

H. PUBLIC HEARINGS

Planning and Zoning Board / Local Planning Agency
Monday, November 14, 2022, at 3:00 p.m.

Brevard County Board of County Commissioners
Thursday, December 1, 2022, at 5:00 p.m.

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

1. **(22Z00050) Dwayne White** (Brook Kershner) requests a change of zoning classification from AU (Agricultural Residential) and RU-1-9 (Single-Family Residential) to SR (Suburban Residential). The property is 1.14 acres, located on the north side of Lionel Rd., approx. 795 ft. east of U.S. Highway 1. (3460 Lionel Rd., Mims) (Tax Account 2000374) (District 1)

P&Z Recommendation: Bartcher/Glover - Approved. The vote was unanimous.

BCC Action: Zonka/Tobia - Approved as recommended. The vote was unanimous.

2. **(22Z00049) Edita Realty** (James McKnight) requests a change of zoning classification from BU-1 (General Retail Commercial) to RU-2-10 (Medium Density Multi-Family Residential). The property is 0.40 acres, located on the north and northeast corner of Avon St., approx. 200 ft. east of Osceola Ave. (950 & 960 Avon St., Port St. John) (Tax Account 2302548 & 2302549) (District 1) This item has been withdrawn from the agenda for re-advertising.

3. **(22Z00047) Protea Senior Living Melbourne, LLC.** (Michael Allen) requests a change of zoning classification from RU-1-9 (Single-Family Residential), RU-1-13 (Single-Family Residential), and IN(H) (Institutional Use, High-Intensity), with an existing BDP (Binding Development Plan), to IN(L) (Institutional Use, Low-Intensity), with removal of existing BDP, and adding a new BDP. The property is 6.35 +/- acres, located on the east side of Old Dixie Highway, approx. 90 ft. south of Otter Creek Lane. (Lots 12.05, 13, and 13.05 = No assigned address. In the Palm Shores area; Lot 14.01 = 5925 Old Dixie Hwy., Melbourne) (Tax Accounts 2606013, 2606015, 2606018, & 2606020) (District 4)

P&Z Recommendation: Alward/Hopengarten - Approved removal of existing BDP, and adding a new BDP, providing a 15-ft. buffer on the entire portion of the property, limiting density to 28 units per acre, and limiting ingress and egress to Old Dixie Hwy. The vote was unanimous.

BCC Action: Feltner/Zonka - Approved as recommended, with a BDP, recorded on 01/25/23, in ORB 9703, Pages 2670 - 2676, providing a 15-ft. buffer on the entire portion of the property, limiting density to 28 units per acre, and limiting ingress and egress to Old Dixie Highway. The vote was unanimous.

4. **(22SS00011) Humane Society of South Brevard, Inc.** (Michael Allen) requests a Small Scale Comprehensive Plan Amendment (22S.14), to change the Future Land Use designation from NC (Neighborhood Commercial) and CC (Community Commercial) to all CC. The property is 0.86 acres, located on the southeast corner of Otter Creek Lane and Old Dixie Highway. (2600 Otter Creek Lane, Melbourne) (Tax Account 2606030) (District 4)

LPA Recommendation: Alward/Moia - Approved. The vote was unanimous.

BCC Action: Feltner/Tobia - Approved as recommended, and adopted Ordinance 22-35. The vote was unanimous.

5. **(22Z00048) Humane Society of South Brevard, Inc.** (Michael Allen) requests a change of zoning classification from GU (General Use) and BU-1 (Retail, Warehousing, and Wholesale Commercial) to all BU-1. The property is 0.86 acres, located on the southeast corner of Otter Creek Lane and Old Dixie Highway. (2600 Otter Creek Lane, Melbourne) (Tax Account 2606030) (District 4)

P&Z Recommendation: Alward/Moia - Approved. The vote was unanimous.

BCC Action: Feltner/Tobia - Approved as recommended. The vote was unanimous.

6. *Public Hearing, Re: Comprehensive Plan Text Amendment Adoption Adding the Coastal High Hazard Area Map to the Coastal Management Element X, and Correcting Scrivener's Error in the Glossary Element XVI.*

LPA Recommendation: Moia/Alward - Approved. The vote was unanimous.

BCC Action: Tobia/Zonka - Approved, and adopted Ordinance 22-36. The vote was unanimous.

7. *Public Hearing, Re: Ordinance Amending Chapter 62, Article VI, Division 2, Section 62-1157, Submission of Binding Development Plan in Support of Request for Change of Zoning or Conditional Use Permit. This item was removed from the agenda to allow for review by the BCAC, due to the cancellation of the 11/09/22 meeting because of Hurricane Nicole.*