

City of Cocoa

*65 Stone Street
Cocoa, FL 32922*



Meeting Agenda

Wednesday, October 2, 2024

6:00 PM

Cocoa City Council Chambers

Planning and Zoning / Local Planning Agency

I. OPENING MATTERS

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

II. APPROVAL OF AGENDA AND MINUTES:

AGENDA:

[24-583](#) Request approval of the Agenda for the Planning & Zoning Board Regular Meeting held on Wednesday, October 2nd, 2024, either as written or with amendments

Attachments: [PZ Short Agenda Oct 2 \(002\).pdf](#)

MINUTES:

[24-584](#) Request Board approval of the Minutes of the Planning & Zoning Meeting held on September 4, 2024, either as is or with amendments

Attachments: [9-4 draft.pdf](#)

IV. NEW BUSINESS

- A. [24-577](#) Consideration of a Land Development Code Text Amendment Appendix A, Article XI, Section 12 of the Code of Ordinances of the City of Cocoa to add major recreational equipment sales and rentals, and limited types of commercial vehicles and heavy equipment sales and rentals, to the list of permitted uses of subsection (A)(12) in the C-G, Commercial-General, zoning district.

Attachments: [Ordinance 13-2024 CG Major Recreational Equipment Sales v4 Clean.docx](#)
[24-07000004 909 N Cocoa ZTA Application .pdf](#)
[Legal Ad P&Z 909 N Cocoa ZTA Oct2 affidavit.pdf](#)

- b. **24-578** Ordinance No. 15-2024 A Consideration of a City-initiated Ordinance amending the official Zoning Map designation of sixteen (16) parcels of real property, totaling 8.36 acres, more or less, and generally located adjacent to state road 520 near the intersections with Virginia Avenue, Ruth Street, and Aurora Street, in Cocoa, Florida, more particularly depicted and described on exhibit "A" attached here to from Brevard County Single-Family Residential (RU-1-9), General Retail Commercial (BU-1), and Retail, Warehousing & Wholesale Commercial (BU-2) to City of Cocoa General Commercial (C-G). - POSTPONE TO NEXT MEETING.

Attachments:

Ordinance 15-2024 - Rezoning Pine Grove Park.pdf
Exhibit 'A' Pine Grove Park Zoning Amendment Location.pdf
Exhibit 'B' Pine Grove Park Future Land Use Map.pdf
Exhibit 'C' Pine Grove Park Zoning Amendment.pdf
Legal Ad P&Z Pine Grove Park ZMA_Oct2_affidavit.pdf

V. TREE BOARD

VI: OTHER BUSINESS:

Planning and Zoning Board Open Discussion

VII: NEXT MEETING DATE

The next regularly scheduled meeting of the Planning and Zoning Board will be on Wednesday, November 6, 2024 at 6:00 PM at the Cocoa City Hall, 65 Stone Street, Cocoa, Florida.

VIII. ADJOURNMENT

NOTICE TO THE PUBLIC:

This is a public meeting. All interested parties may attend in person. 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.

Additionally, interested persons may view or listen to the meeting electronically at the following internet sites:

- (1) <https://tinyurl.com/s5e875r> or
- (2) <https://cocoa.legistar.com/DepartmentDetail.aspx?ID=26365&GUID=FF9D3369-D354-4FAB-800A-57D0AEE30153&Mode=MainBody>

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

Interested persons may submit their written comments or questions regarding the meeting prior to the meeting through Email at meetings@cocoafl.org, or via E-comments through the online agenda. Any electronic comments submitted will be made part of the meeting record. Written comments or questions not relevant to the Council meeting agenda will not be made part of the meeting record but will be maintained as public record.

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 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.

Although members of the public are entitled to be heard by the City Council on certain items on the meeting agenda pursuant to the City Council Rules of Procedure, members of the public are not entitled to an immediate response by either administrative staff members or Council; however, the City Council or administrative staff may provide a response at their discretion. When presenting before the City Council, all comments or questions should be directed to the Mayor or the chair of the meeting. Comments or questions should not be made directly to administrative staff without permission from the Mayor or chair.

Public debate by individual speakers from the audience on public hearing items shall be limited to three (3) minutes. Applicants or representatives of recognized groups with special interests in a matter shall be limited to ten (10) minutes; and total debate on a single issue shall be limited to thirty (30) minutes. Only one presentation per person per item shall be allowed.

A Council member may add an item to the agenda during the meeting only at the time the agenda is approved. If the item requires action by the Council, then it may be added to the agenda by an affirmative vote of the Council, and written documentation must be submitted at the time the item is added to the agenda. Matters may also be raised by the Council, City Manager or City Attorney under reports and acted upon by the City Council.

This agenda is posted on the Municipal Bulletin Board.



Planning and Zoning

65 Stone Street • Cocoa, FL 32922

PHONE: (321) 433-8635

FAX: (321) 433-8685

AGENDA

Regular Meeting

October 2, 2024

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 October 2, 2024

MINUTES: Regular Meeting of September 4, 2024

III. OLD BUSINESS: None

IV. NEW BUSINESS:

A. PZ 24-07000005 ZONING TEXT AMENDMENT CG Major Recreational Equipment Sales | ORD 13-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA, amending the zoning ordinance of the City of Cocoa to add major recreational equipment sales and rental and limited types of commercial vehicle and heavy equipment sales and rental to the list of permitted uses in the General Commercial (CG) Zoning District and establishing conditions for such use; providing for the repeal of prior inconsistent ordinances and resolutions, incorporation into the code, severability, and an effective date.

B. PZ 24-02100004 ZONING MAP AMENDMENT PINE GROVE PARK | ORD 15-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; amending the official zoning map designation of sixteen (16) parcels of real property, totaling 8.36 acres, more or less, and generally located adjacent to State Road 520 near the intersections with Virginia Avenue, Ruth Street, and Aurora Street, in Cocoa, Florida, more particularly depicted and described on exhibit "A" attached hereto, from Brevard County Single-Family Residential (RU-1-9), General Retail Commercial (BU-1), and Retail, Warehousing & Wholesale Commercial (BU-2) to City of Cocoa General Commercial (C-G); providing for the repeal of prior inconsistent ordinances and resolutions, severability, and an effective date. – **POSTPONE TO NEXT MEETING.**

V. TREE BOARD:

None

VI. OTHER BUSINESS:

Planning and Zoning Board Open Discussion

VII. NEXT MEETING DATE:

Wednesday, November 6, 2024 at 6:00 pm

VIII. 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.

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 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://cocoa.legistar.com/Calendar.aspx>

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) 433-8535.

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://cocoa.legistar.com/Calendar.aspx>

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, Senior Planner, at (321) 433-8510 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. Selig via email or mail at least three (3) days prior to the hearing.



Legislation Text

File #: 24-584, Version: 1

**PLANNING & ZONING BOARD/LOCAL PLANNING AGENCY AGENDA
ITEM**

Memo Date: September 27, 2024
Agenda Date: October 2, 2024
Prepared By: Abigail Bass, Assistant City Clerk
Through: Tammy Gemmati, Administrative Services Director
Requested Action:
Request Board approval of the Minutes of the Planning & Zoning Meeting held on September 4, 2024, either as is or with amendments

BACKGROUND:

N/A

BUDGETARY IMPACT:

N/A

PREVIOUS ACTION:

N/A

RECOMMENDED MOTION:

Request Board approval of the Minutes of the Planning & Zoning Meeting held on September 4, 2024, either as is or with amendments

**MINUTES
CITY OF COCOA
PLANNING & ZONING BOARD/ LOCAL PLANNING AGENCY
REGULAR MEETING
SEPTEMBER 4, 2024**

A Regular meeting of the Planning & Zoning Board Local Planning Agency was held on September 4, 2024 at City Hall, 65 Stone Street, Cocoa, FL, as publicly noted.

I. CALL TO ORDER:

Chairperson Park called the meeting to order at 6:00 PM.

ROLL CALL:

Wesley Park	Chairperson
Todd Anderson	Vice Chairperson
Ron Chabot	Board Member
Aleck Greenwood	Board Member
Tamisha Findlay	Board Member
Marcus Wheeler	Board Member
Frank Manfredi	Board Member
Marybeth Burgess	Board Member
Katherine Stewart	Alternate Member
Kristin Eick	City Attorney

PRESENT:

Wesley Park	Chairperson
Todd Anderson	Vice Chairperson
Aleck Greenwood	Board Member
Tamisha Findlay	Board Member
Frank Manfredi	Board Member
Marybeth Burgess	Board Member
Katherine Stewart	Alternate Member

ABSENT:

Ron Chabot	Board Member
Marcus Wheeler	Board Member

STAFF PRESENT:

Abbey Bass, Assistant City Clerk; and Jennifer Webster, City Planner.

Chairperson Park led the assembly in the Pledge of Allegiance.

II. APPROVAL OF AGENDA AND MINUTES:

1. AGENDA: Meeting of September 4, 2024

- * **MOTION BY ALTERNATE MEMBER STEWART; SECONDED BY BOARD MEMBER MANFREDI TO APPROVE THE SEPTEMBER 7, 2024 REGULAR MEETING AGENDA AS WRITTEN.**

AYES: PARK, ANDERSON, GREENWOOD, STEWART, BURGESS, FINDLAY, MANFREDI

MOTION PASSED UNANIMOUSLY (7-0)

2. MINUTES: Regular Meeting of August 7, 2024.

- * **MOTION BY BOARD MEMBER ANDERSON; SECONDED BY ALTERNATE MEMBER STEWART TO APPROVE THE JUNE 12, 2024 SPECIAL MEETING MINUTES AS WRITTEN.**

AYES: PARK, ANDERSON, GREENWOOD, STEWART, BURGESS, FINDLAY, MANFREDI

MOTION PASSED UNANIMOUSLY (7-0)

III. OLD BUSINESS:

None.

IV. NEW BUSINESS:

A. PZ 24-00500001 COMPREHENSIVE PLAN AMENDMENT|ORD 08-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA, relating to comprehensive planning; amending the Future Land Use Map for twenty (20) parcels of real property within the City of Cocoa totaling 3.36 acres, more or less, and generally located along Cocoa Place, west of the intersection of Cocoa Place and North Cocoa Boulevard, in Cocoa, Florida, more particularly depicted and described on exhibit "A" attached hereto; changing the Future Land Use Map designation of said parcels from "Commercial" to "Neighborhood Commercial;" providing for the repeal of prior inconsistent ordinances and resolutions, severability, incorporation into the comprehensive plan, and an effective date and legal status of the plan amendment. Tax parcel ID numbers:

TAX PARCEL ID 24-36-28-01-*-2, 106 COCOA PLACE, COCOA, FLORIDA 32922

TAX PARCEL ID 24-36-28-01-*-3, 110 COCOA PLACE, COCOA, FLORIDA 32922

TAX PARCEL ID 24-36-28-01-*-4, 114 COCOA PLACE, COCOA, FLORIDA 32922

TAX PARCEL ID 24-36-28-01-*-5, 118 COCOA PLACE, COCOA, FLORIDA 32922

TAX PARCEL ID 24-36-28-01-*-6, 122 COCOA PLACE, COCOA, FLORIDA 32922

TAX PARCEL ID 24-36-28-01-*7, 126 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*8, 130 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*9, 134 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*10, 138 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*21, 139 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*20, 135 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*19, 131 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*18, 127 COCOA PLACE, COCOA, FLORIDA 32922

TAX PARCEL ID 24-36-28-01-*17, 123 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*16, 119 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*15, 115 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*14, 111 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*13, 107 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*1, 865 N COCOA BLVD, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*12, 863 N COCOA BLVD, COCOA, FLORIDA 32922

Jennifer Webster presented the item via powerpoint¹.

Board member Greenwood asked if there was any explanation as to what the future land use development really means.

Ms. Webster advised that if anything were to happen to one of the homes due to loss from a fire or if someone wanted to demolish the lot and rebuild they could do so as single family residential but with future land use development it could be small scale multi family and small scale commercial.

Board Member Greenwood advised that he helped develop a property in that neighborhood that used to be a house but then it was turned into a real estate office. He asked how this change effects the two current commercial properties already located in that area or are they grandfathered in? He also asked if this change would be drastic later on down the road and what types of businesses would be allowed.

In response, Ms. Webster advised that with the change that has been presented, residential professional use of the subject properties is only compatible with neighborhood commercial. She advised they are trying to align the future land use with the zoning to create a compatible situation for redevelopment. She advised that small restaurants would be allowed.

Alternate Member Stewart asked if staff could elaborate on the difference between neighborhood commercial and residential commercial and if this change would make it similar to how Cocoa Village is now.

Ms. Webster explained that neighborhood commercial and residential commercial are very similar.

¹ Exhibit A: Ordinance 08-2024 Presentation

Chairperson Park asked if the items were independent or if the vote on one moved them both forward.

Deb Sanger, 106 Cocoa Place, Cocoa, FL, wanted to know how it will affect homestead tax. She advised that other members of the community are adamantly against this as well. She stated it is a dead end street and wanted to know how this is going to affect the community.

Ms. Webster advised the use will remain the same and she believes Brevard County will keep tax purposes the same and it should not raise the taxes.

Vice Chairperson Anderson advised that the community is more at risk now without the zoning amendment and this change is actually going to help the community.

Alternate Member Stewart asked if this is denied what will happen to the community going forward.

Ms. Webster advised that it would cause the community to be at a standstill.

*

MOTION BY BOARD MEMBER GREENWOOD; SECONDED BY VICE CHAIRPERSON ANDERSON TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF ORDINANCE 08-2024, A CITY-INITIATED REQUEST OF A FUTURE LAND USE MAP AMENDMENT CONSISTENT WITH FLORIDA STATUTE CHAPTER 163 TO CHANGE THE FUTURE LAND USE MAP DESIGNATION OF (20) PARCELS OF REAL PROPERTY TOTALING APPROXIMATELY 3.36 ACRES FROM "COMMERCIAL" TO "NEIGHBORHOOD COMMERCIAL".

AYES: PARK, ANDERSON, GREENWOOD, STEWART, BURGESS, FINDLAY, MANFREDI

MOTION PASSED UNANIMOUSLY (7-0)

B. PZ 24-02100005 COCOA PLACE ZONING MAP AMENDMENT | ORD 09-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; amending the official zoning map designation of eighteen (18) parcels of real property totaling 3.1 acres, more or less, and generally located along Cocoa Place, west of the intersection of Cocoa Place and North Cocoa Boulevard, in Cocoa, Florida, more particularly depicted and described on exhibit "A" attached hereto, from RU-1-7 (Single-Family Residential) to C-N (Neighborhood Commercial District); providing for the repeal of prior inconsistent ordinances and resolutions, severability, and an effective date. Tax parcel ID numbers:

TAX PARCEL ID 24-36-28-01-*-2, 106 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*-3, 110 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*-4, 114 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*-5, 118 COCOA PLACE, COCOA, FLORIDA 32922

TAX PARCEL ID 24-36-28-01-*6, 122 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*7, 126 COCOA PLACE, COCOA, FLORIDA 32922
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TAX PARCEL ID 24-36-28-01-*18, 127 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*17, 123 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*16, 119 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*15, 115 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*14, 111 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*13, 107 COCOA PLACE, COCOA, FLORIDA 32922

Ms. Webster presented the item via powepoint².

- * **MOTION BY BOARDMEMBER GREENWOOD; SECONDED BY ALTERNATE BOARD MEMBER STEWART TO APPROVE THE ZONING MAP AMENDMENT CONSISTENT WITH APPENDIX A, ZONING, ARTICLE XXI, TO CHANGE THE ZONING MAP DESIGNATION OF (18) PARCELS ALONG COCOA PLACE, TOTALING APPROXIMATELY 3.1 ACRES, FROM RU-1-7 "SINGLE-FAMILY RESIDENTIAL" TO C-N "NEIGHBORHOOD COMMERCIAL" AND TO ADOPT THE WRITTEN FINDINGS CONTAINED IN THE STAFF REPORT.**

AYES: PARK, ANDERSON, BURGESS, GREENWOOD, STEWART, FINDLAY, MANFREDI

MOTION PASSED UNANIMOUSLY (7-0)

V. TREE BOARD:

VI. OTHER BUSINESS:

Board Member Greenwood said he did some research on onsite septic and he wanted to make staff familiar with it. He advised it's more cost effective and can help preserve the trees. He also advised the board that he is going to be presenting the importance of looking at our ordinances and variance requests before council. Further discussion was held on the matter.

VII. NEXT MEETING DATE:

² Exhibit B: Ordinance 09-2024 Presentation

The next scheduled meeting for the Planning and Zoning Board will be held on Wednesday, October 2, 2024 at 6 pm in Cocoa City Hall, 65 Stone St, Cocoa, FL 32922.

VIII. ADJOURNMENT:

- * **MOTION BY VICE CHAIRPERSON ANDERSON; SECONDED BY BOARD MEMBER GREENWOOD TO ADJOURN THE MEETING.**

AYES: PARK, ANDERSON, BURGESS, GREENWOOD, STEWART, FINDLAY, MANFREDI

MOTION PASSED UNANIMOUSLY (7-0)

MEETING ADJOURNED AT 7:00PM.

Wesley Park, Chairperson

Respectfully Submitted By:

Abigail Bass, Assistant City Clerk



Legislation Text

File #: 24-577, Version: 1

PLANNING & ZONING BOARD/LOCAL PLANNING AGENCY AGENDA ITEM

Memo Date: September 25, 2024
Agenda Date: October 2, 2024
Prepared By: Patrick Murray - Planning Consultant
Through: Stockton Whitten - City Manager
Requested Action:

Consideration of a Land Development Code Text Amendment Appendix A, Article XI, Section 12 of the Code of Ordinances of the City of Cocoa to add major recreational equipment sales and rentals, and limited types of commercial vehicles and heavy equipment sales and rentals, to the list of permitted uses of subsection (A)(12) in the C-G, Commercial-General, zoning district.

BACKGROUND:

The applicant, Mr. Thomas R. Sullivan, is requesting a zoning text amendment to Land Development Code Appendix A, Article XI, Section 12 of the Code of Ordinances of the City of Cocoa to add major recreational equipment sales and rentals, limited types of commercial vehicles sales and rentals, and limited heavy equipment sales and rentals to the list of permitted uses of subsection (A)(12) in the C-G, Commercial-General, zoning district. The proposed changes include site-design standards related to the storage of trailers and other Major Recreational Equipment.

The applicant held a pre-application meeting with the City to determine if their proposed use would be allowed on a specific property in the C-G District. Generally, the applicant's use is to provide a point of sale and maintenance facility for utility trailers, enclosed trailers, and similar pull-behind tow-trailers. Based on the description of the business, it was determined by City staff that an update to the City's Code would be required in order for the business to operate in the C-G zoning district as proposed. While new and used automotive vehicles, agricultural equipment, and mobile home sales and/or rentals are permitted in the General Commercial District, the sale and rental of Major Recreational equipment, specific commercial vehicles, and specific Heavy Equipment, which is a specifically defined term, is not currently permitted or included in the C-G zoning district.

The existing definition for Major Recreational Equipment and Commercial Vehicle and Heavy Equipment in the Land Development Code is as follows:

MAJOR RECREATIONAL EQUIPMENT. Boats (excluding kayaks and canoes) and boat trailers, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, golf carts, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not (refer to article XIII, section 14).

COMMERCIAL VEHICLES AND HEAVY EQUIPMENT. Commercial, industrial or agricultural vehicles, equipment or machinery, whether or not the vehicle, equipment or machinery is licensed or otherwise authorized to travel upon the roads of the state, specifically including, but not limited to: semi-trailers; tractors for semi-trailers; trucks; step-vans; box trucks; construction equipment; cement mixers; compressors; forklifts; buses; tow trucks; dump trucks; trucks with roll-back beds; trailers; any other similar vehicles, equipment and machinery classified as commercial by the manufacturer; and pickup trucks, passenger vans, and cargo vans used for commercial purposes.

The proposed ordinance still prohibits most types of commercial vehicle and heavy equipment sales, which is permitted in the M-2 zoning district. However, it would allow for the sale and rental of *enclosed and unenclosed utility trailers only*.

Please note that Section (12)(a)(11) currently allows "New and used automotive vehicles and agricultural equipment and mobile home sales and/or rentals with accessory uses subject to design standards provided in appendix A, article XIII, [section 28 <](#)

https://library.municode.com/fl/cocoa/codes/code_of_ordinances?nodeId=PTIICO_APXAZO_ARTXIIISUDIRE_S28SARENEUSAUVEAGEQMAREEQMIREVEMOHOACUS

of the City Code." Given that the C-G doesn't currently consider Major Recreational Equipment or Commercial Vehicles and Heavy Equipment sales and rentals, a concern of staff was proper screening and buffering throughout the entire C-G district. As a result, the proposed use is being placed beneath existing use Section 12(A)(11), as (12), with the existing uses (12) to (17) to be shifted one number, as unique design standards that are above and beyond Appendix A, Article XIII, Section 28, are proposed, as seen below.

Request:

The applicant has requested an amendment to the Land Development Code to include Major Recreational Equipment, Commercial Vehicles and Heavy Equipment to the list of permitted uses of subsection (A)(11) in the C-G zoning district.

Although the request is to amend subsection (A)(11) in the C-G zoning district, staff believes that Major Recreational Equipment, and specifically Commercial Vehicles and Heavy Equipment, warrants its own subsection with conditions. This is due to the unique character of the definition and the need for correlating conditions to protect the health, safety, and welfare of the community.

I. Staff Analysis

Pursuant to Appendix A, Zoning, Article XXI, Amendment, Section 1(G)(2), the planning board shall consider and study:

a. The need and justification for the change.

The proposed request outlines specific guidelines for the sale and maintenance of large recreational equipment, as well as the associated primary uses and structures in the C-G zoning district related to travel trailers. This request also includes limited types of commercial vehicles and heavy equipment

sales and rentals to be included in the C-G zoning district. An amendment to the code is warranted and would enable these uses without requiring a special exception.

Staff Finding: Amending the land development code to include Major Recreational Equipment sales and rentals along with Commercial Vehicles and Heavy Equipment sales and rentals in the C-G zoning district promotes the ability to provide commercial services with similar uses in designated areas. Further, standards for storage of trailers related to site design and landscaping, provide a sense of aesthetics in areas that are intended along transportation corridors and in public view.

b. The relationship of the proposed amendment to the purposes and objectives of the comprehensive planning program and to the comprehensive plan, with appropriate consideration as to whether the proposed change will further the purposes of this zoning code and other codes, regulations, and actions designed to implement the comprehensive plan.

The proposed amendment is consistent with the City's comprehensive plan and the properties underlying future land use category. Due to the geographic location and proximity to transportation corridors and public view, the proposed change is appropriate to the C-G category. Additionally, surrounding properties with C-G categorization include uses with automotive vehicles and agricultural equipment sales, storage garage, and automobile laundry or quick wash services.

Staff Finding: The proposed Zoning Text Amendment to include major recreational equipment and limited commercial equipment and heavy equipment in the Commercial General development category aligns with the City's Comprehensive Plan. The Comprehensive Plan designates the Commercial future land use category to support various retail, personal, and professional uses with direct access from a four-lane collector or two-lane arterial. Since the zoning district will not change, there will be no conflict with the comprehensive plan.

The proposed Zoning Text Amendment is consistent with key goals, objective, and policies in the City of Cocoa's Comprehensive plan.

Expanding the allowed uses in the C-G zoning district will help facilitate Comprehensive Plan Objective 1.1.4: Redevelopment. This objective encourages the redevelopment of areas where vacant, dilapidated, or substandard properties currently exist. Allowing Major Recreational Equipment and limiting Commercial Vehicles and Heavy Equipment in the C-G zoning district will allow new commercial uses in areas where redevelopment is desirable.

Implementing design standards for the proposed uses in the C-G zoning district is consistent with the Comprehensive Plan Policy 1.2.1.7. The newly added design standards will emphasize aesthetics and human comfort while promoting a sense of place, especially at the street level.

Further, Comprehensive Plan Objective 12.1.4 aims to protect water quality. To prevent unintended oil or chemical spills associated with other motorized vehicles, the maintenance allowed on Major Recreational Equipment and the limited Commercial Vehicles and Heavy Equipment in the C-G zone will be limited to indoors.

Following review of the proposed application and supporting material, staff recommends the proposed text to add Major Recreational Equipment to the City's Land Development Code Appendix A, Article XI, Section 12 subsection (A) (12) and subject to the following conditions.

The proposed provisions outlined below pertain to specific sections of the Land Development Code related to Major Recreational Equipment, limited Commercial Vehicles and Heavy Equipment. These provisions have been adapted for consideration within the C-G zoning district:

12) *New and used major recreational equipment sales and/or rentals with accessory uses and certain new and used commercial vehicles and heavy equipment sales and/or rentals with accessory uses, which shall be limited to the sale and rental of enclosed and unenclosed utility trailers, subject to design standards provided in appendix A, article XIII, section 28 of the City Code and the following additional conditions, which shall take precedence in the event of a conflict with section 28:*

a. Parking of major recreational equipment and unenclosed utility trailers forward of the front building line of the principal structure shall be limited to one (1) vehicle for each 30 lineal feet of street frontage. Unenclosed utility trailers parked forward of the front building line of the principal structure shall not exceed sixteen (16) feet in length. Such parking spaces shall be shown and identified on the scaled drawing depicting display and/or sales areas that shall be filed with the Community Services Director or the Planning and Zoning Division in accordance with appendix A, article XIII, section 28. If major recreational equipment and unenclosed utility trailers are parked forward of the front building line of the principal structure, ornamental fencing set-back a minimum of five (5) feet from the public right-of-way boundary line and a landscaping strip shall be provided as described in appendix A, article XIII, section 28.

b. Parking of enclosed utility trailers shall be prohibited forward of the front building line of the principal structure.

c. Outdoor storage areas located behind the front building line shall be screened from view on all sides visible from rights-of-way and adjoining property by either a solid wall or opaque fence at least six (6) feet in height or an on-site building. Fencing located in a side or rear yard behind the front building line may include as an alternative to the requirements of Appendix A, Article XIII, Section 5, black vinyl coated chain link fabric, provided the yard does not abut a residentially zoned district, or is a double frontage yard, as defined by the code. Where a side or rear yard abuts a residentially zoned district, the business or use shall conform with the requirements of Appendix A, Article XIII, Section 5 (F).

d. Major recreational equipment and utility trailers shall not be elevated or located on nonmoving single automotive vehicle display structures.

e. Outdoor storage of major recreational equipment exceeding thirteen and one-half (13½) feet in height shall not be permitted.

f. Major recreational equipment permitted under this section shall not be used as living quarters.

BUDGETARY IMPACT:

N/A

PREVIOUS ACTION:

N/A

RECOMMENDED MOTION:

Staff recommends that the Planning & Zoning Board recommend APPROVAL to City Council regarding the proposed Land Development Code Amendment to Appendix A, Article XI, Section 12 of the Zoning Ordinance of the City of Cocoa to add major recreational equipment sales and rentals and limited commercial vehicles and heavy equipment sales and rentals to the list of permitted uses in the C-G zoning district and to provide design standards for major recreational equipment sales and/or rentals in the C-G zoning district.

ORDINANCE NO. 13-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING THE ZONING ORDINANCE OF THE CITY OF COCOA TO ADD MAJOR RECREATIONAL EQUIPMENT SALES AND RENTAL AND LIMITED TYPES OF COMMERCIAL VEHICLE AND HEAVY EQUIPMENT SALES AND RENTAL TO THE LIST OF PERMITTED USES IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT AND ESTABLISHING CONDITIONS FOR SUCH USE; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City of Cocoa is granted the authority, under Section 2(b), Art. VIII, of the State Constitution, to exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Appendix A, Zoning, Article XI, Section 12 of the Code of Ordinances of the City of Cocoa, Florida, sets forth the permitted uses in the General Commercial District (CG); and

WHEREAS, the City Council desires to amend Appendix A, Article XI, Section 12 of the Zoning Ordinance to add major recreational equipment and certain very limited types of commercial vehicle and heavy equipment sales and rental as a permitted use and further establish conditions for such use; and

WHEREAS, the Planning and Zoning Board and City Staff of the City of Cocoa have recommended approval of this Ordinance; and

WHEREAS, the City Council of the City of Cocoa held two duly noticed public hearings on the proposed zoning change set forth hereunder and considered findings and advice of staff, the Planning and Zoning Board, citizens, and all interested parties submitting comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Cocoa Comprehensive Plan and that sufficient, competent, and substantial evidence supports the zoning change set forth hereunder; and

WHEREAS, the City Council of the City of Cocoa, Florida, hereby finds this ordinance to be in the best interests of the public health, safety, and welfare of the citizens of Cocoa.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COCOA HEREBY ORDAINS, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are hereby fully incorporated herein by reference as legislative findings of the City Council of Cocoa.

Section 2. Zoning Text Amendment. The City of Cocoa Code of Ordinances Appendix A, Article XI, Section 12, is hereby amended as follows: (underlined type indicates additions and ~~strikeout~~ type indicates deletions, while asterisks (* * *) indicate a deletion from the Ordinance of text existing in Appendix A, Article XI. It is intended that the text in Appendix A, Article XI denoted by the asterisks and set forth in this Ordinance shall remain unchanged from the language existing prior to the adoption of this Ordinance):

* * *

APPENDIX A – ZONING

* * *

ARTICLE XI. – SCHEDULE OF DISTRICT REGULATIONS

* * *

Sec. 12. District and intent—C-G, General Commercial District.

The provisions of this district are intended to apply to an area intended to be developed and preserved as a major commercial center serving the commercial needs of the community and region. The type of uses and other restrictions are intended to promote adequate protection from conflicts with adjacent residential and other noncommercial uses, and to minimize the interruption of traffic along adjacent thoroughfares.

- (A) **PRINCIPAL USES AND STRUCTURES.** The following uses and structures are permitted for any use or group of uses that are developed, either separately, or as a unit with certain site improvements shared in common:
- (1) All principal uses and structures allowed in section 10, P-S Professional Services District, and section 11, C-N, Neighborhood Commercial District, except residential uses and child care centers, day nurseries or kindergartens.
 - (2) Any other retail sales outlet of products sold directly to the consumer.
 - (3) Wholesaling from sample stocks.
 - (4) Dry cleaning establishments using noninflammable solvents and cleaning fluids as determined by the fire chief.
 - (5) Business service establishments.
 - (6) Commercial recreation structures such as theaters, driving ranges, bowling alleys, and similar uses except drive-in theaters (enclosed structures shall be air conditioned).
 - (7) Automobile laundry or quick wash.
 - (8) Liquor stores (retail) and cocktail lounges.

- (9) Storage garage, public and private automobile parking.
- (10) Repair service establishments such as household appliances, radio and television and similar uses.
- (11) New and used automotive vehicles and agricultural equipment and mobile home sales and/or rentals with accessory uses subject to design standards provided in appendix A, article XIII, section 28 of the City Code.
- (12) New and used major recreational equipment sales and/or rentals with accessory uses and certain new and used commercial vehicles and heavy equipment sales and/or rentals with accessory uses, which shall be limited to the sale and rental of enclosed and unenclosed utility trailers, subject to design standards provided in appendix A, article XIII, section 28 of the City Code and the following additional conditions, which shall take precedence in the event of a conflict with section 28:
 - a. Parking of major recreational equipment and unenclosed utility trailers forward of the front building line of the principal structure shall be limited to one (1) vehicle for each 30 lineal feet of street frontage. Unenclosed utility trailers parked forward of the front building line of the principal structure shall not exceed sixteen (16) feet in length. Such parking spaces shall be shown and identified on the scaled drawing depicting display and/or sales areas that shall be filed with the Community Services Director or the Planning and Zoning Division in accordance with appendix A, article XIII, section 28. If major recreational equipment and unenclosed utility trailers are parked forward of the front building line of the principal structure, ornamental fencing set-back a minimum of five (5) feet from the public right-of-way boundary line and a landscaping strip shall be provided as described in appendix A, article XIII, section 28.
 - b. Parking of enclosed utility trailers shall be prohibited forward of the front building line of the principal structure.
 - c. Outdoor storage areas located behind the front building line shall be screened from view on all sides visible from rights-of-way and adjoining property by either a solid wall or opaque fence at least six (6) feet in height or an on-site building. Fencing located in a side or rear yard behind the front building line may include as an alternative to the requirements of Appendix A, Article XIII, Section 5, black vinyl coated chain link fabric, provided the yard does not abut a residentially zoned district, or is a double frontage yard, as defined by the code. Where a side or rear yard abuts a residentially zoned district, the business or use shall conform with the requirements of Appendix A, Article XIII, Section 5(F).
 - d. Major recreational equipment and utility trailers shall not be elevated or located on nonmoving single automotive vehicle display structures.
 - e. Outdoor storage of major recreational equipment exceeding thirteen and one-half (13½) feet in height shall not be permitted.

f. Major recreational equipment permitted under this section shall not be used as living quarters.

- ~~(12)~~ (13) Professional business schools, vocational and trade schools, not involving operations of an industrial nature.
- ~~(13)~~ (14) Printing, bookbinding, lithography and publishing establishments, blueprinting, photostating.
- ~~(14)~~ (15) Package store, beer and wine.
- ~~(15)~~ (16) Hotels and motels with no more than fifty (50) units per gross residential acre and with a minimum living area per dwelling unit of no less than three hundred (300) square feet.
- ~~(16)~~ (17) Retail automotive gasoline/fuel sales as an accessory use to convenience stores, subject to the following provisions:
 - a. Access: Convenience stores selling gasoline/fuel shall be located on arterial roadways or on corner lots at intersections of collector roads or roads of higher functional classification (as identified in the City of Cocoa Comprehensive Plan). No driveway or point of access shall be permitted within one hundred (100) feet of an intersection of collector roads or roads of higher functional classification.
 - b. Minimum street frontage: One hundred fifty (150) feet on each abutting street.
 - c. Location of facilities: Gasoline/fuel pumps and other service island equipment shall be set back at least twenty (20) feet from all property lines, fifteen (15) feet from any building, and one hundred (100) feet from the nearest residentially zoned land. In addition, pumps and other service island equipment shall not interfere with the safe and orderly movement of traffic in parking and other vehicular use areas.
 - d. Tank storage: Underground storage is required for all receptacles for combustible materials in excess of two hundred (200) gallons.
- ~~(17)~~ (18) Gym and fitness facilities.

Section 3. Incorporation Into Code. This Ordinance shall be incorporated into the City Code of the City of Cocoa and any section or paragraph, number or letter, and any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical, and like errors may be corrected and additions, alterations, and omissions not affecting the construction or meaning of this Ordinance and the City Code may be freely made.

Section 4. Repeal of Prior Inconsistent Ordinances and Resolutions. All prior inconsistent Ordinances and Resolutions adopted by the City Council, or parts of prior Ordinances and Resolutions in conflict herewith, are hereby repealed to the extent of the conflict.

Section 5. **Severability.** If any section, subsection, sentence, clause, phrase, word, or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 6. **Effective Date.** This Ordinance shall become effective immediately upon adoption by the City Council of the City of Cocoa, Florida.

ADOPTED by the City Council of the City of Cocoa, Florida, in a regular meeting assembled on the _____ day of _____, 2024.

MICHAEL C. BLAKE, Mayor

ATTEST:

MONICA ARSENAULT, City Clerk

Legal Ad Published: _____
First Reading: _____
Legal Ad Published: _____
Effective Date: _____



ZONING ORDINANCE AMENDMENT APPLICATION (TEXT ONLY)

Community Services Department
Planning and Zoning Division
65 Stone Street
Cocoa, Florida 32922

Phone: (321) 433-8535
Fax: (321) 433-8543
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 Planning & Zoning Board and City Council hearings. A pre-application meeting with Staff is **required**.

For Office Use Only - Date Received

Please **TYPE** or **PRINT** this application neatly.

Stamp Only When Application is Fully Complete

1. **Request:** To add "major recreational equipment" as a permitted use in the C-G zoning district.

2. **Applicable City Code Section(s):** Article XI, Section 12(A)(11).

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

Company (if applicable): GrayRobinson, P.A.

Name: Thomas R. Sullivan

Mailing Address: 301 E. Pine Street, Suite 1400

City: Orlando State: FL Zip Code: 32839

Phone #: 407 244 5664 Fax #: 407 244 5690

Mobile #: 407 275 7740 E-mail: thomas.sullivan@gray-robinson.com

4. **Please submit the following items in order complete the application:**

- a. ☒ **Notarized application.**
- b. ☒ **Application fee.** 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. See Schedule of Fees, Charges and Expenses for applicable fees.
- c. ☒ **Corporate documents.** If the applicant is representing a company, articles of incorporation which show the applicant 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>).
- d. ☐ **Additional information.** Submit any information that may be helpful in understanding the request. This may include, but limited to, desired ordinance text, examples, photos, sketches, elevations, and letters.

5. **Application filing procedure.** This application, together with all required exhibits and attachments, shall be completed and filed with the Planning and Zoning Division.

Public hearings process information – please read this!

6. **Dates and locations of public hearings.** All zoning text ordinance amendments require one hearing in front of the Planning & Zoning Board and two hearings in front of the City of Cocoa Council.
7. **Board types.** The Planning & Zoning Board is an advisory board to the City Council and therefore is only authorized to make recommendations. City Council is an authoritative body and is able to make binding decisions.
8. **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.
9. **Preparing for the public hearings.** 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.
10. **Exhibits at public hearings.** If photographs, documents, maps or other materials are provided to the Board/Council 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.
11. **Witnesses at public hearings.** For the purposes of making a decision on the application, the Board/Council shall only consider testimony of qualified witnesses. A witness is determined by the Board/Council 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.
12. **Planning & Zoning Board vs. City Council actions.** If the Planning & Zoning Board finds that the facts presented in the matter justify approval, it may recommend to 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 finds that the facts presented do not justify approval, it may recommend to deny the request and will specify the reasons for denial. A decision is usually made at the same meeting that the hearing is held. Regardless of the outcome, the application will be forwarded to the City Council for consideration where a final decision can be made.

13. Zoning Text Amendment Petition

I, the undersigned, hereby petition the City of Cocoa Council for a zoning text amendment as specified below:

a. In order to approve a zoning text ordinance amendment, the Planning & Zoning Board and City Council must consider and study the criteria listed below (as described in Appendix A, Article XXII, Section 1 (G)(2) of the City of Cocoa Code). Please provide your consideration of the following criteria and any pertinent data and evidence that may be useful to the Planning & Zoning Board and City Council.

a. The need and justification for the change.

The stated intent of the C-G zoning district is to be developed and preserved as a major commercial center serving the commercial needs of the community and region. Adding "major recreational equipment" as a permitted use is in keeping with the intent of the C-G zoning district as it would allow for the sale of work trailers for various small businesses in the City and surrounding area (i.e., utility trailers for landscapers, enclosed trailers for plumbers and contractors).

b. The relationship of the proposed amendment to the purposes and objectives of the comprehensive planning program and to the comprehensive plan, with appropriate consideration as to whether the proposed change will further the purposes of this zoning code and other codes, regulations, and actions designed to implement the comprehensive plan.

The requested amendment is consistent with a number of goals, objectives and policies set forth in the Future Land Use Element of the City's Comprehensive Plan, including Policy 1.1.2.9, which provides that Commercial areas are intended to be areas that serve several neighborhoods, sub-regional and regional areas and provide an array of retail, personal and professional uses.



Applicant's Signature

Thomas R. Sullivan

Applicant's Printed Name

6/2/24

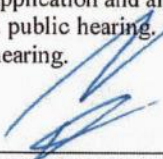
Date

14. Signatures and Notarization.

STATE OF FLORIDA COUNTY OF ORANGE I, Thomas R. Sullivan
being first duly sworn, depose and say that:

- ☐ I am the applicant, or if corporation, I am the officer of the corporation authorized to act on this request.
- ☒ I am the legal representative of the applicant of this application and a notarized Letter of Authorization form or agent affidavit accompanies this application giving written, unless the applicant is the Attorney representing the owner.

I hereby certify that I have read, completed and understand this application and applicable petition, and understand that if my application and all associated attachments are not complete and accurate in all respects, the application will not be scheduled for a public hearing. I further understand that this application must be complete and accurate prior to the advertising of a public hearing.



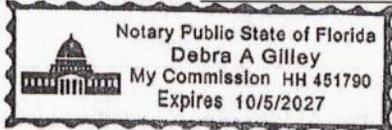
(APPLICANT SIGNATURE)

Thomas R. Sullivan

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

Personally Known ☒ OR Produced Identification ☐

Type of I.D. Produced _____





(NOTARY PUBLIC SIGNATURE)

STATE OF FLORIDA, COUNTY OF BREVARD

Sworn and subscribed to before me this 2nd day of June, 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:

Zoning Text Amendment as described in the attached application.

$\boxed{26} \boxed{36} - \boxed{28} \boxed{00} - \boxed{9} \square - \square \square - \square \square \square \square \square \square . \square - \square \square \square \square . \square \square$

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Rev. 4-30-09



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
4840 IRLO, LLC

Filing Information

Document Number L19000095835
FEI/EIN Number 84-2861329
Date Filed 04/11/2019
State FL
Status ACTIVE

Principal Address

3169 CANOE CREEK RD.
ST. CLOUD, FL 34772

Mailing Address

3169 CANOE CREEK RD.
ST. CLOUD, FL 34772

Registered Agent Name & Address

HALLOCK, DAVID D
ONE LAKE MORTON DR.
LAKELAND, FL 33801

Authorized Person(s) Detail

Name & Address

Title MGR

LOCKE, SCOTT
3169 CANOE CREEK RD.
ST. CLOUD, FL 34772

Annual Reports

Report Year	Filed Date
2022	02/28/2022
2023	03/01/2023
2024	03/07/2024

Document Images

[03/07/2024 -- ANNUAL REPORT](#)

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03/01/2023 -- ANNUAL REPORT	View image in PDF format
02/28/2022 -- ANNUAL REPORT	View image in PDF format
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01/23/2020 -- ANNUAL REPORT	View image in PDF format
04/11/2019 -- Florida Limited Liability	View image in PDF format

Florida Department of State, Division of Corporations



PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

Jennifer Webster, Planning & Zoning Dept.
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 Classified Legal CLEGL, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

09/24/2024

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 09/24/2024

Legal Clerk

Notary, State of WI, County of Brown

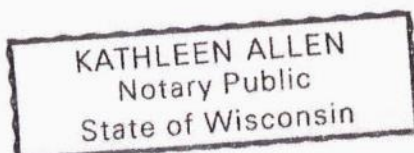
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Publication Cost: \$598.16
Tax Amount: \$0.00
Payment Cost: \$598.16
Order No: 10595885
Customer No: 1127247
PO #:

of Copies:
1

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Please do not use this form for payment remittance.



**CITY OF COCOA
NOTICE OF PUBLIC
HEARING ZONING TEXT
AMENDMENT**

NOTICE IS HEREBY GIVEN THAT

THE PLANNING & ZONING BOARD/LOCAL PLANNING
AGENCY
AND THE COCOA CITY COUNCIL

PROPOSE TO CONSIDER THE FOLLOWING:

ORDINANCE NO. 13-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF COCOA, BREVARD COUNTY, FLORIDA;
AMENDING THE ZONING ORDINANCE OF THE
CITY OF COCOA TO ADD MAJOR RECREATIONAL
EQUIPMENT SALES AND RENTAL AND LIMITED
TYPES OF COMMERCIAL VEHICLE AND HEAVY
EQUIPMENT SALES AND RENTAL TO THE LIST OF
PERMITTED USES IN THE GENERAL COMMERCIAL
(CG) ZONING DISTRICT AND ESTABLISHING
CONDITIONS FOR SUCH USE; PROVIDING FOR THE
REPEAL OF PRIOR INCONSISTENT ORDINANCES
AND RESOLUTIONS, INCORPORATION INTO THE
CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

PLANNING & ZONING BOARD/
LOCAL PLANNING AGENCY
PUBLIC HEARING WILL BE HELD ON

October 2, 2024

CITY COUNCIL 1st PUBLIC HEARING WILL BE HELD ON

October 8, 2024

ALL HEARINGS WILL TAKE PLACE AT 6:00 P.M. OR SOON
THEREAFTER IN THE
COCO 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 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, Monica Aersault, at
least 48 hours prior to the meeting by telephone at (321) 433-8484
or via email at maersault@cocoafl.org.

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.

Public Participation Information:

The public may inspect the agenda items, ordinances, and
supporting documents at the Community Services Department,
between 8:00 a.m. and 5:00 p.m., Monday through Friday, or by
phoning (321) 433-8451, or on the City's website at the following
link prior to the meeting: <https://cocoa.legistar.com/Calendar.aspx>
Interested persons may submit their written comments or questions
prior to the meeting through Email at meetings@cocoafl.org.
Viewing in Real Time. Interested persons may view and
listen to the hearings live at the following Internet address:
<https://cocoa.legistar.com/Calendar.aspx> The City is not responsible
for technical difficulties that may occur while viewing or listening
online.