

H. PUBLIC HEARINGS

Local Planning Agency / Planning and Zoning Board
Monday, January 11, 2021, at 3:00 p.m.

Brevard County Board of County Commissioners
Thursday, February 4, 2021, at 5:00 p.m.

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

1. An ordinance amending Article III, Chapter 62, of the Code of Ordinances of Brevard County, entitled The Comprehensive Plan, setting forth the adoption of Large Scale Comprehensive Plan Amendment 2020-2.1; amending Section 62-501, entitled Contents of the Plan; specifically amending Section 62-501 as described below; and provisions which require amendments to maintain internal consistency with this amendment; providing legal status; providing a severability clause; and providing an effective date. **a. Plan Amendment 2020-2.1**, a proposal by Brevard Tower Communications, Inc., to amend Part XI, the Future Land Use Element to change the Future Land Use Map Series designation from RES 2 (Residential 2) and NC (Neighborhood Commercial) to CC (Community Commercial). The property is 17.5 acres, located on the north side of Norfolk Pkwy., approx. 0.23 mile west of Minton Rd. (No assigned address. In the Melbourne area.)

Local Planning Agency Recommendation: Carswell/Buchanan – Approved. The vote was 4:2, with Bartcher and Glover voting nay.

Board of County Commissioners Action: Zonka/Smith – Approved as recommended, and adopted Ordinance 21-02. The vote was unanimous.

2. The following request is considered withdrawn due to failure by the applicant to record the BDP by the deadline of 09/24/21

Brevard Tower Communications, Inc. (Bruce Moia) requests a change of zoning classification from GU (General Use) to BU-2 (Retail, Warehousing, and Wholesale Commercial), and removal of a CUP (Conditional Use Permit) for Tower and Antenna. The property is 17.5 acres, located on the north side of Norfolk Pkwy., approx. 1,200 ft. west of Minton Road. (Parcel 756 = 3545 Carriage Gate Dr. Unit Tower, Melbourne; Parcel 758 (part) = No assigned address. In the Melbourne area.) (20Z00015) (Tax Accounts 2802674 and 2802676) (District 5)

Planning and Zoning Board Recommendation: Glover/Buchanan – Approved with a BDP (Binding Development Plan) submitted by the applicant stipulating the following: 1.) to develop the property as a boat and RV storage facility and related ancillary services and facilities; 2.) to provide a 50-foot buffer along the west and north boundaries of the property, in lieu of a six-foot wall; 3.) to limit the number of outdoor storage spaces to 350; 4.) to limit ingress and egress to Norfolk Parkway; 5.) to prohibit a sewage dump station unless public sewer connection is obtained; 6.) to limit outdoor lighting to 17 feet in height from grad to bottom of fixture; 7.) to provide a westbound turn lane if warranted and approved by the City of West Melbourne; 8.) to prohibit residing and overnight stays within the stored vehicles. The board further stipulated the BDP to include that the developer/owner shall comply with the FDEP Guidance for Disturbance and Use of Old Closed Landfills or Waste Disposal Areas in Florida. The vote was unanimous.

Board of County Commissioners Action: Zonka/Lober – Approved as recommended, with a

BDP stipulating the following: 1.) to develop the property as a boat and RV storage facility and related ancillary services and facilities; 2.) to provide a 50-foot buffer along the west and north boundaries of the property, in lieu of a six-foot wall; 3.) to limit the number of outdoor storage spaces to 350; 4.) to limit ingress and egress to Norfolk Parkway; 5.) to prohibit a sewage dump station unless public sewer connection is obtained; 6.) to limit outdoor lighting to 17 feet in height from grad to bottom of fixture; 7.) to provide a westbound turn lane if warranted and approved by the City of West Melbourne; 8.) to prohibit residing and overnight stays within the stored vehicles. The board further stipulated the BDP to include that the developer/owner shall comply with the FDEP Guidance for Disturbance and Use of Old Closed Landfills or Waste Disposal Areas in Florida. The vote was unanimous. The BDP will be scheduled as a Consent Item on a subsequent County Commission agenda, per Policy BCC-52. Resolution to be completed upon receipt of recorded BDP.

- 3. Ag Ventures** (Chad Genoni) requests a BDP (Binding Development Plan) limiting density to 4 units per acre for consistency with the RES 4 (Residential 4) Future Land Use designation, in an RU-1-7 (Single-Family Residential) zoning classification. The property is 110 acres +/-, located on the north side of Wiley Ave., and the east side of Old Dixie Hwy., approx. 0.047 mile east of U.S. Hwy 1 (No assigned address. In the Mims area.) (20PZ00101) (Tax Accounts 2102924, 2102925, and 2112294) (District 1)

Planning and Zoning Board Recommendation: Glover/Bartcher – Denied. The vote was 4:2, with Hodgers and Buchanan voting nay.

Board of County Commissioners Action: Lober/Smith – Approved a BDP, recorded on March 25, 2021, in ORB 9064, Pages 496 - 500, limiting density to 4 units per acre, preservation of wetlands on the northeast corner of the Property, connection to Brevard County water and sewer, and a minimum of 10 acres of buffer and stormwater tracts to include the adjacent BU-1 portion of the proposed subdivision. The vote was unanimous.

- 4. Marker 24 Marina, LLC** (Peter Black) requests a CUP (Conditional Use Permit) for Alcoholic Beverages (full liquor) for On-Premises Consumption in conjunction with a private club, in a BU-2 (Retail, Warehousing, and Wholesale Commercial) zoning classification. The property is 1.04 acres +/-, located on the east side of S. Banana River Dr., approx. 160 ft. north of West Virginia Ave. (1360 S. Banana River Dr., Merritt Island) (20Z00010) (Tax Account 3018251) (District 2)

Planning and Zoning Board Recommendation: Hodgers/Buchanan – Approved. The vote was unanimous.

Board of County Commissioners Action: Lober/Smith – Approved as recommended, and with the condition of no exterior speakers or other devices designed primarily to produce audible sounds of more than 55 decibels at the property line. The vote was unanimous.

- 5. Tammy McCoy** requests change of zoning classification from AU (Agricultural Residential) to EU-1 (Estate Use Residential). The property is .50 acres, located on the south side of E. Main St., approx. 795 ft. east of Harry T. Moore Ave. (No assigned address. In the Mims area.) (20Z00035) (Tax Account 2103412) (District 1)

Planning and Zoning Board Recommendation: Bartcher/Buchanan – Approved. The vote

was unanimous.

Board of County Commissioners Action: Lober/Smith – Approved as recommended. The vote was unanimous.

6. **Thomas R. and Rachel Darnell** (Kendall Moore) requests a change of zoning classification from SEU (Suburban Estate Use Residential) to AU (Agricultural Residential). The property is 5.45 acres, located on the south side of Lake Washington Rd., approx. 550 ft. west of McGraw Ave. (5685 Lake Washington Rd., Melbourne) (20Z00037) (Tax Account 2700779) (District 5)

Planning and Zoning Board Recommendation: Hodgers/Buchanan – Approved with a BDP (Binding Development Plan) prohibiting agritourism and agricultural-related packing, processing and sales of commodities raised on the premises. The vote was unanimous.

Board of County Commissioners Action: Zonka/Smith – Approved as recommended, with a BDP, recorded on March 25, 2021, in ORB 9064, Pages 533 - 540, prohibiting agritourism and agricultural-related packing, processing, and sales of commodities raised on the premises. The vote was unanimous.

7. **Harold Kurz, Trustee** (Harry Perrette) requests a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation from CC (Community Commercial) to PI (Planned Industrial). The property is 3.66 acres, located on the southwest intersection of N. Tropical Trail and N. Courtenay Parkway. (No assigned address. In the North Merritt Island area.) (20PZ00107) (Tax Account 2316254) (District 2) THIS ITEM WAS WITHDRAWN BY THE APPLICANT. LETTER RECEIVED JANUARY 11, 2021.

North Merritt Island Board Recommendation: Carbonneau/Lindhorst – Denied. The vote was unanimous.

8. **5971 Cedar Lake Drive Revocable Land Trust and U.S. Highway No. 1 Commercial Land Trust** (Kim Rezanka) requests a change of zoning classification from RU-1-11 (Single-Family Residential), TR-2 (Single-Family Mobile Home), and BU-1 (General Retail Commercial) with a BDP (Binding Development Plan) to TR-1 (Single-Family Mobile Home) with a BDP limited to 200 units. The property is 58.04 +/- acres, located on the north side of Cedar Lake Dr., approx. 0.31 mile north of Broadway Blvd.; also located at the west end of Clearview Dr. (No assigned address. In the Cocoa area.) (20Z00036) (Tax Accounts 2310971, 2310861, and 2316173) (District 1)

Port St. John Board Recommendation: Messer/Chinaris – Tabled to the February 10, 2021, meeting. The vote was unanimous.

Planning and Zoning Board Recommendation: Glover/Buchanan – Tabled to the February 22, 2021, meeting. The vote was unanimous.

Board of County Commissioners Action: Lober/Zonka – Tabled to the March 4, 2021 meeting. The vote was unanimous.