

## **PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES**

The Brevard County Planning & Zoning Board met in regular session on **Monday, February 17, 2025**, at **3:00 p.m.**, in the Florida Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

The meeting was called to order at 3:00 p.m.

Board members present were Mark Wadsworth, Chair (D4); Henry Minneboo, Vice-Chair (D1); Ana Saunders (D5); Erika Orriss (D3); Debbie Thomas (D4); Logan Luse (D4); Ruth Amato (D1); John Hopengarten (D1); Jerrad Atkins (D1); Melissa Jackson (D5); and Robert Brothers (D5).

Staff members present were Trina Gilliam, Interim Zoning Manager; Paul Body, Planner; Darcie McGee, Assistant Director, (Natural Resources Management); Alex Esseeesse, Deputy County Attorney; and Alice Randall, Operations Support Specialist.

Mark Wadsworth stated that if any Board Member has had an ex-parte communication regarding any application, please disclose so now.

### **Approval of the January 13, 2025, P&Z/LPA Minutes**

Motion by Logan Luse, seconded by Debbie Thomas, to approve the P&Z/LPA minutes of January 13, 2025. The motion passed unanimously.

**Item H.1. Cameron and Courtney Parker request a Small-Scale Comprehensive Plan Amendment (24S.18), to change the Future Land Use Designation from RES 1:2.5 to RES 1. (24SS00018) (Tax Account 2401173) (District 1)**

**Item H.2. Cameron and Courtney Parker request a change of zoning classification from GU to RR-1. (24Z00068) (Tax Account 2401173) (District 1)**

Trina Gilliam read companion items H.1. and H.2. into the record.

Cameron Parker spoke to the application. He stated they just want to change it. Right now, it's general use zoning, along with all the lots surrounding me. Those already have houses built on them. He didn't know if a rule changed or something, but the minimum of 5 acres and only a 1-acre lot. They just want to build their house on it.

There was no public comment.

John Hopengarten inquired of staff if the board could administratively change all the surrounding lots in one stroke and then they wouldn't have to do one offs every time.

Paul Body responded that they'd have to have the County Commission tell staff to do that.

John Hopengarten asked if they could make a recommendation here on the board to do that.

Paul Body stated "I guess you could. One of the problems with these properties is that they're done in a survey book and when they put the zoning on it they put GU zoning. The survey book in 1960, the lots weren't divided into 150 ft. wide lots, they were divided into 140 ft. wide lots, so they don't meet the GU zoning. That's the reason he's here today."

John Hopengarten responded that he understands. He's just concerned that all the neighbors have their homes on all the same size lots and they're still in GU, so they're nonconforming. If they want to

come for a building permit to do anything they're going to be stuck and will have to do a zoning change like he's doing.

Paul Body responded with yes or get a variance to the lot size.

Trina Gilliam commented that most of these properties are already developed with homes on them. So, the vacant lots are the ones that we're concerned about providing consistency because those are the ones that don't have a residence established on them yet. If it is your recommendation, we can take it to the board and see what they would like to do. But for today we just need to focus on the recommendation for this small scale and rezoning. We can take your recommendation forward to the board.

John Hopengarten responded we'd save a lot of time and money if we were to do them all at once.

Robert Brothers commented that it's been brought to our attention that we have a big portion of non-conforming lots that we should deal with, so we don't waste more of our time and more of our resources.

Paul Body responded that a lot of these lots are non-conforming, but then ones like this are inadequate to the size when it was subdivided. This lot is not non-conforming.

John Hopengarten said, "say that again, please."

Paul Body responded that this lot is inadequate in size, it's not non-conforming. It does not meet the code....

John Hopengarten said, "you mean because of the GU designation."

Paul Body responded that like all the others here today he's just trying to get it to be able to build a house on it.

John Hopengarten said that he understands that but his neighbors, the Crews, the Cannos, the Deons, the Mulligans, the Palmers, and the Rileys they all have their houses there, they're all in GU. They're in the same situation that he is but nobody made any changes.

Paul Body responded with no; I don't think that it was common at the time that these houses were built.

Mr. Parker commented that he built the house across the street from his lot for Lifestyle Homes in 2019 and knows it's a newer house.

John Hopengarten asked, "did you change the zoning then?"

Mr. Parker responded with no, it's not me, it's still general use zoning.

Paul Body said that it was permitted by mistake. It was approved in error.

Ruth Amato questioned that because of the wetlands on the property natural resources mentions that 1 home per 5 acres, how do you bypass that?

Mr. Parker responded that he must have it mitigated for where the house sits.

Ruth Amato continued with how does adding fill to where the house is going to sit directly impact the neighbors?

Trina Gilliam responded that at the time they submit for a building permit wetland delineation will be required.

Darcie McGee stated that at the time of permitting they'll need to come in with a current wetlands delineation and at that point if the lot is less than 5 acres and established after 1988 it would be allowed only 1.8% of the property area in impacts. If it's more than 5 acres or the lot has been legally established in that configuration since 1988 then they can build a house, access and septic, they can mitigate the wetlands, through the state. They do proceed at their own risk without an environmental report ahead of time.

John Hopengarten commented to Darcy that on her maps it doesn't show that they're in wetlands.

Darcie McGee stated that they are just north of wetlands. They do have hydric soils on their property, so that's an indicator they may have wetlands. That's why we would require the delineation. What we do is a desk top analysis. We look at aerials and soils maps, wetland maps, and if we see something that might indicate that there's wetlands at some point, they're going to have to provide us with that environmental report to identify and quantify what is there.

Mr. Parker commented that he has done that.

Henry Minneboo stated the problem he has is we're going to decide for other people's lots throughout that entire subdivision and they may come here and want to kill us because we modified their.... That's not what they want to do. I'm not sure we need to get involved in other peoples' desire to do whatever they're going to do. They know it's GU, let them make the decision when they feel like it.

Mark Wadsworth said that to get back on track they need to focus just on this application.

Motion to recommend approval of Item H.1. by John Hopengarten, seconded by Erika Orriss. The motion passed unanimously.

Motion to recommend approval of Item H.2. by John Hopengarten, seconded by Logan Luse. The motion passed unanimously.

**Item H.3. Robert and Michelle Matthias (Thomas Brandon) request a change in zoning classification from EU and AU to all EU (24Z00067) (Tax Account 2511107) (District 2)**

Trina Gilliam read the application into the record.

Thomas Brandon spoke to the application. His clients currently have a house that's on Rockledge Drive that's about .98 acres. The zoning is split on this site, where it is part EU and part AU. We can not go forward with permitting until we've consolidated the zoning to all EU. They're looking to do a large addition to the home on the property.

There was no public comment.

Henry Minneboo inquired if it goes across Barnes and becomes Coquina.

Mr. Thomas responded that it is right behind the old Harvey's Road, right there on the river.

Henry Minneboo asked how large the parcel is.

Mr. Thomas responded it is about 0.9 acres. Just under an acre.

Motion to recommend approval of Item H.3. by Henry Minneboo, seconded by John Hopengarten.  
The motion passed unanimously.

**Item H.4. Invest Bright, LLC. (Paulo Jimenez) requests a change in zoning classification from RU-1-7 to RU-1-13. (24Z00061) (Tax Account 2800361 & 3033552) (District 5)**

Trina Gilliam read the application into the record.

Paulo Jimenez spoke to the application. We would like to do a single-family home. I have split the property already and submitted my paperwork. I have approval for the septic but when I went to zoning, they sent me a letter that I must rezone the property.

There was no public comment.

John Hopengarten inquired as to why he was being made to change the zoning.

Mr. Jimenez responded that right now it is nonconforming, he cannot split it, so he must do the rezoning to do a single-family home.

John Hopengarten commented you're going to do it on the whole lot.

Mr. Jimenez responded "no". He is going to split it.

John Hopengarten asked, "you want to split that lot?"

Mr. Jimenez responded "yes, that lot's already split into 2 parcels. It's a half-acre."

John Hopengarten commented that the appraisal says it a quarter acre.

Mr. Jimenez stated because it's already split.

John Hopengarten commented that he could put 2 houses on it.

Mr. Jimenez responded with no, just one. I already have 1 next door, and I want to split it to do a single-family house.

Jerrad Atkins commented that it looks like it's this lot just to the south.

John Hopengarten inquired of staff, this ¼ acre lot is 10,500 sq. ft. is zoned as RU-1-7 zoning.

Trina Gilliam responded with yes, that's correct.

John Hopengarten continued with for an RU-1-7, can't he build on that without changing it?

Trina Gilliam replied that it is not consistent with the future land use. One of the lots is already developed with a single-family residence and the other one is vacant.

John Hopengarten stated he wants to build on the vacant lot, but the vacant lot is standing on its' own and it's a quarter of an acre. So why can't he build a house on that quarter of an acre?

Trina Gilliam responded because currently it's not consistent, so he must do the rezoning to make the property consistent with the future land use. This is a rezoning.

John Hopengarten stated that it is a rezoning to suit the future land use. And the lot to the south that he also owns was that a change before?

Trina Gilliam responded that it is included in this request. There are 2 tax account numbers, 2800361 and 3033552, and both are included in this request. Each are a quarter acre lot, and the land use is RES 4.

Ana Saunders asked to try and rephrase the question. The future land use is consistent and RU-1-7 zoning, everything around it is RU-1-7. Why is he being asked to rezone the property to RU-1-13?

Trina Gilliam responded because RU-1-7 and RES 4 are not consistent with each other. RU-1-13 is consistent with RES 4.

Ana Saunders stated so the current zoning is not consistent with the underlying land use and for him to build a home he must have a zoning category that is consistent with the RES 4 land use which is RU-1-13.

Trina Gilliam responded with "Yes".

John Hopengarten stated that he now has the reason but...

Motion to recommend approval of Item H.4. by Robert Brothers, seconded by Logan Luse. The motion passed unanimously.

**Item H.5. Lisa and Christopher Manion request a change in zoning classification from GU to AU. (24Z00053) (Tax Accounts 2000768) (District 1)**

Trina Gilliam read the application into the record.

Lisa Manion spoke to the application. Request is for consistency in zoning. It is currently GU, so when we look at the dimensions of the lot size we're looking to change to AU.

There was no public comment.

John Hopengarten asked if the road going through the site, is a documented road. Is it registered or an easement, or just a path to get to the house?

Mrs. Manion responded that when she purchased the home it was already there. It's not paved, it's gravel.

Robert Brothers asked if she got a survey when she bought the property, and did it show up on the survey as an easement?

Mrs. Manion responded that she had, and it showed up on the survey, but not as an easement.

John Hopengarten asked staff if it was a real road.

Trina Gilliam responded that it is not a county-maintained road.

John Hopengarten stated it's just a driveway then. But it's named.

Mrs. Manion said it is, Coffee Cup Lane.

Motion to recommend approval of Item H.5. by Debbie Thomas, seconded by Erika Orriss. Motion passed unanimously.

**Item H.6. Frank Mastroianni (Jason Searl) requests a change in zoning classification from BU-1 and RU-2-10(6) to RA-2-6. (24Z00069) (Tax Account 2600118) (District 2)**

Trina Gilliam read the application into the record.

Jason Searl spoke to the application. We are here on a consistency of zoning effort to unify the zoning currently split between BU-1 and RU-2-10(6) to RA-2-6 honoring the six unit per acre density cap that was passed by the county in 1973.

**Public Comment**

Pam Higgins stated her home is right next to this property and this group came by about 6 months ago using PUD. They wanted to try to use PUD, and it was all from you guys unanimously declined. And then they withdrew their application. Now they're wanting to rezone the business unit front part to make the whole thing one. But they want to remove the cap 6, and it says 2 to 6, but I'm wondering why we have to remove the cap 6 part of the designation. I think if they come back again under future land use which would be RES 15, not having that cap 6 in there, this is a very complicated piece of property. It has all sorts of natural resource issues, and I think not having that cap 6 designated there would limit discussion about it. Could we expect with this change of zoning that they're going to come back with a plan that is under 88 units or are they going to come back for future land use at 222 units?

Michael Gaisch spoke regarding environmental problems. There are ways to get around what the density is and buying what we would call mitigation credits. If you look at the next to the last paragraph of the package from me it states what the FLU policy is, the coastal management element, objective 7 demands that the county limits density within the coastal high hazard area. To increase that density beyond the limit of 6 units per acre would violate that objective. Similarly, over half of the referenced PUD to the now parcel is in a special flood zone area, zone AE coastal flood plain and the number of units should not be increased. I don't see why they can't tell the public what tests they need done on the property.

Rob Solito stated he appreciates what happened in the past where their original application was voted down when they tried to drastically increase the density. This zoning application I believe is

consistent with what is acceptable with the cap of 6. My understanding is that the RA-2-6 is a cap of 6, and doesn't need the additional 6 cap. I appreciate the developer's understanding the need for this zoning cap in this region and I do not oppose it.

Henry Minneboo asked Mr. Solito if he was in Indian River Isles.

Mr. Solito responded "No, I'm in the Laguna Vista Condo, right next door."

End of public comment

John Hopengarten commented in your application it states that the property has 2 areas, one is a BU and the other is residential. Is that correct?

Mr. Searl replied correct and maybe there's a visual we could put up.

John Hopengarten went on to say the commercial is 2.88 acres and the remaining residential is almost 12 acres.

Mr. Searl responded correct, if that's what you're reading from the application then yes. The visual is in the staff report. Yes, it is split. The front part of the property has the business zoning, the smaller of the 2.

John Hopengarten continued with questioning the current gives you a FAR of .75, gives you the availability of having 157 multi-family units. You're proposing 88 units. Are those going to be multi-family or single-family?

Mr. Searl responded it is attached single family.

John Hopengarten asked what does that mean?

Mr. Searl stated that's from the county zoning map. BU-1 and you see the line there. My acreage is 14.6. And then there's future land use split that's consistent as well.

John Hopengarten asked if these are going to be townhomes? You said attached single-family.

Mr. Searl answered yes, townhomes.

John Hopengarten asked single story or two story.

Mr. Searl stated to be determined based upon the zoning allowance and the county's requirements for height and FAR and other requirements.

John Hopengarten stated you also mentioned in your application the use of SB 102, the Live Local Act. Do you realize you can only use that on the commercial part.

Mr. Searl responded correct, and that is from the staff report. It is a possibility that yes, the commercial zoning could be used under the Live Local Act and could be utilized as a tool to maintain an even greater density.

John Hopengarten stated right, because they would give you up to 30 units per acre and you have almost 3 acres there.

Mr. Searl responded correct and that would be the development potential that this could be however as we said in our application, we do not desire to remove the cap. In fact, the application said we are making this change and the renewed application to honor the cap. We're very much living with the cap here.

John Hopengarten said the cap would put you at 71.5 units on that almost 12 acres.

Mr. Searl responded page one of the staff report gives us the counts. 88, but that would be both properties.

John Hopengarten stated he was talking about just the residential here. He came up with 71.5, based on 6 units per acre on the 12 acres.

Mr. Searl said his project engineer, Landon Share confirmed 71 on the 12 acres.

John Hopengarten continued you can do that. If you do the Live Local you could have 158 units on this property. But you're restricting yourself to 88.

Mr. Searl responded with affirmative.

Erika Orriss stated the only place you're using Live Local is on the BU.

Mr. Searl stated we are not using Live Local. Live Local is available to anyone who qualifies. We could, and we are not. We are applying to unify the zoning at the requested RA-2-6, maintaining the 6 dwelling units per acre cap from 1973. We are not using Live Local, but we could.

John Hopengarten stated you're asking to change the BU designation to residential.

Mr. Searl responded correct. We're here to unify the zoning so the property may be developed in a uniform fashion. More consistent with the surrounding area as outlined in the staff report, pages 2 and 3.

John Hopengarten stated so then you'll just take the 6 units per acre on the total amount.

Mr. Searl responded with correct. Because the RA-2-6. And there's a table on page 1 of the staff report. And that is consistent with both the CC and RES 15 future land use. So, in theory we could also develop more than that based upon the future land use consideration of the RES 15. That was an earlier discussion.

Henry Minneboo asked if they were going to do a binding development plan.

Mr. Searl responded with I don't believe we are, no. This is straight zoning. The environmental issues noted by speaker 2, I would direct everyone to page 7 of the staff report. It has a very good explanation of our environmental requirements. It's analysis of administrative policy 7, applicant is hereby notified that the development and previous restrictions and the noted regulations of the



county. So, yes, we will of course develop the property in accordance with those county and all other government requirements on the environmental items.

Henry Minneboo asked Darcy if she was on board.

Darcy McGee stated she has not been appointed to the board.

Mr. Searl stated we have come a long way, and we're happy where it is. We think it's compatible and consistent. And I think your staff and the staff report.

Henry Minneboo commented you guys have tried to wear us out. Other attorneys have been here and tried to work a plan here. I listened to all those people that live south and north of here and it really hasn't been fun. Unless you come up with a defined development plan, I'm not real excited about it. I just think we can do X, Y and Z and then we can move around and do A, B and C and I'm not real sure, I'm uncomfortable with it. There are too many variables in this piece of stone, so I'm certainly not comfortable, but there's 14 others I'm sure they're extremely comfortable.

John Hopengarten asked what his discomfort is.

Henry Minneboo stated he doesn't think it's conducive to the area. It's a ton of units.

Mr. Searl stated he appreciates the comments and in his humble opinion it's directly consistent with the 6 D.U. cap that was put in place in 1973. We are very much consistent and compatible. It states as much in the staff report. I'd be happy to leave some of the remarks that I prepared that go through the 5 criteria for rezoning. I'd be happy to go through this.

John Hopengarten stated we don't look at site plans here. But have you put a site plan together? Will everything fit? 88 units, he's right, and without going 3 or 4 stories, because you do have height restrictions here.

Mr. Searl stated plans have been worked on in a conceptual basis, but I'm not privy to that. I'm just here for the rezoning efforts today.

Mark Wadsworth commented you still have a lot more hoops to jump through.

Mr. Searl replied thank you, this is really just the first one. And it's stated throughout the staff report. We're fully aware of what we need to do. We appreciate the comments and the sensitivity. We've come a long way from where we were 9 months ago when we came before you the first time.

John Hopengarten asked if they had done a traffic study yet.

Mr. Searl responded with no.

Ana Saunders inquired the property that's developed to the south, that's traditional condos. It's standard 4 or 5 stories, do we know.

Mr. Searl replied that's my understanding and I want to say that maybe the gentleman who spoke or maybe one of the other members that we'd spoken to in the past was affiliated with them, but I believe it's fee title condos.

Ana Saunders continued with I look at it a little bit differently, that it's sort of stair stepping down. You've got a higher density multi-family, a true multi-family use to the south. And a more traditional townhome single-family attached development directly adjacent to those single-family homes, kind of creating that nice stair stepped planning perk if you will. I like that better than I would like straight condos or something along those lines.

Mr. Searl responded with we agree, and I believe the staff report does talk about how this is a transition area between the two. So, we very much agree with that. Thank you.

Motion to recommend approval of Item H.6. by Ana Saunders, seconded by Debbie Thomas. Motion passed 8 to 3.

**Item H.7. The Mohan Family Trust Dated January 25th, 2023, requests a change of zoning classification from RU-1-11 to BU-1-A. (24Z00063) (Tax Account 2426731) (District 2)**

Trina Gilliam read the application into the record. She noted that the requested had gone before MIRA and they had recommended denial, based on their concerns with adequate parking, increased traffic and congestion, and insufficient information provided for the proposed use.

Kamal dai Mohan spoke to the application. Originally purchased the property for her daughter to start a spa business, massage therapist.

Henry Minneboo inquired if that is the Gainer estate.

Ms. Mohan responded I'm not sure. We purchased it after.

Henry Minneboo asked you purchased the house and the property to the west as well.

Ms. Mohan responded no.

Henry Minneboo stated you just purchased the house.

Ms. Mohan replied yes.

Henry Minneboo asked if that is being used now for commercial or something.

Ms. Mohan responded no. Right now, I have it as residential. I think the original owner tried to rezone it to sell it as commercial use, but they didn't move forward with it.

Henry Minneboo commented that the property backs up to the lake.

Ms. Mohan stated she did see something on the survey.

There was no public comment

John Hopengarten asked do you have any knowledge that it was a business before.

Ms. Mohan responded no.

John Hopengarten commented he drives by there often and he thought it was an accounting office.

Ms. Mohan responded no, never.

John Hopengarten asked if her daughter anticipates subleasing.

Ms. Mohan responded no.

John Hopengarten continued that makes in questionable, because a sign was up, and it looked like you were trying to rent it out. Now you're talking about putting your daughter in there and not renting it out. It's a house, but it has a large parking area.

Ms. Mohan responded yes. Originally it was purchased for her and things didn't work out and I did it back to residential. It was going to go into commercial zoning.

John Hopengarten said, "you were going to have it rezoned."

Ms. Mohan replied yes, and then it didn't work out. So, I did it back to residential, so when she's ready to come back I'll have it ready again for her, but this time officially commercial.

John Hopengarten asked what AKM gratitude for prosperity is.

Ms. Mohan said it's the initials of my kids' names. Alex, Anthony, Alena, middle initial is for their father's name, and the last is my last name, Mohan.

Henry Minneboo asked if it has a Mirror Avenue address.

Ms. Mohan responded yes.

Erika Orriss asked about the parking and MIRA's complaint.

Ms. Mohan responded she's hoping to get this property back to her daughter. And it's only going to be her, with her spa.

Erika Orriss asked how many parking spots are there.

Ms. Mohan responded right now there is the garage and 2 in front of the garage.

Erika Orriss asked if she was planning on putting in a parking lot.

Ms. Mohan responded eventually, when that time comes. In the future, yes.

John Hopengarten inquired about the large area to the west. That will accommodate large parking. Just down the street from you is a dog grooming business. And on the corner across from BJ's there's that flag place.

Ms. Mohan replied yes. And on that same street there's another hair stylist spa.

Erika Orriss stated she doesn't personally have a problem with this, but because MIRA had unanimously said no, this is their jurisdiction. They know the area better than I do, so I would have to defer to people who live closer to it.

John Hopengarten commented he couldn't see any rationale behind MIRA's objection. I read their report, I didn't attend their meeting. Their comments were location of adequate parking for future use. They've got plenty. Increased traffic, I didn't see any of that.

Motion to recommend approval of Item H.7. by John Hopengarten, seconded by Erika Orriss. Motion passed 10 to 1.

**Item H.8. Villas at River Palms, LLC (Edward Fleis) requests a change in zoning classification from BU-2 to RU-1-7. (23Z00067) (Tax Account 2438912, 2438913, 2438914, 2438915, 2438917 and 2438918) (District 2)**

Trina Gilliam read the application into the record.

Edward Fleis spoke to the application. The property is a 2.7-acre parcel zoned BU-2. The property to the north is residential, the property to the south is residential. RU-2-15 and RU-1-9. We're requesting to be rezoned to RU-1-7. This permits 50-foot-wide lots. It's restricted to only 6 units per acre because it's in a coastal high hazard area. Which means we could get 16 units if we were going to do townhomes. But we decided to do single-family homes, so we're limited to 11. It's a parcel that has 11 platted lots, we'll replat it to 11 lots, and the objective is going to be a very high scale upper end single family home development. There will be a security gate and walls on the north and south of it and along South River Drive.

There was no public comment.

Trina Gilliam stated she would like to amend the record. This item went before MIRA, and they recommended approval with a BDP to stipulate that the units could not be mobile homes or condominiums. She also wanted to point out in accordance with Objective 7 of the coastal residential densities in our future land use which states that we should direct development outside the coastal high hazard area. That can be a part of your recommendation for approval of this request.

Henry Minneboo asked if MIRA had anything negative to say.

Trina Gilliam stated they were concerned about mobile homes and condominiums. They just want single-family there. And, this zoning, RU-1-7 doesn't permit mobile homes or condominiums. It's a single-family zoning.

Erika Orriss stated they wanted a BDP on top of that as well.

Trina Gilliam responded correct, to say no mobile homes, but again the zoning doesn't permit that.

Henry Minneboo commented the most expensive mobile home park is south of there.

John Hopengarten asked if the developer knows who their neighbor is across the street.

Mr. Fleis stated it's a commercial development across the street.

John Hopengarten commented that it's a gun store. You're going to put luxury homes across the street from a gun range. There will be a lot of noise.

Mr. Fleis responded that the cost of the property is extremely high. It is very high when you talk about buying riverfront property. The highest and best use of the property would be single family homes.

John Hopengarten responded that you can do all kinds of industrial stuff on it because of the zoning.

Mr. Fleis stated to keep in mind that to the north is RU-2-15 and at one time was approved for a 24-unit condominium, which did not get built. And, it's still zoned RU-2-15. And then south of that is a mobile home park. Both are residential in character. There hasn't been a lot of interest in doing a commercial type of development.

John Hopengarten inquired if there was water and sewer available.

Mr. Fleis responded both are available. There's a force main right on the street. This will be done through a pump station. There's a high-water table and at one time I think the 100-year flood was about 3.5 feet. Now with some of the flooding we've had over the last number of years it's much higher. There will be a lot of fill required on the site.

John Hopengarten commented you're going to raise the site elevation.

Mr. Fleis responded it will have to be raised.

John Hopengarten asked how it was going to affect the neighbors. There's a new policy on Merritt Island and I think throughout the county where you must do an engineering study to see what the impact would be raising elevations.

Darcie McGee responded that is true. It is specific to North Merritt Island. Right now, we are working on another county wide flood study to really move to no adverse impacts. When they come in for developing, especially given their low elevation and coastal high hazard they're going to have to demonstrate no adverse impacts on the neighbors. We continue to refine our floodplain date to make it more accurate when engineers come in to design.

John Hopengarten asked what about sewer. Is it septic or is it sewer?

Mr. Fleis stated no, there is a force main. And, there will be a grinder pump station or grinder pump stations installed for public sewer.

John Hopengarten asked you have 600 feet of frontage overall.

Mr. Fleis responded our overall frontage is 588.3 feet.

Henry Minneboo asked if that is contiguous to the Grills restaurant property line.

Mr. Fleis responded there are 5 lots north between here and the commercial property.

Henry Minneboo asked what their northern property line touched. There's a 7-Eleven and Grills restaurant.

Mr. Fleis responded it would be the 7-Eleven and then there are 5 lots, 250 feet, and then this parcel starts.

John Hopengarten asked if they are going to put 50 feet by 100 feet lots.

Mr. Fleis responded no; they will be at least 50 feet. The northern and southern lot will be about 5 feet additional as a buffer. Plus, if we want to put a wall, we'll have a little more room to work with.

John Hopengarten asked if these are going to be single family, detached.

Mr. Fleis responded yes, detached. As I mentioned if we were going to do townhomes, we could have done 16 townhomes. But we thought the market is better for single-family homes.

Motion to recommend approval of Item H.8. by Debbie Thomas, seconded by Ana Saunders. Motion passed unanimously.

The meeting was adjourned at 4:09 p.m.