

1. ****CU24-00001 – REQUEST TO CONTINUE TO 09/04 P&Z – Kasika Event Hall – 3085 Jupiter LLC (Kasik Heritage Corp., Rep.) - A Conditional Use request to allow for proposed alcohol service at an eating establishment in accordance with Section 185.042(D)(6) of the Palm Bay Code of Ordinances. Tract L, Port Malabar Unit 10, Section 6, Township 29, Range 37, Brevard County, Florida, containing approximately 2.44 acres. Located northwest of and adjacent to the intersection of Jupiter Boulevard SE and Eldron Boulevard SE, specifically at 3085 Jupiter Boulevard SE, Units 10 and 11**



MEMORANDUM

TO:	Planning and Zoning Board Members
FROM:	Kimberly Haigler, Senior Planner
THRU:	Lisa Frazier, Growth Management Director
DATE:	July 16, 2024
RE:	**CU24-00001 – Kasika Event Hall – 3085 Jupiter LLC (Kasika Heritage Corp., Rep.) - A Conditional Use request to allow for proposed alcohol service at an eating establishment in accordance with Section 185.042(D)(6) of the Palm Bay Code of Ordinances. Tract L, Port Malabar Unit 10, Section 6, Township 29, Range 37, Brevard County, Florida, containing approximately 2.44 acres. Located northwest of and adjacent to the intersection of Jupiter Boulevard SE and Eldron Boulevard SE, specifically at 3085 Jupiter Boulevard SE, Units 10 and 11

A request by the applicant to continue Case CU24-00001 to the September 4, 2024 Planning and Zoning Board Meeting to allow for further deliberation.

Board action is required to continue the case.

City Council will hear the request on September 19, 2024.

**Quasi-judicial proceeding.

ATTACHMENTS:

1. CU24-00001 Staff Report
2. CU24-00001 Site Plan
3. CU24-00001 Floor Plan
4. CU24-00001 Section 185.042
5. CU24-00001 Florida State Statute 562.45(2)(a)
6. CU24-00001 School 500ft Buffer Map
7. CU24-00001 Temporary Alcohol License
8. CU24-00001 Health Department Permit
9. CU24-00001 Citizen Participation Plan Report
10. CU24-00001 Application
11. CU24-00001 Letter of Authorization
12. CU24-00001 Legal Acknowledgement
13. CU24-00001 Legal Ad



STAFF REPORT

LAND DEVELOPMENT DIVISION

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

landdevelopmentweb@palmabayflorida.org

Prepared by

Kimberly Haigler, Senior Planner

CASE NUMBER

CU24-00001

PLANNING & ZONING BOARD HEARING DATE

July 16, 2024

PROPERTY OWNER & APPLICANT

Kasika Event Hall, Charite Luckensen,
owner

PROPERTY LOCATION/ADDRESS

Tract L, Port Malabar Unit 10, Section 6, Township 29,
Range 37, Brevard County, Florida. Located northwest
of and adjacent to the intersection of Jupiter Boulevard
SE and Eldron Boulevard SE, specifically at 3085
Jupiter Boulevard SE, Units 10 and 11. Tax Account
2925051.

SUMMARY OF REQUEST

A Conditional Use to allow for proposed alcohol service at an eating establishment in accordance with Section 185.042(D)(6) of the Palm Bay Code of Ordinances.

Current Zoning

NC, Neighborhood Commercial

Current Land Use

COM, Commercial

Site Improvements

Commercial Plaza

Site Acreage

Approximately 2.44 acres

SURROUNDING ZONING & USE OF LAND**North**

RS-2, Single-Family Residential District; Single-Family Residences

East

IU, Institutional Use District; Turner Elementary School

South

NC, Neighborhood Commercial District; daycare and a gas station

West

RS-2, Single-Family Residential District; Single-Family Residences

COMPREHENSIVE PLAN**COMPATIBILITY**

Yes, Commercial Use

BACKGROUND:

The subject business is operating within two recently combined units of a commercial plaza located northwest of and adjacent to the intersection of Jupiter Boulevard SE and Eldron Boulevard SE, specifically at 3085 Jupiter Boulevard SE, Units 10 and 11. Tax Account 2925051. The applicant received a Business Tax Receipt with the City as a “small event space,” which is a permitted use in the Neighborhood Commercial zoning district, per section 185.042(B)(11). The facility also holds certification from the Health Department for the limited service of food which has not been prepared on the premises.

Kasik Heritage Corp is a 501(c) non-profit and state statute allows them to receive up to twelve (12) special event licenses for alcohol beverage service per year. The applicant now wishes to acquire a permanent alcohol beverage permit (QUOTA-4COP) with the state and has applied for a conditional use permit per Section 185.042(D)(6).

ANALYSIS:

Section 185.042(D)(6) provides that eating establishments licensed by the Division of Hotels and Restaurants of the Department of Business and Professional Regulation (DBPR) as a restaurant may serve alcohol with Conditional Use approval. The Kasika Event Hall is not currently licensed with DBPR as a permanent food service establishment. The permanent alcohol licensing requires the establishment to be open full time hours, which the applicant does intend to maintain, however, providing zoning approval of this license would classify the business as a bar/lounge, which is not permitted in the Neighborhood Commercial zoning district.

Furthermore, Florida State Statute 562.45(2)(a) prohibits on premises consumption of alcoholic beverages within 500 feet of the real property of a public or private elementary school, middle school, or secondary school. The exceptions provided by this statute is if the location is licensed as a restaurant which derives at least 51% of their gross revenues from the sale of food and non-alcoholic beverages or for the issuance of temporary licenses to non-profit organizations.

CODE REQUIREMENTS:

To be granted conditional use approval, requests are evaluated upon items (A) through (H) of the General Requirements and Conditions of Section 185.087 of the Code of Ordinances. Staff did not evaluate these criteria because the applicant does not meet the requirement for the conditional use they are requesting.

Item (A): 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.

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

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

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

Item (E): 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.

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

Item (G): 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.

Item (H): 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, reasonable time limit within which the action for which special approval is requested shall be begin or be completed, or both.

STAFF FINDINGS:

Case CU24-00001 does not meet the requirements for the conditional use requested. The applicant has requested a continuance to the September 4th meeting, rather than a withdrawal, so they may pursue their options.



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



AERIAL LOCATION MAP

CASE:CU24-00001

Subject Property

Northwest of and adjacent to the intersection of Jupiter Boulevard SE and Eldron Boulevard SE



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



ZONING MAP

CASE: CU24-00001

Subject Property

Northwest of and adjacent to the intersection of Jupiter Boulevard SE and Eldron Boulevard SE

Zoning District

NC - Neighborhood Commercial



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



FUTURE LAND USE MAP

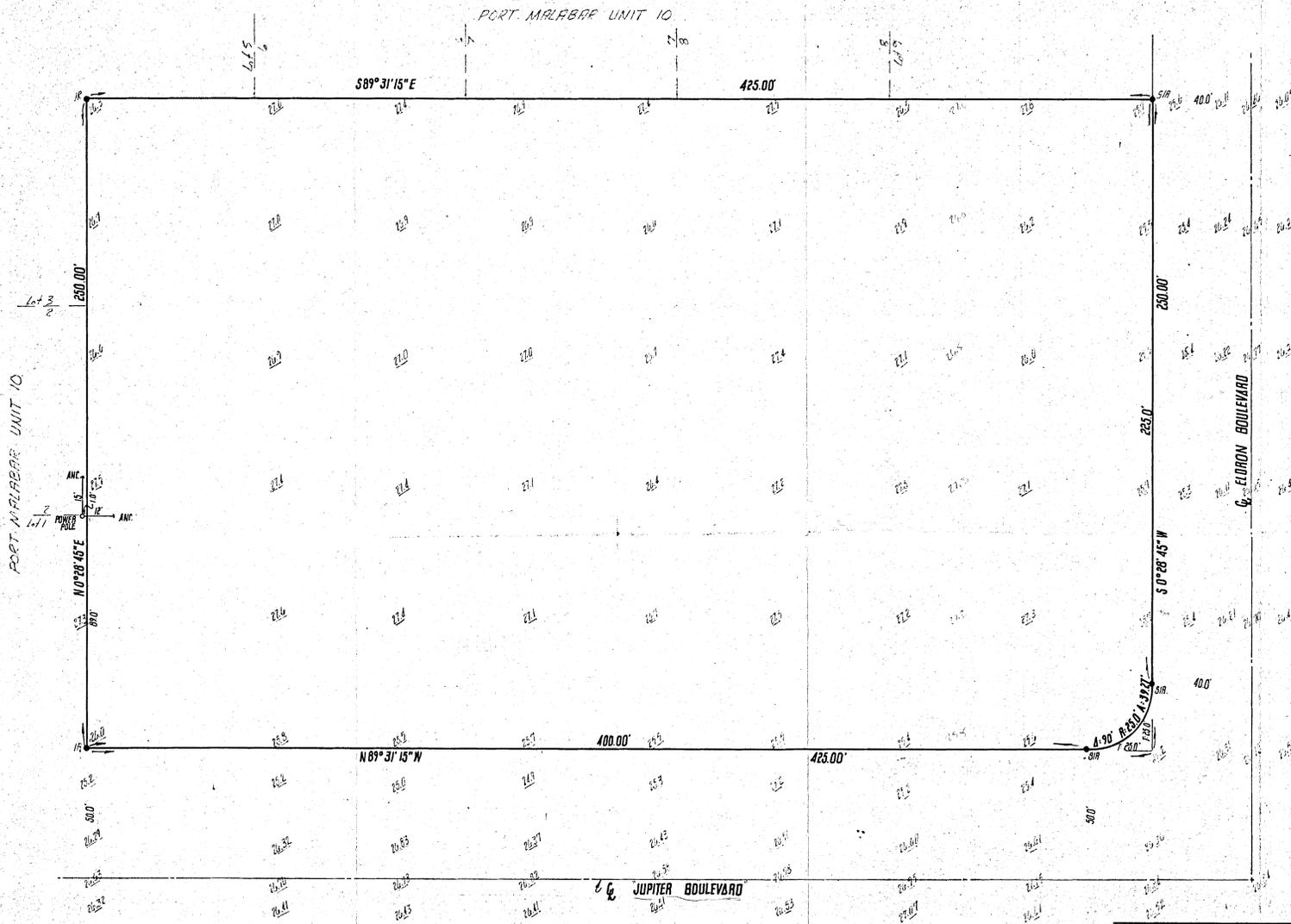
CASE:CU24-00001

Subject Property

Northwest of and adjacent to the intersection of Jupiter Boulevard SE and Eldron Boulevard SE

Future Land Use Classification

COM - Commercial



#51-209

SURVEYOR'S NOTES:
 Bearings based on RECORD PLAT Elevations based on LEV. DATUM 1929
 Legal description per CLIENT SUBJECT TO EREMENTS OF RECORD

PLAT OF SURVEY for: TRUST HOMES

TRACT "A" PORT MALIBAR UNIT TEN
 As Recorded in Plat Book 6 Page 10/19
 Public Records of Brevard County, Florida.

Certified true and correct to the best of my knowledge and belief and in conformity with applicable minimum technical standards set forth by the Florida Board of Land Surveyors, pursuant to Section 472.027, Florida Statutes.

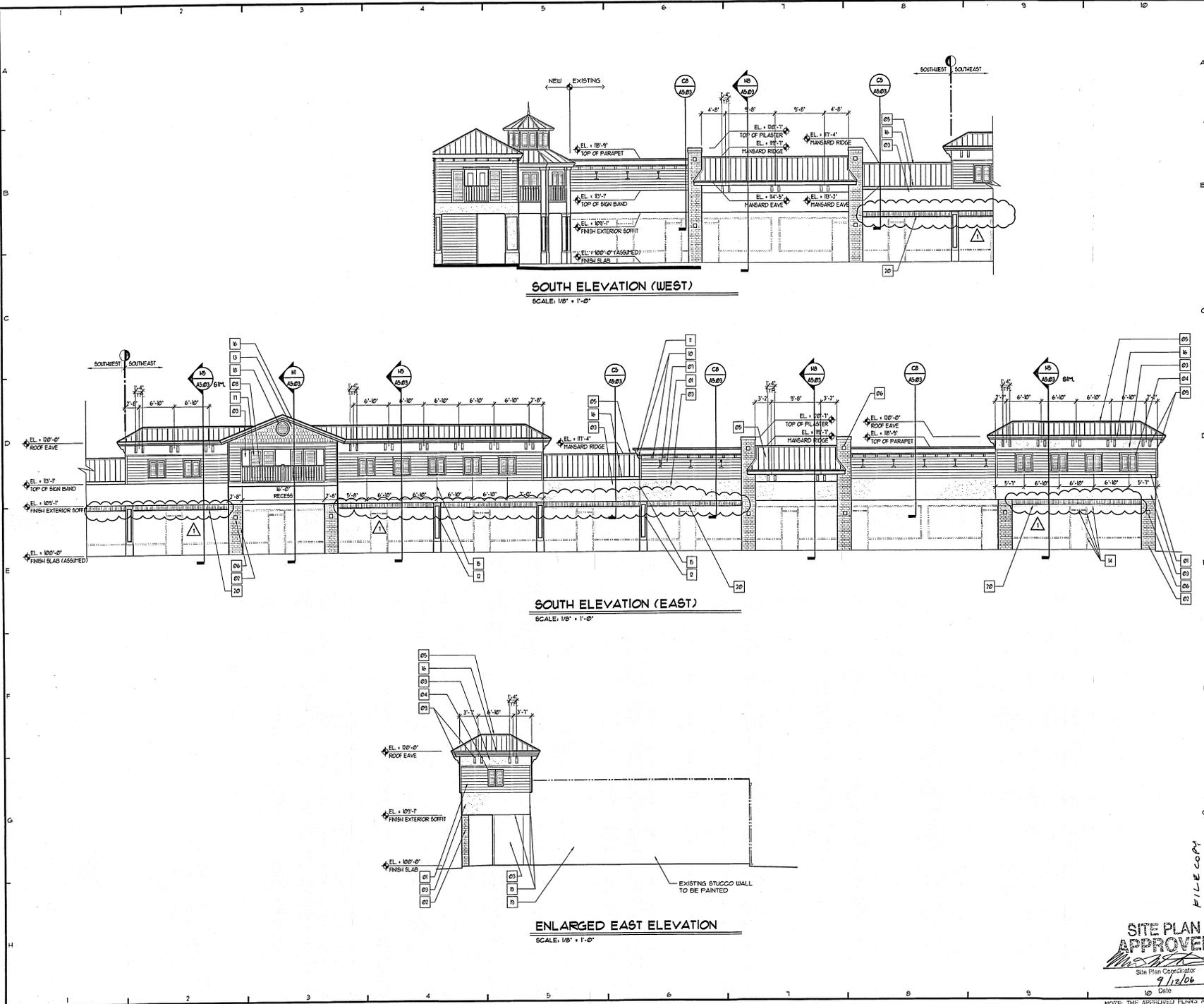
Hugh Smith, Jr., Florida Professional Land Surveyor #1781

This survey is prepared and certified for the exclusive use of the person named hereon. It is not valid without the embossed seal of the Surveyor.

DATE	1-21-87	
TYPE	6-21-84 154-31	
TYPE	DATE	JOHN*

HUGH J. SMITH LAND SURVEYING, INC.
 1400 Palm Bay Road, N.E.
 Palm Bay, Florida 32909

DWN. BY: JL CHK. BY: JL SCALE: 1"=30'



ISSUE HISTORY		
MARK	DATE	DESCRIPTION
▲	9-28-04	REVISIONS PER CITY COMMENTS
▲		
▲		
▲		
▲		
▲		
▲		

- NOTES**
- 01 GROOVED EIFS TO EMULATE WOOD SIDING
 - 02 THIN BRICK OR STUCCO BRICK
 - 03 SMOOTH TEXTURE EIFS
 - 04 FR. OF 1'-6"x3'-0" (CLOSED POSITION) NONOPERABLE FIBERGLASS LOUVERED SHUTTERS. FINISH AND COLOR TO BE SELECTED FROM FEG-S RANGE
 - 05 ALUMINUM METAL ROOF - COLOR TO BE SELECTED
 - 06 8" PINEAPPLE GROVE APPLIQUE-COLOR AND DECORATIVE DESIGN TO BE SELECTED
 - 07 LIGHT FIXTURE - REFER TO ELECTRICAL
 - 08 RAILING W/ NEUEL POST (BASIS OF DESIGN-1HG PERHAPORCH RAILING SYSTEM)
 - 09 OUTLOOKERS - POLYSTYRENE FOAM HOLDING W/ SMOOTH FINISH SYNTHETIC TOP COAT W/ INTEGRAL CUSTOM COLOR TO BE SELECTED
 - 10 DENTIL MOLDING - POLYSTYRENE FOAM HOLDING OVER 1" X FRIZE BOARD W/ SMOOTH FINISH SYNTHETIC TOP COAT W/ INTEGRAL CUSTOM COLOR TO BE SELECTED
 - 11 CORNICE MOLDING - POLYSTYRENE FOAM W/ SMOOTH FINISH SYNTHETIC TOP COAT W/ INTEGRAL CUSTOM COLOR TO BE SELECTED
 - 12 NEW STUCCO COLUMN FINISH - REFER TO DETAIL
 - 13 SCALLOPPED CEPENTITIOUS SIDING, PRIMED AND PAINTED (2) FINISH COATS-COLOR TO BE SELECTED
 - 14 EXISTING STOREFRONT, TYPICAL
 - 15 STUCCO CONTROL JOINT, ALL VERTICAL CONTROL JOINTS ARE TO BE CONTINUOUS.
 - 16 ALUMINUM WRAPPED 2x FASCIA W/ CONT. DRIP EDGE-COLOR TO BE SELECTED
 - 17 FR. OF 2'-6"x6'-0" (CLOSED POSITION) FIBERGLASS NONOPERABLE LOUVERED SHUTTERS (FINISH AND COLOR TO BE SELECTED)
 - 18 30" ROUND LOUVERED APPLIQUE, SOLID BLACK NONVENTILATED (BASIS OF DESIGN-1HG ACCESSORIES, FINISH AND COLOR TO BE SELECTED)
 - 19 EXISTING STUCCO - PAINTED (2) FINISH COATS (COLOR TO BE SELECTED)
 - 20 1" PORCH SPANDREL

Vaughn D. Holeman, AIA, Pres.
AR0000215
 For
HOLEMAN GUNAN ARCHITECTS, INC.
AA C001309

IT IS THE RESPONSIBILITY OF THE CONTRACTORS TO REVIEW THE COMPLETE ARCHITECTURAL AND ENGINEERING PACKAGE, COORDINATING AND SUPPLYING ALL MATERIALS AND PRODUCTS WHICH ARE CONSIDERED PART OF THEIR TRADE. CONTRACTORS SHALL NOT BID FROM PARTIAL SETS.

**ADDITION 4 FACADE MODIFICATIONS TO:
 TURNER SQUARE SHOPPING CENTER**
 3085 JUPITER BLVD
 PALM BAY, FLORIDA

**ISA ARCHITECTURE
 INTERIOR DESIGN
 PLANNING**
418 W. HERRING STREET, SUITE 100, AUSTIN, TEXAS 78701
 2011 S. MAVERICK PLACE, SUITE 100, WELLSBORO, FLORIDA 32901 PHONE 321-782-7827

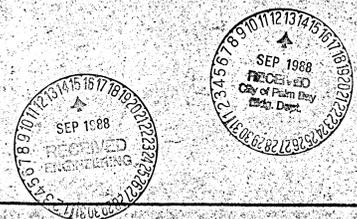
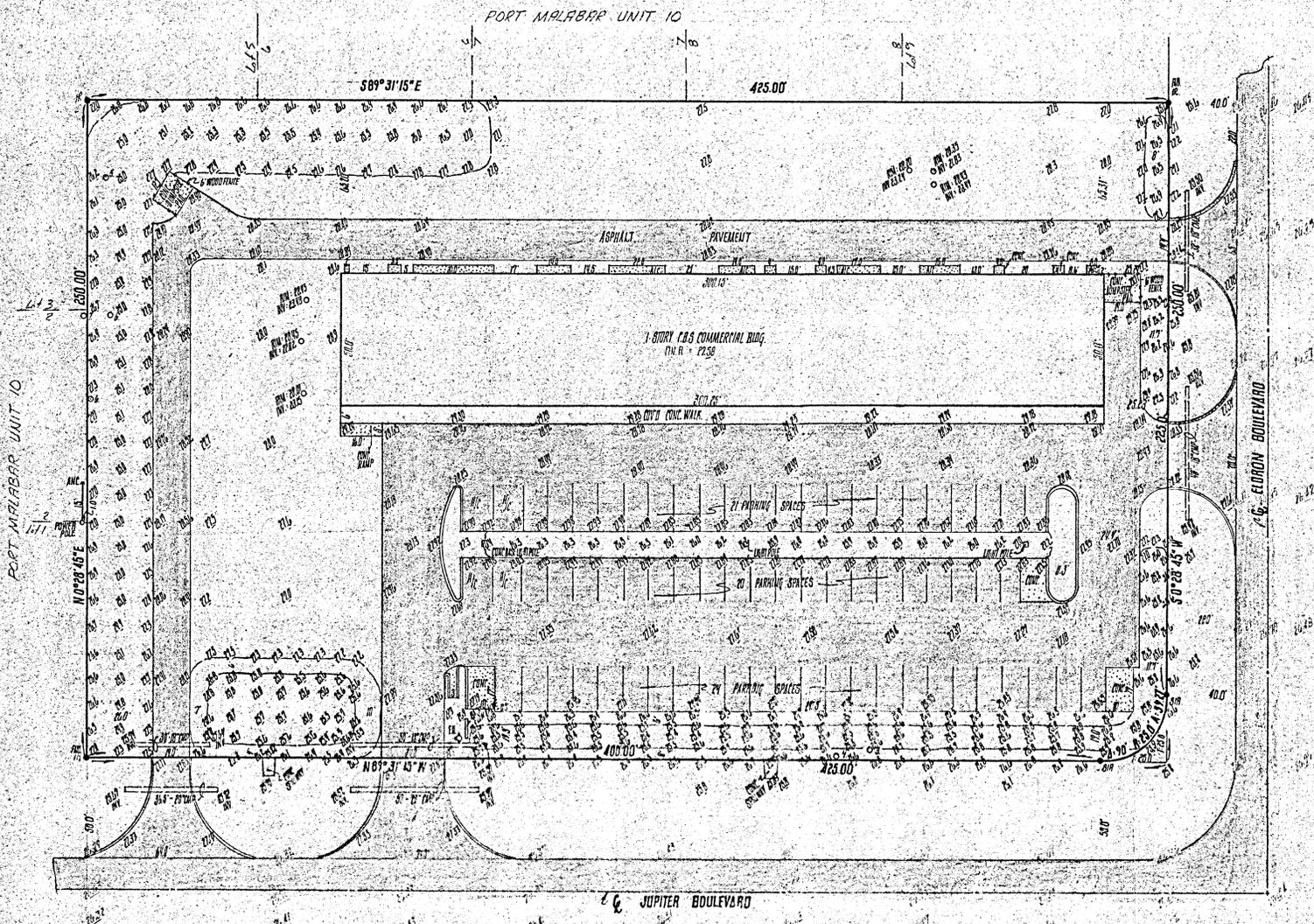
ELEVATIONS NEW & EXISTING	
DATE 10/27/05	DATE 10/27/05
BY AK, JUI	BY AK, JUI
APPR VAI	APPR VAI
BY TU	BY TU
PROJ 05066	PROJ 05066
A4.02	
9 OF 21	

**SITE PLAN
 APPROVED**
 Site Plan Coordinator
 9/12/06
 10 Date

NOTE: THE APPROVED PLANS ARE FOR SITE WORK ONLY. THE DEVELOPER SHALL PROCEED AT HIS OWN RISK AND WITHOUT ASSURANCE THAT A PERMIT FOR THE STRUCTURES WILL BE GRANTED.

FILE COPY

RECEIVED SEP 12 1988



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SURVEYOR'S NOTES:
 Bearings based on MEANS PLAN Elevations based on P. V. DATUM 1929
 Legal description per CLIENT SUBJECT TO EASEMENTS OF RECORD

PLAT OF SURVEY for: WIM AND QUISHA APARTS - FIRST FLOOR PLAN, MA AND PARKING DECK IN SUITANCE COMPANY

TRACY 11" PORT MALABAR UNIT TEN
 As Recorded in Plat Book 15 Page 10-11
 Public Records of Brevard County, Florida.

Certified true and correct to the best of my knowledge and belief and in conformity with applicable minimum technical standards set forth by the Florida Board of Land Surveyors, pursuant to Section 47.2257, Florida Statutes.

Hugh J. Smith, Florida Professional Land Surveyor # 1781

This survey is prepared and certified for the exclusive use of the client named herein. It is not valid without the undersigned Surveyor's SEAL.

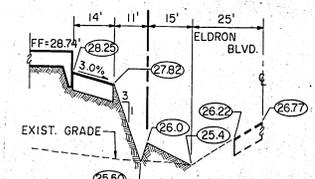
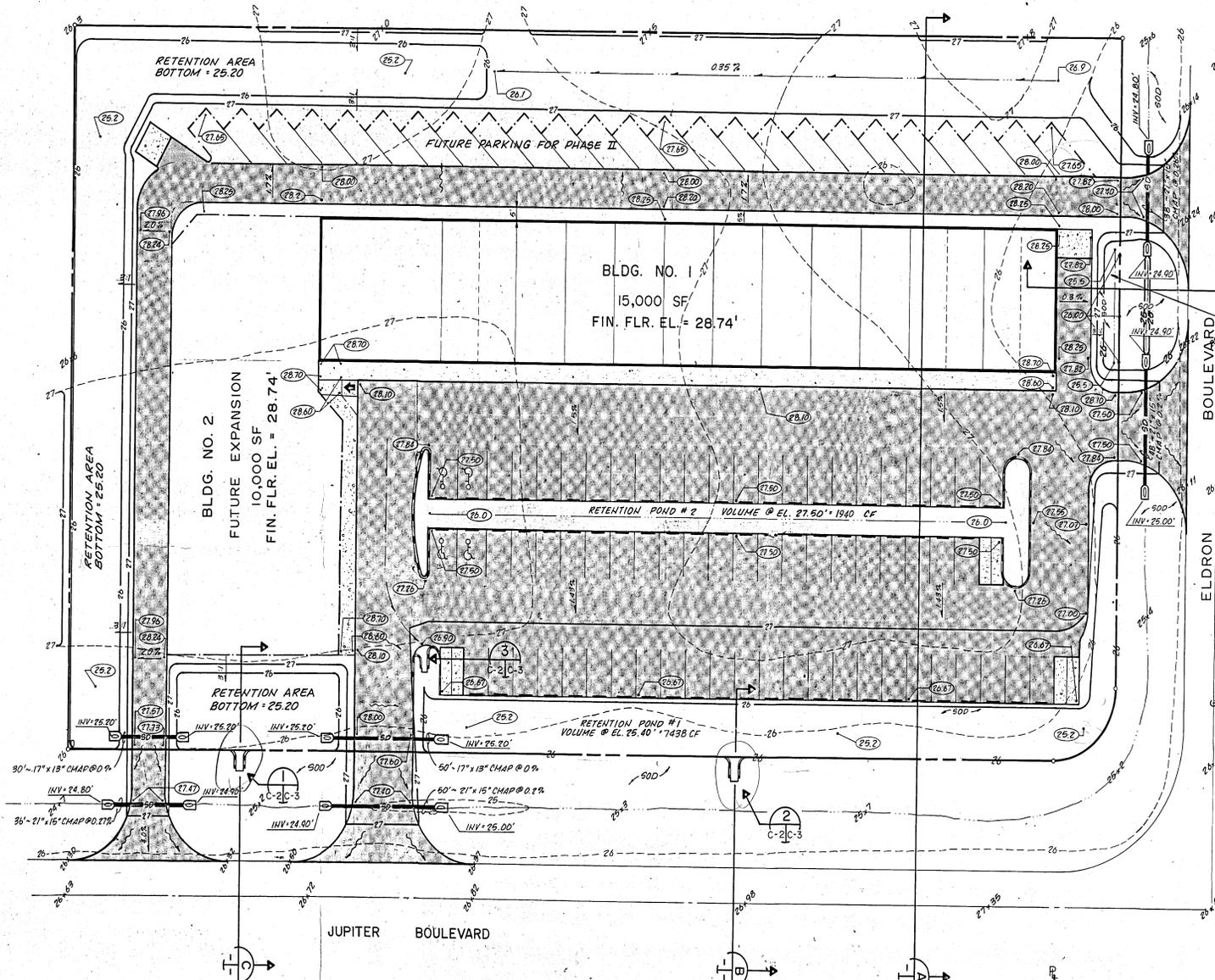
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WORK SHEET	8-11-88	
CHANGE SHEETS	2-23-89	
TREE IDENTIFY	6-18-87	170-52-53-72
TRIP	1-2-87	
BOUND TOP	8-21-86	154-31
TYPE	DATE	JOB#

HUGH J. SMITH LAND SURVEYING, INC.
 1400 Palm Bay Road, N.E.
 Palm Bay, Florida 32909

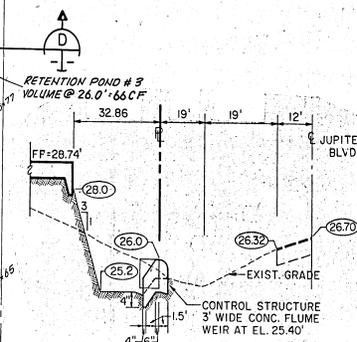
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505-771-2940

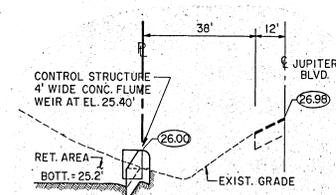
FINAL Survey



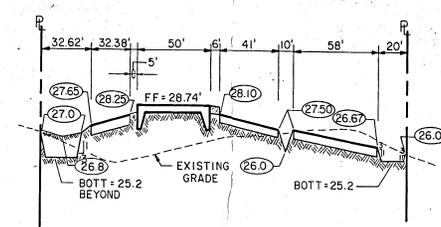
D SECTION
NTS



C SECTION
NTS



B SECTION
NTS



A SECTION
NTS



SITE GRADING & DRAINAGE PLAN

1" = 20'

DESCRIPTION	EXISTING	PROPOSED	FUTURE
SPOT ELEVATION	26 X 4	26.5	
ELEVATION CONTOUR	26		
CONCRETE FLUME			
DIRECTION OF DRAINAGE FLOW			
BOTTOM OF SWALE			
MITERED ENDWALL			
STRUCTURE			
ASPHALT PAVEMENT			
CONCRETE PAVEMENT			

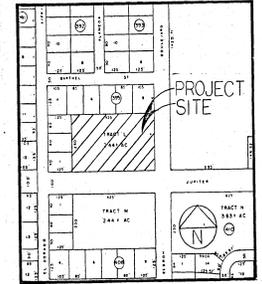
DATE	BY	REVISIONS

SEC
SOUTHERN ENGINEERING CONSULTANTS, INC.
1333 GATEWAY DRIVE, SUITE 1028
MELBOURNE, FLORIDA 32904 (305) 788-0352

TURNER SQUARE
SITE GRADING & DRAINAGE PLAN

DATE: 6/12/87
DES: DCE
DRW: CCC
CHK:
DWG NO: C-2
SHT 2 OF 3
PRJ: 51-86

OCT 19 1987
David P. [Signature]



VICINITY MAP
 NTS

Septic Tank Notes:
 The septic tank and drainfield system shall be constructed in accordance with the Department of Health and Rehabilitative Services requirements set forth by Chapter 10 D-6 and the on-site sewer disposal permit.

Septic Tank System to the West of Building No. 1

Total Area (Building No. 1)	15,000 SF
Area of Building (Conference Room / Beauty Salon / Office 6 Retail)	5,800 SF
Total Floor	2,000 GPD
Drainfield Loading Rate	2,000 SF
Factor of Safety	* 1.25
Total Drainfield Required	2,500 SF
Unconstructed Area Provided	4,800 SF
Design	
Green Trap Size	1,200 GAL
Septic Tank Size	2,700 GAL
Drainfield Area	2,500 SF

Septic Tank System to the North of Building No. 1

Total Area (Restaurant / Office 6 Retail)	10,000 SF
Total Floor	2,750 GPD
Drainfield Loading Rate	2,750 SF
Factor of Safety	* 1.25
Total Drainfield Required	10,313 SF
Unconstructed Area Provided	10,330 SF
Design	
Green Trap Size	1,200 GAL
Septic Tank Size	2,700 GAL
Drainfield Area	2,500 SF

GENERAL STATEMENT:
 A 15,000 SF single story retail sales shopping center is being proposed for site plan approval. The project site is zoned C-1 with contiguous zoning of R-2 to the North and to the West. Future expansion of 10,000 SF will be constructed when sanitary sewer becomes available to the site.

LEGAL DESCRIPTION:
 Parcel No. Block 395, Port Malabar Unit Ten, as recorded in Plat Book 45, Page 10 of the Public Records of Brevard County, Florida.

DATA TABLE:

Green Areaage	2.44 Ac.
Green Square Footage	105,120 SF
Density	N/A
Floor Area	15,000 SF
Height of Building	10.00 FT

BUILDING SETBACKS "Proposed 15,000 SF Building"

North	Front	East	West
25'	30'	25'	25'

BUILDING SETBACKS WITH "Future Expansion"

North	Front	East	West
35'	30'	25'	25'

Percentage Covered by Structure: 14.13%
 Percentage Covered by Other Impervious Areas: 42.27%
 Parking Spaces: 25
 No. of Parking Spaces Provided: 25
 Standard: 100
 Handicap: 4
 Total Square Footage of Parking and Driveways: 48,970 SF

OWNER:
 Son S Sphex Shovel
 67-37 160th Street
 Palm Beach, FL 33480
 (718) 762-2822

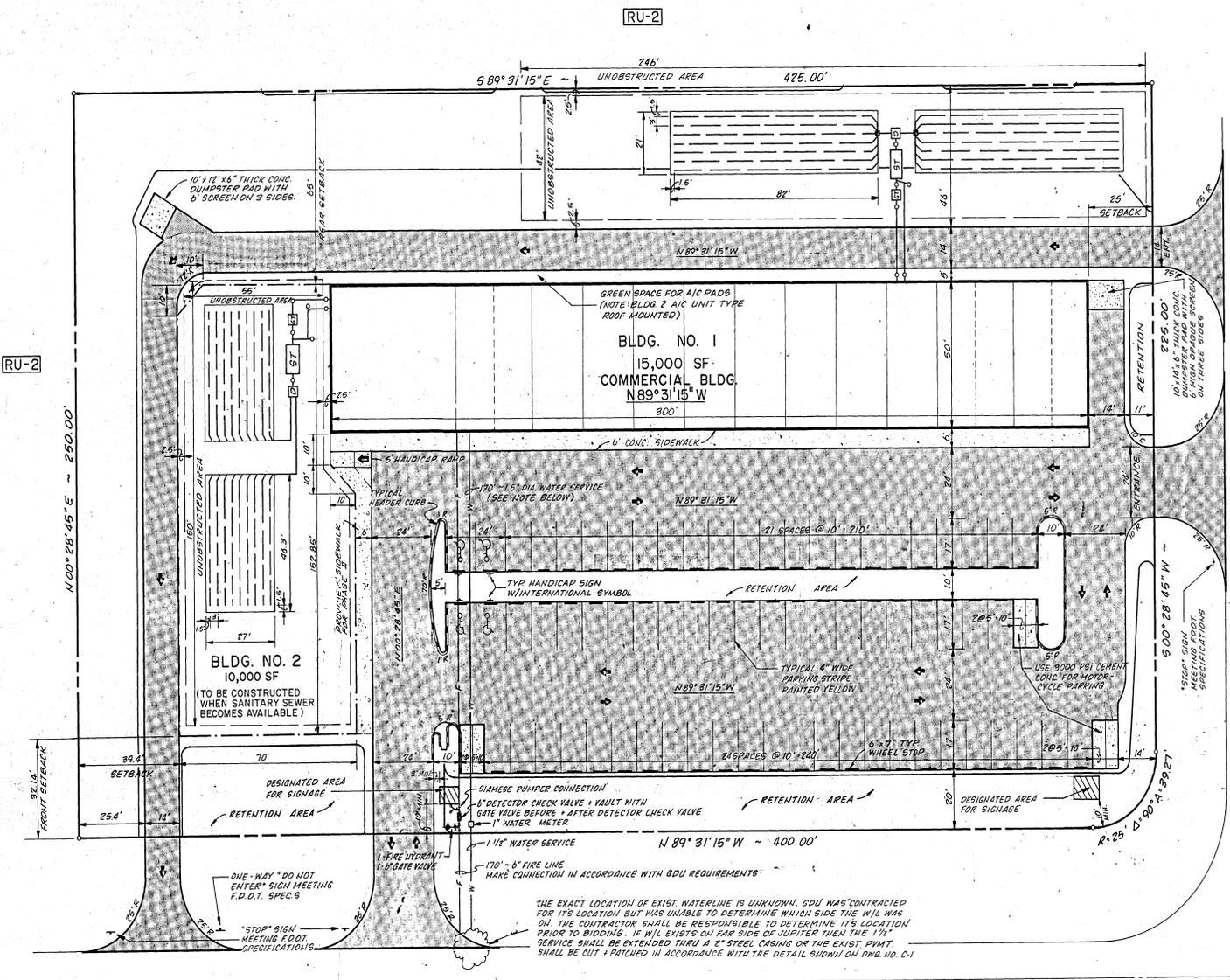
ARCHITECT:
 Vaughn Helms
 975 E South Michigan Road
 West Melbourne, FL 32901

CONTRACTOR:
 Michael Melorini
 1433 Pennsylvania Street
 Palm Bay, FL 32909

SITE PLAN APPROVED
 10/22/87
 Date

NOTE: THE APPROVED PLANS ARE FOR SITE WORK ONLY. THE DEVELOPER SHALL PROCEED AT HIS OWN RISK AND WITHOUT ASSURANCE THAT A PERMIT FOR THE STRUCTURES WILL BE GRANTED.

NOTE-SEE DWG. NO. C-3 FOR CONSTRUCTION NOTES.

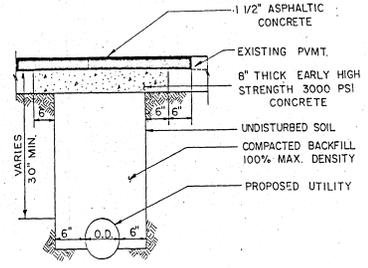


LEGEND

DESCRIPTION	EXISTING	PROPOSED	FUTURE
STRUCTURE	[Symbol]	[Symbol]	[Symbol]
ASPHALT PAVEMENT	[Symbol]	[Symbol]	[Symbol]
CONCRETE PAVEMENT	[Symbol]	[Symbol]	[Symbol]
CONCRETE CURBING	[Symbol]	[Symbol]	[Symbol]
AREA FOR SIGNAGE	[Symbol]	[Symbol]	[Symbol]
DIRECTION OF TRAFFIC	[Symbol]	[Symbol]	[Symbol]
WATERLINE (SIZE AS INDICATED)	[Symbol]	[Symbol]	[Symbol]
FIRE HYDRANT	[Symbol]	[Symbol]	[Symbol]
WATER METER	[Symbol]	[Symbol]	[Symbol]
WATER VALVE	[Symbol]	[Symbol]	[Symbol]
SEPTIC TANK	[Symbol]	[Symbol]	[Symbol]
COILING CHAMBER	[Symbol]	[Symbol]	[Symbol]
GREASE TRAP	[Symbol]	[Symbol]	[Symbol]



SITE LAYOUT & UTILITIES PLAN
 1" = 20'



CUT AND PATCH
 NTS

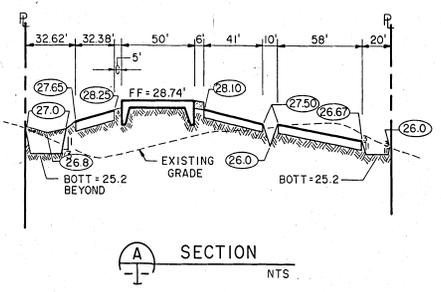
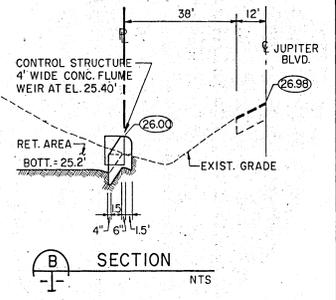
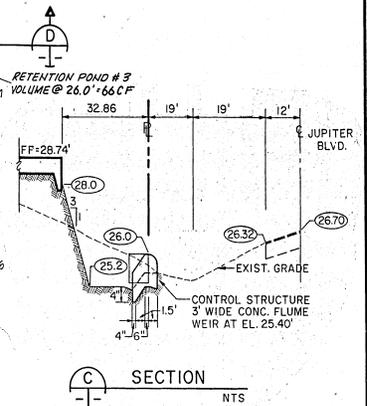
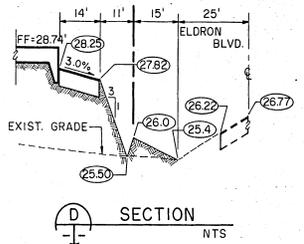
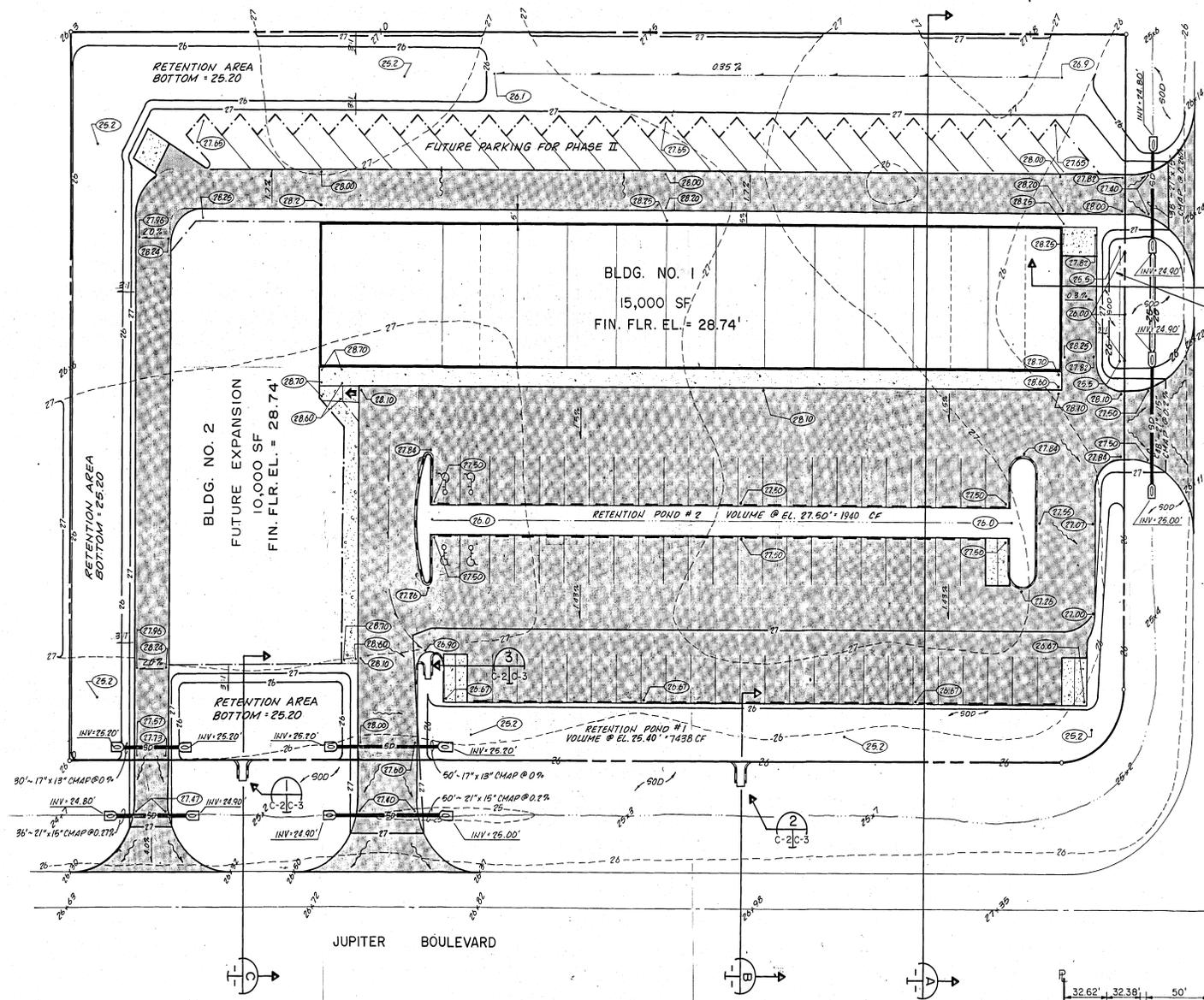
DATE	10/11/87
BY	CCC
REVISIONS	SEE CITY OF PALM BEACH COMMENTS
	SEE FIRE DEPT. COMMENTS
	SEE CIVIL ENGINEER COMMENTS

SEC
 SOUTHERN ENGINEERING CONSULTANTS, INC.
 1333 GATEWAY DRIVE, SUITE 1028
 MELBOURNE, FLORIDA 32904 (305)788-0552

TURNER SQUARE
SITE GRADING & DRAINAGE PLAN

DATE:	6/12/87
DES:	DCE
DRW:	CCC
CHK:	
DWG NO:	C-2
SHT	2 OF 3
PRJ:	51-86

OCT 19 1987
David [Signature]

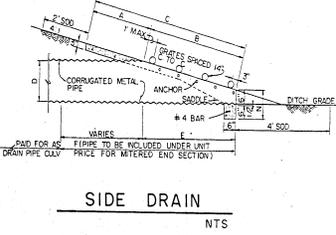
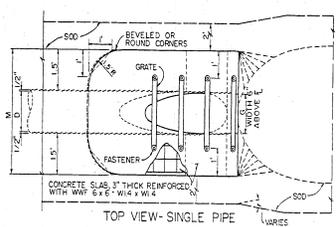
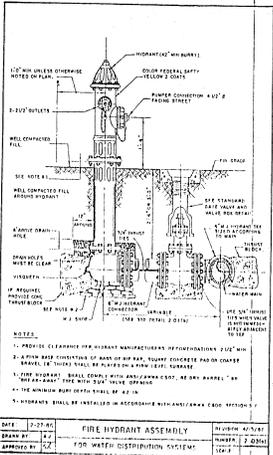
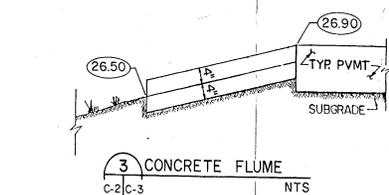
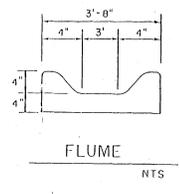
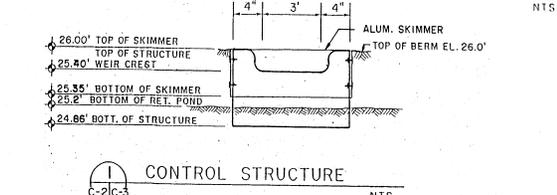
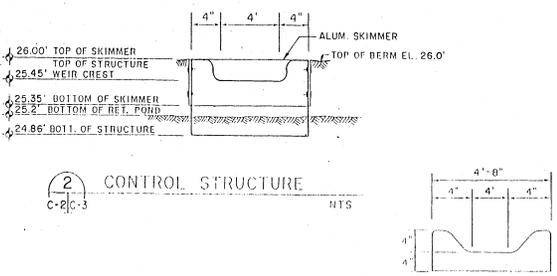
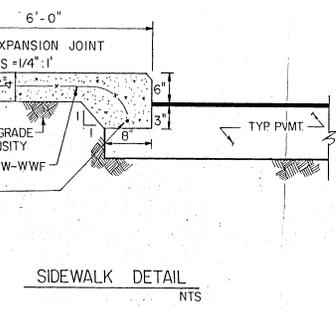
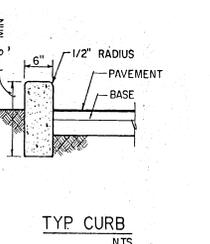
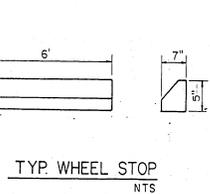
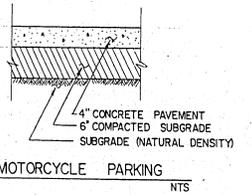
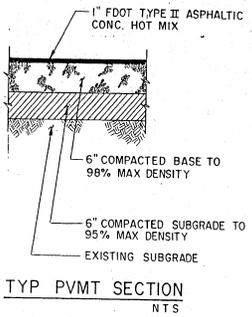


SITE GRADING & DRAINAGE PLAN
 1" = 20'

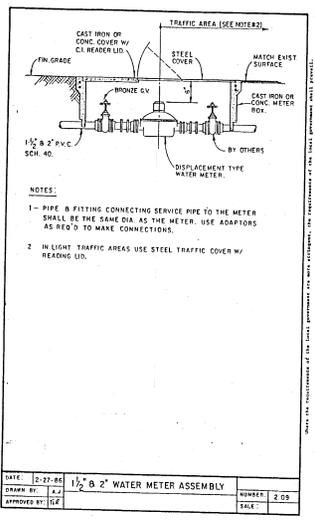
DESCRIPTION	LEGEND	EXISTING	PROPOSED	FUTURE
SPOT ELEVATION	25.4	25.4	25.4
ELEVATION CONTOUR	26	26	26
CONCRETE FLUME			
DIRECTION OF DRAINAGE FLOW			
BOTTOM OF SHALE			
HETERED ENDWALL			
STRUCTURE			
ASPHALT PAVEMENT			
CONCRETE PAVEMENT			

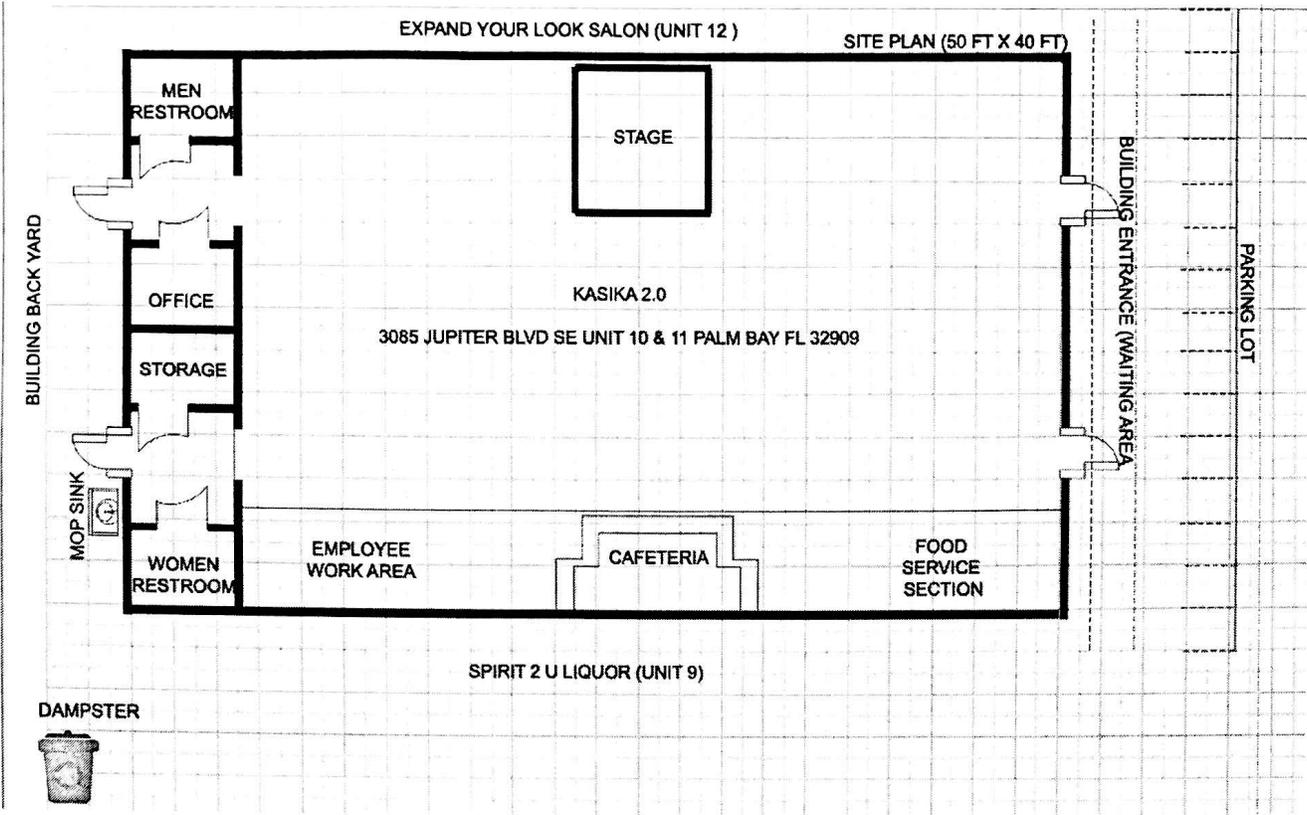
- GENERAL CONSTRUCTION NOTES:
- The contractor shall be responsible to furnish all material and labor to construct the facility as shown and described and in conformance with the City of Palm Bay's Specifications and requirements. He shall visit the site prior to bidding to determine existing conditions. He shall clear and grub all areas unless otherwise indicated, removing trees, stumps, roots, muck and all other deleterious material.
 - The exact locations of existing utilities are unknown. The contractor shall field verify the exact location of all existing utilities prior to bidding by notifying the utility company to locate their utilities on field verification. He shall be responsible to replace any utility damaged, resulting from his construction at his own expense. Point of connection of all utilities shall be made five feet from the outside of the building.
 - The contractor shall be responsible to obtain all required construction permits and bonds prior to construction.
 - Boundary and topographic survey information was provided by the owner as prepared by Hugh J. Smith Surveyors. Elevations are based on National Geodetic Vertical Datum of 1989 and according to Community Panel # 120404 0002 A, Panel 20 of 30, Dated Sept. 3, 1980, this property lies in Flood Zone "C1".
 - The requirements of the General Development Utilities Standard Specifications and Standard Details shall govern all utilities work. Where a conflict exists in the requirements of a referenced material or installation standard, the requirements of General Development Utilities shall prevail. Where the requirements of a State or local agency having jurisdiction are more stringent, those requirements shall prevail.
 - The contractor shall have available at the job site, at all times, one copy of General Development Utilities Standard Specifications and Standard Details, one copy of the Contract Documents including Plans, Specifications and Special Provisions, and copies of any required construction permits.
 - Any discrepancies on the drawings shall be brought to the attention of the Engineer before commencing work. No field changes or deviations from design to be made without prior approval of the Engineer.
 - The contractor shall contact all concerned utilities at least 48 hours in advance of construction operations.
 - All copies of compaction, concrete, and other required test results are to be sent to the City Site Inspector directly from the Testing Agency.
 - The contractor is responsible to provide a hard packed access to all areas of the building before and during construction. The access is to be maintained free and clear at all times.
 - Any lighting should be directed so that it is not a nuisance to the residential areas to the North and West.
 - The air conditioner units for Building No. 1 shall be placed within the green space between the building and the pavement. The future Building shall have roof mounted compressor.

- PAVING, GRADING & DRAINAGE NOTES:
- All uneven areas in existing right of way disturbed by construction shall be regraded and sodded.
 - Traffic control on all County and State highway right of ways shall meet the requirements of the manual of Uniform Traffic Control Devices (U.S. DOT/FHA) and the requirements of the State and any local agency having jurisdiction.
 - The contractor shall grade the site to the elevations indicated and shall regrade washouts where they occur after every rainfall until a grass stand is well established.
 - All open areas within the project site shall be sodded as indicated on the Landscaping Plan. The sides of all retention areas and swales shall be sodded. The bottom of the retention areas shall be seeded and mulched.
 - The contractor shall grade around existing trees designated to remain and maintain a 5' undisturbed area around the trunk. The remainder of the site shall be cleared and grubbed by removing all trees, shrubs, stumps, roots, muck and other deleterious material prior to filling. All fill material used on site shall be void of stumps, roots, muck and all other deleterious materials.
 - All concrete used on site shall have a minimum compressive strength of 3,000 psi in 28 days. All concrete sidewalks shall have control joints cut on 5' centers and expansion joints placed on 25' centers.
 - All corrugated metal pipe shall be bituminous coated in accordance with F.O.D.T.'s Standard Specification's, Section 943 and installed in accordance with the City of Palm Bay's latest requirements.
 - All areas indicated as pavement shall be constructed in accordance with the typical pavement section as indicated on the drawing's.
 - Where existing pavement is to be removed and replaced the Contractor shall saw cut 2" deep for a smooth and straight joint and replace the pavement with the same type and depth of material as adjacent or as indicated.
 - Where new pavement meets the existing pavement, the Contractor's shall saw cut the existing pavement for a smooth and straight joint and match the existing pavement elevation with the proposed pavement.
 - The contractor shall paint direction arrows and parking stripes conforming with F.O.D.T.'s Standard Specifications, Sections 710 & 971.



ITEM	QTY	DIMENSIONS										QUANTITIES									
		A	B	C	D	E	F	G	H	I	J	CONCRETE (cu yd)	STEEL (lb)	PIPE (ft)	GRATE (sq ft)	SKID (sq ft)	PAVEMENT (sq ft)	GRASS (sq ft)			
1	1	4	4	4	4	4	4	4	4	4	1.0	100	100	100	100	100	100	100			
2	1	4	4	4	4	4	4	4	4	4	1.0	100	100	100	100	100	100	100			
3	1	4	4	4	4	4	4	4	4	4	1.0	100	100	100	100	100	100	100			
4	1	4	4	4	4	4	4	4	4	4	1.0	100	100	100	100	100	100	100			
5	1	4	4	4	4	4	4	4	4	4	1.0	100	100	100	100	100	100	100			
6	1	4	4	4	4	4	4	4	4	4	1.0	100	100	100	100	100	100	100			
7	1	4	4	4	4	4	4	4	4	4	1.0	100	100	100	100	100	100	100			
8	1	4	4	4	4	4	4	4	4	4	1.0	100	100	100	100	100	100	100			
9	1	4	4	4	4	4	4	4	4	4	1.0	100	100	100	100	100	100	100			
10	1	4	4	4	4	4	4	4	4	4	1.0	100	100	100	100	100	100	100			
11	1	4	4	4	4	4	4	4	4	4	1.0	100	100	100	100	100	100	100			
12	1	4	4	4	4	4	4	4	4	4	1.0	100	100	100	100	100	100	100			
13	1	4	4	4	4	4	4	4	4	4	1.0	100	100	100	100	100	100	100			
14	1	4	4	4	4	4	4	4	4	4	1.0	100	100	100	100	100	100	100			
15	1	4	4	4	4	4	4	4	4	4	1.0	100	100	100	100	100	100	100			
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23	1	4	4	4	4	4	4	4	4	4	1.0	100	100	100	100	100	100	100			
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29	1	4	4	4	4	4	4	4	4	4	1.0	100	100	100	100	100	100	100			
30	1	4	4	4	4	4	4	4	4	4	1.0	100	100	100	100	100	100	100			





Gilberto Rossebom

 GILBERTO ROSSEBOM
 CGC 1525550

§ 185.042 NC — NEIGHBORHOOD COMMERCIAL DISTRICT.

(A) *Intent.* The purpose of the neighborhood commercial district shall be to provide areas within Palm Bay which are deemed to be uniquely suited for the development and maintenance of limited commercial activities offering convenience goods and personal services to residents of the surrounding neighborhood area. Development standards and provisions are established to ensure the proper development and location of uses and services deemed appropriate within the district; to reduce conflicts with adjacent residential uses, and to minimize the interruption of traffic along adjacent thoroughfares.

(B) *Principal uses and structures.* The following uses and structures are permitted.

(1) Retail stores, sales, and display rooms (not including automotive, lumber and building supply, and similar uses) containing less than five thousand (5,000) square feet of floor area.

(2) Personal service establishments such as beauty and barber, laundry and dry cleaning pick-up stations, and the like.

(3) Professional offices, studios, clinics, general offices, government office, business schools and similar uses containing less than five thousand (5,000) square feet of floor area.

(4) Schools, libraries, and churches.

(5) Day care centers containing less than five thousand (5,000) square feet of floor area.

(6) Restaurant, not including drive-through facilities and containing less than five thousand (5,000) square feet of floor area.

(7) Public utility equipment, facilities and uses located on one-half (½) acre or less of contiguous land.

(8) Banks and financial institutions without drive-through facilities.

(9) Public uses.

(10) Veterinarian clinics provided all activities are within the principal structure and there is no boarding of animals.

(11) Small Event Spaces containing less than five thousand (5,000) square feet of floor area, which are solely confined to indoor spaces with their occupancy being subject to applicable Building and Fire Codes.

(C) *Accessory uses and structures.* Customary accessory uses of one (1) or more of the principal uses clearly incidental and subordinate to the principal use, in keeping with the low intensity commercial character of the district. All storage shall be in an enclosed structure.

(D) *Conditional uses:*

(1) Retail automotive gas/fuel sales:

(a) Access. Retail automotive gas/fuel sales establishments shall be located on arterial roadways, at a signalized intersection of a major road collector, or on corner lots at intersections of collector streets or higher functional classification as identified in the adopted Palm Bay Comprehensive Plan. No more than two (2) corner lots at any one (1) intersection shall be used for retail gasoline or automotive fuel sales. No driveway or access shall be permitted within one hundred (100) feet from an intersection of collector streets or higher functional classification.

(b) Minimum street frontage: one hundred and fifty (150) feet on each abutting street.

(c) Location of facilities. Gasoline/ fuel pumps, storage tanks and other service island equipment shall be at least twenty (20) feet from all property lines, fifteen (15) feet from any building and one hundred (100) feet from the nearest residentially zoned land. No gasoline/fuel pump, storage tank or other equipment shall be located closer than one thousand (1,000) feet from any municipal or public supply well.

(d) No fuel pump and tank installation shall have more than four (4) pump islands nor more than eight (8) pumps.

(e) Tank storage: Underground storage required for all receptacles for combustible materials in excess of two hundred (200) gallons.

(f) The proposed use will not constitute a nuisance or hazard because of vehicular traffic movement, delivery of fuel movement, noise or fume generation.

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

(h) Development and operation of the fuel pumps and attendant storage tanks shall be in compliance with §§176.01 et seq. of this code of ordinances.

(2) Banks and financial institutions with drive-through facilities with the following condition: The proposed site fronts on an arterial road or at the intersection of collector streets or higher functional classification.

(3) Restaurants with drive-through facilities and restaurants that allow patrons to dance to music, subject to the provisions set forth in § 185.088(l).

(4) Indoor commercial recreation and amusement such as batting cages, miniature vehicle racetracks and similar uses,

fitness centers and other indoor health, recreational, and similar facilities for exercise, sports, and other physical activities containing less than five thousand (5,000) square feet of floor area. Outdoor recreation uses must be related to the indoor recreation use and require a site plan approval.

(5) Public utility equipment, facilities and uses located on sites greater than one-half ($\frac{1}{2}$) acre in size.

(6) Eating establishments licensed by the Division of Hotels and Restaurants of the Department of Business and Professional Regulation licensed as a restaurant that serve alcohol.

(7) Retail stores, sales, and display rooms (not including automotive, lumber and building supplies) and similar uses occupying more than five thousand (5,000) square feet of gross floor.

(8) Professional offices, studios, clinics, general offices, government offices, business schools and similar uses occupying more than five thousand (5,000) square feet of gross floor area.

(9) Day care centers occupying more than five thousand (5,000) square feet of gross floor area.

(E) *Prohibited uses and structures:*

(1) All uses not specifically or provisionally permitted herein.

(2) Corrections facilities.

(3) Arcade amusement centers.

(4) Pain-management clinic.

(5) Electronic gaming establishments.

(F) *Lot and structure requirements:*

(1) Minimum lot area — ten thousand (10,000) square feet.

(2) Minimum lot width — one hundred (100) feet.

(3) Minimum lot depth — one hundred (100) feet.

(4) Maximum building coverage — thirty percent (30%).

(5) Minimum floor area — three hundred (300) square feet.

(6) Maximum height — twenty-five (25) feet.

(7) Minimum yard requirements:

(a) Front — thirty (30) feet minimum building setback. Parking areas may be located in the front yard except within ten (10) feet of the front lot line.

(b) Side interior — ten (10) feet minimum building setback. Parking areas may be located in the side yard, except within five (5) feet of the side lot line. Side yards abutting residentially zoned property shall maintain a twenty-five (25) foot minimum setback for all buildings and parking.

(c) Side corner — twenty-five (25) feet minimum building setback. Parking areas may be located in the side corner yard, except within ten (10) feet of any public or private street.

(d) Rear — twenty-five (25) feet minimum building and parking area setback; ten (10) feet when abutting a dedicated alley.

(8) Shared access and parking areas.

(a) No side interior building and parking area setbacks are required provided all of the following are met:

1. Buildings on adjacent parcels, under separate ownership, are joined by a common wall;

2. Parking areas and aisles are joined with adjacent parcel(s) under separate ownership;

3. Curb cuts and driveways on principal roadways (collector and arterial streets) are shared in common by all parcels involved and a minimum spacing of one hundred and fifty (150) feet is maintained; or access is provided by an approved frontage road;

4. Easements and/or written assurances of cross access and a sharing of common facilities (stormwater system, solid waste container(s), lighting, landscaping, etc.), as may be applicable, from all property owners involved must be approved prior to the issuance of a building permit.

(b) No interior side parking area setbacks are required provided the requirements of divisions 2. through 4. above are met.

(c) For adjacent developments meeting the requirements of divisions 2. through 4. above, the total number of off-street parking spaces required for uses on all parcels involved may be reduced by ten percent (10%) where the location of shared parking areas provides convenient access to all principal buildings.

(9) A six (6) foot high completely opaque masonry wall, or wood fence shall be provided along the entire length of any side or rear property line abutting property zoned residential. Landscaping shall be provided in accordance with the landscape requirements of this chapter.

(10) *Design requirements.*

(a) An Architectural Style for each structure is required. This shall include adherence to all standards contained in § 185.134.

('74 Code, § 25-134) (Ord. 89- 08, passed 4-27-89; Am. Ord. 93- 22, passed 12-2-93; Am. Ord. 94- 05, passed 3-17-94; Am. Ord. 94- 30, passed 6-16-94; Am. Ord. 95- 44, passed 11-2-95; Am. Ord. 98- 07, passed 4-16-98; Am. Ord. 98- 31, passed 9-17-98; Am. Ord. 98-35, passed 10-22-98; Am. Ord. 2000-44, passed 9-21-00; Am. Ord. 2000-57, passed 11-2-00; Am. Ord. 2004-02, passed 1-22-04; Am. Ord. 2004-59, passed 10-7-04; Am. Ord. 2008-27, passed 5-1-08; Am. Ord. 20080-42, passed 6-5-08; Am. Ord. 2008-58, passed 10-16-08; Am. Ord. 2008-59, passed 10-16- 08; Am. Ord. 2009-16, passed 5-7- 09; Am. Ord. 2010-41, passed 9-16-10; Am. Ord. 2016-17, passed 4-21-16; Am. Ord. 2017-30, passed 4-20-17; Am. Ord. 2022-115, passed 11-17-22; Am. Ord. 2023- 100, passed 11-2-23; Am. Ord. 2024-05, passed 2-1-24)

2021 Florida Statutes (Including 2021B Session)

Title XXXIV ALCOHOLIC BEVERAGES AND TOBACCO

Chapter 562 BEVERAGE LAW: ENFORCEMENT

SECTION 45

Penalties for violating Beverage Law; local ordinances; prohibiting regulation of certain activities or business transactions; requiring nondiscriminatory treatment; providing exceptions.

562.45 Penalties for violating Beverage Law; local ordinances; prohibiting regulation of certain activities or business transactions; requiring nondiscriminatory treatment; providing exceptions. –

(1) Any person willfully and knowingly making any false entries in any records required under the Beverage Law or willfully violating any of the provisions of the Beverage Law, concerning the excise tax herein provided for shall be guilty of a felony of the third degree, punishable as provided in s. [775.082](#), s. [775.083](#), or s. [775.084](#). It is unlawful for any person to violate any provision of the Beverage Law, and any person who violates any provision of the Beverage Law for which no penalty has been provided shall be guilty of a misdemeanor of the second degree, punishable as provided in s. [775.082](#) or s. [775.083](#); provided, that any person who shall have been convicted of a violation of any provision of the Beverage Law and shall thereafter be convicted of a further violation of the Beverage Law, shall, upon conviction of said further offense, be guilty of a felony of the third degree, punishable as provided in s. [775.082](#), s. [775.083](#), or s. [775.084](#).

(2)(a) Nothing contained in the Beverage Law shall be construed to affect or impair the power or right of any county or incorporated municipality of the state to enact ordinances regulating the hours of business and location of place of business, and prescribing sanitary regulations therefor, of any licensee under the Beverage Law within the county or corporate limits of such municipality. **However, except for premises licensed on or before July 1, 1999, and except for locations that are licensed as restaurants, which derive at least 51 percent of their gross revenues from the sale of food and nonalcoholic beverages, pursuant to chapter 509, a location for on-premises consumption of alcoholic beverages may not be located within 500 feet of the real property that comprises a public or private elementary school, middle school, or secondary school unless the county or municipality approves the location as promoting the public health, safety, and general welfare of the community under proceedings as provided in s. [125.66](#)(4), for counties, and s. [166.041](#)(3)(c), for municipalities. This restriction shall not, however, be construed to prohibit the issuance of temporary permits to certain nonprofit organizations as provided for in s. [561.422](#).** The division may not issue a change in the series of a license or approve a change of a licensee's location unless the licensee provides documentation of proper zoning from the appropriate county or municipal zoning authorities.

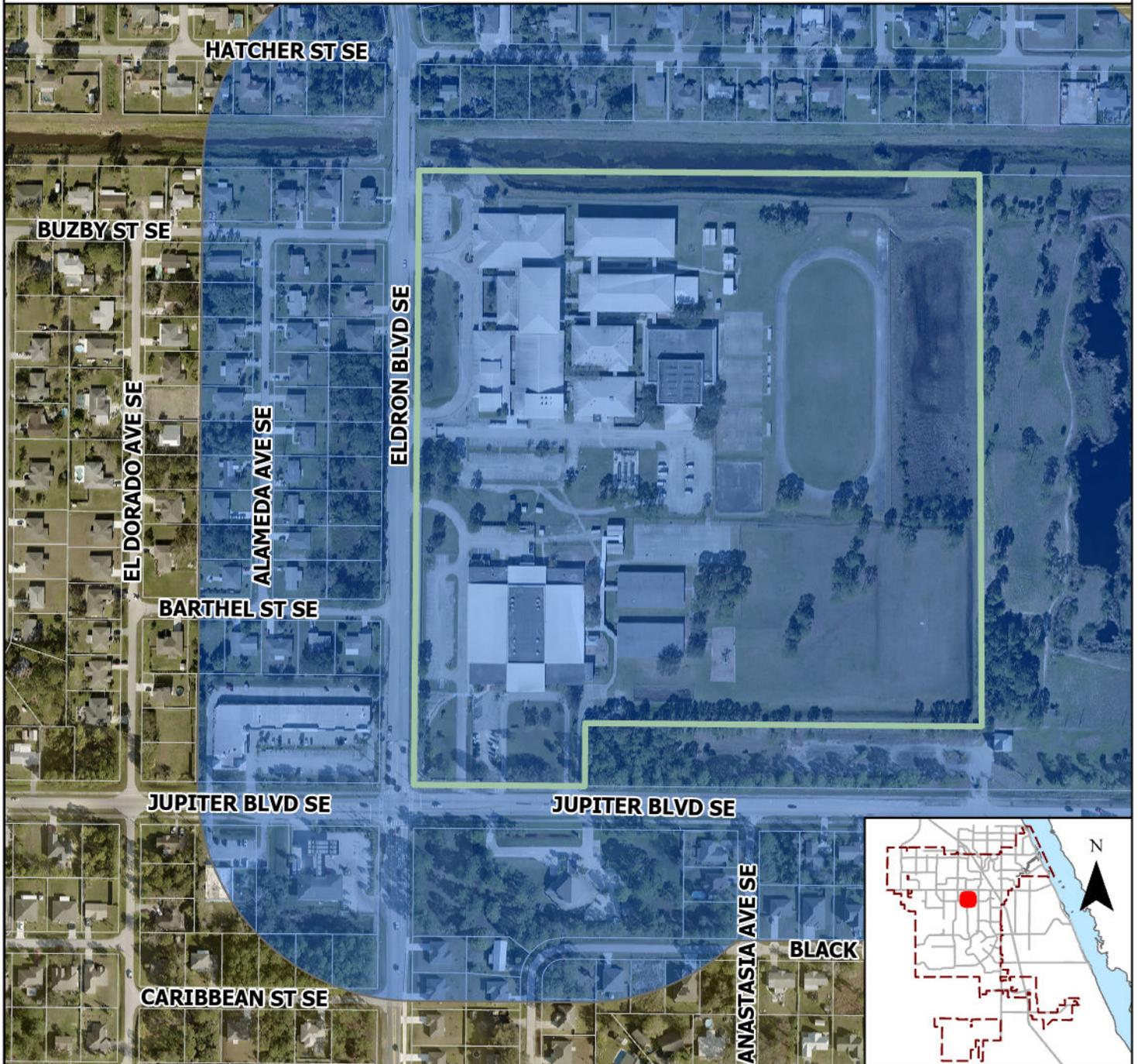
(b) Nothing in the Beverage Law shall be construed to affect or impair the power or right of any county or incorporated municipality of the state to enact ordinances regulating the type of

entertainment and conduct permitted in any establishment licensed under the Beverage Law to sell alcoholic beverages for consumption on the premises, or any bottle club licensed under s. [561.14](#), which is located within such county or municipality.

(c) A county or municipality may not enact any ordinance that regulates or prohibits those activities or business transactions of a licensee regulated by the Division of Alcoholic Beverages and Tobacco under the Beverage Law. Except as otherwise provided in the Beverage Law, a local government, when enacting ordinances designed to promote and protect the general health, safety, and welfare of the public, shall treat a licensee in a nondiscriminatory manner and in a manner that is consistent with the manner of treatment of any other lawful business transacted in this state. Nothing in this section shall be construed to affect or impair the enactment or enforcement by a county or municipality of any zoning, land development or comprehensive plan regulation or other ordinance authorized under ss. 1, 2, and 5, Art. VIII of the State Constitution.

History.—s. 15, ch. 16774, 1935; s. 3, ch. 19301, 1939; CGL 1940 Supp. 4151(240), 7648(6); s. 4, ch. 29964, 1955; s. 1, ch. 57-327; s. 573, ch. 71-136; s. 2, ch. 72-230; s. 1, ch. 87-365; s. 24, ch. 91-60; s. 4, ch. 97-165; s. 2, ch. 99-156; s. 128, ch. 2014-17.

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



TURNER ELEMENTARY SCHOOL

500FT BUFFER

Subject Property

3175 Jupiter Boulevard SE
Palm Bay, FL 32909



DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF ALCOHOLIC BEVERAGES & TOBACCO
ODP APPLICATION# 187609 FILE # 50775

TEMPORARY LICENSE/PERMIT

EFFECTIVE DATE: December 7, 2023 EXPIRATION DATE: December 09, 2023

DATE	RECEIPT NBR	FEE	LICENSE NBR	SERIES	CLASS
12/01/2023	238542077	\$25	ODP1502300	ODP	

NON-TRANSFERABLE, DISPLAY CONSPICUOUSLY, VALID ONLY FOR THE DATE AND PLACE INDICATED

GRAND OPENING
KASIK HERITAGE CORP
3085 JUPITER BLVD SE UNIT 10
PALM BAY, FL 32909

CONTROL NUMBER: 31059915

DISPLAY AS REQUIRED BY LAW

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Ron DeSantis
Governor

Joseph A. Ladapo, MD, PhD
State Surgeon General

Vision: To be the **Healthiest State** in the Nation

5/1/2024

Luckenson Charite
Kasika
918 Salina St SE
Palm Bay, FL 32909

Re: Application #05-48-2876619

Dear Client:

The Florida Department of Health - Brevard County Environmental Health Services has completed a Food Service plan review for the proposed facility located at 3085 Jupiter Blvd SE Unit 10 Palm Bay, FL 32909. Your site plan is **APPROVED** with the following stipulations:

- No food prep. sink activities
- No PHF/TCS food preparation
- Prepackaged/Pre-portioned Only
- Single Service Only

NOTE: Material modifications to this plan will require an additional Environmental Health Services review and approval **PRIOR** to any changes.

The above approval is for your plan review **only**. Prior to beginning your initial operations, you must contact this department to request your pre-opening inspection and pay permitting fees. A passing inspection and receipt of your Department of Health Operating Permit is required prior to opening.

NOTICE OF RIGHTS

A party whose substantial interest is affected by this order may petition for an administrative hearing pursuant to sections 120.569 and 120.57, Florida Statutes. Such proceedings are governed by Rule 28-106, Florida Administrative Code. A petition for administrative hearing must be in writing and must be received by the Agency Clerk for the Department, within twenty-one (21) days from the receipt of this order. Your failure to submit a petition for hearing within 21 days from receipt of this action will constitute a waiver of your right to an administrative hearing, and this action shall become final.

If you have any questions, please feel free to contact me at (321) 615-9380.

Sincerely,

LeeAnn Latford
Environmental Specialist I





STATE OF FLORIDA
DEPARTMENT OF HEALTH
Sanitation Certificate

05-48-2876619

5-BID-7215025

Food Hygiene - Bar/Lounge

Issued To: Kasika Event Center
3085 Jupiter Boulevard, Unit 10-11
Palm Bay, FL 32909

County: **Brevard**
Amount Paid: \$115.00
Date Paid: 05/09/2024
Issue Date: 06/06/2024

Expires On: 09/30/2024

Mail To: Luckenson Charite
918 Salina Street SE
Palm Bay, FL 32909

Issued By:
Department of Health in Brevard County
2725 Judge Fran Jamieson Way, Suite A116
Melbourne, FL 32940
(321) 633-2100

Owner: Charite, Luckenson

Food Type: Limited Service Seating Capacity (Max): 147.00

Food Hygiene Restrictions (if applicable)

Original Customer: Kasika Event Center (NON-TRANSFERABLE)

DISPLAY CERTIFICATE IN A CONSPICUOUS PLACE



STATE OF FLORIDA
DEPARTMENT OF HEALTH
Sanitation Certificate

05-48-2876619

5-BID-7215025

Food Hygiene - Bar/Lounge

Issued To: Kasika Event Center
3085 Jupiter Boulevard, Unit 10-11
Palm Bay, FL 32909

County: **Brevard**
Amount Paid: \$115.00
Date Paid: 05/09/2024
Issue Date: 06/06/2024

Permit Expires On: 09/30/2024

Mail To: Luckenson Charite
918 Salina Street SE
Palm Bay, FL 32909

Issued By:
Department of Health in Brevard County
2725 Judge Fran Jamieson Way, Suite A116
Melbourne, FL 32940
(321) 633-2100

Owner: Charite, Luckenson



STATE OF FLORIDA
DEPARTMENT OF HEALTH
Sanitation Certificate

05-48-2876619

5-BID-7215025

Food Hygiene - Bar/Lounge

Issued To: Kasika Event Center
3085 Jupiter Boulevard, Unit 10-11
Palm Bay, FL 32909

County: **Brevard**
Amount Paid: \$115.00
Date Paid: 05/09/2024
Issue Date: 06/06/2024

Expires On: 09/30/2024

Mail To: Luckenson Charite
918 Salina Street SE
Palm Bay, FL 32909

Issued By:
Department of Health in Brevard County
2725 Judge Fran Jamieson Way, Suite A116
Melbourne, FL 32940
(321) 633-2100

Owner: Charite, Luckenson

Food Type: Limited Service Seating Capacity (Max): 147.00

Food Hygiene Restrictions (if applicable)

Original Customer: Kasika Event Center (NON-TRANSFERABLE)

DISPLAY CERTIFICATE IN A CONSPICUOUS PLACE



STATE OF FLORIDA
DEPARTMENT OF HEALTH
Sanitation Certificate

05-48-2876619

5-BID-7215025

Food Hygiene - Bar/Lounge

Issued To: Kasika Event Center
3085 Jupiter Boulevard, Unit 10-11
Palm Bay, FL 32909

County: **Brevard**
Amount Paid: \$115.00
Date Paid: 05/09/2024
Issue Date: 06/06/2024

Permit Expires On: 09/30/2024

Mail To: Luckenson Charite
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Department of Health in Brevard County
2725 Judge Fran Jamieson Way, Suite A116
Melbourne, FL 32940
(321) 633-2100

Owner: Charite, Luckenson



CITIZEN PARTICIPATION PLAN REPORT

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

CASE DETAILS

Applicant Name:	KASIK HERITAGE CORP / KASIKA
Project Name:	CONDITIONAL USE (CPP Meeting)
Case Type:	BL24 - 01265
Case Description:	CONDITIONAL USE FOR KASIKA
Intended Month of Submission:	01/12/2024

INFORMATION ON THE CITIZEN PARTICIPATION PLAN MEETING

Notice to the Public (Date):	03/01/2024
Date CPP was Held:	03/10/2024
Location of the Meeting:	3085 Jupiter Blvd SE Unit 10 PALM BAY, FL
Number of Attendees:	-



Kasik HERITAGE C.

6180 Babcock Street SouthEast B23 Palm Bay Florida 32909

Email : kasikheritage@gmail.com / contac : +13213629707



03/01/24

Dear Neighbor,

The purpose of this letter is to invite you to attend a Citizen Participation Plan & Report Meeting requesting a Conditional Use for an Event Hall on Sunday March 10th at 3085 Jupiter Blvd Se Unit 10 Palm Bay Fl 32909 a banquet room from 4pm to 4:30 pm.

The goal of this meeting is to make you aware of what Kasika is doing as a gathering space in the neighborhood and to get your opinions on the goal of maintaining a viable environment. Everyone is welcome and encouraged to participate.

Please join us on Sunday March 10th to meet your neighbors and determine where we would like to go from here.

If you have any questions about this informational meeting, please contact Kasika Banquet Hall at kasikheritage@gmail.com or 321 362 9707.

I hope to see you on Sunday March 10th 4pm to 4:30pm .

Sincerely,

Mr Luckenson Charite

Owner of Kasika.

KASIKA

CITIZEN PARTICIPATION PLAN REPORT

03/10/24

COMMENTS

On this Sunday, March 10th 2024, I, Luckenson Charite, note that on March 10th 2024 that a Cpp meeting was coordinated for citizens *requesting a Conditional Use for an Event Hall* around 500 radius ft from Kasika to 3085 Jupiter Blvd Se Palm Bay 32909 from 4 p.m. to 4:30 p.m.

However, 62 neighbors were physically touched by this invitation ten days in advance via USPS.

Now, this Sunday, March 10th in Kasika's premises at 4:40 p.m. I notice that none of his neighbors are present at this meeting and I received only one phone call from a neighbor Mrs Juny Denunzio by saying she is out of town.

This observation is made by me (Luckenson Charite) who is writing this note today March 10th 2024 / 4:40 pm at Kasika 3085 Jupiter Blvd Se Unit 10 Palm Bay 32909.

Sincerely,

Luckenson Charite
Owner of Kasika

A handwritten signature in black ink, appearing to be 'L. Charite', written in a cursive style.

KASIKA

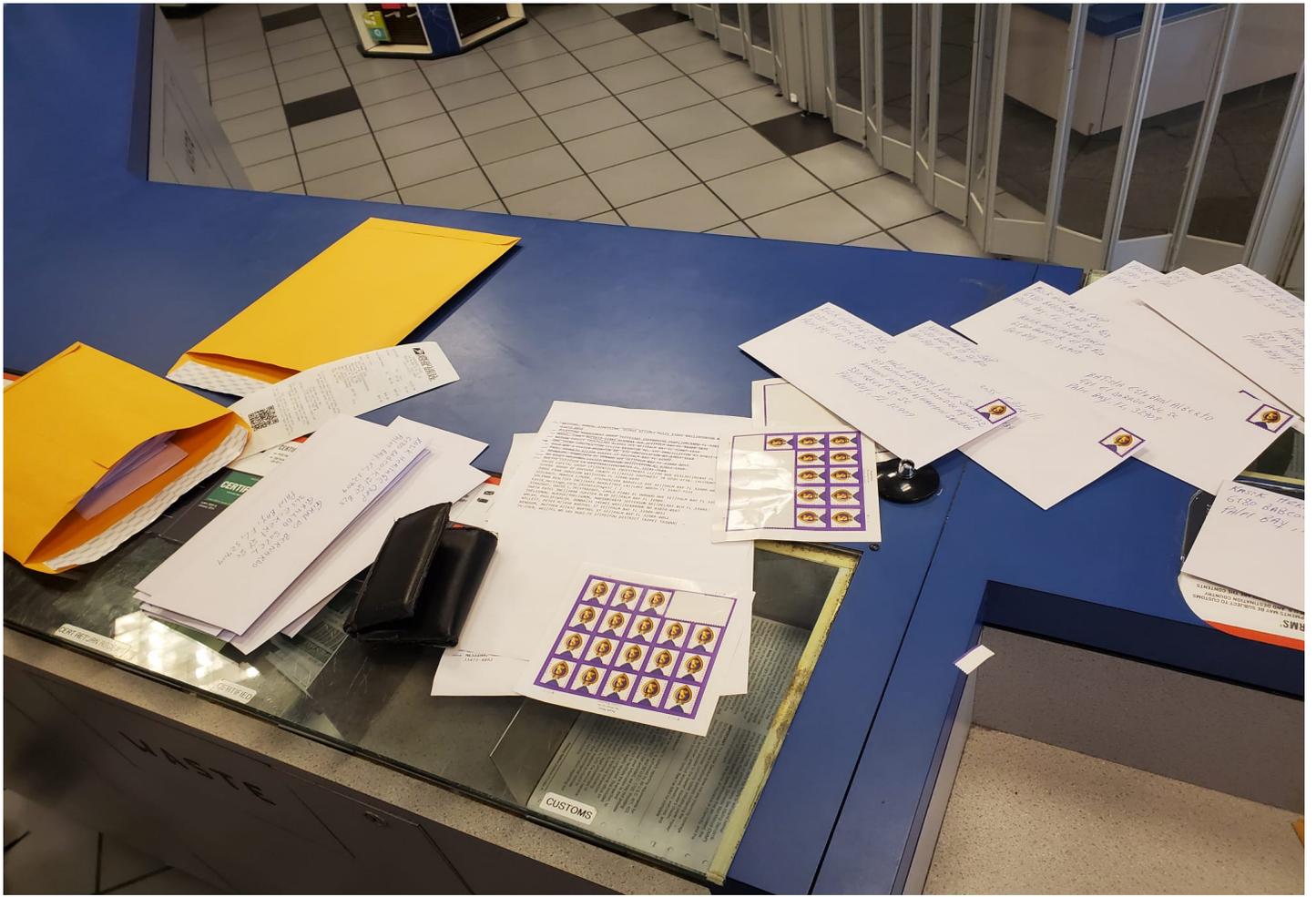
CITIZEN PARTICIPATION PLAN REPORT

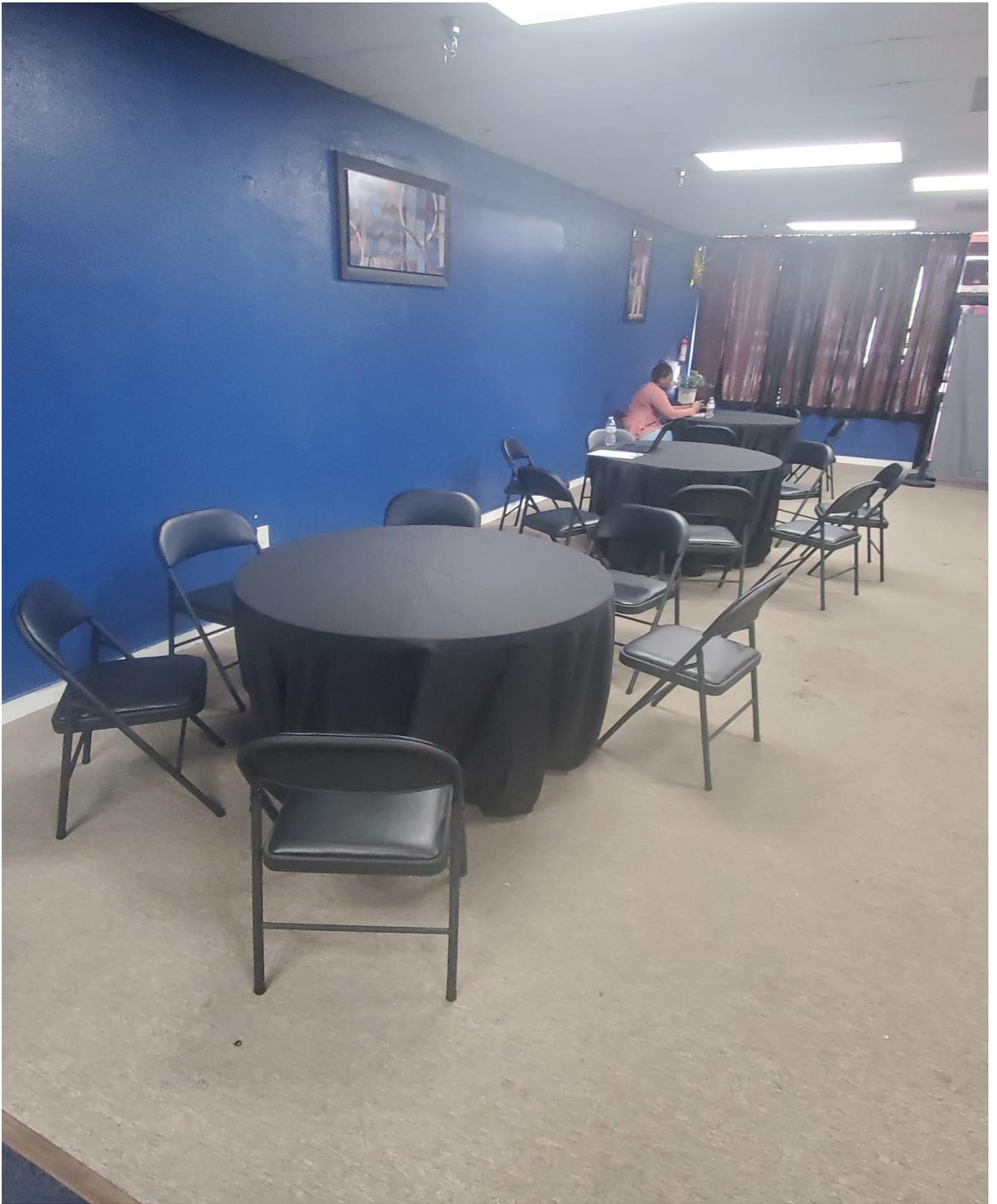
CPP MEETING / MAILING LIST

Notice sent 03/04/2024 via USPS

3085 JUPITER LLC||1415 TALON WAY||MELBOURNE FL 32934-
ACKEY, MAWUKO|N'GARO-ACKEY, ALADYS|414 BARTHEL ST SE||PALM BAY FL 32909-
ALCAMO, LOUIS P JR||1788 WINDING RIDGE CIR SE||PALM BAY FL 32909-
ARMSTRONG, GEORGE||529 EL DORADO AVE SE||PALM BAY FL 32909-
BAKER, STEVEN WADE|BAKER, JENNIFER RAE|377 CARIBBEAN ST SE||PALM BAY FL 32909-
BATISTA, ESTEBAN ALBERTO||481 EL DORADO AVE SE||PALM BAY FL 32909-4040
BELL, ISRAEL N|ARCE, MARIA|381 ECKERT ST SE||PALM BAY FL 32909-4076
BLACK, PATESHA||451 BARGELLO AVENUE SE||PALM BAY FL 32909-
BOVELL, MAUREEN||398 ECKERT ST SE||PALM BAY FL 32909-
BUDHOO, LACEANN|BUDHOO, ORAINE RAY|3034 BLVD JUPITER BLVD SE||PALM BAY FL 32909-
BUFFONG, ORAL||491 BARGELLO AVE SE||PALM BAY FL 32909-4038
CASTELLANOS, ERICK M NORIEGA|ALONSO, MARIA D CASTELLANOS|490 ALAMEDA AVE
SE||PALM BAY FL 32909-4035
CESARY, GERALD D|CESARY, MICHELE R|355 CARIBBEAN ST SE||PALM BAY FL 32909-4068
CHRISTY, JONATHAN HENRY||491 ALAMEDA AVE SE||PALM BAY FL 32909-4036
COLON, JENNY TORRES|COLON, LEONOR TORRES|470 ALAMEDA AVE SE||PALM BAY FL
32909-4035
COTTO, PEDRO||460 ALAMEDA AVE SE||PALM BAY FL 32909-4035
CROTTS, CAROL D|CROTTS, WILLIAM R|434 EL DORADO AV SE||PALM BAY FL 32909-
DAVIS, PAMELA J||PO BOX 410374||MELBOURNE FL 32941-0374
DENUNZIO, ROBERT M|DENUNZIO, JUNY E|490 EL DORADO AVE SE||PALM BAY FL 32909-4057
DEREK E HEATH REVOCABLE TRUST|JONES, TARVIS|466 EL DORADO AVE SE||PALM BAY FL
32909-4057
DUMARVIL, MARIE ANNE||5905 NW 14TH ST||SUNRISE FL 33313-
EHRSTEIN, ROBERT J|EHRSTEIN, HELEN D|6265 TOWNHALL RD||BELLEVILLE IL 62223-
EVANS, MARTIN WILLIAM||330 ARGOSY ST SE||PALM BAY FL 32909-
FOREMAN, GABRIEL AARON||965 JERSEY LN NE||PALM BAY FL 32905-5518
GARBO, JOHN|GARBO, PRANEE|398 BARTHEL ST SE||PALM BAY FL 32909-
GARBO, JOHN F|GARBO, PRANEE|398 BARTHEL ST SE||PALM BAY FL 32909-
GEORGE, PATRICK T|GEORGE, BRITTANY|457 EL DORADO AVE SE||PALM BAY FL 32909-4040
GIRALDO, BERNARDO, JR|GIRALDO, SUZEL|363 ECKERT ST SE||PALM BAY FL 32909-4076

GONZALEZ, JASON|DIAZ, JULIANN F|495 BARGELLO SE AVE SE||PALM BAY FL 32909-4038
HALIO, BARBARA|BUCK, JOAN|257 FOXHURST RD||OCEANSIDE NY 11572-
HARMON, MICHAEL D|HARMON, SANDRA|380 ECKERT ST SE||PALM BAY FL 32909-
HARRIS, GARY||PO BOX 4551||HEMPSTEAD NY 11551-4551
HARVIN, SEAN W|HARVIN, THANIA M|481 ALAMEDA AVE SE||PALM BAY FL 32909-4036
HUMPHRIES, DEAN A|HUMPHRIES, FAWN ROSE TRUSTEES|1903 SANTO DOMINGO||CAMARILLO
CA 93012-
JADUNANDAN, RABINDRA N|JADUNANDAN, SARJUDAI|3018 JUPITER BLVD SE||PALM BAY FL
32909-
JOY LUTHERAN CHURCH||3174 JUPITOR BLVD SE||PALM BAY FL 32909-
KENDALL ENTERPRISES OF BREVARD |INC||PO BOX 120159||WEST MELBOURNE FL 32912-
LYON, LEROY|LYON, LORI A|3021 BLVD JUPITER SE||PALM BAY FL 32909-
MANN, LAWRENCE||441 EL DORADO AVE SE||PALM BAY FL 32909-
MARTINEZ, YOLANDA C||3070 JUPITER BLVD SE||PALM BAY FL 32909-4017
MCPHERSON-FAIR, MACKENZIE||3015 JUPITER BLVD SE||PALM BAY FL 32909-4020
MELENDEZLOPEZ, SAMUEL|MELENDEZ, GLADYS NG|354 BARTHEL ST SE||PALM BAY FL 32909-4051
MESSIHA, ALEXANDER G|MESSIHA, GEORGE W|11062 MISTY RIDGE WAY||BOYNTON BEACH FL
33473-4892
MESSIHA, DANIEL G|MESSIHA, GEORGE W|11062 MISTY RIDGE WAY||BOYNTON BEACH FL
33473-4892
MILESTONE MANAGEMENT GROUP LLC||7345 GREENBRIAR PKWY||ORLANDO FL 32819-8935
MOORE, CASEY MICHELE ||461 ALAMEDA AVE SE||PALM BAY FL 32909-4036
NATHAN FAMILY TRUST||705 ALASKA AVE NE||PALM BAY FL 32907-1656
ONE THIRD CONSTRUCTION LLC||4 BRIGHTON RD, STE 204||CLIFTON NJ 07012-1668
OTLR BMO 1 LLC||4 BRIGHTON RD, STE 204||CLIFTON NJ 07012-1668
PAGE, KENNETH A||399 ECKERT ST SE||PALM BAY FL 32909-
REYNOLDS, DAWN||474 EL DORADO AVE SE||PALM BAY FL 32909-4057
RH ASSET HOLDINGS LLC||4 BRIGHTON RD||CLIFTON NJ 07012-1664
RUETTE LLC||224 LA GARDINIA||EDGEWATER FL 32141-7644
SACHS CAPITAL GROUP LP|IDENTICAL INVESTMENTS LLC|PO BOX 653139||MIAMI FL 33265-3139
SEELBACH, MONICA S|MUDD, STEPHEN|499 BARGELLO AVE SE||PALM BAY FL 32909-4038
SOLIMAN REALTIES INC||6495 MARBLETREE LN||LAKE WORTH FL 33467-7235
STRAIGHT, DAVID L,JR|STRAIGHT, CARLA P|482 EL DORADO AVE SE||PALM BAY FL 32909-4057
SWETA PATEL INC||3090 JUPITER BLVD SE||PALM BAY FL 32909-
THELISMON, AURIUS|THELISMON, MADIAN|4879 JEFFERSON RD||DELRAY BCH FL 33445-
WALSH, PHILIP|WALSH, DONNA|31 IRENES WAY||SEABROOK NH 03874-4567
WILLET, PETER M||450 BARTHEL ST SE||PALM BAY FL 32909-4051
WINDSOR, MATTHEW A||432 BARTHEL ST SE||PALM BAY FL 32909-4051
YU-CHEN, WU||7FL NO 101 HUAL-TE ST|PEITOU DISTRICT TAIPEI TAIWAN| -







ADDITIONAL DOCUMENTS REQUIRED WITH CITIZEN PARTICIPATION PLAN REPORT SUBMISSION

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

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

A handwritten signature in black ink, appearing to be "A. J. ...".

Signature

A handwritten name in black ink: "Duckenson Charite".

Typed Name and Title

A handwritten date in black ink: "03/10/24".

Date

Project Details: CU24-00001

Project Type: Conditional Use

Project Location: 3085 JUPITER BLVD SE Palm Bay, FL 32909
Milestone: Submitted
Created: 1/3/2024
Description: CONDITIONAL USE FOR KASIKA
Assigned Planner: Kimberly Haigler

Contacts

Contact	Information
Owner/Applicant	3085 JUPITER LLC 1415 TALON WAY MELBOURNE, FL 32934 (321) 255-0713 SGHULATIFA@GMAIL.COM
Legal Representative	KASIKA 3085 JUPITER BLVD SE PALM BAY, FL 32909 (321) 362-9707 KASIKHERITAGE@GMAIL.COM
Submitter	KASIKA 3085 JUPITER BLVD SE UNIT 10 PALM BAY, FL 32909 kasikheritage@gmail.com
Assigned Planner	Kimberly Haigler 120 Malabar Rd SE Palm Bay, FL 32907 kimberly.haigler@palmbayflorida.org

Fields

Field Label	Value
Block	L
Lot	
Township Range Section	29-37-06
Subdivision	GK
Year Built	1988
Use Code	1110
Use Code Desc	RETAIL STORE - MULTIPLE UNITS

Project Details: CU24-00001

Lot Size	
Building SqFt	
Homestead Exemption	
Taxable Value Exemption	
Assessed Value	
Market Value	
Land Value	
Tax ID	2925051
Flu Description	Commercial
Flu Code	COM
Zoning Description	Neighborhood Commercial
Zoning Code	NC
Size of Area (acres)	
Conditional Use Sought or Special Requirements Use	N/A Event Hall
Are You a Property Owner of Record?	False
Tax Account Number(s)	2925051
Parcel Number(s)	29-37-06-GK-L
Resolution Number	

January 17th, 20²⁴

Re: Letter of Authorization

As the property owner of the site legally described as:

3085 Jupiter LLC

I, Owner Name: SANJAY GHULATI

Address: 1415 TALON WAY MELBOURNE, FL 32934

Telephone: 321-255-0713

Email: sghulatifla@gmail.com

hereby authorize:

Representative: KASIK HERITAGE CORP.

Address: 6180 BABCOCK ST SE B23 PALM BAY, FL 32909

Telephone: 3213629707

Email: kasikheritage@gmail.com

to represent the request(s) for:

For a Conditional Use Application

[Handwritten Signature]

(Property Owner Signature)

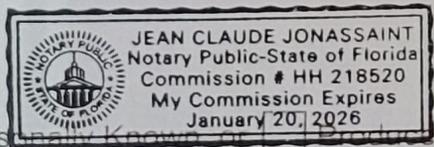
STATE OF FLORIDA

COUNTY OF BREVARD

This foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 17TH day of JANUARY, 20²⁴ by

SANJAY GHULATI

, property owner.



[Handwritten Signature]

, Notary Public

Personally Known 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:

KASIKA

On:

1/12/2024 6:29:07 PM

CU24-00001

Select Language | ▼



Florida
GANNETT

PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

Terri Lefler
attn: Accounts Payable
City Of Palm Bay
120 Malabar Rd Se
Palm Bay FL 32907-3009

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Florida Today, a daily newspaper published in Brevard County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

07/03/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 07/03/2024

Legal Clerk

Nancy Heyrman

Notary, State of WI, County of Brown

5.19.27

My commission expires

Publication Cost:	\$324.92	
Tax Amount:	\$0.00	
Payment Cost:	\$324.92	
Order No:	10328881	# of Copies:
Customer No:	1127256	1
PO #:	P.O. 230085	

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

**NANCY HEYRMAN
Notary Public
State of Wisconsin**



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 July 16, 2024, and by the City Council on July 18, 2024, 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. ****PS23-00009** - Suresh Gupta, Klmaya, LLC (Jake Wise, P.E., Construction Engineering Group, LLC, Rep.)
 A Preliminary Subdivision Plan to allow for a proposed 14-lot commercial subdivision to be known as Palm Bay Pointe East.

Portions of Lots 12 through 21, Cape Kennedy Groves Unit 9, Section 10, Township 30, Range 37 along with portions of Tracts 500, 501, and 752, Section 3, Township 30, Range 37, Brevard County, Florida, containing approximately 42.95 acres. Located east of and adjacent to Babcock Street SE, north and south of St. Johns Heritage Parkway SE

2. ****PS23-00011** - Vishal Gupta, Klmaya, LLC (Jake Wise, P.E., Construction Engineering Group, LLC, Rep.)

A Preliminary Subdivision Plan to allow for a mixed-use subdivision containing 668 multiple-family residential units and 16 commercial parcels to be known as Palm Bay Pointe West.

Tax Parcels 1, 500, 4, 750, 751, and 5, along with Tracts SM.2 and OS1 of Waterstone Plat One P.U.D., all in Sections 3 and 4, Township 30, Range 37, Brevard County, Florida, containing approximately 84.75 acres. Located west of and adjacent to Babcock Street SE, north and south of St. Johns Heritage Parkway SE

3. ****V24-00003** - Grapefruit League Land Group LLC, Gerard O'Halloran (Jake Wise, P.E., Construction Engineering Group, Rep.)

A Variance to allow a proposed parking area to encroach 9.5 feet into the 25-foot rear parking setback, as established by Section 185.042(F)(7)(d) of the Palm Bay Code of Ordinances.

Tract I, Port Malabar Unit 44, Section 22, Township 28, Range 36, Brevard County, Florida, containing approximately 9.18 acres. Located south of and adjacent to Emerson Drive NW, in the vicinity west of Glencove Avenue NW

4. ****V24-00004** - Grapefruit League Land Group LLC, Gerard O'Halloran (Jake Wise, P.E., Construction Engineering Group, Rep.)

A Variance request to allow a proposed 30-foot-high structure to exceed the 25-foot maximum height requirement by 5 feet, as established by Section 185.042(F)(6) of the Palm Bay Code of Ordinances.

Tract I, Port Malabar Unit 44, Section 22, Township 28, Range 36, Brevard County, Florida, containing approximately 9.18 acres. Located south of and adjacent to Emerson Drive NW, in the vicinity west of Glencove Avenue NW

5. ****CU24-00001** - 3085 Jupiter LLC, (Kasik Heritage Corp., Rep.)

A Conditional Use request to allow for proposed alcohol service at an eating establishment in accordance with Section 185.042(D)(6) of the Palm Bay Code of Ordinances.

Tract L, Port Malabar Unit 10, Section 6, Township 29, Range 37, Brevard County, Florida, containing approximately 2.44 acres. Located northwest of and adjacent to the intersection of Jupiter Boulevard SE and Eldron Boulevard SE, specifically at 3085 Jupiter Boulevard SE, Units 10 and 11

6. ****PS24-00001** - Chaparral Properties, LLC (Jake Wise, P.E., Construction Engineering Group, LLC, Rep.)

A Preliminary Subdivision Plan for a proposed 522-lot residential subdivision to be known as Chaparral P.U.D. Phases 4A & B and 5A & B.

Tax Parcels 750, 751, 752, and 753 of Section 04, Township 29, Range 36, along with Tax Parcels 3 and 4 of Section 09, Township 29, Range 36, Brevard County, Florida, containing approximately 160.51 acres. Located south of Malabar Road SW, in the vicinity south of Abilene Drive SW

7. ****FS23-00016** - Chaparral Properties, LLC (Jake Wise, P.E., Construction Engineering Group, LLC, Rep.)

A Final Plat approval for a proposed 167-lot residential subdivision to be known as Chaparral P.U.D. Phase Four A.

Tax Parcels 750, 751, 752, and 753 of Section 04, Township 29, Range 36, along with Tax Parcels 3 and 4 of Section 09, Township 29, Range 36, Brevard County, Florida, containing approximately 160.51 acres. Located south of Malabar Road SW, in the vicinity south of Abilene Drive SW

**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