



MEMORANDUM

TO:	Honorable Mayor and Members of the City Council
FROM:	Suzanne Sherman, City Manager
THRU:	Lisa Frazier, AICP, Growth Management Director
DATE:	May 16, 2024
RE:	**V24-00002 – The Palms Apartments – Everly Mae Real Estate Fund, LLC, Desi Humphries, Manager (Brent Howells, Build REI, LLC / J. Wesley Mills, P.E., Mills, Short & Associates, Reps.) - A Variance to allow a 12-foot separation instead of the required 30 feet between two multiple-family residential buildings located on the same property as established by Section 185.038(F)(7)(e) of the Palm Bay Code of Ordinances. Lots 1 through 4 and Lot 22, Block 1983, Port Malabar Unit 40, Section 03, Township 29, Range 37, Brevard County, Florida, containing approximately 3.22 acres. Located at the southeast corner of Agora Circle SE and Thor Avenue SE

SUMMARY:

The property consists of five lots combined for a total of 3.22 acres in the RM-20, Multiple Family Residential District. The property is located at the southeast corner of Agora Circle SE and Thor Avenue SE.

Based on the RM-20 zoning and High Density Residential future land use, the maximum density for this property could be up to sixty-four (64) dwelling units. The applicant would like to develop forty-eight (48) apartment units in two buildings. A variance is requested to allow a twelve (12) foot separation instead of the required thirty (30) feet between the two buildings as required by Section 185.038(F)(7)(e) of the Palm Bay Code of Ordinances. This is a variance of eighteen (18) feet, a 60% reduction from the code requirement.

Fire and Building Departments were consulted regarding any concerns with construction in close proximity to power lines; staff advises that buildings will be constructed out of block and will meet all FBC and NFPA codes for construction.

REQUESTING DEPARTMENTS:

Growth Management

STAFF RECOMMENDATION:

Motion to approve.

Planning & Zoning Board Recommendation:

Planning and Zoning Board minutes are not fully transcribed at this time; the following is an excerpt:

Motion by Mr. Warner, **Seconded** by Mr. Boerema to submit Case V24-00002 to the City Council for denial.

Result: Carried 5 to 0

Aye: Olszewski, Good, Boerema, Jordan, Warner

Nay: None

Abstain: None

ATTACHMENTS:

1. V24-00002 Staff Report
2. V24-00002 Site Plan
3. V24-00002 Survey Sheet 1
4. V24-00002 Survey Sheet 2
5. V24-00002 FPL Communication
6. V24-00002 Narrative
7. V24-00002 Application
8. V24-00002 Letter of Authorization
9. V24-00002 Legal Acknowledgement
10. V24-00002 Legal Ad