

**Town of Grant-Valkaria, Florida**  
**Town Council Meeting Minutes**  
**Wednesday, March 13, 2024**  
**Council Chamber, 1449 Valkaria Road, Grant-Valkaria, FL 32950**

Vice Mayor Kolar called the meeting to order at 6:00pm followed by the Pledge of Allegiance, and roll call as follows:

Roll Call (Town Clerk)

Mayor – Del Yonts - Excused

Seat No. 1 – Tom Sammon – Present

Seat No. 2 – Lisette Kolar, Vice Mayor – Present

Seat No. 3 – Dan Faden – Present

Seat No. 4 – Brent Jackson – Present

Seat No. 5 – Mike Bradvarevic – Excused

Seat No. 6 – Dan Robino – Present

**Motion by Councilmember Robino, seconded by Councilmember Sammon, and vote unanimous to excuse Mayor Yonts from Council Workshop on Wednesday, February 21, 2024. Motion passed unanimously.**

**Motion by Councilmember Robino, seconded by Councilmember Faden, and vote unanimous to excuse Mayor Yonts from March 13, 2024 Council meeting. Motion passed unanimously.**

**Motion by Councilmember Robino, seconded by Councilmember Sammon, and vote unanimous to excuse Councilmember Bradvarevic from March 13, 2024 Council meeting. Motion passed unanimously.**

**Proclamations**

Water Conservation Month Proclamation

Vice Mayor Kolar read the proclamation. James Cannon of St. Johns River Water Management District accepted the proclamation and discussed the focus on irrigation efficiency theme for this year.

**Motion by Councilmember Sammon, seconded by Councilmember Faden, and vote unanimous to accept the Water Conservation Month Proclamation. Motion passed unanimously.**

Problem Gambling Awareness Month Proclamation

Vice Mayor Kolar ready the proclamation.

**Motion by Councilmember Sammon, seconded by Councilmember Robino, and voted unanimous to accept the Problem Gambling Awareness Month Proclamation. Motion passed unanimously.**

**Presentations**

Brevard County Sheriff's Monthly Report

Sheriff unavailable.

Brevard County Fire Rescue

Fire Chief Patrick Voltaire reviewed the Brevard County Fire Department stats including Emergency Medical Services (EMS). He explained the additional EMS rescue had been requested in the upcoming budget for nearby Station 87 and the plan included updated equipment for the safety of the EMS staff and updated medical equipment for those in need of medical assistance. He reported Station 87 has two new boats and one budgeted for next year; furthermore, the fireboat was docked at the Treasure Coast Marina and the airboat was at Station 87. Councilmember Faden asked about the fire boat pumps. Chief Voltaire stated that there were 2 removable pumps on the back of the boat to plan for firefighting from 2 sides of fire. Councilmember Sammon asked about deployment time. Chief Voltaire said that travel time was the biggest concern and that there would be routine equipment maintenance to avoid delays outside of travel time. Resident Regina Harris had questions regarding the pumps and asked for a new Fire Department letter to assist them in acquiring insurance. Chief Voltaire said he could work on a new letter that stated the current Fire prevention and added the concern that many people were unfortunately being dropped by insurance companies with no reason given. Resident Lynn Perry asked about a fire drill with the new boat. Chief Voltaire concluded that the Fire Department Operations Chief had retired, and he wanted to coordinate a meeting with the residents on island and the future Operations Chief for to include the trial run.

### **Changes to the Agenda**

None

### **Public Hearings**

1. First Reading Ordinance No. 2024-01/Rezoning No. Z-2024-01

AN ORDINANCE OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA; REZONING PROPERTY AS FOLLOWS: PARCEL ID 30-38-04-79-AE-1, AND MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE; FROM RR-1 (RURAL RESIDENTIAL) TO AU (AGRICULTURAL RESIDENTIAL); PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP; PROVIDING AN EFFECTIVE DATE.

Vice Mayor Kolar read the ordinance by title. Mr. Mahaney explained that this request to return the parcel to its original Agricultural (AU) zoning has no adverse comments from Staff and was unanimously approved by the Planning and Zoning Board on February 26, 2024.

**Motion by Councilmember Robino, seconded by Councilmember Faden, and voted unanimous to approve Ordinance No. 2024-01/Rezoning No. Z-2024-01. Motion passed unanimously.**

2. Resolution No. 02-2024/V-2024-01

A RESOLUTION OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA; GRANTING A VARIANCE REQUEST TO GOOD THUNDER ENTERPRISES, LLC; ALLOWING A LOT SIZE OF 1.316 ACRES +/- WHICH IS LESS THAN 2.5 ACRES AS REQUIRED TO REZONE THE PROPERTY TO AU FOR A SINGLE-FAMILY RESIDENCE; PROVIDING FOR CONDITIONS; PROVIDING FOR REVOCATION; PROVIDING AN EFFECTIVE DATE.

Vice Mayor Kolar read the Resolution by title. Mr. Mahaney explained that this Variance is joined with the following Rezoning and that was the request to allow for 1.32 acres +/- which is less than 2.5 acres as required to rezone the property to Agricultural (AU). He detailed the unique situation for this property owner in that the property has the Town line dividing the property as the northside of the property was in Town of Malabar and the southside of the property was in the Town of Grant-Valkaria; furthermore, the property in total was 4.9 +/- acres but the owners weren't able to combine the properties with the 2 different jurisdictions. Mr. Mahaney stated that Staff had no adverse comments regarding this request,

the Planning and Zoning Board had unanimously approved this request on February 26, 2024, and that the Town Attorney reviewed the Variance with no objections. Vice Mayor Kolar asked for clarification on the proposed house location. Mr. Mahaney responded that the future proposed house location would be in the Town of Grant-Valkaria portion of the land and that the remaining land was expected to be used in an AU manner. Representative of the property Ana Saunders stated that this was for a family member to build a home and appreciated the consideration.

**Motion by Councilmember Sammon, seconded by Councilmember Faden, and voted unanimously to approve Resolution No. 02-2024/V-2024-01. Motion passed unanimously.**

3. First Reading Ordinance No. 2024-02/ Rezoning No. Z-2024-02

AN ORDINANCE OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA; REZONING PROPERTY AS FOLLOWS: PARCEL ID 29-38-18-00-7, AND MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE; FROM PBP (PLANNED BUSINESS PARK) TO AU (AGRICULTURAL RESIDENTIAL); PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP; PROVIDING AN EFFECTIVE DATE. (REZONING NO. Z-2024-02).

Vice Mayor Kolar read the Resolution by title. Mr. Mahaney explained that this Rezoning, for 3000 Valkaria Rd, request would allow the owner the privilege of all allowable used in the AU zoning category and it was previously zoned AU prior to the current Planned Business Park (PBP). He stated that Staff had no adverse comments regarding the request and that Planning and Zoning unanimously approved this request on February 26, 2024. Councilmember Sammon asked for clarification on setbacks, specifically the rear setback. Mr. Mahaney clarified that they would have to meet all listed setbacks and stated that Goat Creek ran through the property and that the proposed house would meet the required setbacks.

**Motion by Councilmember Robino, seconded by Councilmember Sammon, and voted unanimously to approve Ordinance No. 2024-02/ Rezoning No. Z-2024-02. Motion passed unanimously.**

4. First Reading Ordinance No. 2024-03

AN ORDINANCE OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA; AMENDING ARTICLE VI "ZONING REGULATIONS" OF THE LAND DEVELOPMENT REGULATIONS FOR THE TOWN OF GRANT-VALKARIA; AMENDING SECTION 20-2117(e) IN ITS ENTIRETY; PROVIDING FOR SEVERABILITY, CONFLICT, CODIFICATION AND AN EFFECTIVE DATE.

Vice Mayor Kolar read the Resolution by title. Mr. Mahaney explained that Staff had returned this Ordinance at Town Council's request to amend the Ordinance to allow for the use of the property on the west side of divided by Highway 1 and allow it to be qualified as developed for an accessory structure use when the primary structure is on the east side. He said it had been approved by the Local Planning Agency on February 26, 2024.

**Motion by Councilmember Robino, seconded by Councilmember Faden, and voted unanimously to approve Ordinance No. 2024-03. Motion passed unanimously.**

5. First Reading Ordinance No. 2024-04

AN ORDINANCE OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA; AMENDING ARTICLE VI "ZONING REGULATIONS" OF THE LAND DEVELOPMENT REGULATIONS FOR THE TOWN OF GRANT-VALKARIA; AMENDING SECTION 20-1336 IN ITS ENTIRETY; PROVIDING FOR SEVERABILITY, CONFLICT, CODIFICATION AND AN EFFECTIVE DATE.

Vice Mayor Kolar read the Resolution by title. Mr. Mahaney explained that Staff had returned this Ordinance at Town Council's request to amend the Ordinance to allow for and an additional 5' setback for property owners when a dedicated drainage easement or railroad exists adjacent to or abutting the rear lot line. He added that the Local Planning Agency approved the request on February 26, 2024.

**Motion by Councilmember Faden, seconded by Councilmember Sammon, and voted unanimously to approve Ordinance No. 2024-04. Motion passed unanimously.**

6. First Reading Ordinance No. 2024-05

AN ORDINANCE OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA; AMENDING ARTICLE VI "ZONING REGULATIONS" OF THE LAND DEVELOPMENT REGULATIONS FOR THE TOWN OF GRANT-VALKARIA; AMENDING SECTION 20-2118 IN ITS ENTIRETY; PROVIDING FOR SEVERABILITY, CONFLICT, CODIFICATION AND AN EFFECTIVE DATE.

AN ORDINANCE OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA; AMENDING ARTICLE VI "ZONING REGULATIONS" OF THE LAND DEVELOPMENT REGULATIONS FOR THE TOWN OF GRANT-VALKARIA; AMENDING SECTION 20-1336 IN ITS ENTIRETY; PROVIDING FOR SEVERABILITY, CONFLICT, CODIFICATION AND AN EFFECTIVE DATE.

Vice Mayor Kolar read the Resolution by title. Mr. Mahaney explained that Staff had returned this Ordinance at Town Council's request to amend the Ordinance for vacant platted island properties to allow private docks/piers for access provided however, that the electrical power to such a dock shall not exceed 100amps. He stated no overnight docking or mooring shall be allowed on a dock unless it meets all the requirements of section 20-1842.6 Temporary Living Quarters During Construction of a residence and that the ordinance had been approved by the Local Planning Agency on February 26, 2024. Resident Vicki Foster asked about the lawyer's interpretation on applicability. Mr. Mahaney stated that the Town Attorney said if Ordinance No. 2024-05 is approved by unanimous Council vote tonight that we may be able to release the dock that is currently on hold for this ordinance. He added that further discussion on workshops would be discussed later in the meeting.

**Motion by Councilmember Faden, seconded by Councilmember Jackson, and voted unanimously to approve Ordinance No. 2024-05. Motion passed unanimously.**

7. Resolution No. 03-2024

A RESOLUTION OF THE TOWN OF GRANT-VALKARIA REPEALING FORMER COUNTY RESOLUTION Z-3256 GRANTING A SPECIAL USE PERMIT TO BUILD A SINGLE-FAMILY RESIDENCE IN THE BU-2 ZONING DISTRICT AND PROHIBITING ANY FUTURE COMMERCIAL USE UPON THE PROPERTY DESCRIBED HEREIN; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Kolar read the Resolution by title. Mr. Mahaney explained that Resolution 03-2024 was a repeal of former Brevard County Resolution Z-3256 granting a special use permit to build a single-family residence in the BU-2 zoning district and prohibiting any future commercial use upon the property. Councilmember Faden asked for more information on nearby zoning.

**Motion by Councilmember Faden, seconded by Councilmember Sammon, and voted unanimously to table Resolution No 03-2024 for further clarification of the surrounding zoning and the uses of the BU-2 zoning classification. Motion passed unanimously.**

8. Resolution No. 04-2024

A RESOLUTION OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA VACATING AND ABANDONING CERTAIN RIGHT-OF-WAYS OR PORTIONS THEREOF LOCATED IN SECTION A, B, C, AND D OF THE MELBOURNE HEIGHTS PLAT; VACATING AND ABANDONING CERTAIN RIGHT-OF-WAYS OR PORTIONS THEREOF LOCATED IN THE INDIAN RIVER LAND COMPANY SUBDIVISION WEST OF I-95 ALL AS MORE PARTICULARLY DESCRIBED IN EXHIBITS A, A-1, B, C, C-1, D, D-1 AND E, PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Kolar read the Resolution by title. Mr. Mahaney explained the vacates were to eliminate unnecessary right-of-ways (ROW) previously platted prior to incorporation and to better control the future roadways. He stated the vacation of the ROW does not prevent any other landowners from accessing their properties. He said there had been 2 previous workshops, there hadn't been any changes since the workshop and the consultant was in the audience if any questions. Vice Mayor Kolar asked about the notification of property owners. Mr. Mahaney stated that property owners had been notified by mail, the areas have been posted in front of the ROWs, and it was advertised through Florida Today on Brevard County's website. Mr. Mahaney explained that the proposed ROW vacates would be divided and ½ of the ROW would go to the property owners on either side of the vacated ROW. Council and Mr. Mahaney thanked Richard Hood for his consultant work on the vacate review. Mr. Mahaney stated the Town would be recording the vacated right-of-ways; furthermore, the owners could receive a copy of the recorded document and owners may then have a new survey completed if they chose. Residents who spoke on the item included Marcia Frasier, JC Taylor, Marion Rice, Mark Pagliarulo, and Sean Hickson.

**Motion by Councilmember Robino, seconded by Councilmember Sammon, and voted unanimously to approve Resolution No. 04-2024. Motion passed unanimously.**

**Consent Agenda**

Council Minutes February 14, 2024

**Motion by Councilmember Robino, seconded by Councilmember Faden, and voted unanimously to approve Council minutes from February 14, 2024. Motion passed unanimously.**

**Public Comments (Non-agenda items, 5-minute limit)**

None.

**New Business**

None.

**Public Comment (Non-agenda items, 5-minute limit)**

Resident Marcia Frazier asked about drainage in the area on the west side of Weber Rd. Mr. Mahaney explained that he would come out to review drainage concerns. He added some of the ditches along Weber Rd were previously dug low and Weber Rd is now part of the spray program for the overgrowth drainage control to avoid over digging. Resident Marion Rice asked about the concrete in the ditch near Ohana Ave and Corey Rd and expressed concerns of drainage backing up. Mr. Mahaney explained that the drainage in the area along the roads was reviewed by St Johns River Water Management Department and that the area is designed to hold water back to recharge the aquifer. Brent Wohlenbery spoke of a creative way to assist those in need in a swimming area which led to his quest to save the health of lagoon.

**Reports**

1. Town Administrator’s Report

Mr. Mahaney stated Annual Grant-Valkaria Day would be held on Saturday, March 30, 2024 at 10am. He asked if the Council was interested in the consideration of changing the Grant-Community Park entrance speed limit to 35mph. After some discussion, Council directed Staff to look into changing the speed limit for the park entrance from Corey Rd to Magnolia Rd. Mr. Mahaney asked for dates in April to consider for a paved road workshop. Council discussed April 17<sup>th</sup> and April 24<sup>th</sup> and Staff agreed to email to poll all Council members. Mr. Mahaney mentioned that the Town Administrator performance evaluation would be emailed out for Council review that week. Mr. Mahaney spoke about the south end, Grant Island Estates (GIE), and the consideration for zoning changes. He said he was not aware of any additional zoning changes aside from what was already in ordinance review including docks and temporary housing during construction. Ms. Foster expressed confusion with the land use requirements requiring 5 acres. Mr. Mahaney explained that the lots on the south end, Grant Island Estates, were originally zoned General Use (GU) when there was not a 5-acre size requirement. He said they are considered legal non-conforming lots and were buildable if all other requirements were met. Vice Mayor Kolar and Mr. Mahaney asked Ms. Foster to review the current zoning for GIE and they would review the suggested changes. Ms. Foster stated she preferred all the ordinances that were revised on Vacation Island Playground (VIP) and wanted those for GIE. Mr. Mahaney and Council said the different lot sizes would require a separate review and suggestions brought forth from GIE owners for a separate code.

2. Council Reports and Comments

Councilmember Faden asked for future communication with the Valkaria airport in regard to increased air traffic. Mr. Mahaney stated the Valkaria airport director was very easy to work with to have a discussion of concerns. Councilmember Sammon thanked Vice Mayor Kolar for stepping up while Mayor Yonts was away. Councilmember Sammon and Councilmember briefly discussed the stop sign traffic at Brabrook Ave and Grant Rd. Vice Mayor Kolar gave a Space Coast League of Cities (SCLOC) update, SCLOC gave 10 scholarships recently and the vacation rental bill did pass but it didn’t apply to the Town as the original ordinance was still in place unchanged.

**Adjourn**

**Motions by Councilmember Robino, second by Councilmember Faden, and vote unanimous to adjourn the meeting at 8:12pm. Motion passed unanimously.**

Minutes submitted by Mandy Birenbaum, Administrative Assistant.

Lisette Kolar, Vice Mayor. Signature on file.

Attest:

Mandy Birenbaum, Administrative Assistant. Signature on file.

Note: Any person desiring to appeal any decision made by the Town Council, with respect to any matter considered at this meeting or hearing, will need a record of the proceedings for such purposes and must ensure that a verbatim record and transcript of the proceedings is made. It shall be the responsibility of the person desiring to appeal any decision to prepare a verbatim record and transcript at his/her expense, as the Town does not provide one.

ATTN: PERSONS WITH DISABILITIES. In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations to participate in these proceedings shall, at least forty-eight (48) hours prior to the meeting, contact the Town Clerk at (321) 951-1380.