE, FL. US 32940

Article III

The name and Florida street address of the registered agent is:

JESSICA A LEE
2677 DEERCROFT DR
MELBOURNE, FL. 32940

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: JESSICA LEE

Article IV

The effective date for this Limited Liability Company shall be:

05/20/2024

Signature of member or an authorized representative

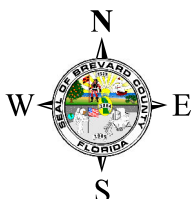
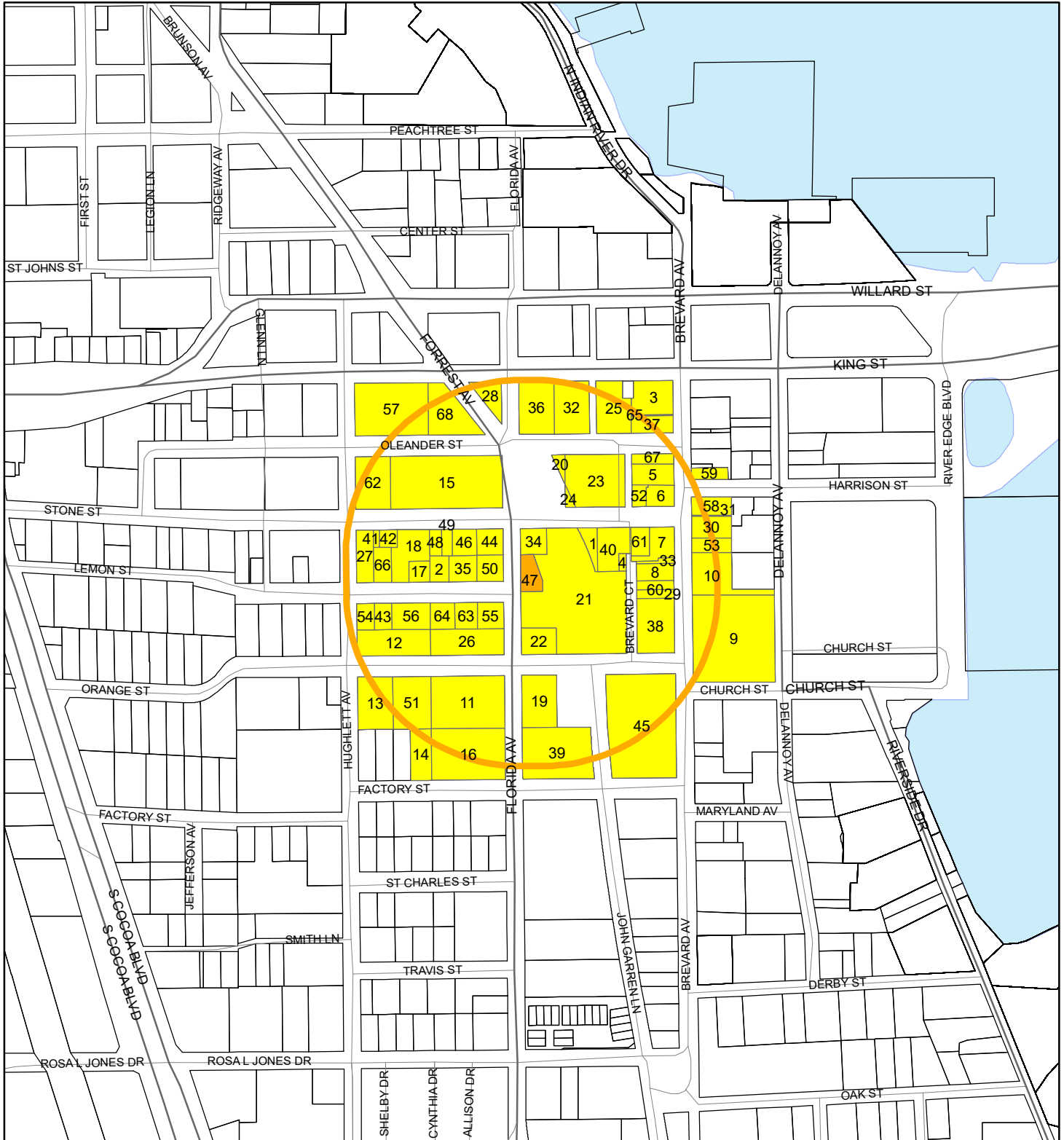
Electronic Signature: JESSICA LEE

I am the member or authorized representative submitting these Articles of Organization and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of the LLC and every year thereafter to maintain "active" status.

RADIUS MAP

JARON PROPERTIES LLC

Jessica_Martin_2426003



1:4,800 or 1 inch = 400 feet

Buffer Distance: 500 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 11/22/2024

- Buffer
- Subject Property
- Notify Property
- Parcels

116 LEMON ST LAND TRUST
496 N HARBOR CITY BLVD
MELBOURNE FL 32935-6858

207 BME LLC
50 VALENCIA RD
ROCKLEDGE FL 32955-2918

305 BREVARD AVENUE LLC
2821 N INDIAN RIVER DR
COCOA FL 32922-7076

313 BREVARD HOLDINGS LLC
777 BRICKELL AVE, # 500-9772
MIAMI FL 33131-2809

401 BREVARD LLC
7848 S FEDERAL HWY
LANTANA FL 33462-6038

419 BREVARD AVENUE LLC
2821 N INDIAN RIVER DR
COCOA FL 32922-7076

430 BREVARD LLC
1211 N WEST SHORE BLVD, STE 802
TAMPA FL 33607-4625

607FLORIDAAVE LLC
PO BOX 944
COCOA FL 32923-0944

BILLIAS FAMILY TRUST
478 COASTAL BREEZE WAY
MERRITT ISLAND FL 32953-7862

BILLIAS FAMILY TRUST
BILLIAS FAMILY TRUST
119 CHIPOLA RD
COCOA BEACH FL 32931-2603

BOYD, ROBERT
122 ROSA L JONES DR
COCOA FL 32922-7839

BREVARD CO ELKS INC
315 FLORIDA AVE
COCOA FL 32922-

BYRON RAYMOND BEARD & REBECCA
LYNN BEARD LIVING TRUST
2051 ROCKLEDGE DR
ROCKLEDGE FL 32955-5303

CHATMAN, MELVIN
CHATMAN, ALMA
981 NICKLAUS DRIVE
ROCKLEDGE FL 32955-

CHATMAN, MELVIN
CHATMAN, ALMA LOUISE
981 NICKLAUS DR
ROCKLEDGE FL 32955-

COCOA VILLAGE PARTNERS INC
600 FLORIDA AVE, STE 201
COCOA FL 32922-7953

COCOA, CITY OF
65 STONE STREET
COCOA FL 32922-

COCOA, CITY OF
65 STONE ST
COCOA FL 32922-7982

COTTAGE KEEPERS INC
C/O THE BATH COTTAGE
425 BREVARD AVE
COCOA FL 32922-

DIPEL INVESTMENTS INC
651 ROCKLEDGE DR
ROCKLEDGE FL 32955-

DMCP PROPERTIES INC
1765 ROCHELLE PKWY
MERRITT ISLAND FL 32952-5661

EARLEY, NORMAN G
EARLEY, CARRIE L TRUSTEE
1076 FAIRLAWN DRIVE
ROCKLEDGE FL 32955-

EDWARD LANG HOUSTON TRUST
93 DELANNOY AVE, APT 1203
COCOA FL 32922-8013

FISHER, CHARLES A
496 N HARBOR CITY BLVD
MELBOURNE FL 32935-6858

FLORIDA AVE PROPERTY INC
1765 ROCHELLE PKWY
MERRITT ISLAND FL 32952-5661

FLORIDA HISTORICAL SOCIETY
435 BREVARD AVE
COCOA FL 32922-7901

FLORIDA HISTORICAL SOCIETY INC,
THE
435 BREVARD AVE
COCOA FL 32922-

FLORIDA POWER & LIGHT CO
PROPERTY TAX - PSX/JB
700 UNIVERSE BLVD
JUNO BEACH FL 33408-

GLOVER, MARLA G TRUSTEE
7203 VISTA HERMOSA DR
MELBOURNE FL 32940-7640

GREATER ST PAUL BAPTIST CHURCH OF
COCOA FL TRUSTEE
213 STONE STREET
COCOA FL 32922-

GREATER ST PAUL BAPTIST CHURCH OF
COCOA FLORIDA INC
213 STONE STREET
COCOA FL 32922-

GUMTO, TRISHA ROBERTS
125 LEMON ST
COCOA FL 32922-

HEHIR, GREGORY R
HEHIR, CAROLYN S
98 PECK CT
MERRITT ISLAND FL 32952-

HICKORY PLACE INC
1301 W EAU GALLIE BLVD STE 100
MELBOURNE FL 32935-

HOLMQUIST, JOHN P
WIDMEYER, MAYA S
105 STONE ST
COCOA FL 32922-7637

JARON PROPERTIES LLC
2506 N WESTMORELAND DR
ORLANDO FL 32804-4937

LANDSCAPE UNIQUE LLC
2419 NELA AVE
BELLE ISLE FL 32809-6180

LUCAS, MARIA G
405 FLORIDA AVE
COCOA FL 32922-7929

MJH FINANCE INC
PO BOX 1274
COCOA FL 32923-1274

NIELSEN, ERIC
NIELSEN, MERA L
837 WOODBINE DRIVE
MERRITT ISLAND FL 32952-

PARK & STEPHAN PROPERTIES INC
411 MAGNOLIA AVE
MERRITT ISLAND FL 32952-

PITTS, CHARLES E
EVANS, JOHNNIE MAE
129 LEMON ST
COCOA FL 32922-

ROBERTS BUILDING OF COCOA LLC
5359 BROOKLINE DR
ORLANDO FL 32819-4058

RODRIQUEZ, MICHELLE
1570 S MAIN ST, APT 107
SALT LAKE CITY UT 84115-5492

ROSS STEINBERGER PROPERTIES INC
101 BREVARD AVE
COCOA FL 32922-

RUNAWAY INVESTMENTS INC
1765 ROCHELLE PKWY
MERRITT ISLAND FL 32952-5661

SAAD, NABIL
SAAD, SOUHEIR
2270 SYKES CREEK DR
MERRITT ISLAND FL 32953-

STEPHAN PROPERTIES OF FLORIDA INC
411 MAGNOLIA AVE
MERRITT ISLAND FL 32952-4821

TRUSTEE CORPORATION OF GREATER
ST PAUL BAPTIST CHURCH OF COCOA
213 STONE ST
COCOA FL 32922-

VAUGHN, BRUCE R
141 MARTINO WAY
COCOA FL 32926-5208

VAUGHN, BRUCE R
141 MARTINO WAY
COCOA FL 32926-5208

VON B LLC
275 MAGNOLIA AVE
SUITE #8
MERRITT ISLAND FL 32952-4820

WALKER, ESTHER B
WALKER, CURTIE ET AL
815 PAW PAW ST
COCOA FL 32922-

WASDIN FAMILY LTD
29 RIVERSIDE DR, #602
COCOA FL 32922-8210

WHITTAKER FINANCIAL SERVICES LLC
32 SOUTH ST
ROCKLEDGE FL 32955-2458

Prepared by and return to:

Leanne Shufelt
Title Solutions of Florida, LLC
390 South Courtenay Parkway
Merritt Island, FL 32952
(321) 586-2095
File No MI-22-360

Parcel Identification No 24-36-33-35-00000.0-0023.02

[Space Above This Line For Recording Data]

WARRANTY DEED

(STATUTORY FORM – SECTION 689.02, F.S.)

This indenture made the **1st day of April, 2022** between **NANCY L. BENARD, a widow**, whose post office address is **2845 South Tropical Trail, Merritt Island, FL 32952**, of the County of Brevard, State of Florida, Grantor, to **JARON PROPERTIES, LLC, a Florida Limited Liability Company**, whose post office address is **2506 North Westmoreland Drive, Orlando, FL 32804**, of the County of Orange, State of Florida, Grantee:

Witnesseth, that said Grantor, for and in consideration of the sum of TEN DOLLARS (U.S.\$10.00) and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Brevard County, Florida, to-wit:

THAT PART OF THE SOUTH 1/2 OF LOT 23 OF HARDEE'S PLAT OF INDIAN RIVER CITY ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 1, PAGE 28, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING WEST OF THE RIGHT-OF-WAY OF FLORIDA EAST COAST RAILWAY COMPANY. TOGETHER WITH THE NORTH 1/2 OF VACATED LEMON STREET ABUTTING THE ABOVE DESCRIBED PROPERTY ON THE SOUTH

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

Subject to taxes for 2022 and subsequent years, not yet due and payable; covenants, restrictions, easements, reservations and limitations of record, if any.

TO HAVE AND TO HOLD the same in fee simple forever.

And Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple, that Grantor has good right and lawful authority to sell and convey said land and that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Kim Forbes Stewart

WITNESS

PRINT NAME: Kim Forbes Stewart

Nancy L. Benard
NANCY L. BENARD

Leanne Shufelt

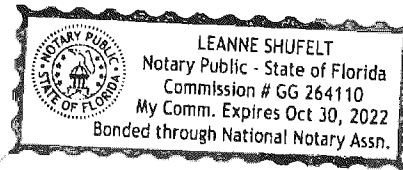
WITNESS

PRINT NAME: Leanne Shufelt

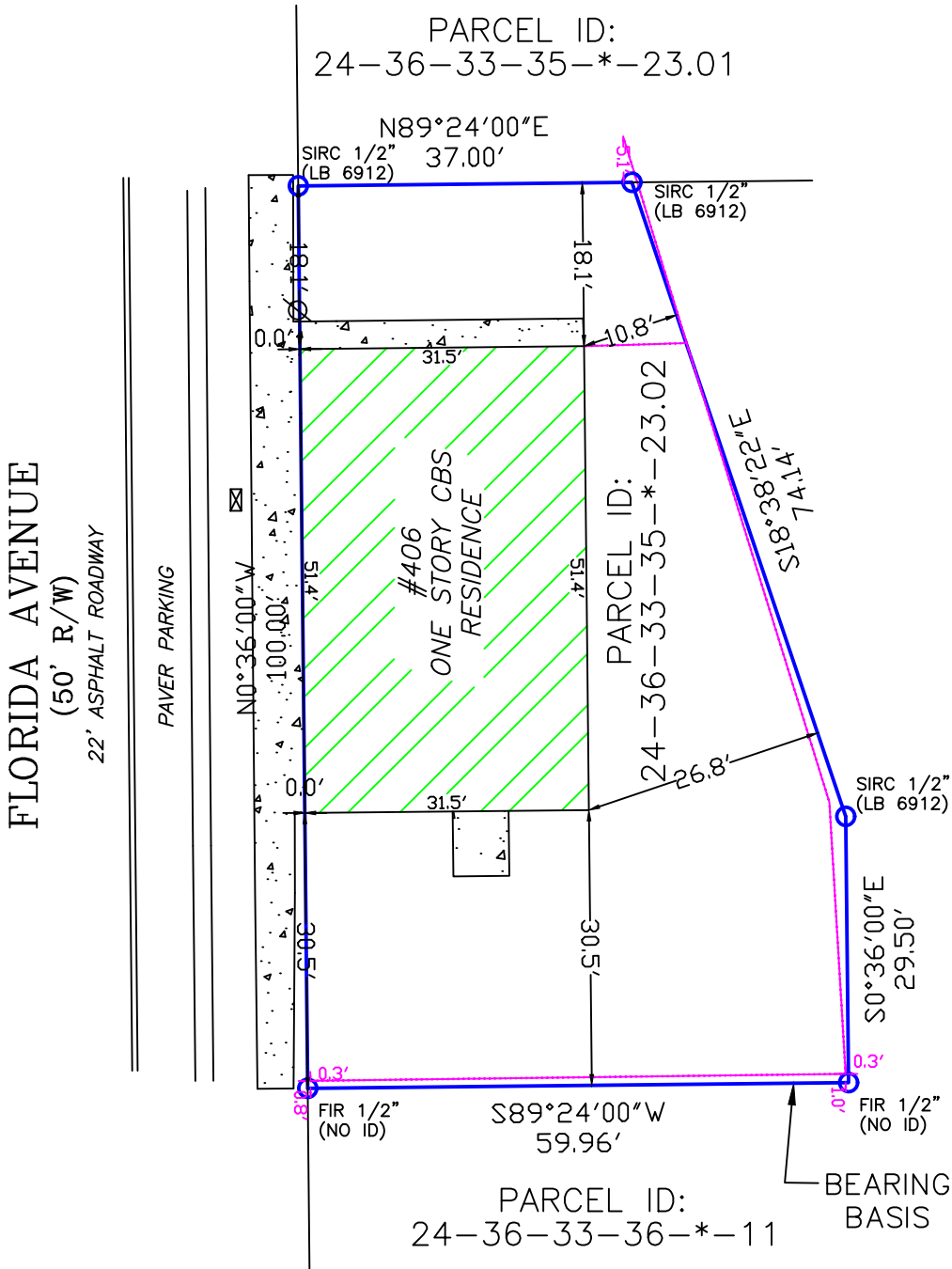
STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of (☒) physical presence or () online notarization this 1st day of April, 2022, by NANCY L. BENARD.

Leanne Shufelt
Signature of Notary Public
Print, Type/Stamp Name of Notary

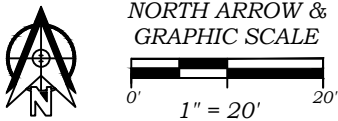


Personally Known: _____ OR Produced Identification: D/L
Type of Identification
Produced: _____



NOTABLE CONDITIONS:
PROPERTY APPEARS TO BE SERVICED BY PUBLIC UTILITIES.

NOTES:
ALL BEARINGS AND DISTANCES SHOWN ARE RECORD AND MEASURED, UNLESS OTHERWISE SHOWN.
BEARINGS ARE BASED UPON THE MEASURED BEARING FOR THE SOUTHERLY LOT LINE.



JOB # - 2202-132	REVISION -
FIELD DATE - 02/15/2022	REVISION -
DRAWN BY - D.B.	REVISION -
REVISION -	REVISION -
REVISION -	REVISION -
REVISION -	REVISION -
FLORIDA BUSINESS CERTIFICATE OF AUTHORIZATION NUMBER LB 6912	

KNOW IT NOW, INC.
PROFESSIONAL SURVEYING AND MAPPING
5220 US HIGHWAY 1, #104
VERO BEACH, FL 32967
PHONE - (888) 396-7770
WWW.KINSURVEY.COM



LEGAL DESCRIPTION:

THE SOUTH ½ OF LOT 23 AND THE NORTH ½ OF VACATED LEMON STREET ON THE SOUTH EX, HARDEES PLAT OF INDIAN RIVER CITY, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN OFFICIAL RECORDS BOOK 554, PAGE 797 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

JOB NUMBER: 2202-132

FIELD WORK DATE: 02/15/2022

PROPERTY ADDRESS:
406 FLORIDA AVENUE, COCOA, FL 32922

FLOOD INFORMATION:
PANEL NUMBER: 12009C0426H
FIRM DATE: JANUARY 29, 2021
FLOOD ZONE: X
BASE FLOOD ELEVATION: NA
COMMUNITY NAME: COCOA, CITY OF
COMMUNITY NUMBER: 120020

AERIAL PHOTOGRAPH



SURVEYOR'S LEGEND

A/C = AIR CONDITIONING
BB = BEARING BASIS
BFP = BACKFLOW PREVENTER
BLDG = BUILDING
BLK = BLOCK
BM = BENCHMARK
C = CURVE
CATV = CABLE T.V. RISER
CB = CATCH BASIN
CL = CENTERLINE
CLF = CHAIN LINK FENCE
CLP = CONCRETE LIGHT POLE
CONC = CONCRETE
CP = CONTROL POINT
CPP = CONCRETE POWER POLE
D = DEED
DF = DRAINFIELD
ELEV = ELEVATION
EM = ELECTRIC METER
EOW = EDGE OF WATER
EP = EDGE OF PAVEMENT
F = FIELD
FCM = FOUND CONCRETE MONUMENT
FDH = FOUND DRILL HOLE

FFE = FINISHED FLOOR ELEVATION
FIP = FOUND IRON PIPE
FIPC = FOUND IRON PIPE AND CAP
FIR = FOUND IRON ROD
FIRC = FOUND IRON ROD AND CAP
FN = FOUND NAIL
FN&D = FOUND NAIL AND DISC
FND = FOUND
FPK = FOUND PK NAIL
FPKD = FOUND PK NAIL AND DISC
FRRSKP = FOUND RAILROAD SPIKE
GAR = GARAGE
HYD = FIRE HYDRANT
ID = IDENTIFICATION
L = LENGTH
LB # = LICENSED BUSINESS
LS # = LICENSED SURVEYOR
M = MEASURED
MB = MAP BOOK
MES = MITERED END SECTION
MH = MANHOLE
MLP = METAL LIGHT POLE
OHW = OVERHEAD WIRES
P = PLAT
PB = PLAT BOOK
PC = POINT OF CURVATURE

PCC = POINT OF COMPOUND CURVATURE
PCP = PERMANENT CONTOL POINT
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
PP = POOL PUMP
PRC = POINT OF REVERSE CURVATURE
PRM = PERMANENT REFERENCE MONUMENT
PT = POINT OF TANGENCY
R = RADIUS
RNG = RANGE
R/W = RIGHT OF WAY
S = SEPTIC
SEC = SECTION
SIR = SET IRON ROD AND CAP
SPKD = SET PK NAIL AND DISC
SV = SEWER VALVE
TBM = TEMPORARY BENCHMARK
TOB = TOP OF BANK
TWP = TOWNSHIP
TR = TELEPHONE RISER
TYP = TYPICAL
WIT = WITNESS
WLP = WOOD LIGHT POLE
WM = WATER METER
WPP = WOOD POWER POLE
WV = WATER VALVE

LINETYPES

— = BOUNDARY LINE
— = STRUCTURE LINE
- - - - - = CENTERLINE
- - - - - = EASEMENT LINE
- - - - - = FENCE LINE
- - - - - = OLD LOT LINE

SYMBOLS

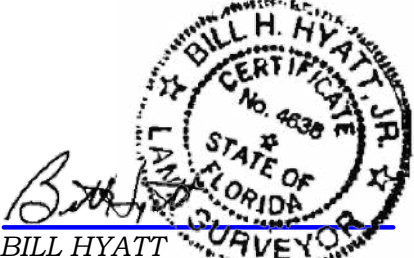
⊙ = FIRE HYDRANT
⊗ = WATER METER
⊗ = POWER POLE
⊗ = GAS SERVICE
⊙ = LIGHT POLE
⊗ = WELL
⊙ = BENCHMARK
⊗ = CATCH BASIN
⊙ = SANITARY MANHOLE
⊗ = CABLE T.V. SERVICE
⊙ = ELECTRIC SERVICE
⊗ = TELEPHONE SERVICE
⊙ = DRAINAGE MANHOLE
⊗ = SANITARY SERVICE

SURVEYOR'S NOTES

1. THIS SURVEY DOES NOT DETERMINE OR INDICATE LAND OWNERSHIP.
2. THE SURVEYOR DID NOT RESEARCH OR ABSTRACT THE LAND RECORDS FOR RIGHTS-OF-WAY, EASEMENTS, RESERVATIONS, DEED RESTRICTIONS, ZONING REGULATIONS, SETBACKS, LAND USE PLAN DESIGNATIONS, ADJOINING DEEDS, LIENS, MURPHY ACT RIGHTS-OF-WAY, AREAS OF LOCAL CONCERN, OR OTHER SIMILAR JURISDICTIONAL DETERMINATIONS. TO THE EXTENT THAT THIS TYPE OF INFORMATION IS SHOWN, IT IS SHOWN SOLELY ON THE BASIS OF INFORMATION PROVIDED BY THE CLIENT OR INFORMATION OTHERWISE KNOWN TO THE SURVEYOR AND MAY NOT BE COMPLETE.
3. UNDERGROUND UTILITIES, BUILDING FOUNDATIONS, AND OTHER UNDERGROUND FIXED IMPROVEMENTS WERE NOT LOCATED, UNLESS OTHERWISE INDICATED. TO THE EXTENT THAT THIS TYPE OF INFORMATION IS SHOWN, IT IS SHOWN SOLELY ON THE BASIS OF SURFACE INDICATIONS OBSERVED BY THE SURVEYOR AND MAY NOT BE COMPLETE.
4. JURISDICTIONAL WETLANDS AND ENDANGERED OR THREATENED SPECIES HABITAT, IF ANY, THAT MAY EXIST ON OR AROUND THE SURVEY SITE WERE NOT DETERMINED OR LOCATED.
5. THE SURVEY DATE IS THE FIELD DATE SHOWN IN THE TITLE BLOCK, NOT THE SIGNATURE DATE.
6. THIS SURVEY MAP OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ELECTRONIC OR ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
7. FENCES SHOWN ON SURVEY ARE FOR ILLUSTRATIVE PURPOSES ONLY. FENCE TIES SHOWN ARE RELATIVE TO THE CENTER OF SAID FENCE. THE SURVEYOR WILL NOT BE RESPONSIBLE FOR DAMAGES RESULTING FROM THE REMOVAL AND/OR CHANGES TO ANY FENCES UNLESS THE SURVEY WAS PROVIDED SPECIFICALLY FOR FENCE LOCATION PURPOSES.
8. PROPERTY LINES AND OR IMPROVEMENTS SHOWN WERE PHYSICALLY LOCATED BY FIELD SURVEY.
9. MONUMENTS FOUND OR SET ARE SHOWN, CALCULATED LINES AND INFORMATION IS NOTED BY (C).
10. COMPUTATIONS OF LINES AND OR DATA NOT FOUND ARE SHOWN AS (C).
11. THIS SURVEY MEETS AND/OR EXCEEDS THE ACCURACY REQUIREMENTS PER FLORIDA ADMINISTRATIVE CODE, CHAPTER 5J-17.
12. PRIOR TO SURVEY INFORMATION OBTAINED WAS LEGAL DESCRIPTION FROM CLIENT OR FROM PUBLICLY PUBLISHED COUNTY TAX COLLECTOR SITE, RECORDED PLATS AND OR SECTION CORNER RECORDS IF APPLICABLE.
13. IF ONLY A DIGITAL SURVEY COPY IS REQUIRED A SURVEY REPORT WILL BE PLACED IN FILE. THE DIGITAL SURVEY IS NOT FULL AND COMPLETE WITHOUT THE SURVEY REPORT FILE.

SURVEYOR'S SIGNATURE

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OR ELECTRONIC SEAL OF THE FLORIDA LICENSED SURVEYOR BELOW. THE SURVEYOR HEREBY CERTIFIES THAT THE ELECTRONIC SIGNATURE AND SEAL HEREON MEETS PROCEDURES SET FORTH IN CHAPTER 5J-17.062 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.025, FLORIDA STATUTES. THE SURVEYOR HEREBY CERTIFIES THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE FOR SURVEYS, SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS IN CHAPTER 5J-17.051 AND 5J-17.052 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.



BILL HYATT
SURVEYOR AND MAPPER #4636
STATE OF FLORIDA

2.17.22

DATE

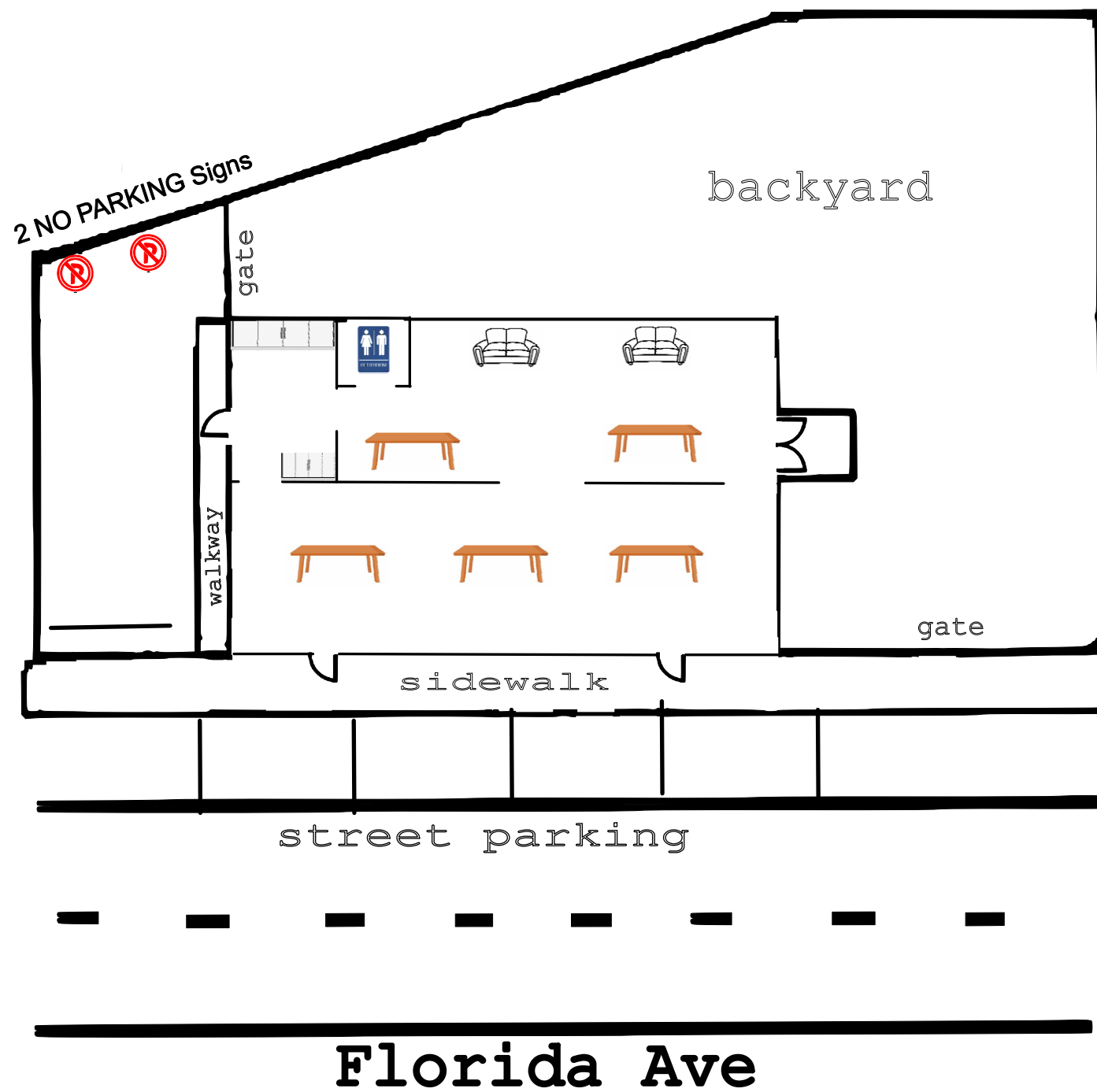
FLORIDA BUSINESS CERTIFICATE OF AUTHORIZATION NUMBER LB 6912

CERTIFIED TO:

JASON PEREZ
RON DIDONATO
NANCY L. BERNARD
TITLE SOLUTIONS OF FLORIDA, LLC
WFG NATIONAL TITLE INSURANCE COMPANY

KNOW IT NOW, INC.
PROFESSIONAL SURVEYING AND MAPPING
5220 US HIGHWAY 1, #104
VERO BEACH, FL 32967
PHONE - (888) 396-7770
WWW.KINSURVEY.COM







Florida

PO Box 631244 Cincinnati, OH 45263-1244

GANNETT

AFFIDAVIT OF PUBLICATION

Lucilene Ribeiro
Attn: Accounting Division
City Of Cocoa (Te)
65 Stone St
Cocoa FL 32922-7982

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Florida Today, a daily newspaper published in Brevard County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

12/29/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 12/29/2024

Legal Clerk

Nicole Jacobs

Notary, State of WI, County of Brown

8-21-26

My commission expires

Publication Cost: \$229.70
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NICOLE JACOBS
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State of Wisconsin

Agd10832214 12/29/2024

CITY OF COCOA
NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN
THAT THE BOARD OF
ADJUSTMENT PROPOSES TO
CONSIDER THE FOLLOWING:

A. PZ-24-50000015 - Special Exception
request from Appendix A, Zoning,
Article XI, Section 22 (F1, Uses, to
allow for a bottle club in the Cocoa
Waterfront Overlay District. The
property is identified on 408 Florida
Ave, Cocoa Florida. Tax Parcel ID:
24-36-33-35-73.02

Board of Adjustment
PUBLIC HEARING WILL BE
HELD ON:

Jan 15, 2025
AT 6:00 P.M. OR SOON
THEREAFTER IN THE
CITY OF COCOA CITY HALL COUNCIL
CHAMBERS LOCATED AT
65 STONE STREET, COCOA, FL

General Notice Information:

This is a public meeting. Interested
parties are hereby advised that they
may appear at said meeting and be
heard. The facility wherein this
public meeting will be held is access-
ible to the physically handicapped.
In accordance with the Americans
With Disabilities Act, persons need-
ing assistance to participate in any
of these proceedings should contact
the City Clerk of the City of Cocoa,
listed below, at least 48 hours prior
to the meeting. Monica Arnsdorf,
City Clerk, 65 Stone Street, Cocoa,
by telephone at (321) 423-8488 or via
email at monica@cityofcocoa.org

Pursuant to Section 218.0105, Florida
Statutes, the City hereby advises the
public that if a person decides to
appeal any decision made by the
BOA, PZ Board/LPA or City Coun-
cil with respect to any matter
considered at its meeting or hear-
ing, that person will need a record
of the proceedings and for such
purpose, affected persons may need
to ensure that a verbatim record of
the proceedings is made, and such
record shall include the testimony
and evidence upon which the appeal
is to be based. This notice does not
constitute consent by the City for the
introduction or admission into
evidence of otherwise inadmissible
or irrelevant evidence, nor does it
authorize challenges or requests
otherwise not allowed by law.

The BOA or PZ Board/LPA meeting
may include the attendance of one
(1) or more members of the Cocoa
City Council who may or may not
participate in the Board discussions
held at this public hearing. The
BOA, PZ Board/LPA and City Coun-
cil reserve the right to continue or
postpone hearings to a date certain
without re-advertising.

Public Participation Information:
Members of the public may view the
meeting agenda, ordinances, project
applications, supporting documents,
and staff reports on the City's
website at the following link prior to
attending or commenting:

• City of Cocoa meeting calendar at
<https://www.cityofcocoa.org/221/2023/CI>

Documents pertaining to the above
may also be inspected at the
Community Services Department
between 8:00 a.m. and 5:00 p.m.,
Monday through Friday, or by telepho-
ning (321) 423-8488.

Interested persons may submit their
written comments or questions prior
to the meeting through Email at
meetings@cityofcocoa.org, or via li-
censed comments through the online
agenda at the link above. Any elec-
tronic comments submitted will be
made part of the meeting record.
Viewing in Real Time, interested
persons are encouraged to view and
listen to the hearings live by access-
ing the meetings at the following
internet address:

• City of Cocoa meeting calendar at
<https://www.cityofcocoa.org/221/2023/CI>

Y Meeting.
However, the City is not responsible
for technical difficulties that may
occur while attempting to view or
listen to the meeting on the internet.