

H. PUBLIC HEARINGS

Planning and Zoning Board / Local Planning Agency
Monday, August 14, 2023, at 3:00 p.m.

Brevard County Board of County Commissioners
Thursday, September 7, 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. **(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 (Tax Account 2101052) (District 1) This item was withdrawn by the applicant. Letter received 08/09/23.

2. **(23Z00042) Robert A. Kline** requests a change of zoning classification from GU (General Use) to AU(L) (Agricultural Residential, Low-Intensity). The property is 1 acre, located on the north side of Oneida St., approx. 960 ft. from Dakota Ave. (3600 Oneida St.) (Tax Account 2404044) (District 1)

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

BCC Action: Feltner/Goodson – Approved as recommended. The vote was unanimous.

3. **(23Z00039) SRR Property Investment, LLC** (Brian Russo) requests a change of zoning classification from RU-1-7 (Single-Family Residential) to BU-1-A (Restricted Neighborhood Retail Commercial). The property is 0.50 acres, located on the north side of Atkinson St., approx. 290 ft. west of Clearlake Rd. (No assigned address. In the Cocoa area.) (Tax Account 2423790) (District 2)

P&Z Recommendation: Hopengarten/Hodgers – Approved. The vote was unanimous.

BCC Action: Goodson/Steele – Approved as recommended. The vote was unanimous.

4. **(23Z00045) Daniel A. and Lindsey E. Alf** (Bruce Moia) request a change of zoning classification from BU-1 (General Retail Commercial) to BU-2 (Retail, Warehousing, and Wholesale Commercial). The property is 1.53 acres, located on the north side of Aurora Rd., approx. 140 ft. east of Johnson Dr. (No assigned address. In the Melbourne area.) (Tax Account 2719528) (District 4)

P&Z Recommendation: Hodgers/Thomas – Approved. The vote was unanimous.

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

5. **(23Z00050) RNK Viera, Inc.** (Cliff Repperger) requests a CUP (Conditional Use Permit) for Alcoholic Beverages (beer & wine only) for On-Premises Consumption in Conjunction with a Bar, in a PUD (Planned Unit Development) zoning classification. The property is 1.32 acres, located on the southeast corner of Lorkey Lane and Hennessy Place. (5475 Lorkey Ln., Melbourne) (Tax Account 3024416) (District 4)

P&Z Recommendation: Minneboo/Hodgers – Approved. The vote was unanimous.

BCC Action: Tobia/Goodson – Approved as recommended. The vote was unanimous.

- 6. (23Z00044) Thomas P. and Shannon Harmony** request a change of zoning classification from GU (General Use) to AU (Agricultural Residential) The property is 1.36 acres, located on the south side of Pluckebaum Rd., approx. 0.25 mile east of S. Range Rd. (2235 Pluckebaum Rd., Cocoa) (Tax Account 2504668) (District 2)

P&Z Recommendation: Hodgers/Thomas – Approved. The vote was unanimous.

BCC Action: Goodson/Steele – Approved as recommended. The vote was unanimous.

- 7. (23SS00014) Island Cremations, Inc. (Kent Bush)** requests a Small Scale Comprehensive Plan Amendment (23S.14) to change the Future Land Use designation from RES 6 (Residential 6) to CC (Community Commercial). The property is 0.25 acres, located on the southwest corner of S. Courtenay Pkwy. and Mark Ave. (415 S. Courtenay Pkwy., Merritt Island) (Tax Account 2427231) (District 2)

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

BCC Action: Goodson/Steele – Approved as recommended, and adopted Ordinance No. 23-21. The vote was unanimous.

- 8. (23Z00054) Island Cremations, LLC (Kent Bush)** requests a change of zoning classification from RU-1-11 (Single-Family Residential) to BU-1 (General Retail Commercial). The property is 0.25 acres, located on the southwest corner of S. Courtenay Pkwy. and Mark Ave. (415 S. Courtenay Pkwy., Merritt Island) (Tax Account 2427231) (District 2)

P&Z Recommendation: Minneboo/Hodgers – Approved. The vote was unanimous.

BCC Action: Goodson/Steele – Approved as recommended. The vote was unanimous.

- 9. (23SS00015) Malcolm R. Kirschenbaum (Cole Oliver)** requests a Small Scale Comprehensive Plan Amendment (23S.15), to change the Future Land Use designation from NC (Neighborhood Commercial) and CC (Community Commercial) to all CC. The property is 1.90 acres, located on the west side of S. Courtenay Pkwy., approx. 256 ft. south of Cone Rd. (No assigned address. In the Merritt Island area.) (Tax Account 2501390) (District 2)

LPA Recommendation: Thomas/Glover – Approved. The vote was unanimous.

BCC Action: Goodson/Tobia – Approved as recommended, and adopted Ordinance No. 23-22. The vote was unanimous.

- 10. (23Z00053) Malcolm R. Kirschenbaum (Cole Oliver)** requests a change of zoning classification from BU-1-A (Restricted Neighborhood Commercial) with an existing BDP, to BU-2 (Retail, Warehousing, and Wholesale Commercial), with removal of existing BDP, and adding a new BDP. The property is 1.90 acres, located on the west side of S. Courtenay Pkwy., approx. 256 ft. south of Cone Rd. (No assigned address. In the Merritt Island area.) (Tax Account 2501390) (District 2)

P&Z Recommendation: Minneboo/Glover – Approved with a BDP. The vote was unanimous.

BCC ACTION: Goodson/Tobia – Approved with a BDP. The vote was unanimous. The applicant failed to record the BDP within 120 days of approval; therefore, the application is considered withdrawn.

- 11. (23SS00012) Colleen Mary Golub Revocable Trust** (Kim Rezanka) requests a Small Scale Comprehensive Plan Amendment (23S.12), to change the Future Land Use designation from NC (Neighborhood Commercial) to CC (Community Commercial). The property is 1.72 acres, located on the southeast corner of N. Wickham Rd. and St. Andrews Blvd. (No assigned address. In the Melbourne area.) (Tax Account 2627864) (District 4)

LPA Recommendation: Glover/Thomas – Approved. The vote was unanimous.

BCC Action: Feltner/Steele – Approved as recommended, and adopted Ordinance No. 23-19. The vote was unanimous.

- 12. (23Z00051) Colleen Mary Golub Revocable Trust** (Kim Rezanka) requests a Major Amendment to a PUD (Planned Unit Development). The property is 1.72 acres, located on the southeast corner of N. Wickham Rd. and St. Andrews Blvd. (No assigned address. In the Melbourne area.) (Tax Account 2627864) (District 4)

P&Z Recommendation: Glover/Thomas – Approved. The vote was unanimous.

BCC Action: Feltner/Steele – Approved with the condition that ingress and egress to the site via Wickham Road shall be in accordance with Plat Note #5 of Mercedes Plaza Plat recorded in Plat Book 53, Page 47. The vote was unanimous.

- 13. (23SS00013) Chelsea Lee James** requests a Small Scale Comprehensive Plan Amendment (23S.13) to change the Future Land Use designation from AGRIC (Agricultural) to RES 1 (Residential 1). The property is 1.18 acres, located on the southeast corner of D Johnson Ave. and Merritt St. (4585 D Johnson Ave., Mims) (Tax Account 2002343) (District 1)

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

BCC Action: Feltner/Tobia – Approved as recommended, and adopted Ordinance No. 23-23. The vote was unanimous.

- 14. (23Z00052) Chelsea Lee James** requests a change of zoning classification from GU (General Use) to RRMH-1 (Rural Residential Mobile Home). The property is 1.18 acres, located on the southeast corner of D Johnson Ave. and Merritt St. (4585 D Johnson Ave., Mims) (Tax Account 2002343) (District 1)

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

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

- 15. (23Z00024) Tracey C. and Teresa B. Higginbotham** (Randy Rodriguez) request a change of zoning classification from GU (General Use) to AU (Agricultural Residential). The property is 3.55 acres, located approx. 0.20 miles north of Port St. John Pkwy., and approx. 0.35 miles east of Golfview Ave. (No assigned address. In the Cocoa area.) (Tax Accounts 2312731,

2319995, 2319996) (District 1)

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

BCC Action: Feltner/Tobia – Approved with a BDP, recorded on 10/06/23, in ORB 9903, Pages 244 - 247, stipulating overnight lodging for commercial purposes shall be prohibited on the property. The vote was unanimous.

16. **(23SS00008) IR Tiki, LLC** (Kelly Hyvonen) requests a Small Scale Comprehensive Plan Amendment (23S.08), to change the Future Land Use designation from NC (Neighborhood Commercial) and CC (Community Commercial), to all CC. The property is 1.72 acres, located on the east side of U.S. Highway 1, approx. 735 ft. south of Suntree Blvd. (6533 S. U.S. Highway 1, Rockledge) (Tax Account 2605971) (District 2)

LPA Recommendation: Thomas/Hodgers – Approved. The vote was unanimous.

BCC Action: Goodson/Steele – Approved as recommended, and adopted Ordinance No. 23-20. The vote was unanimous.

17. **(23Z00043) IR Tiki, LLC** (Kelly Hyvonen) requests a change of zoning classification from RU-2-10 (Medium Density Multi-Family Residential) and BU-2 (Retail, Warehousing, and Wholesale Commercial) to all BU-2. The property is 1.72 acres, located on the east side of U.S. Highway 1, approx. 735 ft. south of Suntree Blvd. (6533 S. U.S. Highway 1, Rockledge) (Tax Account 2605971) (District 2)

P&Z Recommendation: Hodgers/Thomas – Approved. The vote was unanimous.

BCC Action: Goodson/Steele – Approved as recommended. The vote was unanimous.

18. **Amendments to Chapter 46 – Environment, Article IV. – Noise, and Section 62-2271. – Noise, of the Brevard County Code of Ordinances.**

LPA Recommendation: Minneboo/Hodgers – Approved. The vote was 7:1, with Hopengarten voting nay.