

## **Building and Construction Advisory Committee Minutes**

The Brevard County Building and Construction Advisory Committee (BCAC) met on Wednesday, June 7, 2023, at 1:00 p.m., in the Space Coast Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

Members present: Michael Williams, District 1; Scott Carswell, District 2; Mike Jaffe, District 3; Ralph Durham, Vice Chair, District 4; and Bruce Moia, Chair, District 5

Staff present: Darcie McGee, Assistant Director, Natural Resources Management; and Jennifer Jones, Special Projects Coordinator.

The Chair, Bruce Moia, called the meeting to order at 1:00 p.m.

### **Approval of February 8, 2023, Minutes**

Motion by Ralph Durham, seconded by Michael Williams, to approve the minutes of February 8, 2023. The motion passed unanimously.

### **Amendment to Chapter 62, Article X, Division 5 (Floodplain Protection), Section 62-3724(4)(e), Prohibiting Accessory Structures Requiring Fill in Unincorporated North Merritt Island, North of Hall Road.**

Darcie McGee stated when staff wrote the North Merritt Island Flood Study and developed Code for North Merritt Island, north of Hall Road, it was done at the direction of the Board of County Commissioners to address flood mitigation on North Merritt Island, where there is a great deal of flooding. There is one section of the Code that talks about a waiver for compensatory storage if there is not enough room for compensatory storage, and it allows a waiver for single-family homes prior to the effective date of the Ordinance. In that section, staff put added a sentence that said, 'no minor structures requiring fill are permitted on North Merritt Island'. The County Attorney's Office determined that was a stand-alone sentence, so staff cannot approve pools or sheds, or anything that is an accessory structure, on North Merritt Island if it requires fill, regardless if it can be demonstrated that it will not have any adverse impacts. What is being proposed today is to strike that sentence and replace it with, 'compensatory storage waivers shall not be granted for accessory structures requiring fill in the floodplain'. If property owners can demonstrate they have no adverse impact, either in compensatory storage or through the flood model, they can have an accessory structure. If they cannot demonstrate that, it is presumed to be a risk and then they would not be able to have an accessory structure.

Bruce Moia stated it sounds like the County is being more generous. Ms. McGee replied the intent was not to prohibit; it's to prohibit development that would cause an adverse impact.

Ralph Durham stated North Merritt Island has had flooding problems for over 50 years. Ms. McGee replied yes, it's been a problem, but the Board has done a lot to try to address the problem, through the comprehensive flood model and additional criteria for flood mitigation. There are also many stormwater projects on North Merritt Island.

Scott Carswell asked if a property owner can have accessory structures as long as they can prove there are no adverse effects. Ms. McGee replied yes, either through compensatory storage or using the flood model.

Mr. Durham asked what property owners are using for storage, and if it is retention areas on the land, or retention tanks. Ms. McGee replied it is mostly retention areas. Sometimes there will be a big area that is shallow, and sometimes people create ponds if there is enough depth.

Mr. Durham asked if staff was seeing 50-year-old homes get flooded more and more. Ms. McGee replied yes, as well as roads and the stormwater structure.

No public comment.

Motion by Ralph Durham, seconded by Michael Williams, to approve the Amendment to Chapter 62, Article X, Division 5 (Floodplain Protection), Section 62-3724(4)(e), Prohibiting Accessory Structures Requiring Fill in Unincorporated North Merritt Island, North of Hall Road. The motion passed unanimously.

### **Building Code Monthly Report**

Terry Talbert, Building Official, stated roofing permits are pretty much the same as they have been, and unless there is a hurricane, storm, or hail damage, they stay the same. He said the monthly inspection requests are busy through the BASS system. For the inspections by outside agencies, the County does most of the inspections, but there are a few private inspections, and the Building Department has slowed down using JPI inspections because inspections have slowed slightly. Inspections for single-family residences have continued to climb, but everything else is staying about the same. Inspections performed had gone down a little but are now back up again.

Ralph Durham asked if multi-family permits are still busy. Mr. Talbert replied yes, but one that cancelled their permit is the apartments that were being built next to the Government Center that were solid concrete, and they cancelled on building another one until the end of this year or early next year because of interest rates.

Mr. Moia asked about revenues. Mr. Talbert replied the Building Department is over revenues, and it is helping other departments as long as they can prove they can help with the Florida Building Code. He added if there is not any income brought in for the next two years, the Building Department is 100% covered.

### **Adjournment**

The meeting was adjourned at 1:12 p.m.