

## NORTH MERRITT ISLAND

### DEPENDENT SPECIAL DISTRICT BOARD MINUTES

The North Merritt Island Dependent Special District Board met in regular session on **Thursday, August 12, 2021**, at 6:00 p.m., at the Merritt Island Service Complex, 2575 N. Courtenay Parkway, 2<sup>nd</sup> Floor, Merritt Island, Florida.

**Board members present were:** Mary Hillberg, Chair; Gina Lindhorst; Catherine Testa; Jack Ratterman, Vice Chair; Jim Carbonneau; Chris Cook; and Ted Balke.

**Planning and Development staff present were:** Jeffrey Ball, Planning and Zoning Manager; Kyle Harris Planner I; and Jennifer Jones, Special Projects Coordinator.

#### **Approval of July 15, 2021, Minutes**

Jim Carbonneau - On page 2, my comment about the Planning and Zoning Board, the intent was that it should be eliminated with regards to North Merritt Island, because of the duplication of responsibilities and the fact that we are elected and they are appointed.

Motion by Ted Balke, seconded by Cathy Testa, to approve the minutes from July 15, 2021. The motion passed unanimously.

#### **William D. and Elizabeth Anne Elliott (Joe Mayer)**

A Small Scale Comprehensive Plan Amendment (21S.05) to change the Future Land Use designation from PI (Planned Industrial) to RES 1 (Residential 1). The property is 8.25 acres, located on the south side of D'Albora Rd., approx. 0.23 mile east of N. Courtenay Pkwy. (Tax Parcel 251 = 1401 D'Albora Rd.; Tax Parcel 286 = No assigned address. In the N. Merritt Island area.) (21PZ00033) (Tax Accounts 2616601 & 2323951) (District 2)

#### **William D. and Elizabeth Anne Elliott (Joe Mayer)**

A change of zoning classification from PIP (Planned Industrial Park) to RR-1 (Rural Residential). The property is 8.25 acres, located on the south side of D'Albora Rd., approx. 0.23 mile east of N. Courtenay Pkwy. (Tax Parcel 251 = 1401 D'Albora Rd.; Tax Parcel 286 = No assigned address. In the N. Merritt Island area.) (21Z00020) (Tax Account 2616601 & 2323951) (District 2)

Joe Mayer - My name is Joe Mayer, 100 Parnell Street, Merritt Island, and I'm the engineer representing the applicant, Bill Elliott. We're here to propose a rezoning and comp plan amendment on 8.25 acres, located south of D'Albora Road. The current Future Land Use designation is Planned Industrial and we are proposing Residential 1. The current zoning is Planned Industrial Park, and we are proposing RR-1 zoning. What we are truly proposing to do is two flag lots, each approximately four acres in size. [Mr. Mayer handed out an aerial photo of the proposed flag lots. The photo can be found in files 21PZ00033 and 21Z00020, located in the Planning and Development Department.] The existing land to the west of the flag lots is a conservation easement made up of wetlands, and it will stay that way. The properties to the east and north are zoned RR-1 and the property to the south is AU (Agricultural Residential). The adjacent Future Land Use to the north, east, and south is Residential 1, and there is a small piece to the southeast that is Residential 1:2.5. We believe this is a much more compatible zoning classification than Planned Industrial on this large lot. D'Albora Road, as you know, has been developed as large lots with flag lots. We would like to change our zoning so we can do the same thing.

Jack Ratterman - Is the odd shape due to the wetlands next to it?

Joe Mayer - Yes, sir. The edge of the wetland was identified years ago and put into a conservation easement.

Mary Hillberg - Are these houses going to have septic?

Joe Mayer - Yes.

Mary Hillberg - Will they be the advanced septic systems?

Joe Mayer - Yes, we are mandated by code, just like everybody else on Merritt Island, and we'll have to put in the advanced treatment system.

Mary Hillberg - For the record, there are a lot of people here who understand that these advanced systems only hold 65% of the affluent, but that other 35% is not welcome either.

Jeffrey Ball - It's not 65% of the affluent, it's 65% of the nitrogen.

Mary Hillberg - Yes, nitrogen, the part that does the damage. For the record, the community is aware that 65% sounds good, but 35% is still going back into the groundwater. We're anxious to see everybody get onto sewer if and when they can.

Joe Mayer - I believe State law would require us hook up to sewer once it becomes available in front of our property.

Gina Lindhorst - So, there's no sewer available at all there?

Joe Mayer - No.

Gina Lindhorst - So, the lots to the east do not have sewer?

Joe Mayer - They are all on septic.

Mary Hillberg - The first flag lot says it will permit one residence maximum.

Joe Mayer - Correct.

Mary Hillberg - Does that mean the second flag lot will be more than that?

Joe Mayer - No, it will be one residence per flag lot, for a total of two. If we successfully make it through the rezoning and comp plan amendment, there is a flag lot process that we have to go through to establish the flag lots.

Chris Cook - The property to the west that is not included, that's over one acre, correct?

Joe Mayer - Yes, but it will be part of the second flag lot; it's not buildable.

Chris Cook - Should it be colored in as part of the flag lot?

Joe Mayer - Technically, yes. There will not be a third lot because there is no access to it, but it will be part of the second flag lot.

Jeffrey Ball - The closest sewer line is approximately 2.4 miles southwest of the parcel, so sewer is not available.

Mary Hillberg - I just wanted the record to reflect that we are not enthusiastic about septic tanks putting 35% of nitrogen into our groundwater.

Public Comment.

Kim Smith - My name is Kim Smith, and I'm here to speak for the North Merritt Island Homeowners Association, and regarding these requests, the HOA had no objections.

Mary Hillberg - Seeing no other public comment, it is back to the board. What's your pleasure?

Jack Ratterman - I make a motion that we accept Item H.1., Small Scale Plan Amendment.

Jim Carbonneau - I second.

Mary Hillberg called for a vote on the motion as stated and it passed unanimously.

Jack Ratterman - I make a motion that we accept Item H.2.

Jim Carbonneau - I'll second.

Mary Hillberg called for a vote on the motion as stated and it passed unanimously.

**Joseph A. Calderone**

A change of zoning classification from TR-3 (Mobile Home Park) to TR-1-A (Single-Family Mobile Home). The property is 0.14 acre, located on the northeast corner of Whaley Road and Mangrove Drive. (6810 Whaley Road, Merritt Island) (21Z00021) (Tax Account 2315419) (District 2)

Joseph Calderone - My name is Joseph Calderone, I'm the owner of this property and my address is 637 Orange Court, Rockledge. The property was originally presented to me as buildable, but I ended up getting into this to convert it, so that's what I'm doing. The zoning is currently TR-3 and I was told it needs to be TR-1-A to make it buildable. I applied, and was approved, for a variance so that something can be put on the property. It has power and water and sewer line that hook into the sewage that exists for the Colony Park Mobile Home Park, so there are no improvements that need to be done on the property. I spoke to the sewer company already and I can hook up whenever something is built there.

Ted Balke - What is your potential future plan?

Joseph Calderone - To put a small building on the property. The property is about 6,000 square feet and is comparable to Colony Park.

Jim Carbonneau - What is your intended use of the building?

Joseph Calderone - A single-family residence.

Chris Cook - The building next to it on the aerial map, is that the old sewage treatment plant that was there? Just to the east.

Joseph Calderone - That was a laundromat, but it has been torn down.

Jack Ratterman - That laundromat used to serve Colony Park.

Jeffrey Ball - This property was part of Colony Park, and sometime in 1969 it was broken off, and TR-3 requires 10 acres minimum, and that was one of the reasons Mr. Calderone has to rezone it, and also because of the size of the property. I want to provide clarification for you all, part of the building permit process is that Mr. Calderone will have to get a permit from the Health Department for the septic system.

Mary Hillberg - So, he isn't going onto sewer?

Jeffrey Ball - There is no central sewer there.

Joseph Calderone - There is sewer that services Colony Park.

Jeffrey Ball - That is a package plant, it's not central sewer.

Joseph Calderone - I spoke to the supervisor of the sewage plant and he said there is a hook up to the main and as far as he's concerned there is no problem with hooking up to the sewage system as long as I'm paying the town, which I'm doing right now.

Jeffrey Ball - It's up to the Health Department to issue the permit.

Joseph Calderone - I don't see why they wouldn't.

Jack Ratterman - I know there has been a great effort in trying to redevelop that area.

Jeffrey Ball - This is a unique request; staff worked with the applicant to bring this property into a usable property. The next step after zoning is the building permit process.

Jack Ratterman - Will it be a building or will it be pre-fabricated?

Jeffrey Ball - That's up to the applicant. The zoning allows for both a site built and a mobile home.

Public Comment.

Kim Smith - My name is Kim Smith, P.O. Box 542372, Merritt Island. I'm speaking for the North Merritt Island Homeowners Association, and in regards to this zoning change, the HOA had no objections.

Mary Hillberg - I bring it back to the board. Is there a motion?

Jack Ratterman - I make a motion that we accept Item H.3.

Jim Carbonneau - I'll second.

Mary Hillberg called for a vote on the motion as stated and it passed unanimously.

Upon consensus, the meeting adjourned at 6:20 p.m.