



Meeting Agenda
Wednesday, February 19, 2025

5:15 PM

REGULAR

Cocoa Beach Country Club - 5000 Tom Warriner Boulevard, Cocoa Beach

WELCOME

- A. Call to Order
 - 1. Pledge of Allegiance
 - 2. Roll Call
 - 3. Disclosure of Conflict
 - 4. Election of Chair/Vice Chair
- B. Special Presentation
 - 1. Presentation Title
- C. Public Comment
- D. Staff Reports and Announcements
 - 1.
- E. Board Members Reports and Announcements
 - 1. Report from Board/Committee Member
- F. Consent Agenda
 - 1. Approval of Minutes
- G. Unfinished Business
- H. New Business

1. **BOARD OF ADJUSTMENT MEETING · FEBRUARY 19, 2025 AGENDA
ITEM SUMMARY · ITEM # H, (1)**

Subject: The request is for a special exception to permit a Medical Marijuana Dispensary at 4300 N. Atlantic Avenue.

Summary: This request is for a special exception to permit a Medical Marijuana Dispensary at 4300 N. Atlantic Avenue. The property is .84 acres in size and is zoned/within the Gateway Redevelopment subdistrict. It is the former site of the Bank of America branch.

The applicant, Eden Florida, LLC, is proposing to re-purpose the vacant building as a state licensed Medical Marijuana Dispensary, which is allowed as a special exception within the Gateway Redevelopment subdistrict (see Table 2-33 of City Code).

Sec. 4-43 of City Code provides criteria that the Board shall apply when reviewing a special exception request. The criteria include:

- Whether the proposed use is compatible with permitted uses in the applicable zoning district.
- Whether the use is/is not detrimental to surrounding properties, businesses, or traffic flows.
- Whether the proposed special exception is consistent with the Comprehensive Plan.

See attached Letter of Intent for the applicant's response regarding the proposed dispensary's consistency with the listed criteria.

In addition to City Code requirements, the siting and operation of the proposed dispensary must be consistent with Florida Statute Chapter 381.986. See attached letter from Daniel Russell, representing the applicant, for a detailed discussion on this matter.

Consistent with Sec. 4-44 of Code, notice for the February 19, 2025, Board of Adjustment meeting was provided in the following manner:

- Mailed notice was sent on January 16, 2025, to all property owners within 300 feet of the subject parcel.
- Newspaper notice appeared in the January 16, 2025, edition of Florida Today.
- Notice of the meeting was posted on the subject parcel on January 16, 2025.

Attachments:
n.a.
The Development Services Department recommends the Board of Adjustment take the following action: The Board of Adjustment may approve the request, approve the request with conditions, or deny the request. Approved by Development Services Director: Daivd Dickey Date: February 12, 2025

2. Year End Review - 2024

I. General Public Comment

J. Adjournment

1. Next Meeting Date

Note: more than one member of the City Council may be in attendance at the meeting and may participate in discussions.

Pursuant to 286.0105, Florida Statutes, the City hereby advises the public that if a person decides to appeal any decision made by this Board, agency or meeting or hearing, he will need a record of the proceedings, and that for such purpose, affected persons may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the Financial Services Department at (321/608-7010), no later than 5:00 p.m., at least 48 hours prior to the meeting.

**CITY OF COCOA BEACH – BOARD OF ADJUSTMENT
MEETING MINUTES**

Wednesday, September 21, 2024 @ 5:15 P.M.

Members Present: Don Haynes, Chair; Michael Goldberg; John Kabboord; Rick Anderson; Jay Cole, Alt #2

Members Absent: Ronald Boger, Vice Chair; Summerpal Kahlon, Alt. # 1.

Staff Present: Randy Stevenson, Director of Development Services; Loren Wiltse, Principal Planner; Cory Hall, Planner II; Garrett Olsen, City Attorney

Commission Members Present: 0

Visitors Present: Applicant Suzanna Ballesteros

A. CALL TO ORDER: Mr. Haynes called the meeting to order at 5:15 PM

B. OLD BUSINESS: None

C. NEW BUSINESS:

1. *Cory Hall presented Case # PZ-24-12, a request for a variance in accordance with Cocoa Beach Land Development Code Section 3-32 L.3. to allow a 6-foot-high fence to be constructed on a corner lot's side lot line where a 4-foot• high fence is required. Mr. Hall presented a power point outline addressing the application, a survey showing the unique constraints, (a plat utility easement (10ft.) along the rear lot line, a sewer main that is not located in the easement and an overhead power line) a site plan showing the fence plan details, and requirements of the LDC related to the proposed variance. Mr. Hall addressed questions and comments from the board. The applicant presented their request and answered questions of the board. There were no public comments. The Board discussion followed.*
2. *Motion: Mr. Anderson moved to approve variance request Case # PZ-24-12 subject to the findings presented and a condition that the fence being consistent with the details shown on the site plan presented at the hearing. (Site Plan). ROLL CALL VOTE CARRIED- 5:0.*

D. GENERAL PUBLIC COMMENTS: None

E. STAFF REPORTS: None

F. MEMBER REPORTS: None

G. ADJOURNMENT: The next tentative meeting is scheduled for 02-19-2025, at 5:15 P.M. No other items were discussed. The meeting was adjourned at 6:39 P.M.

Planner II, Cory Hall

Chairman, Don Hayes

City of Cocoa Beach Board of Adjustment Agenda Item Summary

**DEPARTMENT MAKING
REQUEST/NAME:**

Development Services /

MEETING DATE

February 19, 2025

REQUESTED MOTION/ACTION

**BOARD OF ADJUSTMENT MEETING · FEBRUARY 19, 2025 AGENDA ITEM
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The Board of Adjustment may approve the request, approve the request with conditions, or deny the request.

Approved by Development Services Director: Daivd Dickey **Date:** February 12, 2025

IS THIS ITEM BUDGETED (IF APPLICABLE)?

BACKGROUND:



CITY OF COCOA BEACH
P.O. Box 322430 Cocoa Beach, FL 32932-2430
Telephone 321 868-3217 Fax 321 868-3212
developmentsservices@cityofcocoabeach.com

APPLICATION FOR VARIANCE, SPECIAL EXCEPTION, APPEAL

☐ Variance ☒ Special Exception ☐ Appeal

Case No. (City use) _____ Date _____

Applicant Information: (Please Print or Type)

Applicant/Agent Eden Florida, LLC / Lawson Lamar II

Address: 200 CR-448, Tavares, FL 32778

Phone: 407-286-8113

Owner Name, Address, Phone: Cocoa Acquisition 1, LLC

E-Mail Address: Kyle@bishopwoodpartners.com

Project Name: 4300 N Atlantic

Project Address: 4300 N Atlantic Ave, Cocoa Beach, FL 32931

Zoning: GW - Gateway Future Land Use: Redevelopment

Fees: Application: SFR/Duplex (\$500), Other (\$1000)

Advertising: SFR/Duplex (\$100), Other (\$125)

Property Owner Notification: (Property owners within 300 feet are required to be notified, fees are \$2 per property owner or a minimum of \$40)

NOTICE: An approval of the request made in this application does not entitle the owner to a development permit. All requirements of the Land Development Code must be met and are applied to any application for, or processing of, a development order or building permit.

This application was prepared and approved with the full knowledge and consent of the undersigned

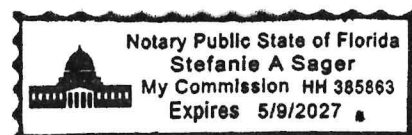
(Owner) Cocoa Acquisition 1, LLC, and is a full and complete representation of the proposed actions/development of the subject property. The Owner authorizes the agent

(Agent) Eden Florida, LLC c/o Lawson Lamar to pursue this request for zoning and/or building/planning review. The Owner further authorizes City Staff, as necessary, reasonable right of entry to the subject premises, for review purposes, based upon this application.

Date 12/18/24 Signature of Owner [Signature]

Subscribed before me this 19th day of December, 2024 Personally known +, or produced identification _____

Signature of Notary: [Signature]



APPLICATION CHECKLIST

NOTICE: *Petitions require an advertised public hearing before the Board of Adjustment, and Applicants will be expected to attend the hearing and invited to address the Board. The Board meets on the third Wednesday of each month and the application deadline is 30 days before the next regularly scheduled meeting date.*

SUBMITTAL DOCUMENTS:

- _____ 1 copy of Application
- _____ 1 copy of Letter of Intent summarizing the reason for the request, see below for helpful information related to requirements of the request
- _____ Proof of ownership (if different from Brevard Property Appraiser listing)
- _____ 1 copy of Boundary Survey
- _____ 1 copy Site Plan (11x17 inch, if possible), if applicable
- _____ 1 copy of Floor Plans, if applicable
- _____ 1 set of Photographs of the property (showing area affected by request)
- _____ Address labels prepared for all property owners within 300 feet of the subject property, measured from each property line. (Call Brevard County GIS, 321.633.2060)

FINDINGS OF FACT FOR LETTER OF INTENT:

The Board of Adjustment may only hear and decide petitions, based upon certain criteria as identified in the Land Development Code (LDC).

VARIANCE:

LDC CHAPTER IV Section 4-39 – Application for a variance

All variance applications must address the following criteria:

1. Special conditions and circumstances exist which are peculiar to the land, structure or building and which are not applicable to other lands, structures or buildings in the same district.
2. The literal interpretation and strict application of the LDC regulations would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the LDC regulations.
3. The special conditions and circumstances do not result from the actions of the applicant.
4. Granting the variance will not give the applicant any special privilege that is denied by the LDC regulations to other lands, structures, or buildings in the same district.
5. The variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.
6. The granting of the variance will be in harmony with the general purpose and intent of the LDC regulations and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

SPECIAL EXCEPTION:

LDC CHAPTER IV Section 4-43. - Application for a special exception

All special exception applications must address the following criteria:

A special exception is the use of a property which is not permitted "by right" but is only granted after approval by the board of adjustment when the use is listed as an allowable special exception use within the applicable zoning district; when the use has been determined to be compatible with the permitted uses on a property in a specific zoning district; and when the use is found not to be detrimental to the surrounding properties, businesses, traffic-flows or area, to the extent that such special exception is consistent with the Comprehensive Plan.

4300 N Atlantic Ave, Cocoa Beach, FL – Letter of Intent for Special Exception

Project

The property consists of an existing commercial building with existing drive-thru infrastructure located at 4300 N Atlantic Ave. The property currently has a zoning designation of “GW – Gateway” and a future land use designation of “Redevelopment”. The applicant is seeking a special exception to utilize the property as a state licensed Medical Marijuana Dispensary, which is a use listed as an allowable special exception use in the GW zoning district. The applicant is seeking a special exception permit to operate the property as a Medical Marijuana Dispensary in accordance with local and state law.

Surrounding Properties

The property is surrounded by other commercial uses and does not border any residential uses. Most notably, the property is directly across the street (diagonally) from an existing Pharmacy. Other surrounding uses include, multiple restaurants, retail goods / gift shop(s), medical office and other general commercial uses. The proposed use will not conflict or be detrimental to the surrounding properties.

Traffic-Flow

The property’s previous use was a retail bank branch with drive-thru facility. As a result of the proposed use, traffic to the subject property will be reduced from its prior use and will not result in any detrimental conditions or traffic flows in the area.

Design & Alterations

The property will undergo an interior renovation that creates an inviting and high-quality atmosphere for patients to visit. It will also conveniently serve patients with drive-thru service to accommodate those individuals who physically have trouble getting in and out of the store or for those patients simply seeking convenience to fill their medical needs. The exterior of the property will receive minor cosmetic upgrades to create a first-class curb appeal and a clean professional neighborhood appearance. The property will NOT resemble a “smoke shop” or “head store” and will not have things like LED lights flashing in the windows or excessive graphics or other designs that detract from a high-quality neighborhood feel. Included in this package is a draft floorplan along with renderings and a representative look at some of the design themes that will be utilized in the project to create an incredibly inviting atmosphere and high quality appearance.

Operating Hours

Operating hours will be in strict accordance with the requirements / limitations set by applicable state law. State law currently limits operating hours to between 7:00am and 9:00pm. The property will abide by those operating hours.

Eden

Eden is one of Florida's state licensed Medical Marijuana Treatment Center ("MMTC") licensees. As a vertically integrated MMTC, Eden cultivates, processes and dispenses state approved medical marijuana products to medical card holding residents of the state of Florida. Eden is a central Florida owned and operated company with a team of long-time Florida natives. Eden's mission transcends the simple cultivation of cannabis. It is rooted in cultivating community and nurturing the legacy of those who paved the way, to support and provide for all walks of life. As the only legacy-owned and operated cannabis company in the state, Eden embraces a sacred responsibility – to uphold the values of equality, community and sustainability that have guided it's owners and team members to where they are today. Eden will hire local employees and aims to become an active and positive part of the community promoting health and wellness. Further information about Eden can be found at www.edenflorida.com.

Security

With a security team rooted in military experience, Eden's mission is to uphold the highest standards of safety and security in the production, distribution, and storage of medical marijuana products. Leveraging its team members' military-trained expertise, Eden is dedicated to protecting the integrity of its operations, safeguarding patient privacy, and ensuring full compliance with all legal and regulatory requirements. Through advanced security protocols, vigilant monitoring, and a culture of discipline and accountability, Eden creates a secure environment for its employees, patients, and the communities served. Eden will also work closely with the city and local law enforcement as transparent and trusted partners in the community.

Applicable FL State Statutes

Siting of the property and business operations will be in strict accordance with all applicable state law governing the operations of an MMTC. Primarily this includes FL State Statutes Ch. 381.986 - Medical use of marijuana. As discussed above, operating hours will be strictly regulated / limited. Additionally, state law requires that an MMTC dispensary not be located within 500' of a public or private elementary, middle or high school. Eden has verified that the property does NOT fall within 500' of a public or private elementary, middle or high school. Below is an aerial measurement showing both a 500' (in red) and a 1,000' (in blue) radius around the property evidencing that the property is more than sufficient distance from any schools.



November 11, 2024

City of Cocoa Beach
1600 Minutemen Causeway
Cocoa Beach, FL 32932-2430

Re: Proposed Medical Marijuana Dispensary Located at 4300 N. Atlantic Avenue

To whom this may concern,

Our Firm proudly represents Eden Florida, the operator of a proposed Dispensing Facility located at 4300 N. Atlantic Avenue, Cocoa Beach, FL. Pursuant to the relevant provisions of Florida Law (cited below) we write this letter in support of our client's desire to open a Dispensing Facility as authorized by the State of Florida, Department of Health, Office of Medical Marijuana Use.

Generally, section 381.986, Florida Statutes (hereinafter the "Florida Medical Marijuana Law" governs Florida's medical marijuana industry. More specifically, as it relates to the opening of Dispensing Facilities, the Florida Medical Marijuana Law provides as follows:

(11) PREEMPTION—Regulation of cultivation, processing, and delivery of marijuana by medical marijuana treatment centers is preempted to the state except as provided in this subsection.

(a) A medical marijuana treatment center cultivating or processing facility may not be located within 500 feet of the real property that comprises a public or private elementary school, middle school, or secondary school.

(b)1. A county or municipality may, by ordinance, ban medical marijuana treatment center dispensing facilities from being located within the boundaries of that county or municipality. A county or municipality that does not ban dispensing facilities under this subparagraph may not place specific limits, by ordinance, on the number of dispensing facilities that may locate within that county or municipality.

2. A municipality may determine by ordinance the criteria for the location of, and other permitting requirements that do not conflict with state law or department rule for, medical marijuana treatment center dispensing facilities located within the boundaries of that municipality. A county may determine by ordinance the criteria for the location of, and other permitting requirements that do not conflict with state law or department rule for, all such dispensing facilities located within the unincorporated areas of that county. Except as provided in paragraph (c), a county or municipality may not enact ordinances for permitting or for determining the location of dispensing facilities which are more restrictive than its ordinances permitting or determining the locations for pharmacies licensed under chapter 465. A municipality or county may not charge a medical

marijuana treatment center a license or permit fee in an amount greater than the fee charged by such municipality or county to pharmacies. A dispensing facility location approved by a municipality or county pursuant to former s. 381.986(8)(b), Florida Statutes 2016, is not subject to the location requirements of this subsection.

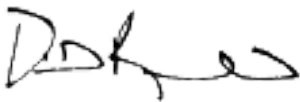
(c) A medical marijuana treatment center dispensing facility may not be located within 500 feet of the real property that comprises a public or private elementary school, middle school, or secondary school unless the county or municipality approves the location through a formal proceeding open to the public at which the county or municipality determines that the location promotes the public health, safety, and general welfare of the community.

(d) This subsection does not prohibit any local jurisdiction from ensuring medical marijuana treatment center facilities comply with the Florida Building Code, the Florida Fire Prevention Code, or any local amendments to the Florida Building Code or the Florida Fire Prevention Code.

It is our Firm's understanding that the City of Cocoa Beach has elected, pursuant to section 381.986(11)(b)(2), F.S., to permit Dispensing Facility locations in the same manner as pharmacies. As such, the only additional requirement for the opening of the location at the above-described address is that the Dispensing Facility cannot be located "within 500 feet of the real property that comprises a public or private elementary school, middle school, or secondary school."

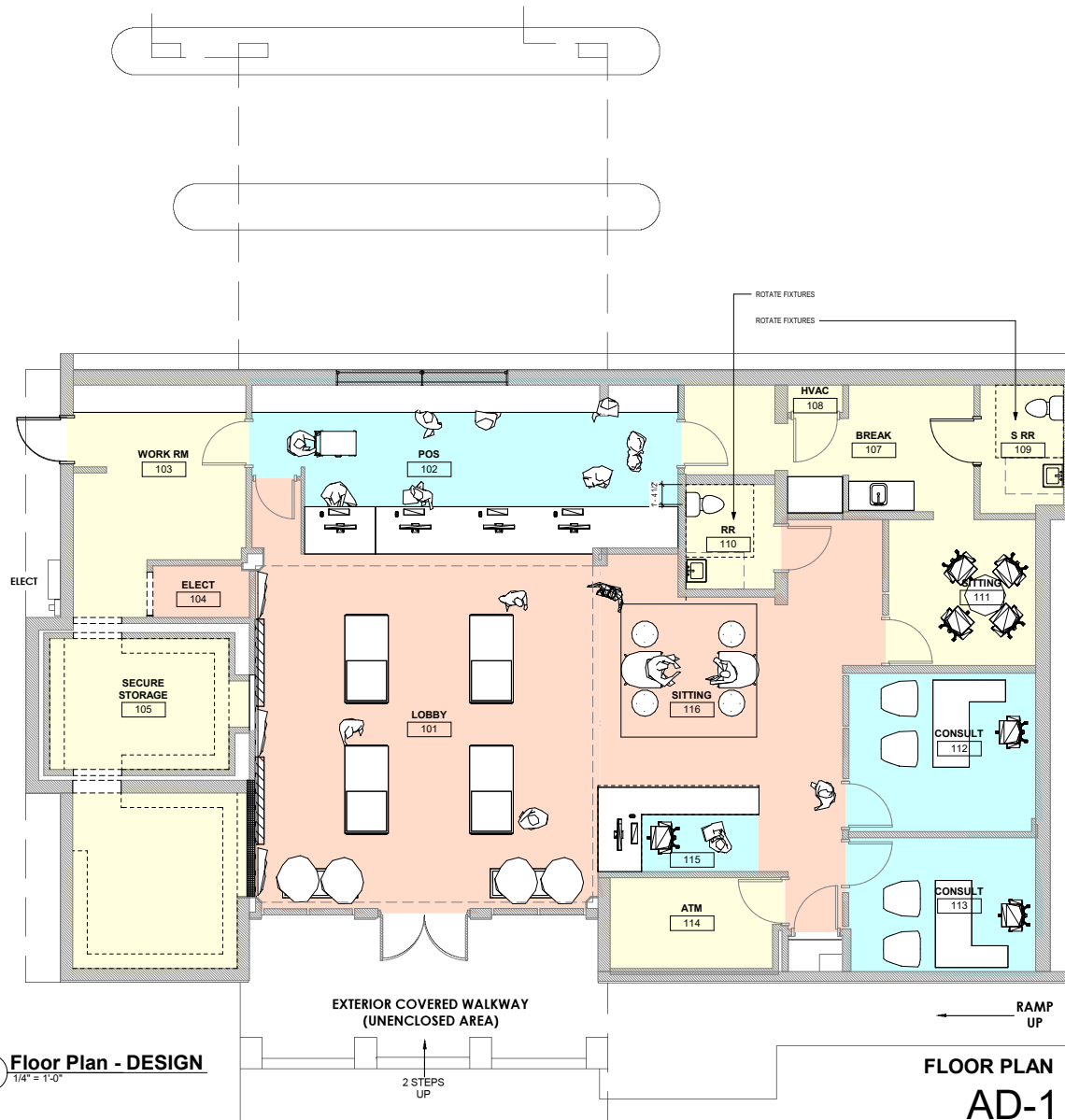
In summary, having reviewed the applicable laws and regulations, it is our opinion that this site complies with relevant Florida statutes governing the use and is suitable for a Dispensing Facility.

Sincerely,



Daniel R. Russell, Esq.
Florida Bar No. 63445

DRR/kt

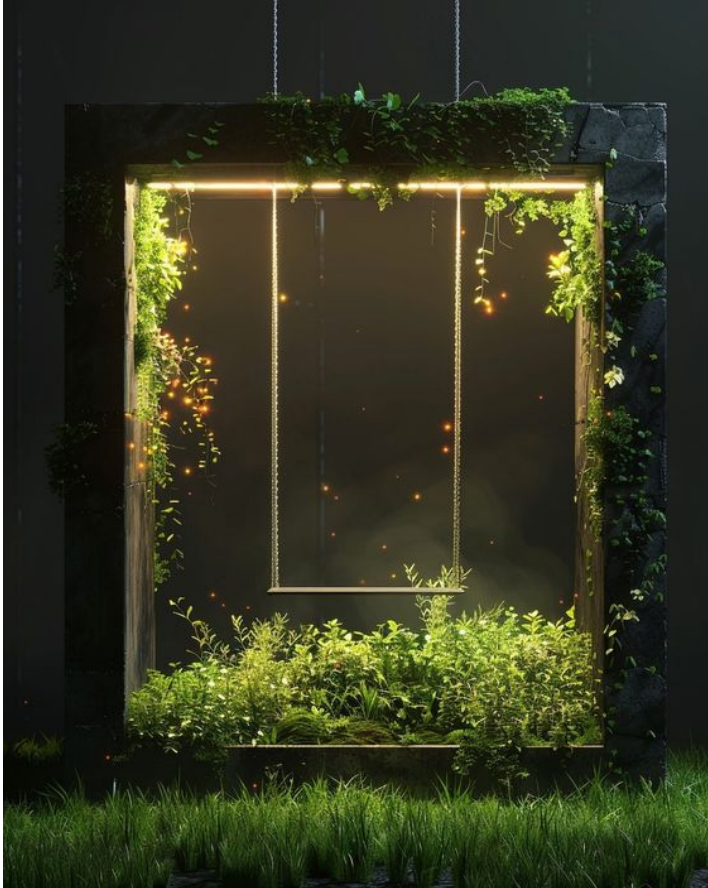


FLOOR PLAN
AD-1

EDEN COCOA BEACH







eden

Pure. Natural. Wellness.

Eden is dedicated to empowering individuals to take charge of their health and wellness through the exploration of pure, natural, and carefully curated medical marijuana products. We strive to provide an inviting and serene environment where patients feel supported in their journey toward optimal health and happiness. Our commitment to clean cultivation practices, meticulous quality control, and personalized care ensures that every product we offer is a reflection of our core values—purity, nature, and wellness. Together, we cultivate a community of healing, compassion, and purpose.

Store Concept:

Eden's retail space will be a harmonious blend of industrial chic aesthetics and modern apothecary elements, creating an atmosphere where nature meets sleek simplicity. Inspired by the serene and magical connotations of the Garden of Eden, the space will transport patients back to a time when cannabis was grown in its purest form. The design will subtly play on the meaning of "Eden" while focusing on holistic wellness.

ALL IDEAS, DESIGNS, ARRANGEMENTS INDICATED ON THESE PROJECT DOCUMENTS ARE THE PROPERTY OF SEVENPOINT INTERIORS. DRAWINGS ARE FOR REFERENCE ONLY, ARE INTENDED TO BE USED WITH THIS SPECIFIC PROJECT, AND SHALL NOT OTHERWISE BE MODIFIED OR REPRODUCED FOR ANY PURPOSE WITHOUT THE WRITTEN AUTHORIZATION OF SEVENPOINT INTERIORS. SITE MEASURE IS REQUIRED BY TRADES PRIOR TO COMMENCING ANY WORK. DIMENSIONS ON DRAWINGS ARE ONLY APPROXIMATE. ALL VIEWS, DRAWINGS, DIAGRAMS ARE CONCEPTUAL AND MAY BE SUBJECT TO CHANGE. MATERIAL REFERENCE IMAGES ON SCREEN AND IN PRINT MAY DIFFER FROM ACTUAL PRODUCT. REFER TO PHYSICAL SAMPLE.



DESIGNED BY
SEVENPOINT INTERIORS

CONTACT
DESMOND@VISUAL-ELEMENTS.CA / JANE@VISUAL-ELEMENTS.CA

ADDRESS
21 REGINA ROAD, WOODBRIDGE, ONTARIO, CANADA, L4L 8L9

eden

Aesthetic Inspiration:

- * Industrial Chic: Exposed metal elements, clean lines, and a raw yet refined feel will ground the space in modernity while maintaining a welcoming environment.
- * Modern Apothecary: Display areas will evoke the feel of a wellness sanctuary, where products are presented as curated offerings to enhance health & well-being.
- * Holistic Wellness: The design will emphasize natural materials, warm lighting, and a layout that promotes ease of exploration and a sense of calm.



Industrial Chic



Modern Apothecary



Holistic Wellness



Mood & Materials

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eden

Key Features:

- * Inviting Entrance: A welcoming green wall entryway that sets the tone for the space, combining natural elements with sleek design.
- * Product Displays: Thoughtfully curated display areas that highlight the purity and quality of the products, making them easily accessible and visually appealing.
- * Consultation Spaces: Private and comfortable areas where patients can receive personalized care and advice, ensuring a supportive and educational experience.
- * Community Area: A space dedicated to fostering community, where patients can gather, learn, and share their wellness journeys.



Inviting Entrance - Green Wall - TBD



Visually Pleasing Product Displays



Comfortable Consultations



Educational / Seed to Sale / Testimonial Wall

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eden

Color Palette & Materials:

- * Colors: Earthy tones, soft greens, and warm neutrals will create a soothing atmosphere, complemented by metal accents for a touch of industrial sophistication.
- * Materials: Natural woods, stone, and metal will be combined to reflect the purity and authenticity of Eden’s brand.



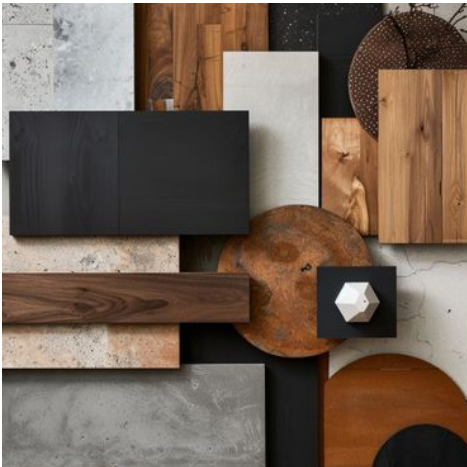
Forecasted Timeless Greens:
S/S 25 - A/W 25/26
Deep Emerald: 19-5232 TCX
Sage Green: 16-5808 TCX



A. Industrial Chic Retreat



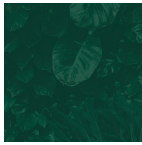
B. Warm & Inviting Wellness



C. Rustic Industrial Apothecary



Amber Haze 16-0838 TCX
S/S 26 Key Long-Term Color



Custom Eden Wallpaper



Exposed Brick

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Lighting:

Warm, ambient lighting will be used throughout the space to create a welcoming and comfortable environment, steering away from the sterile and clinical feel often associated with medical marijuana dispensaries. The lighting design will include subtle, yet impactful, elements that highlight the space’s unique features and create a sense of movement and flow.



Anony Node Pendant/Chandelier (POS)



Rodovida Jar Pendant (Cognac/Smoky Grey)



Afralia Cement Pendant Lights



P51 Antique Brass Riveted Dome Pendant



Modern Forms Marinda Chandelier



Bistro Arm Chandelier



Spectica Chandelier



Flos Infra - Structure Collection

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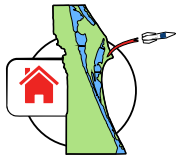


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ADDRESS
21 REGINA ROAD, WOODBRIDGE, ONTARIO, CANADA, L4L 8L9

eden



REAL PROPERTY DETAILS
Account 2440712 - Roll Year 2024

Owners	COCOA ACQUISITION 1 LLC
Mailing Address	727 BROOKHAVEN DR ORLANDO FL 32803
Site Address	4300 N ATLANTIC AVE COCOA BEACH FL 32931
Parcel ID	24-37-35-CI-18-18
Taxing District	26H0 - COCOA BEACH
Exemptions	NONE
Property Use	2310 - FINANCIAL INSTITUTION - BRANCH FACILITY
Total Acres	0.84
Site Code	0340 - A1A
Plat Book/Page	0010/0016
Subdivision	COCOA OCEAN BEACH
Land Description	COCOA OCEAN BEACH LOTS 16 TO 27 BLK 18



VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$805,180	\$704,250	\$716,990
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$805,180	\$704,250	\$716,990
Assessed Value School	\$805,180	\$704,250	\$716,990
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$805,180	\$704,250	\$716,990
Taxable Value School	\$805,180	\$704,250	\$716,990

SALES / TRANSFERS

Date	Price	Type	Instrument
10/29/2024	\$1,550,000	WD	10193/1234
05/18/1989	\$339,900	WD	2997/0839
05/01/1976	\$160,000	--	1620/1026

BUILDINGS

PROPERTY DATA CARD #1

Building Use: 2310 - FINANCIAL INSTITUTION - BRANCH FACILITY

Materials		Details	
Exterior Wall:	STUCCO	Year Built	1977
Frame:	MASNRYCONC	Story Height	12
Roof:	CEM/CLY/MTL TILE , BU-TG/MMBRN	Floors	1
Roof Structure:	WOOD TRUSS , BAR JOIST RIGID	Residential Units	0
		Commercial Units	1
Sub-Areas		Extra Features	
Base Area (1st)	2,804	Fence - Wood 6'	38
Carport	1,144	Paving - Concrete	1,156
Open Porch	272	Paving - Asphalt	17,483
Total Base Area	2,804	Light Poles	4
Total Sub Area	4,220		

9	LEGEND
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- SIGNAL BOX
 - SIGNAL CONTROLLER
 - STREET LAMP
 - SIGNAL LIGHT
 - UTILITY POLE
 - GUY WIRE TOWER
 - CURB RAIL
 - GRASS RAIL
 - STOP SIGN
 - STOP MANHOLE
 - CLEAN OUT
 - SAND AND GRAVEL MANHOLE
 - FIRE HYDRANT
 - WATER VALVE
 - WATER METER
 - IRRIGATION CONTROL VALVE
 - ELECTRIC
 - ELECTRIC GARNET
 - ELECTRIC METER
 - TELEPHONE MOUNT
 - FIBER OPTIC MOUNT
 - STREET CATCH
 - AIRBORNE PARACHUTE
 - BOLLARD
 - HOOD
 - AIR CONDITIONER
 - AIR CONDITIONER
 - RAIL RACK
 - RAIL SIGNALING LOCATION
 - RAIL HANDICAP ASIDE
 - LAMP GLASS
- SCHEDULE TIME**

➤ POSSIBLE ENCROACHMENT

BUILDING STRUCTURE

STREET LIGHT

ROADSIDE TRACK LINE

CEMENT LINE

UTILITY PROPERTY

PAVEMENT LINE

PROXIMITY LINE

WOOD FENCE

METAL ROAD RAIL

CEMENT ROAD RAIL

CONCRETE

BRICK

NO PARKING AREA

➤ FOUNDATION FOUND

➤ FOUNDATION SET

➤ FOUNDATION SET

SURVEYING NOTE ITEMS

➤ SCHEDULE TIME

➤ POSSIBLE ENCROACHMENT

BUILDING STRUCTURE

STREET LIGHT

ROADSIDE TRACK LINE

CEMENT LINE

UTILITY PROPERTY

PAVEMENT LINE

PROXIMITY LINE

WOOD FENCE

METAL ROAD RAIL

CEMENT ROAD RAIL

CONCRETE

BRICK

NO PARKING AREA

➤ FOUNDATION FOUND

➤ FOUNDATION SET

➤ FOUNDATION SET

SURVEYING NOTE ITEMS

REFERENCE LEGEND

[illegible]

OFFICIAL RECORDS OF BROWARD COUNTY, FLORIDA

10 BASIS OF BEARINGS

THE CALCULATED BEARING N 89°09'58" E ALONG THE NORTH LINE OF BLOCK 18 OF COCOA OCEAN BEACH, RECORDED IN PLAT BOOK 10, PAGE 18, BREVARD COUNTY MAP RECORDS IS BASED ON THE GRID NORTH, STATE PLANE COORDINATE SYSTEM, NAD83 FLORIDA EAST ZONE, AND IS THE BASIS OF BEARINGS FOR THIS SURVEY.

7	POSSIBLE APPARENT PHYS USE ONTO OR FROM ADJOINING PROPERTIES
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 — OVERHEAD ELECTRIC LINES FALL OUTSIDE ELECTRICAL EASEMENT

18 ALTA/NSPS Land Title Survey

This survey was made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys.
(Effective February 23, 2021)

This Work Coordinated By:

CDS
COMMERCIAL
DUE DILIGENCE SERVICES

3550 W. Robinson Street, Third Floor
Norman, Oklahoma 73072
Main Office Phone No.: 405-253-2444
Toll Free: 888.457.7878

Toll Free: 888.457.7878

Prepared For:
Bank of America, National Association

Client Ref. No.: FLO-118

20 PROJECT ADDRESS

4300 N. Atlantic Avenue
Cocoa Beach, FL 32931

Project Name:

BOA FLO -118
CDS Project Number:
23-11-0240

Sheet 2 of 2









4300 N Atlantic Ave, Cocoa Beach, FL – Letter of Intent for Special Exception

Project

The property consists of an existing commercial building with existing drive-thru infrastructure located at 4300 N Atlantic Ave. The property currently has a zoning designation of “GW – Gateway” and a future land use designation of “Redevelopment”. The applicant is seeking a special exception to utilize the property as a state licensed Medical Marijuana Dispensary, which is a use listed as an allowable special exception use in the GW zoning district. The applicant is seeking a special exception permit to operate the property as a Medical Marijuana Dispensary in accordance with local and state law.

Surrounding Properties

The property is surrounded by other commercial uses and does not border any residential uses. Most notably, the property is directly across the street (diagonally) from an existing Pharmacy. Other surrounding uses include, multiple restaurants, retail goods / gift shop(s), medical office and other general commercial uses. The proposed use will not conflict or be detrimental to the surrounding properties.

Traffic-Flow

The property’s previous use was a retail bank branch with drive-thru facility. As a result of the proposed use, traffic to the subject property will be reduced from its prior use and will not result in any detrimental conditions or traffic flows in the area.

Design & Alterations

The property will undergo an interior renovation that creates an inviting and high-quality atmosphere for patients to visit. It will also conveniently serve patients with drive-thru service to accommodate those individuals who physically have trouble getting in and out of the store or for those patients simply seeking convenience to fill their medical needs. The exterior of the property will receive minor cosmetic upgrades to create a first-class curb appeal and a clean professional neighborhood appearance. The property will NOT resemble a “smoke shop” or “head store” and will not have things like LED lights flashing in the windows or excessive graphics or other designs that detract from a high-quality neighborhood feel. Included in this package is a draft floorplan along with renderings and a representative look at some of the design themes that will be utilized in the project to create an incredibly inviting atmosphere and high quality appearance.

Operating Hours

Operating hours will be in strict accordance with the requirements / limitations set by applicable state law. State law currently limits operating hours to between 7:00am and 9:00pm. The property will abide by those operating hours.

Eden

Eden is one of Florida's state licensed Medical Marijuana Treatment Center ("MMTC") licensees. As a vertically integrated MMTC, Eden cultivates, processes and dispenses state approved medical marijuana products to medical card holding residents of the state of Florida. Eden is a central Florida owned and operated company with a team of long-time Florida natives. Eden's mission transcends the simple cultivation of cannabis. It is rooted in cultivating community and nurturing the legacy of those who paved the way, to support and provide for all walks of life. As the only legacy-owned and operated cannabis company in the state, Eden embraces a sacred responsibility – to uphold the values of equality, community and sustainability that have guided it's owners and team members to where they are today. Eden will hire local employees and aims to become an active and positive part of the community promoting health and wellness. Further information about Eden can be found at www.edenflorida.com.

Security

With a security team rooted in military experience, Eden's mission is to uphold the highest standards of safety and security in the production, distribution, and storage of medical marijuana products. Leveraging its team members' military-trained expertise, Eden is dedicated to protecting the integrity of its operations, safeguarding patient privacy, and ensuring full compliance with all legal and regulatory requirements. Through advanced security protocols, vigilant monitoring, and a culture of discipline and accountability, Eden creates a secure environment for its employees, patients, and the communities served. Eden will also work closely with the city and local law enforcement as transparent and trusted partners in the community.

Applicable FL State Statutes

Siting of the property and business operations will be in strict accordance with all applicable state law governing the operations of an MMTC. Primarily this includes FL State Statutes Ch. 381.986 - Medical use of marijuana. As discussed above, operating hours will be strictly regulated / limited. Additionally, state law requires that an MMTC dispensary not be located within 500' of a public or private elementary, middle or high school. Eden has verified that the property does NOT fall within 500' of a public or private elementary, middle or high school. Below is an aerial measurement showing both a 500' (in red) and a 1,000' (in blue) radius around the property evidencing that the property is more than sufficient distance from any schools.

**City of Cocoa Beach Board of Adjustment
Agenda Item Summary**

**DEPARTMENT MAKING
REQUEST/NAME:**

Development Services /

MEETING DATE

February 19, 2025

REQUESTED MOTION/ACTION

Year End Review - 2024

IS THIS ITEM BUDGETED (IF APPLICABLE)?

BACKGROUND:



DEVELOPMENT SERVICES MEMORANDUM

TO: City Commission
THRU: City Manager
FROM: Board Of Adjustment Chairman
DATE: January 6th, 2025
SUBJECT: Board of Adjustment Year End Report for 2024

Included are the yearly attendance calendars and a summary of activities for the Board of Adjustment, for 2024.

SUMMARY OF BOARD MEMBERS ATTENDANCE – REGULAR MEETINGS

Seat No.	Members	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1-Malik	HAYES	C	P	C	C	C	C	C	C	P	C	C	C
2-Martinez	BOGER	C	P	C	C	C	C	C	C	EA	C	C	C
3- Woulas	KABBOORD	C	P	C	C	C	C	C	C	P	C	C	C
4- Williams	GOLDBERG	C	EA	C	C	C	C	C	C	P	C	C	C
5- Miller	ANDERSON	C	P	C	C	C	C	C	C	P	C	C	C
2- Malik Alternate 1	KAHLON	C	CI	C	C	C	C	C	C	EA	C	C	C
1-Martinez Alternate 2	COLE	C	EA	C	C	C	C	C	C	P	C	C	C
Visitors			0							2			

C – Cancelled Meeting A – Absent EA –Excused Absence PR – Present after Roll Call
O – Off Board P – Present R – Resigned T – Terminated TE – Term Expired CI – Called In

BOARD CHARACTERISTICS – REGULAR MEETINGS

- ✧ The Chairman was Don Haynes
- ✧ The Vice Chairman was Charles Mason
- ✧ Average number of visitors in the audience: 5.2

ACTIVITY – REGULAR MEETINGS

BOARD of ADJUSTMENT YEAR END REPORT FOR 2024

January- Cancelled

February-

1. Election of Chair/Vice Chair: Mr. Olsen opened the floor for nominations. Mr. Hayes was elected Chair and Mr. Boger was elected Vice Chair.
2. Orientation for New Board of Adjustment Members (City Attorney)
 - i. John Kabboord
 - ii. Rick Anderson
3. Development Services – Staff Introduction

March- Cancelled

April- Cancelled

May- Cancelled

June- Cancelled

July- Cancelled

August- Cancelled

September-

1. PZ-24-12, Suzanna Ballesteros – 488 North Fourth Street
2. A request for a variance per Cocoa Beach Land Development Code Section 3-32 L. 3. to allow a fence to be constructed at a maximum height of 6 feet instead of the maximum of 4 feet, on the property line. Roll Call Vote Carried – 5:0

October- Cancelled

November- Cancelled

December- Cancelled

Submitted by:

Cory Hall, Planner II

Board of Adjustment Chairman

Approved by the Board on: