

CITY OF COCOA
BOARD OF ADJUSTMENT
MEETING MINUTES
September 20, 2017

A regular meeting of the Board of Adjustment of the City of Cocoa was held on Wednesday, September 20, 2017 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

I. OPENING MATTERS:

Chairman Robert Frey called the meeting to order at 6:02 P.M. The Board Secretary called the roll.

MEMBERS PRESENT:

Robert Frey	Chairman
Nancy Elliot	Vice Chairwoman
Matthew Ford	Board Member
Bruce Gilmore	Board Member
Jane Jollay	Board Member
Rip Dyal	Board Member

MEMBERS ABSENT:

Alex (James) Goins	Board Member
Connie Harvey	Board Member

OTHERS PRESENT:

Cindy Thurman	Planning and Zoning Manager
Kristin Eick	City Attorney
Brenda Warner	Board Liaison
Torri Edwards	Board Secretary

II. APPROVAL OF AGENDA & MINUTES:

Approval of Agenda: September 20, 2017.

Approval of Meeting Minutes: August 16, 2017.

Motion by Rip Dyal, seconded by Bruce Gilmore, to approve the minutes and agenda. Vote on the motion carried unanimously.

Motion by Robert Frey, seconded by Rip Dyal, to table item B to the October 18, 2017 meeting. Vote on the motion carried unanimously.

III. OLD BUSINESS:

None

IV. NEW BUSINESS:

A. PZ-17-00700001 – Waiver (Aaron Reninger – 120 St. Charles St.) TABLED FROM 8/16/2017

A Waiver request from Appendix A, Zoning, Article XIII, Section 5 to waive the six (6)-foot maximum height requirement in the RU-2-10 (Low Density Single & Multi-Family) Zoning District in order to allow an eight (8)-foot tall fence to be installed on a vacant lot and to waive the allowable fence material in order to allow chain-link fencing. The Brevard County Property Appraiser identifies the subject property as Account Number 2444793.

Cindy Thurman, Planning and Zoning Manager, stated item has been pulled by staff at this time. Staff is still working with Mr. Reninger and the item is not ready. The request may change or be withdrawn completely.

B. PZ-17-00000001 – Special Exception (2075 W. King Street Land Trust) TABLED TO 10/18/17

Consideration of a Special Exception request from Appendix A, Zoning, Article XI, Section 5(C)(10) of the City of Cocoa Code to allow for an Adult Congregate Living Facility (ACLF) use in the RU-2-15 (Multiple Family Dwelling) Zoning District. The Brevard County Property Appraiser identifies the subject property as Account Number 2423993.

C. PZ-17-00000005 – Special Exception (Rocket Crafters-770 Cidco Road)

Consideration of a Special Exception request from Appendix A, Zoning, Article XI, Section 19 of the City of Cocoa Code to allow for outdoor propulsion testing facilities in the M-2 (Manufacturing & Industrial) Zoning District. The Brevard County Property Appraiser identifies the subject property as Account Number 2443015.

Cindy Thurman, Planning and Zoning Manager, explained that Rocket Crafters is a company that has 2 types of battery powered static rockets. The company found 2 locations in Industrial Park to test the rockets. Ms. Thurman and staff have reviewed the criteria for the special exception regarding M-2 classification zoning from the applicant's information provided.

Ms. Thurman stated the applicant has met all criteria by no launching, day time hours of operation, and under 5 test firings a day.

Rockets at this location will have 3 test firings a day, lasting 20 seconds per test.

Ms. Thurman stated there are measures implemented to mitigate the sound impacts of the facility. Noise levels cannot reach more than 90 dba which is the same as

running a vacuum cleaner. Outdoor sound tests are required semiannually. The applicant compares the noise as being similar to sandblasting.

Ms. Thurman stated testing will not be conducted that will impact environmentally sensitive land. Both locations are partially developed industrial areas. The applicant will obtain permits for any land clearing and highlight any endangered species.

Ms. Thurman stated a written safety plan will be submitted before each test firing. She is still working with the applicant on the exact location of test site and adjacent building measurement.

Ms. Thurman stated rockets being tested are hybrid rocket engines. This location will test 500 lb thrust engines. The fuel used for both engines will be ABS plastic similar to a Lego block and will not detonate.

Ms. Thurman stated both properties have existing ingress to ingress to the property. The applicants will conduct some outside test sight infrastructure and may store some equipment and material in the buildings. There is adequate off street parking and loading areas. Both properties have existing trash dumpsters. The applicants will need to contact Solid Waste for anything extra to do for this use. The lab scale test is battery powered.

Ms. Thurman stated there is adequate screening and buffering in this industrial type subdivision. There will not be any additional signage. There is adequate yard and open space. No renewal or termination dates recommended. The staff recommends approval of the special exception on both properties.

Ms. Thurman presented pictures of the properties.

Chairman Frey asked for any questions from the staff or board.

Board member Gilmore pointed out the disclaimer stating the outdoor propulsion facility can be suspended or revocation if in violation of the written safety plan. Ms. Thurman stated that would be true of any special exception.

Chairman Frey asked for any other question from staff or board. As there were no other questions at that time Chairman Frey invited Mark McClellan, owner of Rocket Crafters, to approach the podium to state his case.

Mr. McClellan noted test stand for this property is 10 x 24. The engines tested at is site are 500lb thrust. The solid fuel portion is relatively small and can be held in one hand. The oxidizer is Nitro oxide. The burn vapors are water and CO2. The test will be fired towards a metal box with barriers around other 3 sides which act as sound barriers as well.

Mr. McClellan stated hours of operation will be 8am to 5pm and a dozen employees.

Chairman Frey opened the discussion to the Board for questions.

Board member Jollay noted testing times and duration error on page 3 and 4. Ms. Thurman stated that was a staff error. Ms. Jollay asked who determines when outdoor sound tests need to be done. Ms. Thurman responded that Code Enforcement, City Council, or Board of Adjustment would make that decision.

Chairman Frey invited Dale Coxwell, President of Coastal Steel and Board member for Rocket Crafters, to approach the podium to state his case.

Mr. Coxwell inquired if Code Enforcement normally responds to complaints. Mr. Coxwell indicated no need for Code Enforcement involvement considering the location is a heavy industrial area. Ms. Jollay explained she was looking for clarification on the written code.

Board member Jollay inquired who receives the safety plan for each test firing. Ms. Thurman responded that the fire chief receives the safety plans. Ms. Jollay inquired if the safety plan will be reviewed before the first test firing. Ms. Thurman confirmed that statement. Ms. Jollay asked for clarification regarding site plan vs. location plan. Ms. Thurman responded that the location plan is used since no changes to the structure are being made. Kristin Eick stated her office will work with Ms. Thurman and the planners regarding the site plan.

Board member Jollay stated special exceptions require the board to make written findings certifying compliance with specific rules governing special exceptions. Chairman Frey stated the staff will make written findings for the board to approve.

Board member Jollay inquires if there are any staff analysis on economic layer or odor. Ms. Thurman noted staff finding of the property are that it is an existing developed site. Mr. Coxwell stated the location is next to an auto junk yard, an asphalt plant, and wetlands.

Board member Jollay inquired if parking will be sufficient. Mr. Coxwell stated there is adequate parking for both locations.

Board member Jollay asked if any hazard waste will be acquired. Mr. McClellan responded there would not.

Board member Jollay noted sand blasting has different levels. Mr. Coxwell stated the sound would not exceed 90 decibels.

Board member Jollay stated if climate control is lost and temperatures exceed 97.7 degrees then a relief valve will harmlessly vent. Mr. McClellan stated that if power is lost personnel would be evacuated. Ms. Jollay noted DAQ (Data Acquisition System) needs to be spelled out. Ms. Jollay inquired if there will be an evacuation for employees. Mr. McClellan stated there will be a standard evacuation plan posted and reviewed with employees.

Board member Gilmore noted the length of test firing is not needed since City of Cocoa amendment of the M2 classification has no limitations on duration or length on the test firing. Mr. McClellan stated the engines burn out after the first stage at

120 seconds. Mr. Gilmore stated approvals are subject to site plan reviews and permitting. Mr. Gilmore noted Code Enforcement will address issues as it is called to their attention. Mr. Coxwell stated the City of Cocoa has been outstanding with expanding economic growth. Ms. Eick stated the code does allow the Board to prescribe any appropriate conditions or safe guards when granting a special exception.

Board member Elliott stated that the diagrams depict a test stand to be in the parking lot. Mr. McClellan clarified the label is paving.

Chairman Frey asked if the Board had any other questions for the applicant. As there were no other questions Chairman Frey opened the discussion to the audience for questions or comments.

Larry Lallo, Economic Development Manager, stated he meet with Rocket Crafters in May. Mr. Lallo noted Rocket Crafters considers safety top priority. Mr. Lallo stated Rocket Crafters would be a great addition to Cocoa.

Chairman Frey opened the discussion to the Board.

Motion by Rip Dyal, seconded by Nancy Elliott, to approve Special Exception request with all staff findings, permitting, and conditions from Appendix A, Zoning, Article XI, Section 19 of the City of Cocoa Code to allow for outdoor propulsion testing facilities in the M-2 (Manufacturing & Industrial) Zoning District.

Motion was approved unanimously (6-0).

The Secretary called the roll.

D. PZ-17-00000006 – Special Exception (Rocket Crafters – 870 Cidco Road)

Consideration of a Special Exception request from Appendix A, Zoning, Article XI, Section 19 of the City of Cocoa Code to allow for outdoor propulsion testing facilities in the M-2 (Manufacturing & Industrial) Zoning District. The Brevard County Property Appraiser identifies the subject property as Account Number 2404108.

Ms. Thurman stated rockets at this location will have 2 test firings a day, lasting 60 seconds per test. They will be 5,000 lb. thrust engines.

Motion by Rip Dyal, seconded by Matthew Ford to approve Special Exception request with all staff findings, permitting, and conditions from Appendix A, Zoning, Article XI, Section 19 of the City of Cocoa Code to allow for outdoor propulsion testing facilities in the M-2 (Manufacturing & Industrial) Zoning District.

Motion was approved unanimously (6-0).

The Secretary called the roll.

V. OTHER BUSINESS:

None

VI. NEXT MEETING DATE:

The Board members established that the next meeting would be held on Wednesday, October 18, 2017.

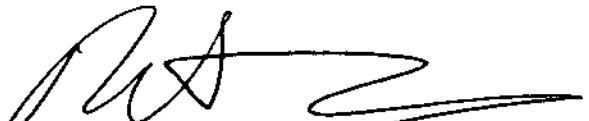
VII. ADJOURNMENT:

Motion by Rip Dyal, seconded by Nancy Elliott to adjourn.

Motion was approved unanimously (4-0)

There being no further business the meeting adjourned at 7:08 P.M.

Approved on this 18 day of Oct, 2017.


Robert Frey, Chairman


Torri Edwards, Board Secretary