

Please TYPE or PRINT this application neatly.

Board of Adjustment Special Exception Application

Community Services Department Planning and Zoning Division 65 Stone Street Cocoa, Florida 32922

Phone: (321) 433-8535 Fax: (321) 433-8543

Web: http://www.cocoafl.org

This form is divided into steps, which will help you prepare your application, provide supplemental items, and prepare for the Board of Adjustment hearing. A pre-application meeting with Staff is **recommended**.



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1.	. Request: Sale of Beer	and Wine in CBD-CVO District
		cle XI Sec. 13C
3.	3. Applicant Information: * NOTE	E: Applicant is the main contact, who must attend the meeting!
	Company (if applicable): Farm Bar Ir	nc
,	Name: Chris Hyskell	
	Mailian Addama 30 Lime Ave	
	City: Rockledge	State: Zip Code: <u>32955</u>
		Fax #:
		E-mail: chrishyskell@gmail.com
4.	3. Property Owner Information: * Check	k here if same as Applicant $\rightarrow \boxtimes$ re than one owner, attach additional sheet with names and addresses.
	Company (if applicable):	
	Name:	
	Mailing Address:	
	City:	State: Zip Code:
	Phone #:	Fax #:
	Mobile #:	E-mail:

Street Address and Location: 638 Brevard Ave, Cocoa, FL
Parcel ID: 24-36-33-85-*-A
Tax Account Numbers: 2 4 2 6 5 1 0
Land Area: square feet or acres
Future Land Use (to be completed by City):
Zoning District (to be completed by City):
Existing Use(s) on Property: Commercial
Proposed Use(s) on Property: Commercial and Outdoor Bar
6. Special Exception Petition:
Before any Special Exception may be issued, the Board of Adjustment must make a positive finding for each of the criteria listed below. Applicants must provide the following information for the Board's review and consideration:
a. Demonstrate that there is ingress and egress to the property and proposed structures thereon providing automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
The improvements and operation of this proposal are
entirely outdoors oriented with exception of bathroom facilities
The improvements and operation of this proposal are entirely outdons oriented with exception of bathroom facilities In an existing Structure. Ample exit Space is alloted via a 15 ft open Walkway exiting to Brevard Ave. The walkway is Pedestrian only. b. Explain where the required off-street parking and loading areas are, with particular attention to the items in (a) above, and economic, noise, glare, or odor effects of the special exception on adjoining properties and properties generally in the districts.
Ample Parking is available approximately 50ft North of this improvement
at a public lot on the Corner of Factory St. and Brevard Are, Operations
vill be family and pet friendly with simple beverage Service Concluding at or Defore 10 pm. No odor, glare of or obnoxious activities will be conducted c. Explain the impact of refuse and service areas are, with particular reference to the items in (a) and (b) above.
All bottles and cans consumed will be recycled through normal
vaste Services and will not accumulate on premise. Minimal trash
s expected, as almost all produts to be Served will be recycleable.

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5. Property Information:

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d. Demonstrate that there are sufficient utilities, with reference to location, availability, and compatibility.
A licensed electrician Concluded there are four available Circuit breaker Slots on an exterior panel on the existing briding, which are plenty Sufficient to provide power for LED lighting and Cooling fans. No major electrical appliances will be Needed. e. Demonstrate that there is adequate screening and buffering with reference to type, dimensions, and character.
No Screening is (equired, but Sun Sails will be utilized to provide shade and misting fans will help Keep patrons comfortable f. Explain the impact of signs, if any, and proposed exterior lighting with references to glare, traffic safety, economic effect,
A Simple Near and bulb Sign will be installed facing Brevard Ave. The Sign only faces commercial properties that close prior to dark (a sewing shop, bike ship and sation). The Sign will be about 2ft tall by 6ft wide and extinguished upon closing Benonstrate that there are adequate yards and other open space. And open space and yards have been reserved on all sides of the proposed patio, these yards are typically 7ft of more in width, Several Native and Continually flowering trees and plants will be installed, all itrigate the proposed have a several and plants will be installed, all itrigate the proposed that the several and continually flowering trees and plants will be installed, all itrigate the proposed that the several and continually flowering trees and plants will be installed, all itrigate the proposed that the several and continually flowering trees and plants will be installed, all itrigate the proposed that the several and continually flowering trees and plants will be installed, all itrigate the proposed that the several and continually flowering trees and plants will be installed.
i. Demonstrate how adequate landscaping requirements have been met. All existing trees have been retained. I'm happy to Show Several additional plantings of Crepe Myrtle, Dogwood, white orchid, golden trompet, hibiscand two Stately palms that will provide an exceptionally affractive convironment!
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k. he ear	ame	ount of tr	the use will be reasonably compatible with surrounding uses in its function, its hours of operation, the type and raffic to be generated, and building size and setbacks, its relationship to land values, and other factors that may neasure compatibility. Ilding already adds an affractive Style to Breward Ave. Patio
Derotion		will	I be reasonably Quiet and operate very Similar to long-
usinere	5	like	
m A coure	m	ents	work in harmony and cooperation with all these func
while i			
7.			nit the following items in order complete the application:
	a.	X	Notarized application.
	b.	X	List of owners within 500 feet. A "radius map package" from Brevard County containing a certified mailing list with mailing labels and a map of all property owners of record who reside within a 500-foot radius of the subject property is required for public notice. It is the applicant's responsibility to request these materials with the Brevard County GIS Department that are available free of charge. Inquiries need to be emailed to servicedesk@brevardfl.gov and forwarded to the City of Cocoa Planning and Zoning Department when available.
	c.	X	Application fee. The fee is \$1200 Please make checks payable to the 'City of Cocoa' and submit payment ONLY to the Community Services Department. Public mail notice and legal advertising fees must also be paid a few weeks after application submittal.
	d.	X	Proof of ownership. A copy of the most recent recorded warranty deed or record of ownership printed from the Brevard County Property Appraiser website is required.
	e.		Property Owner Authorization. If the applicant is not the property owner, then the property owner will need to provide authorization by signing below (See #10 below).
	f.	X	Corporate documents. If the applicant/owner is representing a company, articles of incorporation which show the applicant/owner is authorized to represent the company is required. A data record printout from the Florida Department of State, Division of Corporations website may also be provided (http://www.sunbiz.org/corpweb/inquiry/search.html).
	g.	X	Certified boundary survey and/or site plan. Contact Planning & Zoning Division staff to determine if both a boundary survey and a site plan are required. Site plans should be drawn to scale and show the size and shape of the property, location of existing and proposed structures, streets, access points, fences, parking and landscaping areas.
	h.		Additional information (optional). Submit any information that may be helpful in understanding the request. This may include photos, sketches, or elevations.
8.			a filing deadline. The application filing deadline is the first day of each month at 5:00 pm for public hearings in the following month. Example: Application deadline is Oct. 1 st for the November BOA meeting.

List any renewal and/or termination dates.

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of Adjustment.

Application filing procedure. This application, together with all required exhibits and attachments, shall be completed and filed with the Planning and Zoning Division prior to the established filing deadline for the public hearing before the Board

Public hearing process information - please read this!

- Public hearing date and location. All regularly scheduled hearings are held on the third Wednesday of each month at 6:00 pm in the Cocoa City Council Chambers located at 65 Stone Street, Cocoa, Florida unless otherwise notified.
- Presence required at the public hearings. The applicant or his/her representative <u>must be present</u> to answer any questions concerning the application. If there are extenuating circumstances why the applicant or his/her representative cannot attend, he or she must notify the City in writing prior to the public hearing.
- Preparing for public hearing. It is the applicant's responsibility to research and know all laws that may be applicable and may affect the outcome of any decision on the application request. The City assumes no responsibility or liability relating to the applicant's failure to research and know all applicable laws including, but not limited to state, federal, and city laws, codes, land development regulations, and the comprehensive plan. The City recommends all applicants to consider consulting an attorney regarding their applications.
- Format of public hearing. The public hearing before the Board of Adjustment is quasi-judicial in nature. State and local law strictly prohibits applicants and/or interested parties from participating in ex-parte communications with Board members in person, by phone, e-mail, or in writing before the application is considered at a public hearing. Applicants are encouraged to review and copy the quasi-judicial rules and procedures used by the Board of Adjustment before the public hearing date. A copy may be obtained from the City Clerk's Office.
- Exhibits at public hearing. If photographs, documents, maps or other materials are provided to the Board as evidence at the public hearing, the applicant must leave those instruments with the Recording Secretary. By law those instruments automatically become part of the public records and cannot be returned to the applicant.
- Witnesses at public hearing. For the purposes of making a decision on the application, the Board shall only consider testimony of qualified witnesses. A witness is determined by the Board and is generally based on:
 - a. The witness has personal knowledge of the fact in which the witness will testify; and/or
 - b. In the case of testimony consisting of opinions or inferences, the testimony is qualified as the following:
 - 1. Layman witness: Testimony of a witness other than an expert witness is qualified only if:
 - The witness can readily, and with equal accuracy and adequacy, communicate what he or she perceived to the Board without testifying in the form of opinions or inferences.
 - The opinions and inferences do not require any special knowledge, skill experience or training.
 - 2. Expert witness. Testimony of an expert witness is qualified only if:
 - The subject matter is proper for expert testimony because scientific, technical, or other specialized skill will help the Board understand the evidence being presented, or helps establish a fact in issue.
 - The witness is adequately qualified to express an opinion on the matter.
- **Board action.** If the Board of Adjustment finds that the facts presented in the matter justify approval, it may approve the request, or a portion thereof, and it may specify any conditions deemed necessary to preserve the intent of the City of Cocoa Code. If the Board of Adjustment finds that the facts presented do not justify approval, it must deny the request and will specify the reasons for denial. A decision is usually made at the same meeting that the hearing is held.
- Appeals. Appeals of a decision by the Board of Adjustment may be made to the City Council by filing an application with the Community Services Department within fifteen (15) days of the Board's decision. Any party aggrieved by the final decision of the City Council shall have the right to file an appropriate action in a court of competent jurisdiction.

10. Property Owner Authorization. * Chec	k here if same as Applicant $\rightarrow \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ $
I am the fee simple owner (or legal representative) of the propand I hereby authorize the applicant to submit this Board of A	perty at:638 Brevard Ave Adjustment Application regarding my property described above.
Chris Hyskell	Christian 7. Halian
(PRINT OWNER NAME)	(OWNER SIGNATURE)
Personally Known OR Produced Identification Type of I.D. Produced	
(NOTARY PUBLIC SIGNATURE)	(Print, Type, or Stamp Commissioned Name of Notary Public)
STATE OF FLORIDA, COUNTY OF BREVARD	
Sworn and subscribed to before me this15	_day of
11. Applicant Signature.	
(PRINT APPLICANT NAME)	(APPLICANT SIGNATURE)
\square Personally Known OR \square Produced Identification	
Type of I.D. Produced	
(NOTARY PUBLIC SIGNATURE)	(Print, Type, or Stamp Commissioned Name of Notary Public)
STATE OF FLORIDA, COUNTY OF BREVARD	
Sworn and subscribed to before me this	day of, 20
FOR OFFICE USE ONLY	
Fee of \$ in cash □ or check □ (No) payable to the "City of Cocoa".
Receipt Number:	Signature from Planning & Zoning Division:
Date:	

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Department of State / Division of Corporations / Search Records / Search by Entity Name /

Detail by Entity Name

Florida Profit Corporation

FARM BAR INC.

Filing Information

Document Number

P21000038816

FEI/EIN Number

86-3403854

Date Filed

04/22/2021

Effective Date

04/20/2021

State

8 13

FL

Status

ACTIVE

Last Event

REINSTATEMENT

Event Date Filed

01/03/2023

Principal Address

638 BREVARD AVE

COCOA, FL 32922

Mailing Address

30 Lime Ave

ROCKLEDGE 32955 UN

Changed: 01/03/2023

Registered Agent Name & Address

HYSKELL, CHRISTOPHER

30 Lime Ave

ROCKLEDGE, FL 32955

Name Changed: 01/03/2023

Address Changed: 01/03/2023

Officer/Director Detail

Name & Address

Title P

HYSKELL, CHRISTOPHER

30 Lime Ave

ROCKLEDGE 32955 UN

Title VP

OWENS, BRITTANY 7705 POINSETTA AVE CAPE CANAVERAL, FL 32920

Annual Reports

Report Year	Filed Date
2022	01/03/2023
2023	01/03/2023
2024	02/13/2024

Document Images

02/13/2024 ANNUAL REPORT	View image in PDF format
01/03/2023 REINSTATEMENT	View image in PDF format
04/22/2021 Domestic Profit	View image in PDF format

Florida Department of State, Division of Corporations

CFN 2021139887, OR BK 9138 Page 2805, Recorded 06/01/2021 at 09:09 AM Rachel M. Saddif, Clerk of Courts, Brevard County Doc. D: \$2100.00

Prepared by and return to: Mitzi Thompson Landing Title Agency, Inc. 1679 Garden Avenue Melbourne, FL 32934 (321) 259-4445 File Number: TL-172-21

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 18th day of May, 2021 between Kelly Young, a married woman and Patricia Evans a/k/a Trish Evans, an unmarried woman whose post office address is 340 W Exeter Street, Satellite Beach, FL 32937, grantor, and Farm Bar Inc., a Florida Corporation whose post office address is 638 Brevard Avenue, Cocoa, FL 32922, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Brevard County, Florida to-wit:

Begin on the West line of Lot A of the Davidson and Hicks subdivision located in the City of Cocoa in Brevard County, Florida, as shown by the plat of said subdivision recorded in Plat Book 2, Page 71, Public Records of Brevard County, Florida, at a point 5 feet South of the Northwest corner of said Lot A, thence run the West line of said Lot A, South 55 feet to the Southwest corner of said lot, thence run the South line of said Lot A, East to the Southeast corner thereof, thence run the East line of Lots A and B, North 55 feet to a point on the East line of Lot B, 3/4ths feet North of the Southeast corner of Lot B, thence run West and parallel to the South line of Lot A, 140 feet to the point of beginning, the said parcel of land being part of Lots A and B of said Davidson and Hicks subdivision.

Parcel Identification Number: 24-36-33-85-*-A

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to 12/31/2020.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness

Printed Name: (HEAR COMPLIAND

Witness

Printed Name: MITZI B Thompso

Kelly Young

Patricia Evans a/k/a Trish Evans

State of Florida County of Brevard

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 18th day of May, 2021 by Kelly Young and Patricia Evans a/k/a Trish Evans who have produced drivers' licenses as identification.

[Seal]

GLENN W. TOMASONE
MY COMMISSION # GG 285197
EXPIRES: March 14, 2023
Bonded Thru Notary Public Underwriters

Notary Public

Print Name: Supering Supering

BASIN DATA AND CALCULATIONS

35% 73% 65%

PROJECT: 638 Brevard Ave DATE: 13-Mar-24 ENGINEER: C. Maksymow

Post-Development Basin Data:

Post Basin

Area (acres)
0.04
0.08
0.07
0.11

10 yr/24 hr Storm Required Retention:

Rainfall (10 yr/24 hr Storm)	7.47 inches
Impervious Area (100% bldg)	1,692 sf
Semi-Impervious (80% pavers)	2,731 sf
Volume Required	1,053 cf

Swale Capacity (north property line)

V=1/2 * TOP WIDTH *DEPTH *LENGTH

Top Width:	3
Depth:	0.5
Length:	80
Volume Provided	60 cf
V=1/2 * TOP WIDTH *DEPTH *LENGTH	
Top Width:	6

Depth: 1
Length: 60
Volume Provided 180 cf

Swale Capacity (lawn area)

Depth	oth Area	Avg. Area	Volume	Sum. Volume
(ft)	(Sq. Ft.)	(Sq. Ft.)	(Cu. Ft.)	(Cu. Ft.)
0.00	2,470		1,730	1,730
		1,730		
-1.00	990		0	0

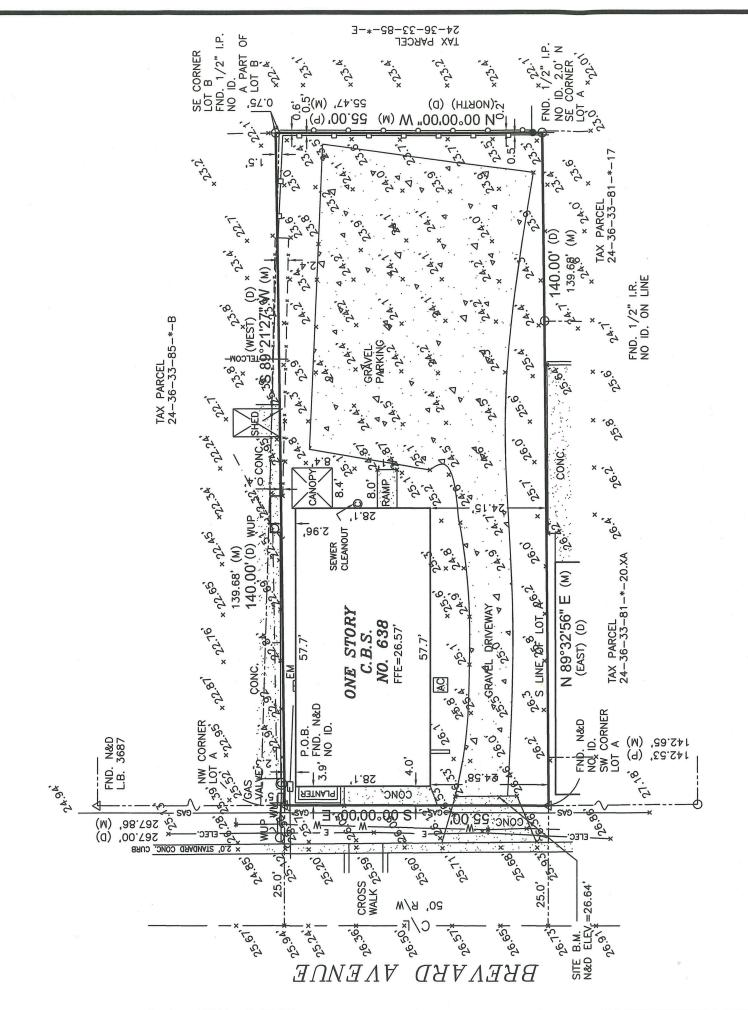
Total Volume Required 1,053 cf Total Volume Provided 1,910 cf

Infiltration of 1":

Rainfall 1 inch Site Area 0.18 acre

Volume Required 653 cf < Vprovided





- .⊆ e Residence is lying No. 426, Suffix H, 7 29, 2021 is located in Flood Zone(s) X, Map No. 12009C0426H, 120020, Effective Date, Jo
- The bearings shown are based on an Assumed North Meridian, Being N 00°06′19" E along the East R/W line of Brevard Avenue. 7
 - situated in Section 33, Tow eal Property bei 3
 - LEGEND $\Delta = Se$

with disc

il with metal disc □ = Set 5/8" I.R.C.

= 4° C.L.F.

= 6° W.F. VINYL FENCE

lity & Drainage Easen Way,(SEC.)=Section ructure,(W.M.)=Water N crete,(C\L)=Centerlin ure,(C.&.S)=Covered

platted o property 4. The Surveyor has not abstracted teasements or encumbrances that

5. Underground improvements are not

Elevations if shown hereon based 7002B027 FLDOT Elev.= 32.71' 9

TO: CHRIS HYSKELL FARM BAR INC.

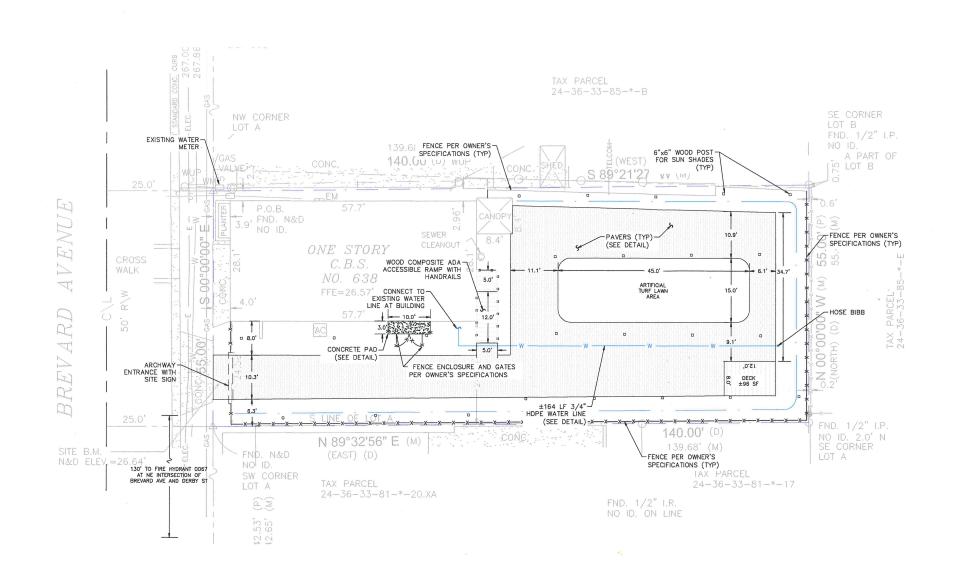
Eric Nielsen

Digitally signed by Eric Nielsen Date: 2023 08, 24, 14:01:47 -04'00'

la Administrative (ying, Ir	12 STONE STREET, COCOA, FL. 3	4	
irds set per Floric Florida Statutes.	1 gume	2 STONE STREE	Ph: (321) 631-5654	
ts the standor 472.027 per	Lano	1		
artify this map of survey meets the standards set per Florida Administrative (1-17.051 pursuant to Chapter 472.027 per Florida Statutes.	Fric Nielsen Land Surveying, Fr	::1	TOPO.&UTILITY 8-15-23	
ertify this	Bric	evisions:	TOPO.	

TOPO.&UTILITY 8-15-23

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- **GENERAL NOTES:** 1. CONTRACTOR SHALL COORDINATE WITH ENGINEER OF RECORD IF ANY DISCREPANCIES ARE FOUND BETWEEN THE PROPOSED PLAN AND EXISTING CONDITIONS.
- CONTRACTOR SHALL ADHERE TO ALL EROSION CONTROL
 MEASURES SPECIFIED IN THE EROSION CONTROL PLAN
- MEASURES SPECIFIED IN THE EROSION CONTROL PLAN
 AND CITY OF COCOA.

 3. CONTRACTOR SHALL PROVIDE PROTECTION FOR
 EXISTING SITE FEATURES THAT ARE NOT TO BE ALTERED
 AS PART OF PROPOSED IMPROVEMENTS.

 4. CONTRACTOR SHALL COORDINATE ANY DOWN TIME OF
 UTILITIES WITH EXISTING BUILDING TENANTS.

 5. ARTIFICIAL TURE TO BE INSTALLED PER
 MANUFACT INFERIO OPECIFICATIONS AND
- MANUFACTURER'S SPECIFICATIONS AND RECOMMENDATIONS.
- ALL PROPOSED PIPING WILL BE PRIVATELY OWNED AND MAINTAINED.

SITE DATA TA	ABLE		
TOTAL PROJECT AREA	5,895 SF	0.14 AC	
TOTAL SITE AREA	7,700 SF	0.18 AC	
EXISTING BUILDINGS & CANOPY	1,624		
PROPOSED PAVERS, CONCRETE, DECK, AND ARTIFICIAL TURF		3,547 S	
TOTAL IMPERVIOUS AREA		5,171 S	
TOTAL PERVIOUS AREA		4,153 8	
TOTAL IMPERVIOUS %		67.16	
TOTAL PERVIOUS %		53.94	
OPEN SPACE	4,153		
SETBACKS:			
FRONT (0')		4.	
REAR (0')		78.	
SIDE (0')		2.	
MAX BUILDING HEIGHT		6	

PARKING CALCULATIONS

PER LAND DEVELOPMENT CODE ARTICLE XII SEC 1(d)(45) FOR OFF-STREET PARKING AND LOADING REGULATIONS, NO PARKING REQUIRED WITHIN CENTRAL BUSINESS DISTRICT AND COCOA VILLAGE OVERLAY DUE TO NO CHANGE IN GROSS FLOOR AREA OF THE EXISTING BUILDING.

DESCRIPTION	1/15/24 REVISED PER CITY OF COCOA	3/13/24 REVISED PER CITY OF COCOA		
DATE	1/15/24	3/13/24		
#	1	2		

NGINEERING

교 FARM BAR
8 BREVARD AVENUE, COCOA, FI
PREPARED FOR
FARM BAR INC. SITE AND UTILITY PLAN 638

CCM IGNED BY: ECKED BY: 10/3/23 OJECT#: 23014 4