



ZONING ORDINANCE AMENDMENT APPLICATION (TEXT ONLY)

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 Planning & Zoning Board and City Council hearings. A pre-application meeting with Staff is **required**.

For Office Use Only - Date Received

Please TYPE or PRINT this application neatly.

Stamp Only When Application is Fully Complete

1. Request: MODIFY THE M2 ZONING LANGUAGE WHICH ALLOWS
RESTAURANTS TO SELL BEER AND WINE FOR ON SITE
CONSUMPTION TO NOW INCLUDE LIQUOR.

2. Applicable City Code Section(s): SEC 19 - DISTRICT AND INTENT - M2
MANUFACTURING AND INDUSTRIAL DISTRICT, A.11.d.2

3. Applicant Information: ** NOTE: Applicant is the main contact, who must attend the meeting!*

Company (if applicable): PINT + PISTOL, LLC

Name: ROBERT (BOB) SCALES

Mailing Address: 1415 N. ATLANTIC AVE

City: COCOA BEACH State: FL Zip Code: 32931

Phone #: 321-508-4803 Fax #: NA

Mobile #: 321-508-4803 E-mail: BSCALES@PINTPISTOL.COM

4. Please submit the following items in order complete the application:

- a. Notarized application.
- b. Application fee. 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. See Schedule of Fees, Charges and Expenses for applicable fees.
- c. Corporate documents. If the applicant is representing a company, articles of incorporation which show the applicant 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>).
- d. Additional information. Submit any information that may be helpful in understanding the request. This may include, but limited to, desired ordinance text, examples, photos, sketches, elevations, and letters.

5. **Application filing procedure.** This application, together with all required exhibits and attachments, shall be completed and filed with the Planning and Zoning Division.

Public hearings process information – please read this!

6. **Dates and locations of public hearings.** All zoning text ordinance amendments require one hearing in front of the Planning & Zoning Board and two hearings in front of the City of Cocoa Council.
7. **Board types.** The Planning & Zoning Board is an advisory board to the City Council and therefore is only authorized to make recommendations. City Council is an authoritative body and is able to make binding decisions.
8. **Presence required at the public hearings.** The applicant or his/her representative must be present 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.
9. **Preparing for the public hearings.** 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.
10. **Exhibits at public hearings.** If photographs, documents, maps or other materials are provided to the Board/Council 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.
11. **Witnesses at public hearings.** For the purposes of making a decision on the application, the Board/Council shall only consider testimony of qualified witnesses. A witness is determined by the Board/Council 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.
12. **Planning & Zoning Board vs. City Council actions.** If the Planning & Zoning Board finds that the facts presented in the matter justify approval, it may recommend to 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 finds that the facts presented do not justify approval, it may recommend to deny the request and will specify the reasons for denial. A decision is usually made at the same meeting that the hearing is held. Regardless of the outcome, the application will be forwarded to the City Council for consideration where a final decision can be made.

13. Zoning Text Amendment Petition

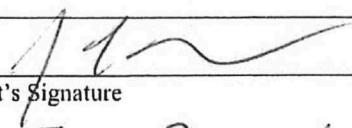
I, the undersigned, hereby petition the City of Cocoa Council for a zoning text amendment as specified below:

a. In order to approve a zoning text ordinance amendment, the Planning & Zoning Board and City Council must consider and study the criteria listed below (as described in Appendix A, Article XXII, Section 1 (G)(2) of the City of Cocoa Code). Please provide your consideration of the following criteria and any pertinent data and evidence that may be useful to the Planning & Zoning Board and City Council.

a. The need and justification for the change.

IN ORDER TO CONTINUE GROWTH OF THE GRUBSON PARKWAY
CORRIDOR AND MAINTAIN JOB GROWTH WE ARE PROPOSING
THE ENHANCEMENT OF ENTERTAINMENT VENUES AND
SELECTION CHOICES FOR RESTAURANT PATRONS WITH THE
ADDITION OF IN HOUSE LIQUOR SALES.

b. The relationship of the proposed amendment to the purposes and objectives of the comprehensive planning program and to the comprehensive plan, with appropriate consideration as to whether the proposed change will further the purposes of this zoning code and other codes, regulations, and actions designed to implement the comprehensive plan.

 Applicant's Signature	7/6/23 Date
Joseph Robert Scowles Applicant's Printed Name	

14. Signatures and Notarization.

STATE OF FL COUNTY OF BREVARD I, ROBERT SCALED
being first duly sworn, depose and say that:

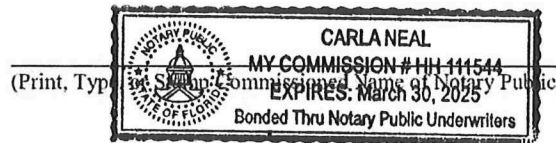
- I am the applicant, or if corporation, I am the officer of the corporation authorized to act on this request.
- I am the legal representative of the applicant of this application and a notarized Letter of Authorization form or agent affidavit accompanies this application giving written, unless the applicant is the Attorney representing the owner.

I hereby certify that I have read, completed and understand this application and applicable petition, and understand that if my application and all associated attachments are not complete and accurate in all respects, the application will not be scheduled for a public hearing. I further understand that this application must be complete and accurate prior to the advertising of a public hearing.

[Signature]
(APPLICANT SIGNATURE)

Personally Known OR Produced Identification

Type of I.D. Produced n/a



[Signature]
(NOTARY PUBLIC SIGNATURE)

STATE OF FLORIDA, COUNTY OF BREVARD

Sworn and subscribed to before me this 6th day of July, 2023

FOR OFFICE USE ONLY	
Fee of \$ _____ in cash <input type="checkbox"/> or check <input type="checkbox"/> (No. _____) payable to the "City of Cocoa".	Signature from Planning & Zoning Division: _____
Receipt Number: _____	
Date: _____	



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Detail by Entity Name

Florida Limited Liability Company
PINT & PISTOL, LLC

Filing Information

Document Number	L19000157628
FEI/EIN Number	84-2262843
Date Filed	06/14/2019
Effective Date	06/14/2019
State	FL
Status	ACTIVE
Last Event	LC AMENDMENT
Event Date Filed	03/07/2023
Event Effective Date	NONE

Principal Address

2911 Oxbow Circle
Cocoa, FL 32926

Changed: 09/06/2022

Mailing Address

2911 Oxbow Circle
Cocoa, FL 32926

Changed: 09/06/2022

Registered Agent Name & Address

WELLS, JEFFERY
1415 N ATLANTIC AVE
COCOA BEACH, FL 32931

Name Changed: 03/07/2023

Address Changed: 03/07/2023

Authorized Person(s) Detail

Name & Address

Title MGR

WELLS, JEFFERY
1415 N ATLANTIC AVE
COCOA BEACH, FL 32931

Title AMBR

SCALES, ROBERT
1415 N ATLANTIC AVE
COCOA BEACH, FL 32931

Title AMBR

KENNEDY, MATTHEW J
7524 POULICNY LANE, LOT U6
MELBOURNE, FL 32940-7415

Annual Reports

Report Year	Filed Date
2021	04/29/2021
2022	03/15/2022
2023	01/10/2023

Document Images

03/07/2023 -- LC Amendment	View image in PDF format
01/10/2023 -- ANNUAL REPORT	View image in PDF format
03/15/2022 -- ANNUAL REPORT	View image in PDF format
08/31/2021 -- LC Amendment	View image in PDF format
04/29/2021 -- ANNUAL REPORT	View image in PDF format
06/18/2020 -- ANNUAL REPORT	View image in PDF format
06/14/2019 -- Florida Limited Liability	View image in PDF format

Sec. 19. - District and Intent—M2 Manufacturing and Industrial District.

The provisions of this district are intended to preserve the function of various industrial activities, warehousing and distribution without creating hazards or negatively influencing surrounding land uses. This district shall be located in areas accessible to collector or higher classification roadways and be served by public services and facilities. These districts shall be discouraged from locating next to areas designated for residential or low-intensity commercial uses.

(A) PRINCIPAL USES AND STRUCTURES. The following uses and structures are permitted for any use or group of uses that are developed, either separately, or as a unit with certain site improvements shared in common:

- (1) Industrial uses, industrial processing, and manufacturing.
- (2) Commercial greenhouses.
- (3) Schools (industrial and vocational in nature).
- (4) Storage facilities (excluding salvage yards), including automobiles, mobile homes, commercial vehicles and heavy equipment, building materials, general, refrigerated, and recreational vehicles pursuant to Appendix A, Article XIII, Sec. 5 of the Code of the City of Cocoa.
- (5) Research facilities:
 - a. Where the use does not involve:
 1. Creation of excessive noise, fumes, dirt; or
 2. Damage or interference with other properties.
 - b. Where all work is done within an enclosed structure.
- (6) Transportation facilities; passenger and/or freight.
- (7) Warehousing and distribution.
- (8) Mobile home repair facilities.
- (9) Contractor's office and storage yard, except scrap materials. Outside storage shall be effectively screened on all sides to avoid any deleterious effect upon adjacent properties and right of ways.
- (10) Sales or rental of new and/or used commercial vehicles and heavy equipment, major recreational equipment, and mobile homes as regulated by appendix A, article XIII, section 28 of the Code of the City of Cocoa.
- (11) Limited commercial uses, as identified in this section, shall be permitted with the following conditions:
 - a. Commercial uses shall only be located on property having a minimum of one hundred fifty (150) feet of frontage along Grissom Parkway.
 - b.

Commercial uses shall only be located within four hundred (400) feet of Grissom Parkway, as measured from the right-of-way line. All on-site commercial-related improvements, such as retention, parking, loading/unloading, etcetera, shall be contained within this four hundred (400) foot area. Retention areas may be provided outside of the four hundred (400) foot requirement if the proposed commercial use is part of a master planned industrial park with an associated retention system.

c. Commercial uses shall have no outdoor storage or display.

d. Commercial uses shall be limited to:

1. Retail sales of carpet, tile, pool, furniture, construction products or materials sold directly to the end user (builder, installer, or homeowner).

* 2. Restaurants located within one (1) principal structure, including the sale of beer and wine for on-site consumption only, with a minimum three thousand (3,000) linear feet spacing requirement between restaurant uses as measured between the nearest property lines. This distance requirement shall not apply if the proposed restaurant is part of a master planned industrial park and the restaurant is located within four hundred (400) feet of Grissom Parkway.

3. Business service establishments.

4. Veterinary hospitals, clinics, and animal boarding facilities.

5. Indoor shooting ranges, with ancillary retail sales and restaurant subject to the requirements of subsection (A)(12)(d)2. of this section, shall be permitted with the following conditions:

a. All firing shall take place within a completely enclosed building.

b. Site plan applications for the development of an indoor shooting range shall include a plan by a Florida registered engineer demonstrating that the building is soundproof and appropriately designed for such use.

(B) ACCESSORY USES AND STRUCTURES.

(1) Customary accessory buildings and uses are permitted; including operations required to maintain, or support any industrial use permitted in this district.

(2) Office buildings as an accessory to primary use and structure.

(3) Accessory retail sales on site.

(C) SPECIAL EXCEPTIONS.

(1) Principal structures listed in subsection (A) exceeding sixty (60) feet in height.

(2) Sewer lift stations, plants, power plants, and other utility activities.

(3) Telecommunication towers and facilities.

(4) Security trailers on public and private property.