

1. **\*\*CU25-00002 - Brevard Nursing Academy - Treeland Property Owner, LLC, Eric M. Levitt, Manager (Kelly Delmonico, Land Development Strategies, Rep.) - A Conditional Use to allow a proposed educational institution in an LI, Light Industrial and Warehousing District, in accordance with Section 173.021 of the Palm Bay Code of Ordinances. Lot 5, Block 3042, Port Malabar Unit 56, Section 9, Township 29, Range 37, Brevard County, Florida, containing approximately 3.7 acres. Located south of and adjacent to Treeland Boulevard SE, specifically at 1470 Treeland Boulevard SE**



## MEMORANDUM

**TO:** Planning and Zoning Board Members

**FROM:** Tania Ramos, Principal Planner

**THRU:** Lisa Frazier, AICP, Growth Management Director

**DATE:** March 5, 2025

**RE:** **\*\*CU25-00002 - Brevard Nursing Academy - Treeland Property Owner, LLC, Eric M. Levitt, Manager (Kelly Delmonico, Land Development Strategies, Rep.) - A Conditional Use to allow a proposed educational institution in an LI, Light Industrial and Warehousing District, in accordance with Section 173.021 of the Palm Bay Code of Ordinances. Lot 5, Block 3042, Port Malabar Unit 56, Section 9, Township 29, Range 37, Brevard County, Florida, containing approximately 3.7 acres. Located south of and adjacent to Treeland Boulevard SE, specifically at 1470 Treeland Boulevard SE**

**\*\*Quasi-Judicial Proceeding.**

### **ATTACHMENTS:**

1. CU25-00002 Staff Report
2. CU25-00002 Survey
3. CU25-00002 Citizen Participation Plan Report
4. CU25-00002 Application
5. CU25-00002 Letters of Authorization
6. CU25-00002 Legal Acknowledgement

7. CU25-00002 Legal Ad



# STAFF REPORT

## LAND DEVELOPMENT DIVISION

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

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

### Prepared by

Tania Ramos, Principal Planner

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#### CASE

CU25-00002 – Brevard Nursing Academy

#### PLANNING & ZONING BOARD HEARING DATE

February 5, 2025

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#### PROPERTY OWNER & APPLICANT

Treeland Property Owner, LLC (Kelly Delmonico and John Euliano, Reps.)

#### PROPERTY LOCATION/ADDRESS

Lot 5, Block 3042, Port Malabar Unit 56, Section 09, Township 29, Range 37, Brevard County, Florida, containing approximately 3.7 acres. Located at 1470 Treeland Boulevard SE. Tax Account 2931090

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#### SUMMARY OF REQUEST

A **Conditional Use** to allow an educational institution in the LI, Light Industrial and Warehousing District, in accordance with Section 173.021 of the Palm Bay Code of Ordinances.

##### Current Zoning

LI, Light Industrial District

##### Current Land Use

IND, Industrial

##### Site Improvements

Existing Commercial Building

##### Site Acreage

Approximately 3.7 acres

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#### SURROUNDING ZONING & USE OF LAND

##### North

LI, Light Industrial District; Eastern Florida State College

##### East

LI, Light Industrial; Existing Commercial Building

##### South

RM-10, Single-, Two-, Multi-Family Residential; Drainage Tract

##### West

LI, Light Industrial; Existing Commercial Building

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#### COMPREHENSIVE PLAN

##### COMPATIBILITY

Yes, the Comprehensive Plan includes institutional activities as typical uses in the industrial future land use.

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**BACKGROUND:**

Brevard Nursing Academy has submitted a conditional use application to allow an educational institution to locate in vacant tenant space at 1470 Treeland Boulevard SE in a Light Industrial and Warehousing district. The subject property is a 3.7-acre site with a 35,793 square foot commercial building. The site was originally developed as the Florida Education and Research Foundation, Brevard Lab Site in 1994-95.

Brevard Nursing Academy has been operating at 1581 Robert J. Conlan Boulevard NE, in a Light Industrial and Warehousing district. Now under new management, the academy would like to relocate to allow room for expansion in hopes of including additional technical and trade school programs. They would like to stay within Palm Bay and have selected 1470 Treeland Boulevard SE.

**ANALYSIS:**

Prior to the code change in September 2024, vocational and trade schools were a permitted use in Light Industrial and Warehousing districts. If Brevard Nursing Academy was to remain at 1581 Robert J. Conlan Boulevard NE, the use would be allowed to continue in compliance with Section 173.103, Nonconforming Uses of Land, without a conditional use approval. Under the new Land Development Code, all educational facilities have been defined as “educational institutions” and classified as a conditional use in Light Industrial and Warehousing districts. The relocation to a new facility has now triggered the requirement for a conditional use review for Brevard Nursing Academy.

**CODE REQUIREMENTS:**

Table 173-3, Uses in Industrial and Other Districts, in the Code of Ordinances establishes educational institutions as a conditional use in the Light Industrial and Warehousing district. To be granted conditional use approval, requests are evaluated upon review criteria items (1) through (8) of Section 172.024(F) of the Code of Ordinances. A review of these items is as follows:

**Item (1):** Adequate ingress and egress may be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other emergencies.

The site has an ingress and egress driveway on Treeland Boulevard SE. There is also a driveway in the rear which connects to the adjacent property at 1450 Treeland Boulevard SE, providing a horseshoe shape driveway around the two properties. This would allow two access points in the event of a fire or other emergency. Although there are no sidewalks on Treeland Boulevard SE, there is a one hundred (100) foot right-of-way which provides space for pedestrians to walk, and there is a Space Coast Area Transit bus stop located directly across

the street from the subject site.

**Item (2):** Adequate off-street parking and loading areas may be provided, without creating undue noise, glare, odor, or other detrimental effects upon adjoining properties.

Currently, the site appears to have one hundred and five (105) parking spaces, with five (5) ADA accessible spaces. There is also a loading area at the rear of the building. The parking and loading areas meet all required setbacks and should not have any detrimental effects on adjoining properties.

**Item (3):** Adequate and properly located utilities are available or may be reasonably provided to serve the proposed development.

The Utilities Department stated they have no objections to the proposed project. Any upgrades, if necessary, are required to be designed, permitted, installed, and inspected at the owner's expense.

**Item (4):** Adequate screening or buffering will be provided to protect and provide compatibility with adjoining properties.

The site has adequate screening and buffering provided by mature landscaping which appears well maintained. The subject property, along with the adjacent 1450 Treeland Boulevard SE, is fenced with a six (6) foot tall aluminum fence facing Treeland Boulevard and six (6) foot tall chain link along the side and to the rear. This is compatible with the adjoining properties.

**Item (5):** Signs, if any, and proposed exterior lighting will be so designed and arranged to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties.

There is an existing monument sign at the front of the property which does not interfere with traffic safety. It shall be noted that City codes require any lighting to be shielded and/or directed downward to avoid creating a nuisance to adjacent properties.

**Item (6):** Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.

The existing structures meet all setback requirements leaving room for the appropriate yards and open spaces.

**Item (7):** The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of vehicular movement, noise, fume generation, or type of physical activity. The use as proposed for development will be compatible with the existing or permitted uses of adjacent properties.

There appears to be adequate vehicular, public transportation and pedestrian access to the site. The surrounding area is light industrial development which includes similar commercial structures to the east and west, and the Eastern Florida State College Palm Bay Campus to the north. To the south is a drainage tract backing up to additional light industrial areas on Foundation Park Boulevard. The proposed use is compatible with the existing uses in the area.

**Item (8):** Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including, but not limited to, a reasonable time limit within which the action for which special approval is requested shall begin or be completed, or both.

The Board and Council have the authority and right to impose any additional and justifiable safeguards, and/or conditions, to ensure that the facility operates safely and harmoniously with its surroundings.

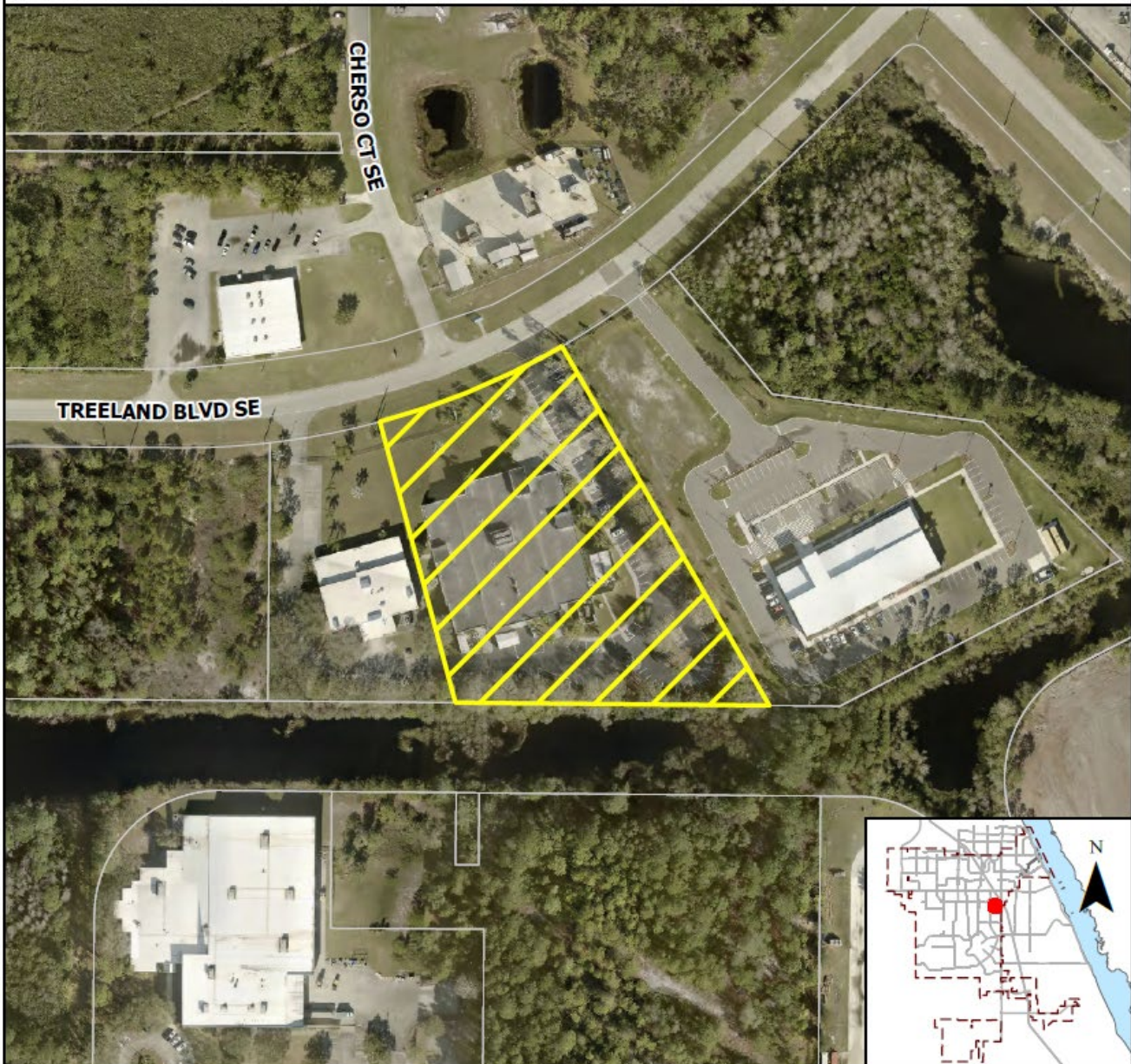
**STAFF FINDINGS:**

Staff recommends Case CU25-00002 for approval.





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



## AERIAL LOCATION MAP

**CASE: CU25-00002**

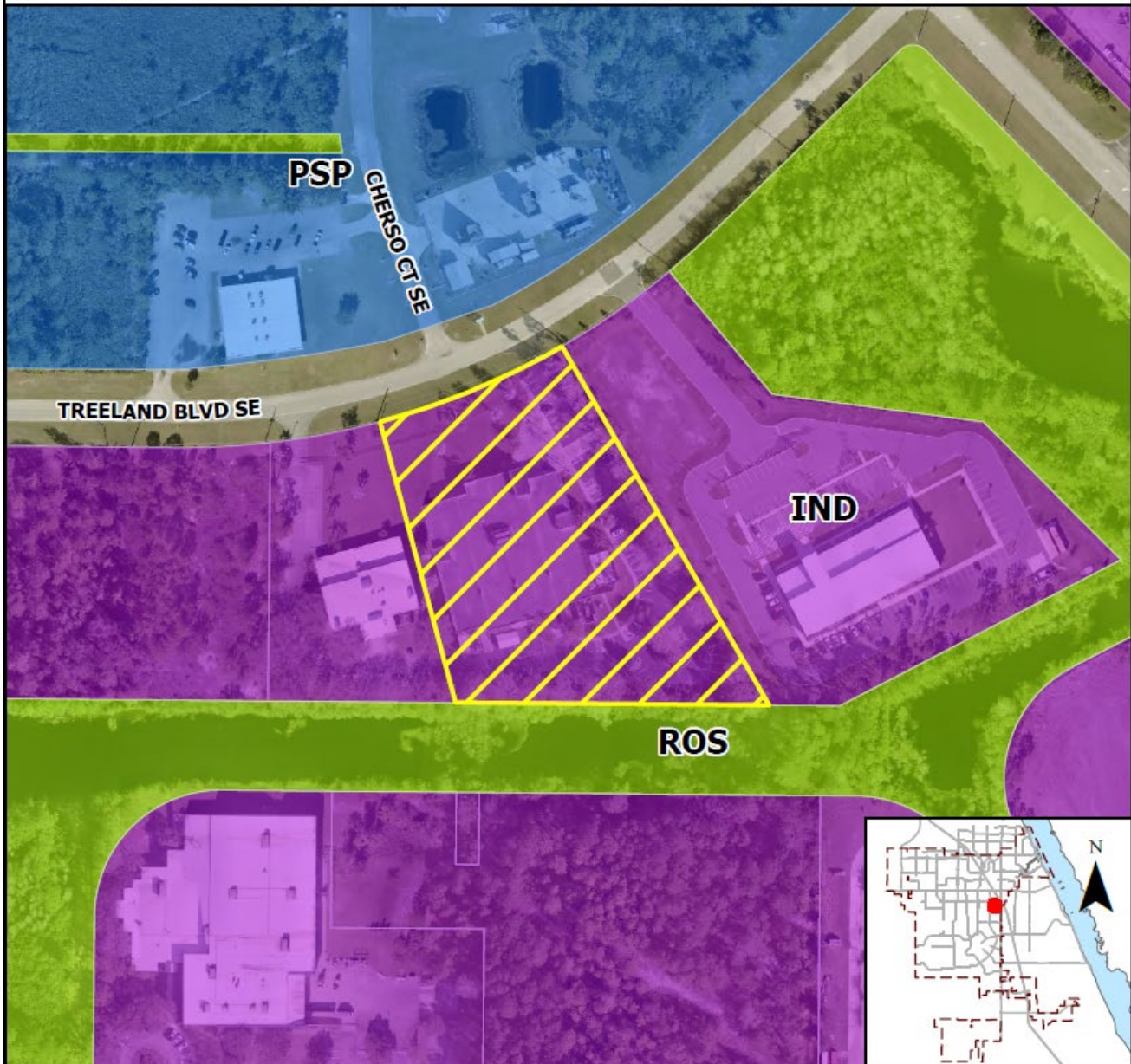
### Subject Property

Located at 1470 Treeland Boulevard SE





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



## FUTURE LAND USE MAP

CASE: CU25-00002

### Subject Property

Located at 1470 Treeland Boulevard SE

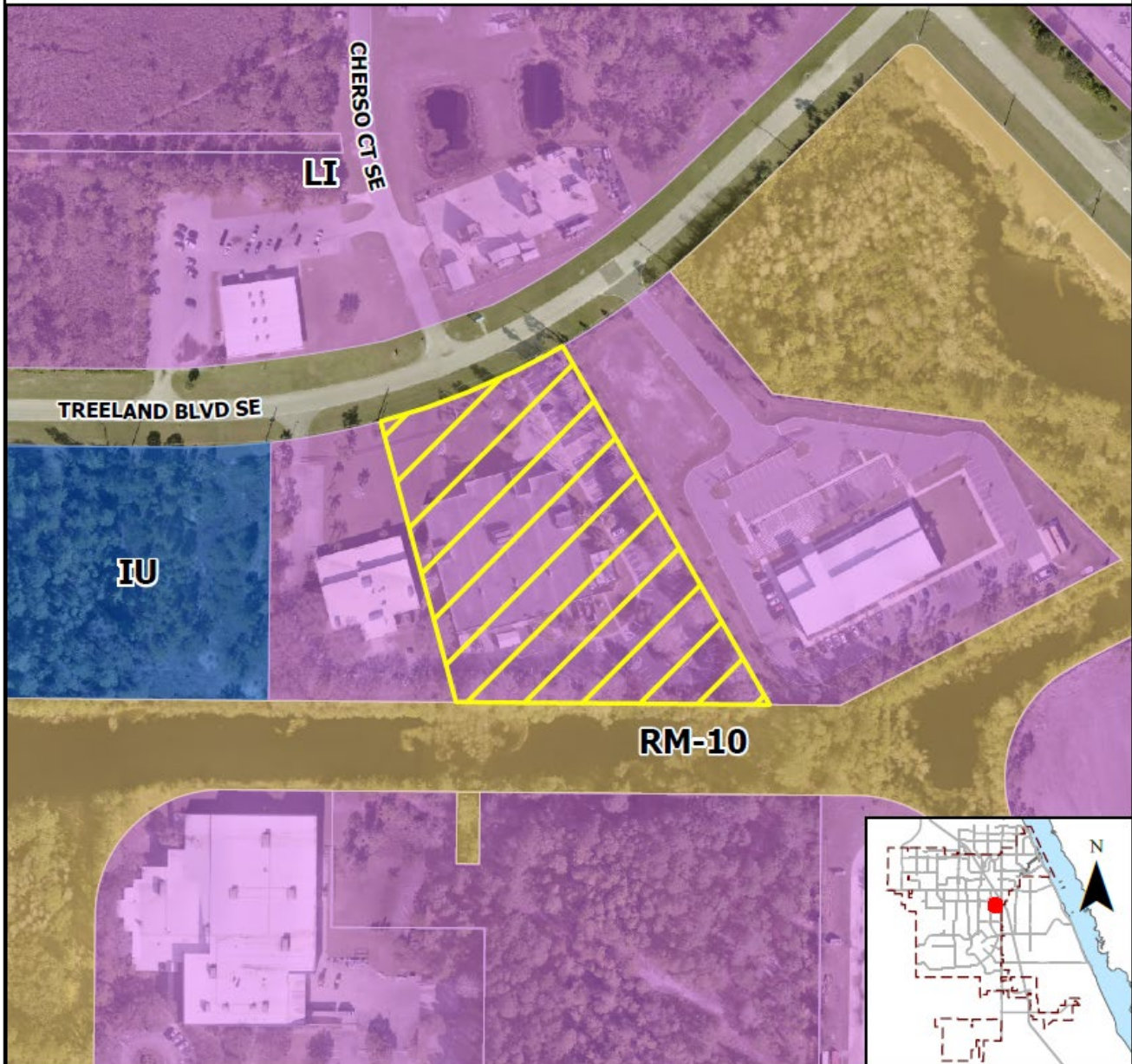
### Future Land Use Classification

IND, Industrial





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



## ZONING MAP

**CASE: CU25-00002**

### Subject Property

Located at 1470 Treeland Boulevard SE

### Zoning District

LI- Light Industrial

## ITEMS CORRESPONDING TO SCHEDULE B-I

1 through 8. Not a matter of survey.

9. Restrictions, dedications, conditions, reservations, easements and other matters shown on the plat of Port Matanzas Unit Fifty Six, according to plat thereof as recorded in Plat Book 50, Pages 40 through 46, as affected by Affidavit recorded in O.R. Book 2573, Page 363, as affected by Assignment of Plat and Other Facsimiles recorded in O.R. Book 3259, Page 1011, of the Public Records of Brevard County, Florida. (PLOTTED HEREON)

10. Terms, conditions, restrictions, easements, assessments and possible liens created by and set forth in the Declaration of Covenants and Restrictions recorded in O.R. Book 2512, Page 1657, O.R. Book 2512, Page 1658 and O.R. Book 2512, Page 1659; O.R. Book 2512, Page 1757; O.R. Book 2553, Page 25; O.R. Book 2575, Page 142; O.R. Book 2575, Page 143; Public Records of Brevard County, Florida, as amended, including, but not limited to one or more of the following provisions for a private charges or assessments; liens for liquidated damages; and/or option, right of first refusal or prior approval of a future purchaser or occupant; but excluding any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, marital status, marital estate, disability, handicap, maternal origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that such covenant or restriction is permitted by applicable law. (BLANKET IN NATURE)

11. Development Orders recorded in O.R. Book 2419, Page 2441; O.R. Book 2412, Page 1723 and O.R. Book 3371, Page 1764, of the Public Records of Brevard County, Florida. (BLANKET IN NATURE)

12. The insured property lies within the boundaries of the Melbourne-Titusville Drainage District, as recorded in O.R. Book 3076, Page 2357, of the Public Records of Brevard County, Florida, and as such is subject to the rights of said district. (BLANKET IN NATURE)

13. Florida Power and Light Company Easement recorded in O.R. Book 3105, Page 2133, of the Public Records of Brevard County, Florida. (PARTIALLY PLOTTED HEREON, DOCUMENT IS NOTED ILLEGIBLE)

14. Not a matter of survey.

## ZONING INFORMATION

Zoning Information taken from Zoning Report prepared by Bock & Clark Corporation, an NV5 Company, Project No. 202206395, dated December 9, 2022.

Zoning Designation: U, Light Industrial Warehousing

Building Setbacks:

Front= 40' min

Side= 20' min; Corner= 25' min

Rear= 25' min

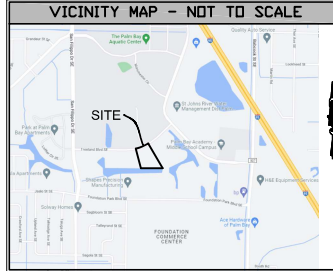
Building Height= 10'

Max Lot Coverage: 50%

Floor Area Ratio: No Requirement Noted

Parking: 37 spaces min

## VICINITY MAP - NOT TO SCALE



## MISCELLANEOUS NOTES

- 1) Survey prepared by ALN Surveying, LLC, 530 Hillside Drive, Auburndale, Florida, under the direct supervision of Alan J. Krasny, Florida Surveyor and Mapper No. 1689. Direct: 813-252-9483; Phone: 813-252-9483.
- 2) This survey is limited to above ground visible improvements along and near the boundary lines, except as shown herein, and that nothing below the ground was located including, but not limited to foundations (footings), utilities, etc.
- 3) Parking Tabulation: 100 Regular Spaces, 5 Handicapped Spaces for a total of 105 Striped Spaces.
- 4) Surveyed parcel contains 3,668 acres of land, or 159,768 square feet, more or less.
- 5) The property address of 1470 Treeland Boulevard SE, Palm Bay, Florida was verified with the County Property Appraiser's website.
- 6) The property has direct access to Treeland Boulevard, a public street right-of-way.
- 7) Bearings are based on the Southerly right-of-way line of Treeland Boulevard, said line having an assumed chord bearing of S.87°23'45\".
- 8) At time of survey, there was no evidence of current earth moving work, building construction or building additions.
- 9) There is no evidence of changes in street rights of way on site at time of survey. There was no evidence of recent street or sidewalk construction or repairs observed in the process of conducting the network.
- 10) The closest intersection street is Charles Court SE and is 50 feet North from property as shown herein.
- 11) There are no gaps, gaps, overlaps or holes interest to the surveyed property.
- 12) There was no evidence of cemeteries, graveyards, and/or burial grounds located on the surveyed site at time of survey.
- 13) This survey or copies thereof are not valid without the original signature and seal of the Florida Licensed surveyor and mapper.

## RECORD DESCRIPTION

The Land is described as follows:

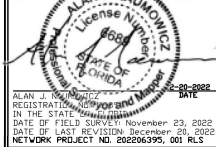
Lot 5, Block 2042, Port Matanzas Unit Fifty Six, according to the plat thereof, as recorded in Plat Book 50, Page(s) 40, of the Public Records of Brevard County, Florida.

THE LANDS SURVEYED, SHOWN AND DESCRIBED HEREON ARE THE SAME LANDS AS DESCRIBED IN THE TITLE COMMITMENT PROVIDED BY ALLIANT NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. 20091577, DATED OCTOBER 9, 2022 AT 6:00 AM.

## ALTA/NSPS LAND TITLE SURVEY

for  
**Treeland Blvd**  
NV5 Project No. 202206395, 001  
1470 Treeland Boulevard SE, Palm Bay, FL 32909  
BASED UPON TITLE COMMITMENT NO. 20091577  
OF ALLIANT NATIONAL TITLE INSURANCE COMPANY  
BEARING AN EFFECTIVE DATE OF OCTOBER 9, 2012 at 6:00 AM

Surveyor's Certification  
To: Kapp Harrison, LLP; DML Realty Partners, LLC; Krasny and Dettner; Alliant National Title Insurance Company; Treeland Property Owner, LLC, a Florida limited liability company; Fluigen Bank; and Bock & Clark Corporation, an NV5 Company  
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, INITIALLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 11/23/2022.



Survey Performed By  
ALN Surveying, LLC  
530 Hillside Drive  
Auburndale, FL 33823  
Phone: 813-252-9483  
Email: alan@alnsurveying.com

SHEET 1 OF 2

Bock & Clark Corporation  
an NV5 Company

**NV5**

Transaction Services 1-800-SURVEYS (787-8397)  
3550 W. Market Street, Suite 200, Akron, Ohio 44333

www.BockandClark.com mayhelpyou@bockandclark.com www.NV5.com

SURVEY • ZONING • ENVIRONMENTAL • ASSESSMENT

## FLOOD NOTE

The subject property lies in Flood Zone "X", according to Flood Insurance Rate Map, Map No. 12009C06600 for Brevard County, Florida. Community designated as "City of Palm Bay", Community No. 12040, dated March 17, 2014 and issued by the Federal Emergency Management Agency, and is not in a special flood hazard area.

## PROJECT REVISION RECORD

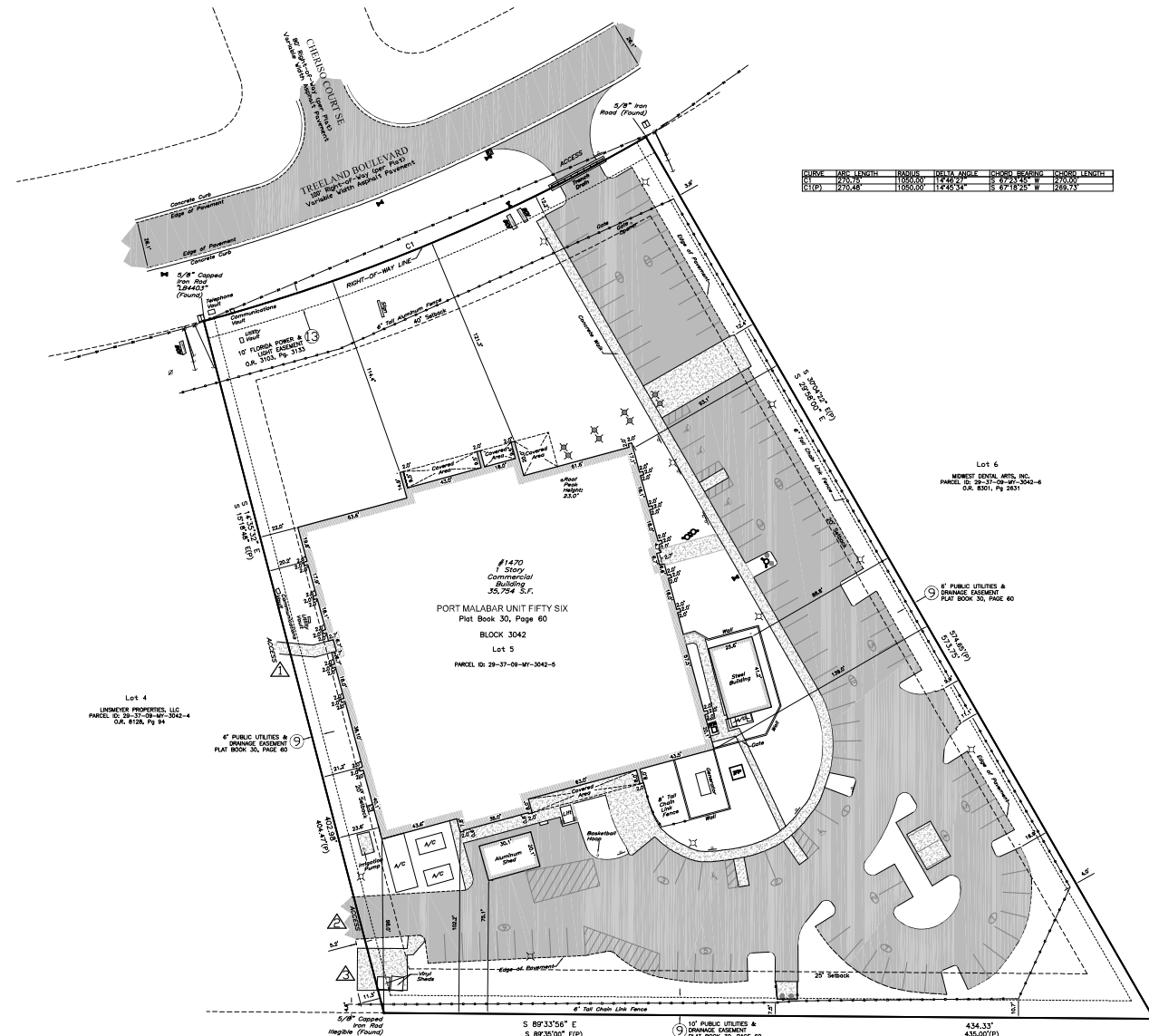
DATE	DESCRIPTION	DATE	DESCRIPTION
12-05-22	COMMENTS		
12-15-22	ADD ZONING		
12-20-22	UPDATE CERTS		

## SIGNIFICANT OBSERVATIONS

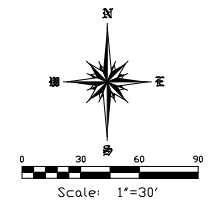
- 1. CONCRETE WALK CROSSES PROPERTY LINE AND CONTINUES AN INDETERMINATE DISTANCE ONTO ADJOINING PROPERTY.
- 2. ASPHALT DRIVE CROSSES PROPERTY LINE AND CONTINUES AN INDETERMINATE DISTANCE ONTO ADJOINING PROPERTY.
- 3. CONCRETE SLAB CROSSES PROPERTY LINE, NORTH END OF SLAB IS 5.2' WEST OF LINE, SOUTH END OF SLAB IS 11.3' WEST OF LINE.

## LEGAL

THIS SURVEY WAS PREPARED FOR THE PURPOSE OF THIS REAL ESTATE TRANSACTION ONLY AND NO FURTHER PURPOSES OTHER THAN THESE CERTIFIED ABOVE SHALL RELY ON IT FOR ANY OTHER PURPOSE OR TRANSACTION.



CHORD	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1P	220.28	1000.00	S 72° 52' 54" W	220.28



LEGEND OF SYMBOLS & ABBREVIATIONS	
(P) Description	U Utility Pole
OR Official Record Book	W Wire
Pg Page	CC Communications River
A/C Air Conditioner	L Light Pole
OCV Backflow Preventer	B Ballast
TFP Transformer Pad	LB Lighted Bollard
G Gas Meter	S Sign
W Water Valve	HP Handicapped Parking Space
FH Fire Hydrant	PC Parking Count
FDW Fire Department Connection	UL Overhead Utility Lines
	FC Fence as noted
	AP Asphalt Pavement
	C Concrete

SHEET 2 OF 2

NIV5

**ALTA/NSPS LAND TITLE SURVEY**

PREPARED FOR

**Treeland Blvd**

DATE OF FIELD SURVEY: NOVEMBER 23, 2022

NETWORK PROJECT NUMBER: 20220395.001

**1-(800)-SURVEYS (787-8397)**

TRANSACTION SERVICES

www.boclandtitle.com www.niv5survey.com www.niv5.com

TRACT "G-4"

EASTERN FLORIDA STATE COLLEGE FOUNDATION

PARCEL ID: 29-37-09-WY-3042-6

O.R. 5016, Pg. 1670

S 89°33'56" E

S 89°30'00" E(P)

10' PUBLIC UTILITIES & DRAINAGE EASEMENT

PLAT BOOK 30, PAGE 60

434.33'

435.00'(P)

430.00'(O.R. 2537, Pg. 363)



## **CITIZEN PARTICIPATION REPORT**

Applicant should follow established Citizen Participation Plan as specified in § 169.005 CITIZEN PARTICIPATION PLANS.

### **CASE DETAILS**

Applicant Name	Kelly Delmonico, AICP
Project Name	Brevard Nursing Academy Conditional Use
Case Type	Conditional Use
Case Description	Seeking conditional use for a vocational school
Intended Month of Submission	January 2025

### **INFORMATION ON THE CITIZEN PARTICIPATION MEETING**

Notice to the Public (Date)	January 2, 2025
Date of CPP	January 16, 2025
Location of the Meeting	Franklin DeGroodt Public Library, Palm Bay
Number of Attendees	1



**DENOTE ANY ADVERSE COMMENTS/COMPLAINTS/ CONCERNS/ ISSUES RECEIVED AND DESCRIBE RESOLUTION OR PROVIDE JUSTIFICATION IF THE APPLICANT IS UNABLE OR UNWILLING TO ADDRESS THE ISSUE:**

[illegible]





## LIST OF ATTENDEES

Number	Name of attendee	Number	Name of attendee
1.	<a href="#">Loretta Beorlegni</a>	2.	
3.		4.	
5.		6.	
7.		8.	
9.		10.	
11.		12.	
13.		14.	
15.		16.	
17.		18.	
19.		20.	
21.		22.	
23.		24.	
25.		26.	
27.		28.	
29.		30.	
31.		32.	
33.		34.	
35.		36.	



## **ADDITIONAL DOCUMENTS REQUIRED WITH CITIZEN PARTICIPATION PLAN REPORT SUBMISSION**

1. Copy of notice sent (separate attachment)
2. Material distributed or presented at the meeting (separate attachment)
  - All the property owners within a 500-foot radius of the subject parcel shall be informed about the meeting date, time and location.

I hereby certify that information provided as part of this report is correct.

A handwritten signature in blue ink that reads "Kelly Delmonico".

Signature,

Kelly Delmonico, AICP, Applicant's Representative

Typed Name and Title:

1/16/2025

Date :



January 2, 2025

RE: Community Informational Meeting on **Thursday, January 16, 2025 at 4pm**

Dear Neighbor:

The property owner and lessee of the 3.7+/- acre property located at 1470 Treeland Boulevard, Palm Bay, FL (tax account 2931090) desires to make application for a conditional use to allow a vocational school (Brevard Nursing Academy) on the property which is zoned LI – Light Industrial and Warehousing. The school will be located within the existing building.

Before submitting an application for conditional use, we hope you will join us for an informational meeting to discuss the request in more detail, answer your questions or concerns, and have a useful dialogue on how the proposed use may better meet the community's needs. We will then continue through the review and public hearing process for these requests.

### COMMUNITY INFORMATIONAL MEETING

DATE: Thursday, January 16, 2025  
TIME: 4:00pm  
PLACE: Franklin T. DeGroodt Public Library  
Conference Room  
6475 Minton Road SE  
Palm Bay FL 32908

Feel free to contact me with questions at 612-710-9296  
or via email at [kelly.hyvonen@gmail.com](mailto:kelly.hyvonen@gmail.com).

Sincerely,

Kelly Delmonico, AICP  
Principal Planner



**Subject Property Location Map**

# Project Details: CU25-00002

## Project Type: Conditional Use

Project Location: 1470 TREELAND BLVD SE # LAB Palm Bay, FL 32909  
Milestone: Under Review  
Created: 12/23/2024  
Description: Brevard Nursing Academy  
Assigned Planner: Tania Ramos

### Contacts

Contact	Information
Owner/Applicant	TREELAND PROPERTY OWNER LLC 2141 S ALT A1A, STE 440 JUPITER, FL 33477 (407) 617-4541 jeuliano@gkbinvestments.com
Legal Representative	Kelly Delmonico 355 Spoonbill Lane Melbourne Beach, FL 32951 (612) 710-9296 kelly.hyvonen@gmail.com
Submitter	Kelly Delmonico 355 Spoonbill Lane Melbourne Beach, FL 32951  kelly.hyvonen@gmail.com
Assigned Planner	Tania Ramos FL  taniam.amos@palmbayflorida.org

### Fields

Field Label	Value
Block	3042
Lot	5
Township Range Section	29-37-09
Subdivision	MY
Year Built	1995
Use Code	1700
Use Code Desc	OFFICE BUILDING - SINGLE TENANT - 1 STORY

# Project Details: CU25-00002

Lot Size	
Building SqFt	
Homestead Exemption	
Taxable Value Exemption	
Assessed Value	
Market Value	
Land Value	
Tax ID	2931090
Flu Description	Industrial
Flu Code	IND
Zoning Description	Light Industrial and Warehousing
Zoning Code	LI
Size of Area (acres)	
Conditional Use Sought	Educational Institution
or Special Requirements Use	Not Applicable
Are You a Property Owner of Record?	False
Tax Account Number(s)	2931090
Parcel Number(s)	29-37-09-MY-3042-5
Pre-Application Meeting Date	12/20/2024
Pre-Application Meeting No.	n/a
Resolution Number	

January 2

, 20

25

Re: Letter of Authorization

**As the property owner of the site legally described as:**

Lot 5, Block 3042 of the Port Malabar Unit 56 subdivision  
(parcel ID 29-37-09-MY-3042-5)

I, Owner Name: Eric M Levitt, as manager of Treeland Property Owner LLC

Address: 2141 S Alternate A1A, Suite 440, Jupiter, FL 33477

Telephone: 561-295-5917

Email: Eric@emlrealtypartners.com

**hereby authorize:**

Representative: Kelly Delmonico, AICP

Address: 355 Spoonbill Lane, Melbourne Beach, FL 32951

Telephone: 612-710-9296

Email: kelly.hyvonen@gmail.com

**to represent the request(s) for:**

conditional use

(Property Owner Signature)

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 2nd day of January, 2025 by

Eric M Levitt, property owner.



Rosa Claudia Pereira, Notary Public

☒ Personally Known or ☐ Produced the Following Type of Identification:



January 6

, 20 25

Re: Letter of Authorization

**As the property owner of the site legally described as:**

Lot 5, Block 3042 of the Port Malabar Unit 56 subdivision  
(parcel ID 29-37-09-MY-3042-5)

I, Owner Name: Eric M Levitt, as manager of Treeland Property Owner LLC

Address: 2141 S Alternate A1A, Suite 440, Jupiter, FL 33477

Telephone: 561-295-5917

Email: eric@elmrealtypartners.com

**hereby authorize:**

Representative: John Euliano

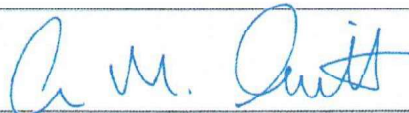
Address: 1152 Queen Anne Court, Winter Springs, FL 32708

Telephone: 407-617-4541

Email: jeuliano@gkbinvestments.com

**to represent the request(s) for:**

conditional use



(Property Owner Signature)

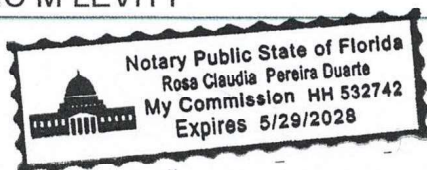
STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 2ND day of JANUARY, 20 25 by

ERIC M LEVITT

, property owner.





Rosa Claudia Pereira Duarte, Notary Public

☒ Personally Known or ☐ Produced the Following Type of Identification:

# Acknowledgement Log

**Header:**

Legal Acknowledgement

**Text:**

I, the submitter, understand that this application must be complete and accurate before consideration by the City of Palm Bay and certify that all the answers to the questions in said application, and all data and matter attached to and made 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 application and that the facts stated in it are true.

**Accepted By:**

Kelly Delmonico

**On:**

1/4/2025 9:18:15 AM

☒ CU25-00002

Select Language ▼



Florida

PO Box 631244 Cincinnati, OH 45263-1244

GANNETT

**AFFIDAVIT OF PUBLICATION**

CITY OF PALM BAY  
attn: Accounts Payable  
City Of Palm Bay  
120 Malabar Rd Se  
Palm Bay FL 32907-3009

STATE OF WISCONSIN, COUNTY OF BROWN

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**CITY OF PALM BAY, FLORIDA  
NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held by the Planning and Zoning Board/Local Planning Agency on February 5, 2025, and by the City Council on February 6, 2025, both to be held at 6:00 p.m., in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, for the purpose of considering the following case(s):

1. **\*\*CU25-00002 - Treeland Property Owner, LLC, Eric M. Levitt, Manager (Kelly Delmonico, Land Development Strategies, Rep.)**

A Conditional Use to allow a proposed educational institution in an LI, Light Industrial and Warehousing District, in accordance with Section 173.021 of the Palm Bay Code of Ordinances.

Lot 5, Block 3042, Port Malabar Unit 56, Section 9, Township 29, Range 37, Brevard County, Florida, containing approximately 3.7 acres. Located south of and adjacent to Treeland Boulevard SE, specifically at 1470 Treeland Boulevard SE

**\*\*Indicates** quasi-judicial request(s).

If an individual decides to appeal any decision made by the Planning and Zoning Board/Local Planning Agency or the City Council with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (FS 286.0105). Such person must provide a method for recording the proceedings verbatim.

Please contact the Palm Bay Land Development Division at (321) 733-3041 should you have any questions regarding the referenced cases.

Chandra Powell  
Planning Specialist