



# STAFF REPORT

## LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: 321-733-3042

[landdevelopmentweb@palmbayflorida.org](mailto:landdevelopmentweb@palmbayflorida.org)

### Prepared by

Patrick J. Murphy, Assistant Growth Management Director

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#### CASE NUMBER

PS-2-2020

#### PLANNING & ZONING BOARD HEARING DATE

July 1, 2020

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#### PROPERTY OWNER & APPLICANT

Rook at Palm Bay, LLC (Jake Wise, Civil Engineer from CEG, Representing)

#### PROPERTY LOCATION/ADDRESS

Located south of and adjacent to Malabar Road; between Emerson Drive SE and the Palm Bay Wal-Mart

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#### SUMMARY OF REQUEST

The applicant requests Preliminary Subdivision approval for a proposed development consisting of four (4) commercial lots and one (1) multi-family residential lot.

##### Existing Zoning

CC, Community Commercial and RM-20, Multiple-Family Residential

##### Existing Land Use

Commercial Use and Multiple Family Residential Use

##### Site Improvements

Vacant, Undeveloped Land

##### Site Acreage

21 acres, more or less

#### DENSITY

20 UPA Allowed on the Residential Lot–16.88 UPA Proposed

#### COMPREHENSIVE PLAN

#### COMPATIBILITY

Yes

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**BACKGROUND:**

The property is located south of and adjacent to Malabar Road; between Emerson Drive SE and the Palm Bay Wal-Mart. The site is vacant, undeveloped land. Specifically, the subject property is Tax Parcels 4-6 and Tax Parcel 9, all lying within Section 5, Township 29 south and Range 37 east. The north 6.08 acres of land is zoned CC, Community Commercial. The remaining 14.92 acres are zoned RM-20, Multiple Family Residential.

The CC-zoned portion of the project is bordered by Malabar Road to the north, CC and HC zoning to the east and west, and by the remainder of the project to the south. The RM-20 zoned property abuts CC zoned lands to the north; RR, Rural Residential zoned lands to the south and west, containing undeveloped land (south) and the American Legion Post 117 (west); and to the east lies the Wal-Mart and a drainage ditch.

The Applicant, Rook at Palm Bay, LLC., is requesting Preliminary Subdivision approval to create a 5-lot subdivision on approximately 21 acres of land. Representing the applicant in this request is Jake Wise, Civil Engineer from Construction Engineering Group, LLC.

**ANALYSIS:**

In order to be granted preliminary plat approval, the request must meet the basic design standards of Sections 184.16 through 184.25 of the Code of Ordinances. A more in-depth review of the required construction standards will take place upon submission of a Final plat approval request. The above subsections include the design of Lots & Blocks; Roadway width, length, and arrangement; Stormwater Treatment; Potable Water and Sewerage Facilities; Sidewalks/Pedestrian Ways; Public Uses; Preservation of Natural or Historic Features; and the buffering of adjacent residentially zoned lands for Nonresidential Subdivisions.

**Lots and Blocks:** The minimum lot size required within the CC zoning district is 100' wide by 125' deep, and the minimum lot size for the RM-20 zoning district is 100' x 100'. All 4 of the commercial lots in this subdivision exceed the minimum requirements, and the lone residential lot (Lot 3) is approximately 256' wide by 423' deep. There are no blocks being proposed in this subdivision.

**Road Design:** The overall property, consisting of 21 acres, only has 400' of frontage on Malabar Road. In order to create the five (5) lots for conveyance, a new road must be established providing each lot with the minimum code-required frontage upon a legally created road right-of-way (ROW). The road itself must have a minimum 50' of ROW width, a maximum dead-end length of 1,000' and a minimum cul-de-sac ROW radius of 50'.

Crown Square Way is proposed within the middle of the project frontage on Malabar Road and will align with an existing median opening. A traffic signal is currently in the design stages. This newly created ROW extends approximately 720' from Malabar Road and terminates into a cul-de-sac for access to a future apartment complex. The road does not connect to any other

roadways, existing or proposed. The minimum width of this new road ROW is only 32' and the cul-de-sac radius is only 40'. Thus, the applicant has provided a Summary Request for "Waivers" from these two (2) requirements, per Section 184.14. This section allows the City Council to defer or waive, at the time of final approval, the provisions of any or all such design improvements, that in the Council's judgment are deemed not requisite in the interests of public health and safety, or inappropriate because of inadequacy or lack of connecting facilities (i.e. utilities).

An engineered site plan (Site Plan # 1370) is currently under administrative review. These plans propose development upon each of the five (5) lots. The reduced ROW width is the result of the overall width of the subject properties and the intended development of the commercial lots. A grocery store, retail establishment and two (2) restaurants are proposed. Siting of the buildings, required parking areas and drive aisles, and landscaping have necessitated the narrowing of the ROW width. Reduction of the cul-de-sac radius is to accommodate parking spaces for the clubhouse of the apartment complex that is located at the terminus of Crown Square Way. It shall be noted that ample pavement has been designed to accommodate the maneuverability of delivery and service vehicles.

**Stormwater Treatment:** The project includes a master stormwater treatment system interconnected wet and dry treatment ponds. These ponds transfer stormwater runoff from the impervious development to a master wet pond located in the center of the apartment complex. This pond will be contained within a 2.91-acre easement dedicated for such use in Plat note #4. Deed restrictions submitted with the Final subdivision request shall contain maintenance responsibilities for the overall system.

**Potable Water and Sewerage Facilities:** The developer is required to extend service from the on-site facilities to the existing water and sewer connection points. Presently, the nearest connection point to the mainline water distribution system is a 16" water main on the north side of Malabar Road. The nearest connection point to the mainline wastewater collection system is a 16" forced sewer main, on the south side of Malabar Road. Sheet C-4A of the site plans currently under review propose a direct wet tap connection to the force main and connection to the water main via directional bore (under Malabar). Upon the proposed plat is a sanitary sewer lift station easement (straddling lots 3 & 4).

**Sidewalks/Pedestrian Ways:** Handicap accessible sidewalks shall be provided throughout the development, providing access to all public buildings from their respective parking areas. A connection from the apartment complex shall be included to allow for pedestrian access to the commercial area. Additionally, the sidewalk system of this development must connect to the existing sidewalk running along the south side of Malabar Road.

**Public Uses and Easements:** This code sections provides the following; "Where deemed essential by the City Council upon consideration of the particular type of development proposed in the subdivision, and especially in large-scale neighborhood unit developments not

anticipated in the Comprehensive Plan, the City Council may require the dedication or reservation of such other areas or sites of a character, extent and location suitable to the needs created by such development for parks and other public purposes". This dedication of land is not applicable to this subdivision.

**Preservation of Natural or Historic Features:** Located in the far NW corner of Lot 3, which is the proposed multi-family residential lot, lies an existing wetland area of approximately 1.41 acres. This area is covered on the subdivision plat by a conservation easement that is to be dedicated to the St. Johns River Water Management District. Said dedication will follow the provisions of Florida Statute 705.06.

The Applicant submitted a School Facility Planning & Concurrency Application for this project to the School Board of Brevard County. A determination letter from the Facilities Services Department indicated that there is enough capacity (within Turner Elementary, Southwest Middle, and Palm Bay Magnet High Schools) for the total projected student membership to accommodate the multi-family residential development. However, the letter is a non-binding review; a Concurrency Determination must be performed by the School District prior to issuance of a Final Development Order.

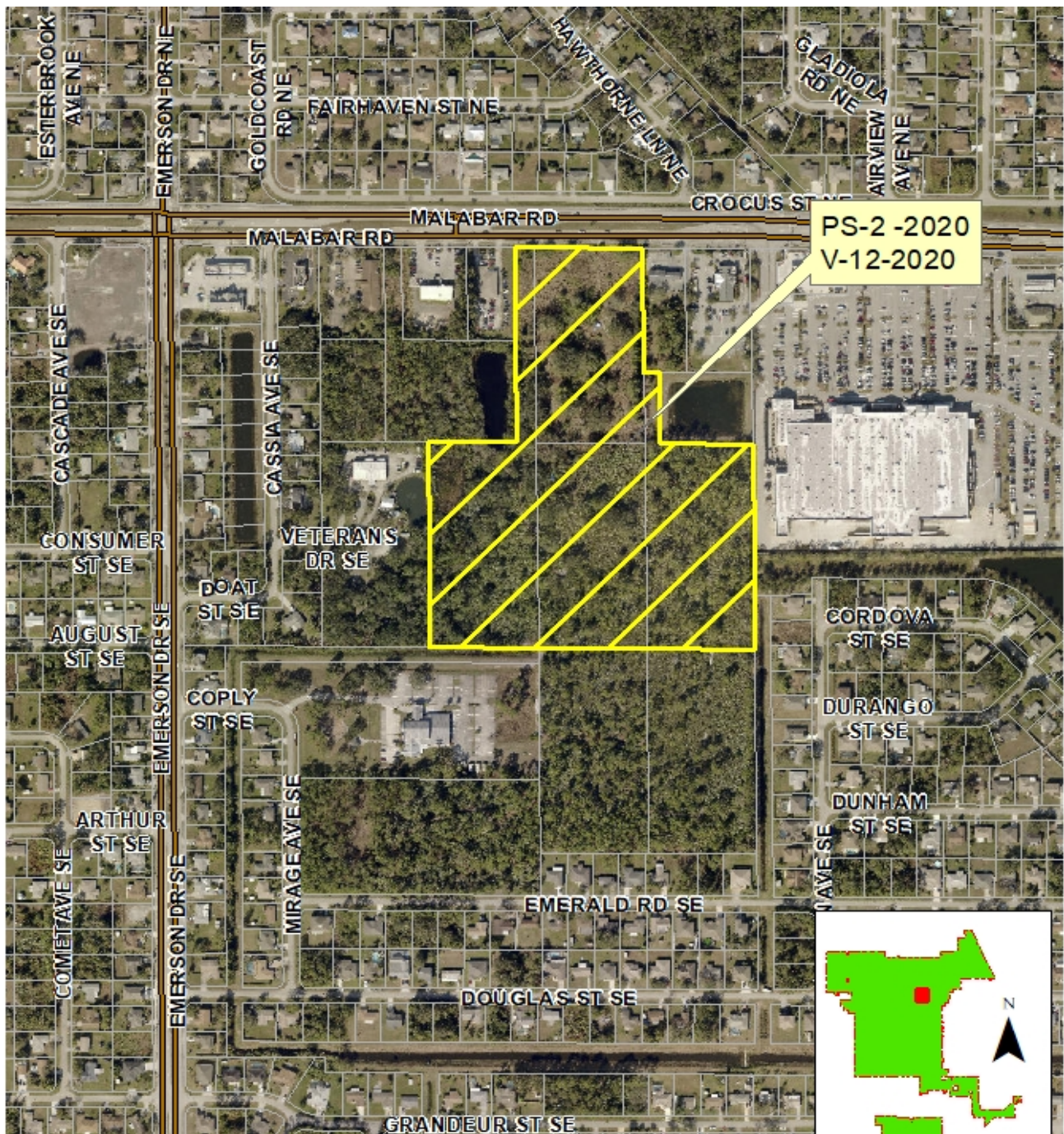
#### **STAFF RECOMMENDATION:**

Upon review of the submitted materials, the Preliminary Subdivision request is in substantial conformance with the applicable requirements of the Subdivision Code. Therefore, Staff recommends approval of Case PS-2-2020, subject to the following items being submitted with the Final Subdivision application:

- A. Declaration of Covenants, Conditions, and Restrictions;
- B. School Concurrency Determination Letter;
- C. An Environmental Study that includes a Endangered Species Assessment;
- D. Approved Traffic Signal plans; and
- E. The name of the proposed roadway "Crown Square Way" was denied by the office of Brevard County Address Assignment. An approved name shall be provided upon the Final Plat.



*Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.*



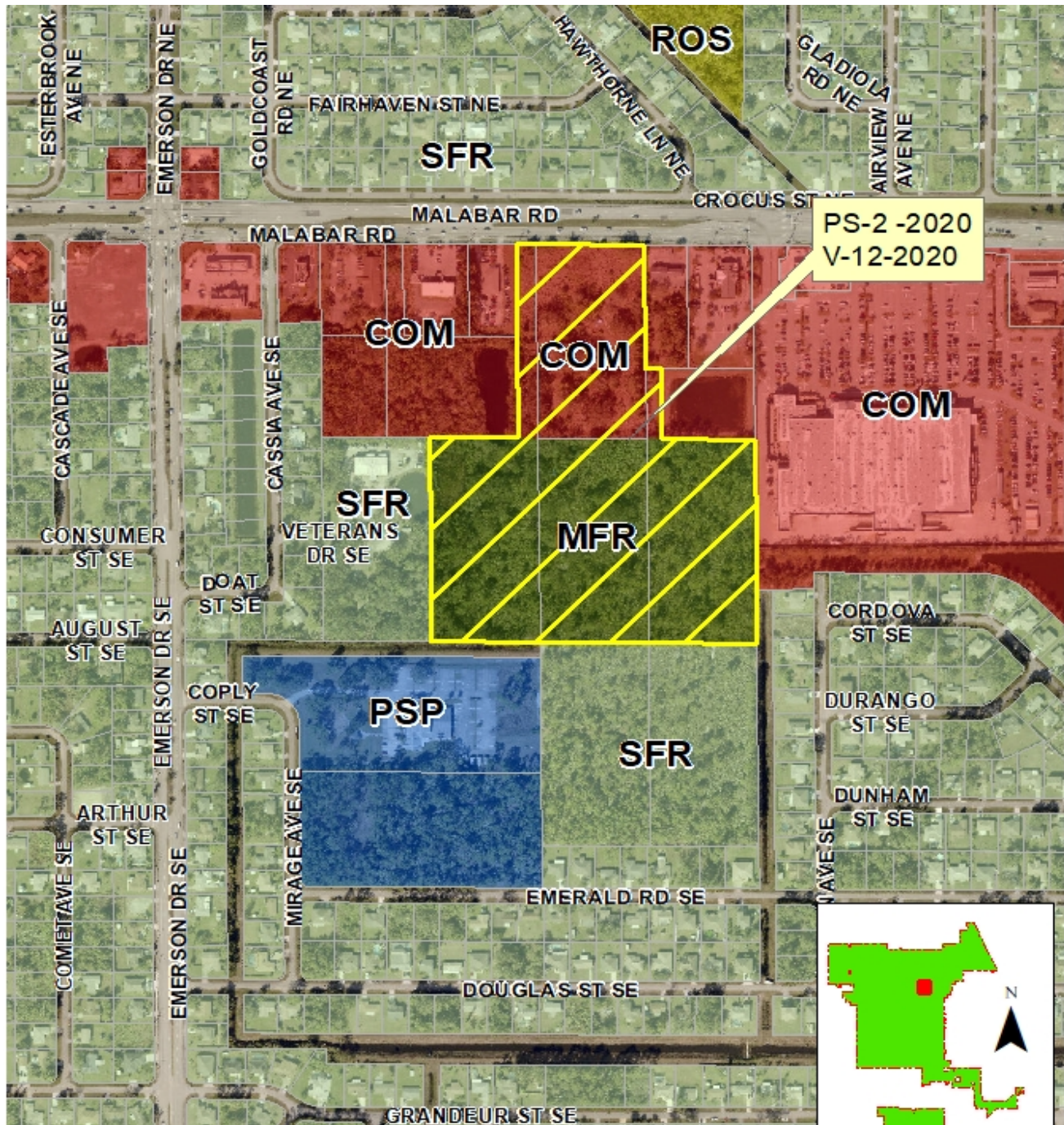
## **AERIAL LOCATION MAP CASES PS-2-2020 AND V-12-2020**

### **Subject Property**

South of and adjacent to Malabar Road SE, in the vicinity east of Cassia Avenue SE



*Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.*



## FUTURE LAND USE MAP CASES PS-2-2020 AND V-12-2020

### Subject Property

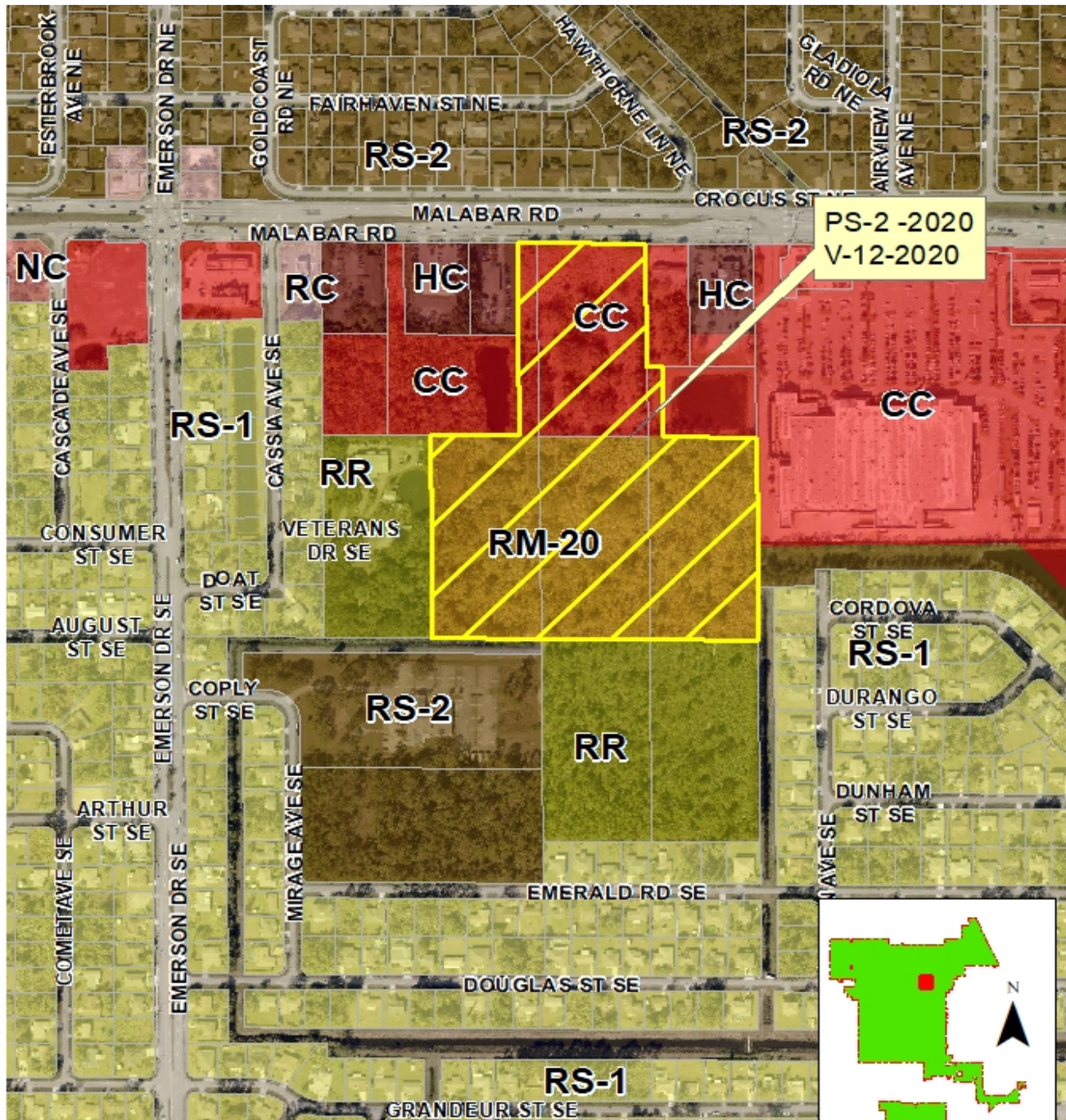
South of and adjacent to Malabar Road SE, in the vicinity east of Cassia Avenue SE

### Future Land Use Classification

MFR – Multi Family Residential Use and **COM -Commercial**



Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



## ZONING MAP

## CASES PS-2-2020 AND V-12-2020

### Subject Property

South of and adjacent to Malabar Road SE, in the vicinity east of Cassia Avenue SE

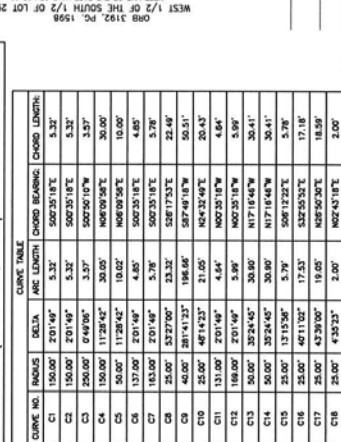
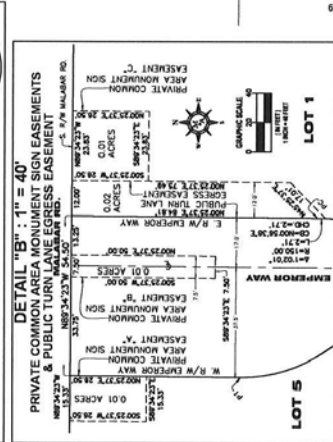
### Current Zoning Classification

RM-20 - Multi Family Residential and CC – Community Commercial District

A REPLAT OF A PORTION OF LOT 29 & LOT 30, FLORIDA INDIAN RIVER LAND COMPANY SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 165, LYING IN SECTION 5, TOWNSHIP 29 SOUTH, RANGE 37 EAST, CITY OF PALM BAY, BREVARD COUNTY, FLORIDA

**LEGAL DESCRIPTION:**  
A PARCEL OF LAND LYING IN SECTION 37 EAST, SAID PARCEL BEING A PORTION OF LOT 28 AND LOT 30, FLORIDA INDIAN RIVER LAND COMPANY SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 185, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

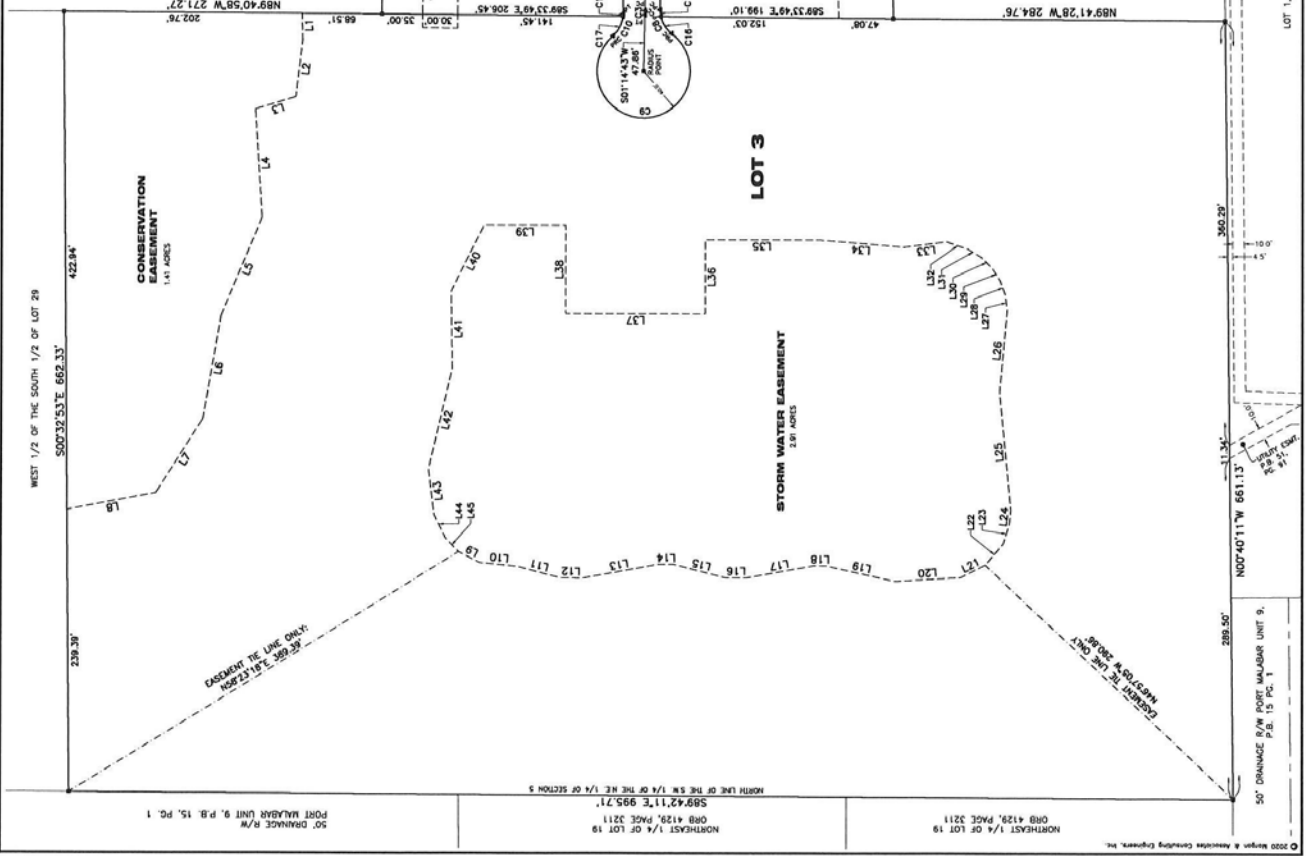
**LEGAL DESCRIPTION:**

[illegible]



# CROWN SQUARE

A REPLAT OF A PORTION OF LOT 29 & LOT 30, FLORIDA INDIAN RIVER LAND COMPANY SUBDIVISION,  
AS RECORDED IN PLAT BOOK 1, PAGE 165, LYING IN SECTION 5, TOWNSHIP 29 SOUTH, RANGE 37 EAST,  
CITY OF PALM BAY, BREVARD COUNTY, FLORIDA



LINE NO.	BEARING	DISTANCE
L1	S01°20'32"E	22.47'
L2	S00°48'11"W	44.53'
L3	S72°34'28"W	33.86'
L4	S02°34'27"E	92.81'
L5	S22°41'04"W	89.24'
L6	S09°54'01"W	89.04'
L7	S22°14'17"W	74.14'
L8	S79°18'52"W	78.81'
L9	S62°56'12"E	20.06'
L10	S64°12'45"E	32.60'
L11	S75°28'07"E	37.53'
L12	S68°36'44"E	18.55'
L13	N79°54'54"E	67.19'
L14	S68°45'22"E	13.27'
L15	S76°02'33"E	45.97'
L16	S68°53'56"E	17.89'
L17	N79°54'47"E	58.36'
L18	S68°28'33"E	10.96'
L19	S77°35'59"E	66.66'
L20	N68°38'05"E	56.76'
L21	N63°54'01"E	23.07'
L22	N67°29'03"E	23.07'
L23	N72°34'02"E	17.80'
L24	N00°30'02"E	11.85'
L25	N65°38'17"W	108.37'
L26	N67°16'22"E	70.17'
L27	N67°31'09"W	13.00'
L28	N67°18'09"W	13.00'
L29	N43°06'10"W	13.00'
L30	N45°53'41"W	13.00'
L31	N05°41'12"W	13.00'
L32	N71°28'43"W	18.87'
L33	S62°56'15"W	37.00'
L34	N62°19'49"W	73.71'
L35	N60°00'00"W	96.36'
L36	S00°00'00"E	82.97'
L37	N65°00'00"W	128.00'
L38	N60°00'00"E	75.00'
L39	N60°00'00"W	68.93'
L40	S28°28'31"W	62.73'
L41	S00°37'07"E	65.38'
L42	S13°10'19"W	87.84'
L43	S05°55'58"E	36.05'
L44	S08°07'02"E	22.14'
L45	S44°29'20"E	18.15'

Prepared By:  
**MORGAN & ASSOCIATES**  
CONSULTING ENGINEERS  
594 N. Harbor City Blvd., Melbourne, FL 32955  
Phone (321) 751-6988 Fax (321) 751-6989  
E-Mail: info@morgandesign.com  
Checked By: Christopher S. Bowers

POINT OF COMMENCEMENT  
OF THE WEST 1/4 OF LOT 19  
OF THE WEST 1/4 OF LOT 19  
OF MALABAR RD.

LOT 1, WALMART AT PALM BAY P.B. 51, PG. 91

50' DRAINAGE E/W PORT WALMAR UNIT 9, P.B. 15 PG. 1  
NORTHWEST 1/4 OF LOT 19  
ORR 4129, PAGE 2211  
ORR 4129, PAGE 2211



## Crown Square Subdivision Variance Request

### SUMMARY:

The property requesting the subdivision variance is approximately 21 acres with it's only public roadway frontage being Malabar Road to the north. The property is zoned CC (commercial) along Malabar Road and RM-20 (multi-family) in the rear of the site. The RM-20 zoning has no public roadway frontage at this time. The property is unusual in that for it's size it has less than 400 feet of frontage, it overall has a T-shape, and it is almost 1300 linear feet deep. That is over a 3 to 1 ratio in depth to width, very unusual for the zonings it has. The commercially zoned portion of the property is almost 630 feet deep and the site has existing a City public stormwater easement over a portion of it that provides treatment and conveyance for stormwater runoff from Malabar Road.

In order to create a separate parcel for the RM-20 multi-family zoning in the back of the site it needs to have public ROW frontage so the parcel either had to have multiple flag lots which would not have worked well at all or a new public right-of-way into the property as proposed. In order to provide the safest design for a new public right-of-way the roadway connection to Malabar Road needed to be in the middle of existing driveways to the east and west of this property and line up with an existing median cut. It was further determined that a traffic signal was warranted for the development of this site too. Based on all of these restrictions that were not caused by the applicant at all the necessity for the subdivision variance is the minimum needed for the best development of the site.


The request is to reduce the standard public right-of-way width from 50 feet to 32 feet and reduce the cul-de-sac ROW radius from 50 feet to 40 feet per the attached exhibit CSV-2. Note the cul-de-sac roadway radius still meets code requirements. It will still be constructed to City standards and still include the roadway itself, sidewalks, stormwater collection and conveyance, and both city water and wastewater. The location of the public roadway is dictated by the existing driveways east and west of this property as well as an existing median cut on Malabar Road. It basically splits the site into two and takes up even more of the existing minimal Malabar Road frontage to provide a safe design for the traveling public. A traffic signal is warranted and the reduced right-of-way width allows for the development of the multi-family in the rear of the site to have public right-of-way frontage, but also commercial lots to the east and west of the new right-of-way. Finally, while the right-of-way will be public and built to City standards, it will be maintained privately and not be a burden to the City in the future.

### JUSTIFICATION:

Per the variance application the following written explanations demonstrating the variance meets the criteria per City code section 169.009 is as follows:

- a. The special conditions and circumstances that exist for this site unique to only this property for the variance request. The existing site as outlined in the summary is very unique as follows:
  - Has two separate zonings including commercial that is approximately 630 feet deep and multi-family in the back with no existing public roadway frontage.
  - It is over 21 acres in size with an unusual T shape.



- 
- It has less than 400 feet of public roadway frontage and overall has more than 3:1 ratio in depth versus width.
  - It has an existing City easement on a portion of it that includes public stormwater infrastructure for the treatment and attenuation of stormwater runoff from Malabar Road.

- b. The special conditions and circumstances referred herein are not a result of the applicant's actions.
- c. The literal interpretation and enforcement of the development code would deprive the applicant the ability to develop the property at its highest and best use as well as bring in needed class A apartment homes that will include new City residents, and bring in new commercial development that not only includes new jobs but also a significant tax base increase for the City. The planned commercial uses are a new grocery store and likely two new restaurants and office and/or retail space. The development also includes temporary construction jobs and millions of dollars in fees paid to the City and other permitting agencies.
- d. The variance is the minimum necessary per the unique shape and other conditions of the property.
- e. The granting of the variance would not provide any special privilege to the applicant.
- f. The granting of the variance would be in harmony with the general intent and purpose of the code and will not be injurious to the surrounding properties or detrimental to the public welfare. It would in fact be just the opposite. It would significantly increase the tax base, bring new residents to Palm Bay that would likely work in the City or potentially on this property. The residents would shop, eat out, purchase goods and create temporary design and construction jobs. The granting of the variance would bring in needed commercial uses including a planned grocery store, restaurants and potential retail/office space. These are in harmony with the existing uses in this corridor of the City.







Land Development Division  
120 Malabar Road SE  
Palm Bay, FL 32907  
321-733-3042  
Landdevelopmentweb@palmabayflorida.org

## PRELIMINARY SUBDIVISION PLAN APPLICATION

This application must be completed, legible, and returned, with all enclosures referred to herein, to the Land Development Division, Palm Bay, Florida, Monday through Friday, during division office hours, to be processed for consideration by the Planning and Zoning Board. The application will then be referred by the Planning and Zoning Board for study and recommendation to the City Council. You or your representative are required to attend the meeting(s) and will be notified by mail of the date and time of the meeting(s). The Planning and Zoning Board holds their regular meeting the first Wednesday of every month at 7:00 p.m. in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, unless otherwise stated.

PROPOSED SUBDIVISION NAME Crown Square

PARCEL ID 29-37-05-00-4; 29-37-05-00-5; 29-37-05-00-6; 29-37-05-00-9

TAX ACCOUNT NO. 2925024; 2925025; 2925026 & 2925029

LEGAL DESCRIPTION OF THE PROPERTY COVERED BY THIS APPLICATION:

See Attached

SIZE OF AREA COVERED BY THIS APPLICATION (calculate acreage): +/-20.008 overall acres

TOTAL LOTS PROPOSED (list by use): 252 Multi- family/ Apartments

HIGHWAY, STREET BOUNDARIES, AND NEAREST CROSSROADS:

Malabar Road

INTENDED USE OF PROPERTY: Commercial & Apartments

ZONE CLASSIFICATION AT PRESENT (ex.: LI, CC, etc.): CC & RM-20

THE FOLLOWING PROCEDURES AND ENCLOSURES ARE REQUIRED TO COMPLETE THIS APPLICATION:

- ☒ \*\$500.00 Application Fee. Make check payable to "City of Palm Bay."
- ☒ Two (2) copies of the preliminary subdivision plan and required supplementary material required by [Chapter 184.27](#), Palm Bay Code of Ordinances. The preliminary plan shall also be provided on Memory Drive. No plat required for submittal.
- ☒ Citizen Participation Plan. Refer to [Section 169.005](#) of the Land Development Code for guidelines.
- ☒ List of legal descriptions of all properties within a 500-foot radius of the boundaries of the property covered by this application, together with the names and mailing addresses (including zip codes) of all respective property owners within the above referenced area. (This should be obtained for a fee from the Brevard County Planning and Zoning Department at 321-633-2060.)

Provided in Site  
Plan Package School Board of Brevard County [School Impact Analysis Application](#) (if applicable).

**CITY OF PALM BAY, FLORIDA  
PRELIMINARY SUBDIVISION PLAN APPLICATION  
PAGE 2 OF 2**

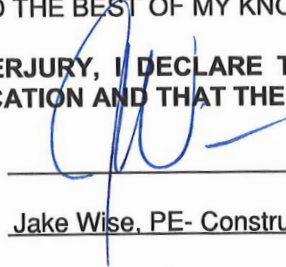
  X   Sign(s) posted on the subject property. Refer to Section 51.07(C) of the Legislative Code for guidelines.

  X   **Where property is not owned by the applicant**, a letter must be attached giving the notarized consent of the owner to the applicant to request the preliminary subdivision plan approval.

I, THE UNDERSIGNED UNDERSTAND THAT THIS PRELIMINARY SUBDIVISION PLAN APPLICATION MUST BE COMPLETE AND ACCURATE BEFORE CONSIDERATION BY THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY AND CERTIFY THAT ALL THE ANSWERS TO THE QUESTIONS IN SAID APPLICATION, AND ALL DATA AND MATTER ATTACHED TO AND MADE A PART OF SAID APPLICATION ARE HONEST AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

**UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING PRELIMINARY SUBDIVISION PLAN APPLICATION AND THAT THE FACTS STATED IN IT ARE TRUE.**

**Signature of Applicant**



**Date**

4-13-20

**Printed Name of Applicant**

Jake Wise, PE- Construction Engineering Group, LLC

**Full Address**

2651 W Eau Gallie Blvd, Suite A; Melbourne, FL 32935

**Telephone**

321-610-1760

**Email**

jwise@cegengineering.com

**NOTE:** APPROVAL OF A PRELIMINARY SUBDIVISION PLAN (PLAN) SHALL NOT CONSTITUTE APPROVAL OF THE FINAL PLAT. FURTHER, IT SHALL BE DEEMED AN EXPRESSION OF APPROVAL OF THE LAYOUT SUBMITTED ON THE PLAN AS A GUIDE TO THE PREPARATION OF THE FINAL PLAT WHICH WILL BE SUBMITTED FOR APPROVAL OF THE PLANNING AND ZONING BOARD AND FOR RECORDING UPON FULFILLMENT OF THE REQUIREMENTS AND CONDITIONS OF THIS APPROVAL.

IF THE PLAN INVOLVES A REPLAT OF THE SAME LANDS, FINAL PLAT APPROVAL WILL BE CONDITIONED UPON APPLICANT FULLY COMPLYING WITH FLORIDA STATUTES CHAPTER 177, REGARDING VACATION AND ANNULMENT OF PRIOR LANDS. NOTICE IS GIVEN TO YOU AT THIS TIME SO YOU MAY BEGIN THE REQUIRED PROCEDURE FOR VACATING PLAT. ALL DOCUMENTS REQUIRED BY F.S. 177 MUST BE SUBMITTED TO THE CITY CLERK PRIOR TO FINAL PLAN APPROVAL

SHOULD THE DEVELOPER OR OWNER OR THEIR SUCCESSORS, HEIRS, OR ASSIGNS EXECUTE A DOCUMENT ENTITLED "EASEMENT AGREEMENT" WITH THE MELBOURNE-TILLMAN WATER CONTROL DISTRICT, THE CITY OF PALM BAY WILL NOT AT ANY TIME ACCEPT SUCH STRUCTURE FOR MAINTENANCE PURPOSES. FURTHER, THE CITY OF PALM BAY WILL TAKE NO FORMAL ACTION TO ACCEPT ANY DEDICATION OF SUCH STRUCTURES.

COPIES OF THE SUBDIVISION ORDINANCE, CHAPTER 184, PALM BAY CODE OF ORDINANCES ARE AVAILABLE AT THE PALM BAY LAND DEVELOPMENT DIVISION.

**\*NOTE:** APPLICATION FEE IS NON-REFUNDABLE UPON PAYMENT TO THE CITY

March 18, 2020

Re: Letter of Authorization

As the property owner of the site legally described as:

Parcel IDs: 29-37-05-00-4; 29-37-05-00-5; 29-37-05-00-6; 29-37-05-00-9

I, Emilia R. Akridge, Authorized Representative for Rook at Palm Bay, LLC, hereby authorize to represent my  
Site Plan Pre-Subdivision Application request(s):

Rep. Name: Jake Wise, PE- Construction Engineering Group, LLC

Address: 2651 W Eau Gallie Blvd, Suite A; Melbourne, FL 32935

Telephone: 321- 610-1760

Email: Jwise@cegengineering.com

Rook at Palm Bay, LLC

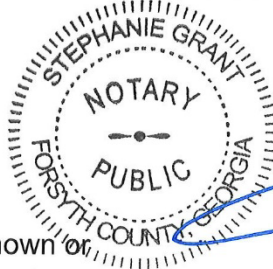
By: Emilia R. Akridge  
(Property Owner Signature)

STATE OF GEORGIA

COUNTY OF DEKALB

The foregoing instrument was acknowledged before me this 18th day of  
March, 2020 by Emilia R. Akridge, Authorized Representative for Rook at Palm Bay, LLC

(SEAL)



Stephanie Grant  
Notary Public

11-9-23

☒ Personally Known or

☐ Produced Identification

Type of Identification Produced: \_\_\_\_\_

# **CORRESPONDENCE**





The American Legion  
Charles F. Thomas IV Post 117  
189 Veterans Drive  
Palm Bay, Florida 32909

SUBJ: Quasi-Judicial Process Case V-12-2020 and Case PS-2-2020

TO: Terese Jones  
City Clerk, City of Palm Bay  
120 Malabar Rd. SE  
Palm Bay, FL, 32907

Dear Ms. Jones,

Please let this letter serve as notice that American Legion Post 117 wishes to become a party in the quasi-judicial proceeding as an adjacent property in case PS-2-2020.

We have several concerns involving traffic, the wetlands surrounding our post, the impact upon our retention pond, and most of all the security and atmosphere of our post home.

We do not dispute the property owners right to build what they choose on their property. However, the City Regulations that this Variance is being requested for were put in place to allow an appropriate buffer and protections of surrounding properties in instances such as this. We wish for the Variance to be denied or appropriate concessions made to protect both us and the developer.

I have appointed Thomas Gaume as Post 117's representative concerning this matter. Please include him in all correspondence.

Thomas Gaume  
1700 Lantana Ct. NW  
Palm Bay, FL, 32907  
321-557-4700, email: tgaume@gmail.com

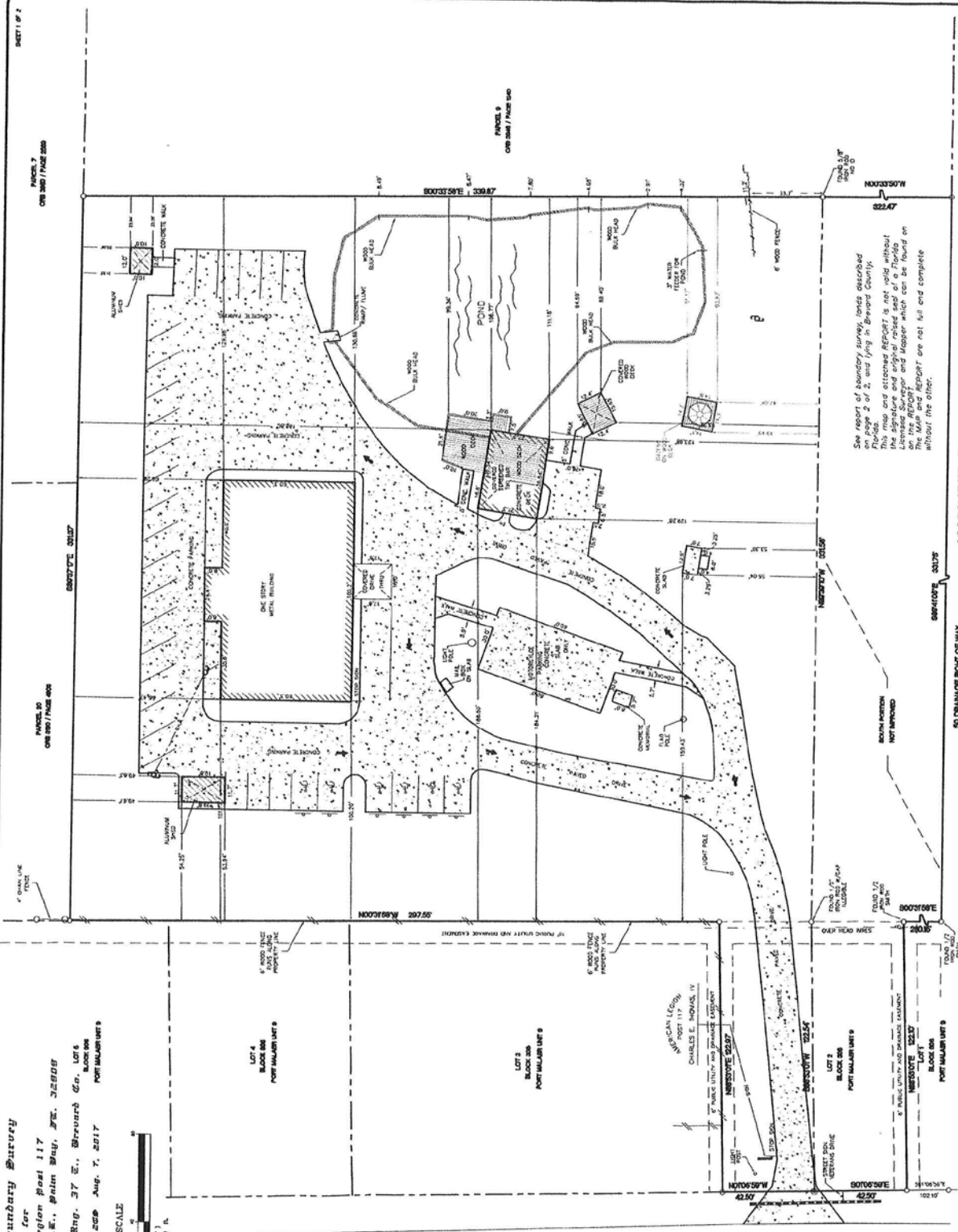
Sincerely,

Bruce Thurber, Commander  
American Legion Post 117  
321-729-8089  
commander@alpost117.com

# Map of Boundary Survey

for  
American Erglen Road 117  
1818 Cassin Avenue S.E., Palm Bay, FL 32909  
P.L.C. Corp., 218 S.W. 2nd St., Stuart, FL 34994  
Project No.: 17-101208 Aug. 7, 2017  
BLOCK 908  
PORT PALM UNIT 9

GRAPHIC SCALE



**BOUNDARY SURVEY**  
FOR:  
AMERICAN ERGLEN ROAD 117  
PROJECT NAME:  
LEVATION POST 17 ASBUILT

NO. REVISION DATE  
1. 1/1/17  
2. 1/1/17  
3. 1/1/17  
4. 1/1/17  
5. 1/1/17  
6. 1/1/17  
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JOB NUMBER 17-101208

**BLS&C, INC.**  
LAND SURVEYING  
AND CONSULTING  
1111 S.W. 1st St., Suite 100  
Fort Lauderdale, FL 33301  
Phone: (954) 571-1111  
Fax: (954) 571-1112  
Email: info@bbsc.com  
Website: www.bbsc.com



AMERICAN LEGION

POST 117

*Serving Veterans for God & Country*



**American Legion Post 117**  
189 Veterans Dr SE, Palm Bay, FL 32909

Post 117 established in April 1986, next year will be our 35<sup>th</sup> anniversary.

Post 117 provides a safe sanctuary for our 1,879 Veteran Members and their families.

Post 117 is the larger of the two American Legion Post in Palm Bay.

Post 117 frequently holds outdoor events, and we are LOUD.

Public safety and traffic concerns.











