



Gateway to Nature & Space



## DEVELOPMENT ORDER

### **Conditional Use Permit (CUP)#1-2023, 4411 South Capron Road (VFW Outdoor Storage)**

The Titusville City Council finds that the applicant has met its burden of proof in providing competent substantial evidence in support of the Conditional Use Permit requested

The Titusville City Council finds that the Conditional Use Permit requested does meet the requirements of Section 34-76 "Review Criteria of the Land Development Regulations and does meet the criteria set forth therein.

That based upon the information and evidence presented to the City Council and in accordance with the City Charter of the City of Titusville, the Code of Ordinances & Land Development Regulations of the City of Titusville, the Adopted Comprehensive Plan, and the provisions of Chapters 163 and 166, Florida Statutes, the City Council hereby



APPROVES



APPROVES WITH  
CONDITIONS<sup>(1)</sup>



DENIES<sup>(2)</sup>

Footnotes: (1) Approvals may have conditions that are listed on the attached page

(2) The reasons for the denial of the order would be listed on the attached pages if applicable

**Conditional Use Permit (CUP)#1-2023 approved on the date of July 11, 2023.**

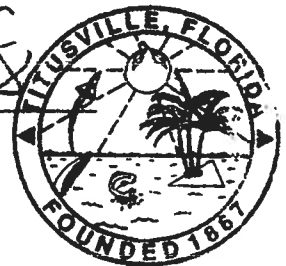
The conceptual plan that was submitted to City Council on July 11, 2023 is binding on the applicant, assigns, heirs and successors in title or possession of the lot, tract or parcel of land [Sec. 34-74(c) of the Code]

**This Development Order is hereby officially issued on** July 11, 2023.

CITY COUNCIL

BY:

Daniel E. Diesel  
Daniel E. Diesel, Mayor



Filed in City Clerk's office this 14<sup>th</sup> day of July 2023

Wanda F. Wells  
Wanda F. Wells, City Clerk

The Decision of the City Council is a final order. In the event you desire to challenge this decision, you must file an appropriate action within 30 days or take such other action as authorized by law.

This decision shall take effect immediately. However, the City of Titusville's Land Development Regulations Section 30-411 states such approval shall be preliminary in nature and shall not entitle the applicant to proceed with the development unless the public facilities are available concurrent with the impacts of development as provided in land Development Regulations Section 30-411.

Issuance of a development permit by the City of Titusville does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the City of Titusville for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal law. All other applicable state or federal permits shall be obtained before commencement of the development.

CUP#1-2023

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<b>Development Order Provided to:</b>	<input type="checkbox"/> Owner	<input type="checkbox"/> Tenant	<input type="checkbox"/> Agent	<input type="checkbox"/> Other

Conditions of Approval

CUP#1-2023, 4411 South Capron Road (VFW Outdoor Storage)

- 1) An opaque masonry wall, or opaque fence consistent with Section 28-364.
- 2) A stabilized surface shall be illustrated on the site plan for all areas used for outdoor storage.
- 3) No outdoor storage is permitted within the minimum building setbacks of the M-1 zoning district.
- 4) Landscape yards shall be illustrated on the site plan consistent with the landscaping requirements in Chapter 30, Article III, Division 10 of the Code unless a variance is approved



FNO 1/2" I R C  
LS 3072

ELECTRIC  
WUP ALL  
POX")

13104C "

100

PARCEL 10  
22-55-22-76-60-8

**SURVEYORS NOTES:**

**BUYER'S NOTES:**  
This property is located in Flood Zone(s) X. The Residence is lying in Flood Zone(s) X. Map No 1200-CC:2704, Panel No 220 Suffix H Community No 12512, Effective Date, January 29, 2021.

The bearings shown are based on an Assumed North Meridian, Bearing N 09° 34' 00" W along the East 1/4 1/4 line of Canon Road

This is Real Property being situated in Section 22 Township 23C Range 31E

GING AND ABBREVIATIONS. 0 = Set 5/8" iron rod with plastic cap

-- 6' CLF = Center Line  
 -- 6' W F = 6' VINYL FENCE

(E, I,  $\mu$ ) = Benchmark, (CBMC) = Concrete, ( $\Delta$ ) = Centerline, (C.B.S.) = Concrete Buckle Structure  
 \* CHPL

(C.B.S.) = Concrete Block Structure, (C.B.S.) = Covered and Screened,  
(C.M.) = Concrete Monument, (C.M.P.) = Corroded Metal Pipe, (C.L.F.) = Chain Link Fence

(F.P.I.) = Fixed Point of Reference, (I.R.C.) = Iron Rod with Cap, (I.P.) = Iron Pipe  
(C.M.) = Cas Meter (L.B.) = Licensed Builder, (L.S.) = Licensed Surveyor, (M) = Meas

(H.E.S.) = Metered End Section, (N.H.S.) = N.H. & Disc, (O.R.B.) = Official Records Book, (H.M.P.) = Over Head Power Line, (P.C.P.) = Permanent Control Point, (P) = Plot

(P.R.) = Permanent Residence Monument (U.S.D.E.) = Public Utility & Drainage Engineers  
(R.N.G.) = Registered Nurse (C.P.) = Registered Nurse (S.C.) = Registered Nurse (S.C.)

(1116) Townshend (MUSP) - Wood Lullaby Pass (W. S.) - Wood Frame Structure (6.11) - 1st - Mitty Moss

UNLESS IT BEARS THE SEAL & SIGNATURE OF A FLORIDA LICENSED SURVEYOR THIS SURVEY IS FOR INFORMATION ONLY

### DESCRIPTION

PARCEL 1

Lot 6 and Lot 7, Block 60, less North 5.00 feet of Lot 6, Block 60 according to the Revised Plot of Indian River City, according to the plot recorded in Plat Book 4, Page 12 and plat Book 4 Page 103, of the Public Records of Brevard County, Florida

**PAGE 1**

All of the right, title and interest of the grantors in and to all that part of Hibiscus Avenue lying East of Block 6 and Lot 7, being 63 feet less the North 500 feet of Lot 6 Block 6, reversed by Indian Order No. 1 of the Florida East Coast Railway, as shown in Exhibit A, attached to the Public Records of Dade County, Florida, Book 113, Page 113, of the Public Records of Dade County, Florida, the said parcel being approximately fifty (50) feet in width and 95.00 feet along the East Florida East Coast Railroad right-of-way having been abandoned as a public street.

**COMMUNITY DEPARTMENT ADMINISTRATIVE INTERPRETATION**  
**Definition of Stabilized Surface**

The current code does not provide a definition of "stabilized surface", often referenced in regard to the area of parking areas. Based upon definitions in general use throughout Brevard County and other jurisdictions, the following definition shall be utilized:

*Stabilized surface* means an area of aggregates, concrete, asphalt, gravel, masonry, road base, crushed concrete, packed shell, or marl material (minimum thickness: six (6) inches) or other similar type materials utilized to support the storage of vehicles and equipment. For purposes of this section, the term stabilized shall not include a grassed area or an area that is only cleared of vegetation or mulched. At a minimum, the surface must meet LBR 40. All stabilized surfaces will be treated as an impervious surface unless otherwise approved by the Administrator. The Administrator may approve grass parking and mulch parking areas only in the Area of Critical Concern. Such areas, having a minimum percolation rate of two (2) inches per hour, will be considered pervious.

This administrative policy shall remain in effect until changed by the Administrator, or the Code is amended to specify a site plan expiration period.



Peggy Busacca  
Community Development Director  
January 12, 2016