

DECEMBER 2014 / JANUARY 2015 *Shore* news

South Patrick Residents Association

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Ayn Marie Samuelson • 773.8167
asamuelson@spranews.com

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asamuelson@spranews.com

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Mary Lou Coleman
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WHAT TYPE OF AN ORGANIZATION IS SPRA?

SPRA is not a homeowners' association. We are a 501(c)(4) non-profit organization, which is defined as a civic league and/or corporation operated for the promotion of "social welfare" and civic issues, that has a membership in a designated area that is dedicated to promoting the common good and general welfare of the people in that community. SPRA has been involved in our area since the 1950's.

501(c)(4) organizations may inform the public on controversial subjects and attempt to influence legislation, and unlike 501(c)(3) organizations, they may also participate in political campaigns and elections, as long as their primary activity is the promotion of social welfare. A 501(c)(4) organization may directly or indirectly support or oppose a candidate for public office, as long as such activities are not a substantial amount of its activities, although SPRA does not support or oppose candidates for elective office. Contributions to 501(c)(4) organizations are usually not deductible as charitable contributions on federal income tax.

SPRA is a very unique volunteer organization in the county, with an excellent reputation for working with the county and the state legislature and as a driving force for getting things done, such as: the Pineda safety wall; the plantings along South Patrick Drive; attractive signs on Ocean Blvd. and Berkeley Street, as well as those in area subdivisions. Our dedicated core of volunteers are involved because we care about our community, and we get things done through their work and volunteer membership dues, along with advertising revenue from local businesses, that help fund the publication of the Shore News, as well as the visible accomplishments within our area. SPRA welcomes new volunteers and their reasoned input into the community's affairs. We are fortunate to have SPRA working on our behalf.

SPRA SANTA'S FIRE ENGINE RIDE

SPRA's annual Santa's Ride will take place on December 8th, 9th, and 10th and will depart from Fire Rescue Station 62 on Sea Park Avenue. Santa will ride his sleigh atop the fire engine throughout South Patrick Shores, including Tortoise Island, starting at 6:00 pm. Watch for Santa in your area:

- Area 1 & 2 December 8 Santa will leave Fire Station 62 at 6:00 pm
- Area 3 & 4 December 9 Santa will leave Fire Station 62 at 6:00 pm
- Area 5 & 6 & Tortoise Island December 10 Santa will leave Fire Station 62 at 6:00 pm

SPRA and Tortoise Island HOA collaborate to provide Publix gift certificates to the families of our firefighters at Fire Station 62 during the holidays.

CHRISTMAS BOAT PARADE ALONG THE GRAND CANAL

The Annual Christmas Boat Parade will be hosted by the Banana River Sail & Power Squadron on Saturday, December 20th. The participating boats will gather at the north end of the Grand Canal. At 6:00 pm the parade will commence and then travel south down the Grand Canal, around Lake Shepherd, and continue down to the south end of the Grand Canal. Unless there are extreme weather conditions, the parade will be held as planned. There are several locations along the canal where residents can view the Christmas boat parade. Please observe no-parking signs in these areas as a courtesy to residents living near the public areas. You may contact Area 5 Director Bob Cahall for more information at bcahall@spranews.com or at 321-779-9282.

**Monday, January, 2015 • Next SPRA Community Meeting
All Welcome! • 7:15 p.m. • David Schechter Center**

By Ayn Samuelson

BREVARD COUNTY HIGHLIGHTS

(1) Brevard County Election Data: Over 59% of registered voters cast their ballots on Election Day. Offices from the U.S. Congress, state legislators and senators, county commission, school board, city offices, judges, along with county and state referenda were on the ballot. SPRA welcomes two new county commissioners, Jim Barfield from District 2 and Curt Smith from District 4, along with two new school board members. Whether or not a commissioner or school board member resides in our district, members discuss and vote on issues that affect all residents throughout our county. The same goes for all offices at the county, state and federal level.

(2) Indian River Lagoon Health: (Excerpts from Florida

Today) Millions of gallons of raw or semi-treated sewage spill from the old sanitary sewer system into ponds, ditches, canals and tributaries, some of which lead directly into the lagoon system. Florida Today confirmed that at least 25 million gallons of wastewater were released in the five-county lagoon region, from Volusia through Martin County, over the past year. Such sewage in our waterways poses risks to humans because of bacteria and viruses. Brevard plans to spend \$110 million over the next five years on sewer system improvements, including upgrades to sewer plants, replacing pipe, along with other improvements. Thus, Brevard's rates will likely increase over the next several years. Even as utilities in the county and municipalities have embarked on hundreds of millions of dollars in sewer infrastructure upgrades, deteriorating sections and faulty connections



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can leak raw sewage into groundwater, canals, and other waters.

(3) Brevard County Transportation Impact Fee Moratorium Ends December 31, 2014: Brevard County's moratorium on the collection of Transportation Impact Fees is scheduled to automatically expire or sunset on Dec. 31st. Any construction project for which a building permit has not been issued by Brevard County or a participating municipality before Dec. 31, 2014, as well as any project which has not received at least a temporary certificate of occupancy, will be required to pay transportation impact fees, unless either of these deadlines is extended by the Brevard County Board of County Commissioners.

FLORIDA STATE HIGHLIGHTS:

(1) State Attorney Phil Archer: (a) Scam Alerts: Publisher's Clearing House (PCH) is an iconic brand,

recognized and welcomed into homes across the country. In this scam, you are sent a check and told it's a partial prize award. You are asked to cash it and send a portion back to claim the full prize award. Don't do it! The check is fake, but the scam is real! PCH does not operate this way and would never ask for money to claim a prize award. Scammers use any means available - mail, telephone, Internet, email and Facebook. Whatever the method of contact, their main goal is to deceive you into believing you have won a prize and need to send pre-payment to claim that prize. (b) Suspicious Emails: Be aware of suspicious-looking emails. If the correspondence is from an unknown source, do not click on any links, provide any information, or open attachments.

(2) Speaker of the Florida House Steve Crisafulli: (a) Job Growth: Last month, Florida's unemployment rate dropped from 6.3 to 6.1 percent, the lowest since June 2008. Florida businesses created nearly 13,000 new jobs in September and have added more than 651,000



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total private-sector jobs since December 2010. (b) Foster Care Pilot Program: The Florida Department of Agriculture and Consumer Services (FDACS) has hired six young adults who have aged out of Florida's foster care system, as part of a pilot program created by the Legislature. The pilot is in coordination with the state's new "It Can Be Done" outreach campaign, which seeks to open career opportunities for former foster youth that is managed by the Department of Children and Families. It was developed in partnership with former and current foster youth who hope to engage local businesses, organizations and communities to play a pivotal role in encouraging foster youth to achieve the level of success we hope for all children.

U.S. CONGRESS HIGHLIGHTS

(1) House Passes Posey-Murphy Bipartisan Plan to

Help Estuaries with Critical Needs: The U.S. House of Representatives passed legislation (H.R. 5266) to reauthorize funding for the National Estuary Program (NEP). Reps. Bill Posey and Patrick Murphy secured the inclusion of their bipartisan plan (H.R. 5117) to reprioritize existing funding, so that more money is available for estuaries with critical needs, like our Indian River Lagoon. They introduced the Estuary Urgent Needs Priority Program Act to meet high priority needs across the nation's 28 national estuaries. In addition to providing strong funding for NEP grants, the Posey-Murphy plan directs the Environmental Protection Agency (EPA) to prioritize funding to provide additional awards for estuaries that are experiencing urgent and challenging ecological problems. These awards would be provided on a competitive basis and funded through funds already authorized for the NEP program. The base bill also secures higher levels of funding for each

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President's message

estuary's base grant. The National Estuary Program, which enjoys broad bipartisan support, was created in the 1987 Clean Water Act Amendments.

SPRA RESPONSE TO A VARIANCE REQUEST FOR AN ILLEGAL DOCK:

A request for a variance can set a precedent that impacts residents and the quality of our community as a whole. This response concerns a variance application submitted to the county by an investment company that purchased a home in South Waterway. SPRA's response to the variance application is as follows:

Variance Application 14PZ-00085: The Variance Hardship Worksheet states: "In order to authorize any variance from the terms of this chapter, the Board of Adjustment shall find all of the following factors to exist." Subsequently, these six conditions or factors are listed and addressed.

Six factors impacting the denial/approval of the variance:

- (1) There are no special conditions or circumstances that exist in this case applicable only to this property. The current dock was built without going through the proper permitting and variance procedures, which would have ensured that the structure was built in a manner consistent with zoning ordinances. Instead, the legal, side setbacks of 7.5 feet were ignored, and the dock was built on the property line on the north and within 3 feet of the property line on the south. This is an illegal dock that is inconsistent with the chapter and the neighborhood.
- (2) Special conditions and circumstances result from the actions of the previous property owners, who constructed the illegal dock. However, this should in no way absolve the current property owners from being subject to and complying with this chapter. When purchasers buy existing property, they assume the responsibility to

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identify and correct any legitimate violations.

(3) Granting a variance to reduce the established, legal set-back would confer special rights and benefits within the same zoning classification upon the applicants.

(4) The literal enforcement of this chapter's provisions will not deprive the applicant of rights, nor will it constitute unnecessary or undue hardship. Even with 7.5 foot side setbacks, the property owners have approximately 15 feet wherein they can construct a dock to enjoy their riparian rights. The area all along the east end of the canal is a location where residents have built their docks adhering to literal chapter provisions, and it is reasonable to request that other property owner(s) do likewise. (While the applicant(s) stated "we are not encroaching on any other property," with regard to the illegal dock, that is correct. Yet, the survey suggests that their fences on the north and west sides of said property were constructed over the neighbors' property lines, and if so, then these fences encroach upon both homestead properties.)

(5) The variance has no bearing on the reasonable use of said property, as the owners can build a legal dock and enjoy their riparian rights without a variance. In addition, there would not be any economic hardship related to either renting or selling said property under this chapter.

(6) The granting of said variance will not be in harmony with the general intent and purpose of the chapter and is detrimental to the public welfare. Sanctioning an illegal dock would set a precedent, as well as be deemed "unfair" to those residents who abide by the law without any such special benefit.

Should an illegal dock be approved simply because it has been built? Will such approval help create a precedent for ignoring ordinances that are set in place to guide and protect the public? Will granting said variance encourage the building of future illegal docks and their subsequent approval, after the fact? Property rights are crucial and must be respected, and so must the reasonable ordinances that citizens follow. Please deny this variance, as the applicant(s) failed to make a case sufficient to warrant that a variance be approved according to the true spirit and intent of the chapter.



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Area Directors Reports December/January

AREA 1 ►

KREATHA HASTON • 536-5137 • khaston@spranews.com

- Please send Kreatha Haston ideas for your area and how you would like to be involved.
- Please nominate a neighbor for yard of the month.

AREA 2 ►

BEN HAYNER • bhayner@spranews.com

- There are a few street lights that are burned out. Ben will get the pole numbers to report them to FPL.
- The dumpster along the east side of Flamingo has been overflowing with garbage and may be a problem for rat and roach infestation.
- Please nominate a neighbor's yard to become yard of the month.

AREA 3 ►

AL SKINNER • 773-6723 • askinner@spranews.com

- Have a happy and safe holiday season.
- Some trees need to be trimmed in preparation for Santa's ride.
- A total of \$500 has been allocated to Santa's ride and for gift certificates for Station 62.
- If you would like to nominate a home for lawn of the month, please call Al Skinner at 773-6723.

AREA 4 ►

MARILYNN COLLINS • 773-8490 • mcollins@spranews.com
KREATHA HASTON • 536-5137 • khaston@spranews.com

- There have been many incidents of motorists exceeding the speed limit on our streets. Please slow down and obey the speed limits which vary from 20 to 25 MPH throughout Area 4. Watch out for children at play, bicyclists and pedestrians.
- Let your Area Co-Directors know if you would like to nominate a Yard of the Month.
- We wish you all a joyous Holiday Season and Happy New Year.

AREA 5 ►

BOB CAHALL • 779-9282 • bcahall@spranews.com

- If you have an idea of how we can improve our neighborhood, please contact me.
- Yard of the month nominations are welcome. Contact me with the nominee's name and address and your name.
- I wish everyone a wonderful Christmas and holiday season.

AREA 6 ►

CLYDE BERRY • 779-3129 • cberry@spranews.com

- Diver finds "treasure" in the Grand Canal: Tim Smith of Phoenix Detailing found a lost wallet in the Grand Canal. The wallet was lost overboard at

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night in about 15 feet of water. It was unlikely that it would ever be found, but Tim was eager to take on the challenge. Returning to the area, Tim began a search that lasted about 30 minutes. On the last attempt, he returned to the surface with the wallet in his hand. My excitement was immense, as the wallet was mine. Many thanks to my neighbor and friend for the recovery of my wallet.

SPRA MINUTES October & November 2014

Meetings Tania Hanlin, Recording Secretary

The Treasurer's Report was accepted as read. Comparisons of income from advertising, membership and donations were compared between FY 2013 and FY 2014, along with newsletter expenses. It is projected that SPRA will save approximately \$2,400 annually with the new bimonthly publication, even with the new mailing process.

Area Directors' Reports

Area 1:

- The Yard of the Month sign for Area 1 has been located and properly placed. Please get involved in matters in your neighborhood.

Area 2:

- There are a few issues with FPL street lights and an overflowing dumpster on the east side of Flamingo.

Area 3:

- Al Skinner reported all is well in the Area. Please nominate a yard of the month.

Area 4:

- All is well. Contact your co-directors to nominate a yard of the month,

Area 5:

- Bob Cahall reported that the Ibis neighborhood party

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was a success. The Christmas Boat Parade will be on Dec. 20, 2014 beginning in North end of the Grand Canal. The Skylark median was discussed, and it was decided that we should wait until after the new year to approach the county about median upgrades. The plan is to address one "island" at a time. The surface water drainage pipe at the north end of Thrush was discussed, as it has failed and is in the process of being repaired by the county.

Area 6: All is well.

Ongoing Business

Advertising update/collections: Ayn Samuelson reported the advertising is going smoothly, there are new ads, new customers, and a waiting list. Don't forget to tell our advertisers you saw their ad in the SN.

Bob S has been updating the SPRA website

Successful USPS mailing of the bimonthly SN brought compliments and an 68% increase in the circulation of the SN.

The upcoming February "Getting to Know You" SPRA event was discussed. RSVP would be through the area directors, and food will be kept simple. February is also SPRA membership month.

SPRA is a 501 (c) (4) that gets involved with legislation and civic issues within the community. Ayn will write a paragraph explaining SPRA's allowed functions.

New Business

Darcie submitted her resignation effective immediately. There was some discussion about civil, concise and constructive dialogue during meetings, along with curbing emotions during such discussions.

A dock variance application has been made to the county. The first hearing is at the Board of Adjustment on November 19th at 1:30, pm, and the Commission will hear the issue at a later date.

Watering lawns is restricted to once per week, as we are no longer under daylight savings time.

Area directors will be working on lists of ideas for

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speakers with information that would be of interest to our community.

FDOT and County sign policy was briefly discussed.

Reports for the December/January SN are due November 17th, and the YOM photo for December/January is Area 2; next meeting is in January 2015.

It was noted that a crew has been assessing muck removal along the Pineda and where to place the muck after its removal.

NEW WATERING RESTRICTIONS

<http://www.sjrwmd.com/wateringrestrictions/restrictions.html>

- Eastern Standard Time runs the first Sunday in November until the second Sunday in March.
- Odd numbered addresses water on Saturday.
- Even numbered addresses water on Sunday.
- Water only when needed and not between 10 am and

4 pm

- Water for no more than one hour per zone.
- Restrictions apply to private wells and pumps, ground or surface water and water from public and private utilities. Some exceptions apply.

SPRA ADVERTISEMENTS

SPRA has been selling advertising space to our local businesses for many years. Since the inaugural bi-monthly October/November 2014 issue, we have been able to boast that our Shore News now reaches over 3,200 homes, thereby increasing their exposure by some 68% over the previous coverage. It is also noteworthy that our publication is delivered directly to each resident's mailbox. SPRA will be discontinuing offering a ½ ad space and the 6-business card space to ensure that more local businesses have a place for their ads. We appreciate your advertising business.

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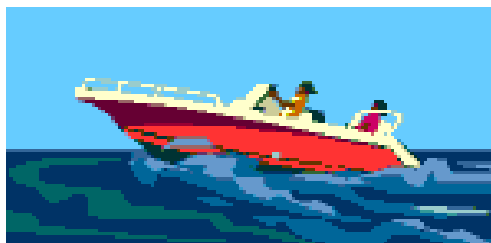
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**~ AREA 2 ~
 Patricia Dooley
 145 Sea Park Blvd.**

~ AREA 1 ~

Alex and Amy Pizarro, 214 NE 1st Street

~ AREA 2 ~

Patricia Dooley, 145 Sea Park Blvd.

~ AREA 3 ~

Eric & Donna Sutton, 164 Berkeley Street

~ AREA 4 ~

Ray and Peggy Bacchi, 336 S. Lakeside Drive

~ AREA 5 ~

Louis & Diana Cericola, 421 Finch Drive

~ AREA 6 ~

David Hall, 405 Tortoise View Circle

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