

H. PUBLIC HEARINGS

Planning and Zoning Board / Local Planning Agency
Monday, July 17, 2023, at 3:00 p.m.

Brevard County Board of County Commissioners
Thursday, August 3, 2023, at 5:00 p.m.

Both at the
Brevard County Government Center
2725 Judge Fran Jamieson Way, Building C, First Floor, Viera, Florida

1. **(23Z00037) Jonathan Mark and Emily Ann Schoolfield** request a change of zoning classification from GU (General Use) to AU (Agricultural Residential). The property is 4.70 acres, located on the south side of Cherven Ave., approx. 0.3-mile east of Satellite Blvd. (6825 Cherven Ave., Cocoa) (Tax Account 2443960) (District 1)

P&Z Recommendation: Bartcher/Sullivan – Approved. The vote was unanimous.

BCC Action: Steele/Feltner – Approved as recommended. The vote was unanimous, with Commissioner Tobia absent.

2. **(23SS00007) David C. Ramage Trust and Cynthia R. Ramage Trust** (Jack Kirschenbaum) request a Small Scale Comprehensive Plan Amendment (23S.07), to change the Future Land Use designation from RES 4 (Residential 4) and CC (Community Commercial), to all CC. The property is 2.17 acres, located on the east side of U.S. Highway 1, approx. 0.32 miles north of S.R. 46. (No assigned address. In the Mims area.) (Tax Account 2113469) (District 1)

LPA Recommendation: Bartcher/Minneboo – Approved. The vote was unanimous.

BCC Action: Goodson/Steele – Approved as recommended, and adopted Ordinance 23-16. The vote was unanimous, with Commissioner Tobia absent.

3. **(23Z00041) David C. Ramage Trust and Cynthia R. Ramage Trust** (Jack Kirschenbaum) request a change of zoning classification from AU (Agricultural Residential) and BU-1 (General Retail Commercial), to BU-2 (Retail, Warehousing, and Wholesale Commercial), on property described as Tax Parcel 333, as recorded in ORB 8486, Pages 1787 - 1791, of the Public Records of Brevard County, Florida. **Section 17, Township 21, Range 35.** (2.17 acres) Located on the east side of U.S. Highway 1, approx. 0.32 miles north of S.R. 46. (No assigned address. In the Mims area.) (Tax Account 24113469) (District 1)

P&Z Recommendation: Bartcher/Minneboo – Approved with a BDP retaining all BU-1 uses, and limiting the BU-2 use to a mini-warehouse with outdoor RV and boat storage, and limiting the storage of RV's and boats to the rear of the property. The vote was unanimous.

BCC Action: Steele/Feltner – Approved as recommended, with a BDP, recorded on 08/30/23, in ORB 9876, Pages 482 - 486, retaining all BU-1 uses, limiting the BU-2 use to a mini-warehouse with outdoor RV and boat storage only, and limiting the storage of RV's and boats to the rear of the property: the outdoor storage shall be behind the building. The vote was unanimous.

4. **(23Z00040) Ian S. Lightholder and Teylor M. Lockey** request a change of zoning classification from RR-1 (Rural Residential) to AU (Agricultural Residential). The property is 9.62 acres, located on the east side of Friday Rd., approx. 330 ft. south of Rector Rd. (2230 Friday Rd., Cocoa) (Tax Account 2405130) (District 1)

P&Z Recommendation: Sullivan/Bartcher – Approved. The vote was unanimous.

BCC Action: Steele/Feltner – Approved with a BDP (Binding Development Plan), recorded on 09/12/23, in ORB 9885, Pages 265 – 268, stipulating no overnight lodging for commercial purposes. The vote was unanimous, with Commissioner Tobia absent.

5. **(23Z00033) Star Rush, LLC** (Hamilton Williams / Sean MacLaurin) requests a CUP (Conditional Use Permit) for Trailer and Truck Rental, in a PUD (Planned Unit Development) zoning classification. The property is 20.25 +/- acres, located on the southeast corner of Interstate 95 and Viera Blvd. (No assigned address. In the Viera area.) (Tax Account 3018275) (District 4)

P&Z Recommendation: Sullivan/Bartcher – Approved. The vote was unanimous.

BCC Action: Feltner/Steele – Approved with the conditions that the trailer and truck rental parking shall be located on the western side of the property, and that the trailer and truck rental hours of operation be the same as the associated retail store. The vote was unanimous, with Commissioner Tobia absent.

6. **(23SS00004) Cirrus Properties, LLC; and Donald C. and Julie M. Herndon (Bruce Moia)** requests a Small Scale Comprehensive Plan Amendment (23S.06), to change the Future Land Use designation from NC (Neighborhood Commercial) and CC (Community Commercial) to all CC. The property is 2.4 acres, located on the southwest corner of U.S. Highway 1 and Aspinwall Ave., and the southwest corner of Aspinwall Ave. and 2nd St. (3115 & 3125 Aspinwall Ave.; and 6550 & 6580 2nd St., Rockledge) (Tax Accounts 2602468, 2602464, 2602466, & 2602467) (District 4)

LPA Recommendation: Glover/Thomas – Approved. The vote was 7:1 with Sullivan voting nay.

BCC Action: Feltner/Goodson – Approved, and adopted Ordinance 23-17. The vote was unanimous, with Commissioner Tobia absent.

7. **(23Z00034) Cirrus Properties, LLC; and Donald C. and Julie M. Herndon (Bruce Moia)** request a change of zoning classification from GU (General Use) and BU-1 (General Retail Commercial) to BU-2 (Retail, Warehousing, and Wholesale Commercial). The property is , located on the southwest corner of U.S. Highway 1 and Aspinwall Ave., and the southwest corner of Aspinwall Ave. and 2nd St. (3115 & 3125 Aspinwall Ave.; and 6550 & 6580 2nd St., Rockledge) (Tax Accounts 2602468, 2602464, 2602466, & 2602467) (District 4)

P&Z Recommendation: Glover/Thomas – Approved. The vote was 7:1 with Sullivan voting nay.

BCC Action: Feltner/Steele – Approved with a BDP (Binding Development Plan), recorded on 09/12/23, in ORB 9885, Pages 287 – 293, with the following stipulations: 1.) A 15-foot vegetative buffer and a 6-foot opaque fence along the west boundary of the property; no other surface or above-ground improvements shall be allowed within the buffer; developer shall provide a 6-foot wall along the abutting residential property. 2.)

The site shall be developed as a trades retail, wholesale and storage facility, and related ancillary services and facilities; 3.) Any and all buildings and/or structures shall be limited to 28 feet in height; 4.) Outdoor lighting shall not exceed the height of any existing exterior lighting; exterior lighting fixtures shall utilize cut-off fixtures; 5.) Operation of the facility shall comply with Section 62-2271, Noise; work within the hours of 7 a.m. to 5:00 p.m. shall be performed indoors; no deliveries shall routinely occur outside the hours of 7:00 a.m. to 5:00 p.m.; 6.) The developer shall provide a traffic study detailing any required roadway improvements; if an improvement is warranted, and approved by the County, it shall be constructed accordingly. The vote was unanimous, with Commissioner Tobia absent.

8. **(23SS00017) Donald C. and Julie M. Herndon** (Bruce Moia) request a Small Scale Comprehensive Plan Amendment (23S.17) to change the Future Land Use designation from NC (Neighborhood Commercial) to CC (Community Commercial). The property is 0.23 acres, located on the south side of Aspinwall Ave., approx. 445 ft. west of S. U.S. Highway 1. (3145 Aspinwall Ave., Rockledge) (Tax Account 2616074) (District 4)

LPA Recommendation: Glvoer/Thomas – Approved. The vote resulted in a 4:4 vote, with Ron Bartcher, Robert Brothers, John Hopengarten, and Robert Sullivan voting nay. This application has been withdrawn by the applicant. Letter received 07/26/23.

9. **(23Z00057) Donald C. and Julie M. Herndon** (Bruce Moia) request a change of zoning classification from GU (General Use) to BU-1 (General Retail Commercial). The property is 0.23 acres, located on the south side of Aspinwall Ave., approx. 445 ft. west of S. U.S. Highway 1. (3145 Aspinwall Ave., Rockledge) (Tax Account 2616074) (District 4)

P&Z Recommendation: Glover/Thomas – Approved as BU-1-A, as amended by the applicant at the meeting. The vote was 5:3, with Bartcher, Sullivan, and Hopengarten voting nay. This application has been withdrawn by the applicant. Letter received 08/01/23.

10. **(23Z00022) Sean and Danielle Gleason** (Kim Rezanka) request a change of zoning classification from AU (Agricultural Residential) to RU-1-13 (Single-Family Residential), on 9.47 acres, and a BDP (Binding Development Plan) limited to 22 units on the entire 22.21 acres. The property is located on the north side of E. Crisafulli Rd., approx. 285 ft. west of Broad Acres St. (1550 E. Crisafulli Rd., Merritt Island) (Tax Account 2316598) (District 2) This item has been withdrawn by the applicant. Letter received 07/12/23.

11. **(23Z00031) Samir and Ilham Itani Revocable Living Trust** request a change of zoning classification from AU (Agricultural Residential) to EU-2 (Estate Use Residential). The property is 11.13 acres, located on the east side of Ford Rd., approx. 226 ft. south of Guil Dr. (No assigned Address. In the Titusville area.) (Tax Account 2101052) (District 1)

P&Z Recommendation: Thomas/Glover – Continued to the 08/14/23 meeting. The vote was unanimous.

BCC Action of 08/03/23: Continued to the 09/07/23 BCC meeting.