

## **PLANNING AND ZONING BOARD MINUTES**

The Brevard County Planning & Zoning Board met in regular session on **Monday, August 5, 2019**, at **3:00 p.m.**, in the Commission 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: Ron Bartcher, Rochelle Lawandales; Ben Glover; Ron McLellan; Mark Wadsworth; Bruce Moia; Peter Filiberto; and Dane Theodore.

Staff members present were: Amanda Elmore, Interim Planning and Zoning Manager; Tad Calkins, Planning and Development Director; Jad Brewer, Assistant County Attorney; Paul Body, Planner II, and Jennifer Jones, Special Projects Coordinator II.

### **Chair and Vice Chair Nominations**

Motion by Ron McLellan, seconded by Bruce Moia, to nominate Mark Wadsworth as Chair. The motion resulted in a tie vote. Peter Filiberto, Ron McLellan, Bruce Moia, and Mark Wadsworth, voted in favor of the motion. Dane Theodore, Ron Bartcher, Ben Glover, and Rochelle Lawandales, voted nay.

Motion by Dane Theodore, seconded by Ben Glover, to nominate Rochelle Lawandales as Chair. The motion resulted in a tie vote. Dane Theodore, Ron Bartcher, Ben Glover, and Rochelle Lawandales, voted in favor of the motion. Peter Filiberto, Ron McLellan, Bruce Moia, and Mark Wadsworth, voted nay.

Upon consensus, the board agreed to nominate a Chair at the August 19, 2019, Local Planning Agency meeting.

Motion by Bruce Moia, seconded by Ron McLellan, to nominated Peter Filiberto as Vice Chair. The motion passed unanimously.

Peter Filiberto, Vice Chair, announced that the Board of County Commissioners will have the final vote on the recommendations made by the Planning and Zoning Board on Thursday, September 5, 2019, at 5:00 p.m.

### **Approval of the July 8, 2019, Minutes**

Motion by Rochelle Lawandales, seconded by Bruce Moia, to approve the minutes of July 8, 2019. The motion passed unanimously.

### **Public Hearing Items**

#### **1. John Csanyi:**

A change of zoning classification from GU (General Use) to AU (Agricultural Residential). The property is 2.09 acres, located on the north side of Date Palm Street, approximately 468 feet west of Florida Palm Avenue. (19PZ00069) (5480 Date Palm Street, Cocoa) (District 1)

John Csanyi, 5480 Date Palm Street, Cocoa, stated he would like to make the best use of the property that he can, and he'd like to generate income by having a plant and tree nursery. He added that he would also like to have a mini cow to help with the maintenance of the turf, along with a horse for his son. He noted several of his neighbors have already rezoned to AU.

Ron Bartcher asked if the use will be nonconforming if the rezoning is approved. Amanda Elmore replied yes, the property is still less than the size required, but the Comprehensive Plan allows for rezoning to compatible zoning classifications.

**Public Comment:**

Linda Donoghue, Cypress Woods, Port Saint John, stated she used to live near the subject property, and asked if the applicant can have a commercial business in an agricultural zoning. Ms. Elmore replied the uses the applicant is proposing are allowable in AU (Agricultural Residential) zoning, but he will still have to meet any permitting requirements for buildings and any business licenses he would need, and if he is a bona fide agricultural use, there are State requirements that he would need to meet as well. Paul Body stated the AU zoning allows for all agricultural pursuits, including the packing, processing, and selling of commodities raised on the premises.

Carol Broderick, Rockledge, stated he owns property approximately 500 feet south of the subject property, and asked if the proposed use will impact him in the future if he decides to build on his property. Bruce Moia stated it appears Mr. Broderick's zoning is GU (General Use), so unless he had at least five acres, he would need the same request. Mr. Body stated yes, if he wants to have agricultural uses. Mr. Body explained most of the lots in that area of Canaveral Groves are nonconforming to the GU zoning classification, and prior to 1975 GU required one acre, but in 1975 the requirement changed to five acres. The applicant could still get a building permit for a house because the lot is nonconforming to the size.

Rochelle Lawandales stated within the AU zoning there are a couple of uses that may pose issues in the future, such as rendering plants, the processing of meat, and things of that nature. Mr. Body clarified that the applicant could not process meat on the property, as it would require industrial zoning. Ms. Lawandales asked if there is a limitation on cows like there are on horses. Mr. Body replied there is no limit on horses or cows in AU unless the applicant wants to board horses.

Motion by Rochelle Lawandales, seconded by Bruce Moia, to approve the change of classification from GU to AU. The motion passed unanimously.

**2. Kevin S. and Christina M. Langille:**

A change of zoning classification from RR-1 (Rural Residential) to AU (Agricultural Residential). The property is 8.88 acres, located on the south side of James Road, approximately 0.30 mile east of Friday Road. (4545 James Road, Cocoa) (19PZ00078) (District 1)

Christina Langille, 4545 James Road, Cocoa, stated they would like to board a few horses, and they understand they cannot receive money for it without having AU zoning. She noted she is also working with the University of Florida Extension Office on starting a 4-H horse club in Cocoa, and she'd like to occasionally have a goat or geese for the kids in 4-H.

No public comment.

Motion by Ron McLellan, seconded by Bruce Moia, to approve the change of zoning classification from RR-1 to AU. The motion passed unanimously.

**3. MDP Properties, LLC; Rojo Holdings of Florida, LLC; and Randall S. and Kaye T. Bratcher, Trustees (Franklin Kelley or Robi Roberts):**

A change of zoning classification from RU-2-10 (Medium Density Multi-Family Residential) and RU-1-13 (Single-Family Residential) to RU-2-12 (Medium Density Multi-Family Residential). The property is 5.04 acres, located on the east side of North U.S. Highway 1, Cocoa. (5080, 5090, 5094, 5130, 5140, and 5160 North U.S. Highway 1, Cocoa) (19PZ00079) (District 1)

Robi Roberts, 2255 South Tropical Trail, Merritt Island, stated there are four different pieces of property, and one of them already has approval for 15 units. The proposed units will be no more than two to three-story townhouses, or condos, and will be sold as single-family homes. She said the infrastructure to the proposed community would be a potential reduction of septic tanks, and when they bring in water and sewer there will be fire hydrants. She said there are other nearby projects that have increased density, which have not interfered with any of the existing surrounding communities. She stated the potential tax base and revenue to the county will be increased, and the School Board has already approved the request, so there can be additional children in the nearby school system.

Ron Bartcher asked if Ms. Roberts already has access to sewer and water. Ms. Roberts replied no, but there are two large subdivisions nearby being built, and that will give them the opportunity to have access to sewer and water eventually.

Bruce Moia asked what is currently on the site. Ms. Roberts replied on the north side there are three units; the next one has approximately 14 units; the next lot has two units. Mr. Moia asked if the plan is to remove everything and start over, or add units. Ms. Roberts replied she doesn't think she can add to what is already there, so they will have to tear down what is there because it's very old. Mr. Moia stated they would be bringing the entire property into conformance to today's standards.

No public comment.

Motion by Rochelle Lawandales, seconded by Bruce Moia, to approve the change of zoning classification from RU-1-13 and RU-2-10 to RU-2-12. The motion passed unanimously.

**4. Marker 24 Marina, LLC; and Marker 24 Development, LLC (Yane Zana and Peter Black):**

A Conditional Use Permit for Mitigating a Non-Conforming Commercial Marina, in an RU-1-11 (Single-Family Residential) zoning classification. The property is 6.24 acres, located on the west side of South Banana River Drive, approximately 200 feet north of Orris Avenue. (1357, 1360, and 1385 South Banana River Drive; and 1880 West Virginia Avenue, Merritt Island) (19PZ00080) (District 2)  
THIS ITEM HAS BEEN AUTOMATICALLY TABLED TO THE AUGUST 19, 2019, LOCAL PLANNING AGENCY MEETING.

**5. JSFS Land Trust, Jacob Shapiro and Faye Shapiro, as Trustees (Kim Rezanka):**

A Small Scale Comprehensive Plan Amendment to change the Future Land Use designation from Residential 4 to Residential 6. The property is 9.79 acres, located on the north side of Ranch Road, approximately 0.25 mile west of Grissom Parkway. (No assigned address. In the Cocoa area.) (19PZ00062) (District 1) This item was tabled from the July 8, 2019, Planning and Zoning meeting at the request of the applicant.

**6. JSFS Land Trust, Jacob Shapiro and Faye Shapiro, as Trustees (Kim Rezanka):**

A change of zoning classification from RRMH-1 (Rural Residential Mobile Home) to RA-2-6 (Single-Family Attached Residential). The property is 9.79 acres, located on the north side of Ranch Road,

approximately 0.25 mile west of Grissom Parkway. (No assigned address. In the Cocoa area.) (19PZ00063) (District 1) This item was tabled from the July 8, 2019, Planning and Zoning meeting at the request of the applicant.

The board heard both the small scale comprehensive plan amendment and the rezoning request simultaneously. Any documents submitted by the applicant or the public can be found in file 19PZ00063, located in the Planning and Development Department.

Kim Rezanka, Cantwell and Goldman, P.A., 96 Willard Street, Cocoa, stated the subject property is unique and previous owners have never attempted to develop; there is sewer that will be brought to the project, and it does have access to city water. She stated the reason they do not have a topographical survey yet is because of the weather, but an environmental engineer has looked at portions of the site and have found that of 9.79 acres, 6.1 of them are wetlands, so it is a very difficult site to develop. She said the initial plan was for duplexes, but because of the immense amount of wetlands it's not possible to do that. She said the lot is heavily wooded and is the last residential area to be developed; the lot is on a county road, which is Ranch Road, and it is a stabilized road, but not a paved road; it's a bumpy dirt and rock road. She stated the proposal is for townhomes. (Ms. Rezanka submitted a proposed concept plan to the board and staff). She continued by stating the concept plan was provided to citizens at a community meeting on June 25<sup>th</sup>. She stated the access will be split around the wetlands; there will be three buildings on the east side and three buildings on the west side, and it will be transgressed through the wetlands to make the project possible. She said the most they believe that can be built is 49 units, which is why they are requesting a change to the Comprehensive Plan to Residential 6 to make it a feasible development with townhomes. She stated it will take 1,400 feet of roadway on site, and it will be built up with retaining walls. She said the project will be single-family, and each townhome will be under its own ownership, and the prices are anticipated to be between \$250,000 and \$300,000. She said the current RRMH-1 zoning is inconsistent with the current Residential 4 Future Land Use, and as the staff report states, this was rezoned in the '70's, and nothing has been attempted to be built on the property. She stated one-acre lots cannot be built on the property because of the wetlands. She said the owners are willing to enter into a binding development plan to limit development to 49 units, and even that will be tough, but that is what the developer is asking. She said there were approximately 40 neighbors present at the community meeting who were interested and concerned about how the property would be developed; they are concerned about traffic, buffering and privacy, property values, and access. There are approximately 9 homes that will be able to see the two-story townhomes; and the traffic will not go through the Cypress Wood subdivision. She stated she is still working on the access issue with the County; on July 9<sup>th</sup> she sent a request to the County for information, and she has not yet received a response. She stated the trips would be reduced with a maximum of 49 from the 58 that would be potential, and it is 460 trips as opposed to the 552 projected trips. She stated the project will provide housing options, and the housing comprehensive plan states that Brevard County shall ensure there is housing available other than single-family homes. She said the shape and physical characteristics of the property make it unique and should be considered in determining the reasonableness of the zoning classification, and changes of conditions can justify a rezoning. She said non-development because of wetlands can be a change of condition, or a condition that is unexpected, to justify a rezoning. She said the project is an in-fill project and has extenuating circumstances, and because it hasn't been developed, that is the reason for the request.

Ron Bartcher asked the proposed size of the townhomes. Ms. Rezanka replied 1,500 square feet to 2,200 square feet; they will be as big, if not bigger, than the homes next to them.

Bruce Moia stated the current zoning of RRMH-1 (Rural Residential Mobile Home) could be mobile homes, and the requested RA-2-6 is good because it is ownership as opposed to renter multi-family, and that is more desirable than mobile homes. He said he is very familiar with the property because he was originally involved in Cypress Woods when it was developed, and the property is completely in an isolated flood plain, so the developer has his work cut out for him to try to get compensated storage because of the wetlands. He assumes Ranch Road will be required to be paved in order to get access to the development. Ms. Rezanka stated that is the issue they are having, and all the County Code requires is that it has access onto a paved road, which it does off of Falk Avenue directly to the south; there is nothing in the Code that says you cannot access off of a local road, and that's what she is waiting on clarification from the County. Mr. Moia asked if the developer wants to go directly south for access, and asked where that road goes. Ms. Rezanka replied it meets Everett Street, which goes to Grissom Parkway. Mr. Moia stated Ranch Road doesn't have any houses that have access, for the most part. Ms. Rezanka replied no, not legal access.

Public comment:

Linda Donoghue, Cypress Woods, stated the neighborhood is not against the project, nor are they in favor of it, they are just concerned with drainage, barriers, and townhomes looking over their homes into their backyards. She stated the developer of the nearby storage unit project is proposing an 18-foot barrier, and she hopes that is the case with the townhome developer. She stated people need to know that the access will not be from Ranch Road, but will be off of the side street. She said Cypress Woods has had a lot of flooding, so having barriers between Cypress Woods is important. She said she is not concerned with townhomes because unless they are affecting the homes in Cypress Woods, it could be a good thing. She asked the height of the proposed townhomes.

Peter Filiberto replied the height will be 35 feet maximum.

Ms. Donoghue asked if there is a specific barrier requirement. Mr. Filiberto replied there seems to be a vegetative barrier. Mr. Moia stated single-family to single-family does not require a buffer. Ms. Elmore responded the Natural Resources Management Office would not require a vegetative buffer between the residential uses, but there is a subdivision buffer in the Land Development Code. She said regarding height, the townhomes could be 45 feet with additional breezeway requirements, so it would be between 35 feet and potentially 45 feet if they can meet additional breezeway requirements, but the applicant stated 35 feet was the intent. Mr. Moia stated there will be a 15-foot buffer tract requirement around the property. Ms. Donoghue stated the homeowners in Cypress Wood are against the project if there is not a buffer.

Ms. Elmore clarified that the townhomes would be limited to 35 feet because it will be single-family abutting single-family. Ms. Lawandales asked the size requirement for a buffer. Mr. Body replied a 15-foot buffer.

Christine Barber, 7565 Fringe Place, Cypress Woods, stated her property backs up to the proposed development. She said Port Saint John is a single-family residential community; the only multi-family development is east of the Indian River. She said the neighbors she has spoken to do not want the development because they will lose their privacy. She said single-family homes cannot be compared to townhomes. She said there is a lot of flooding in Cypress Woods because of the wetlands on the subject property; when there is a hurricane the retention ponds drain into the ditch along Ranch Road when they overflow; and that ditch has never been able to keep up with the drainage. If the proposed

project is brought into a wetlands area, it will impact the area. She said the neighbors were told at an informational meeting that if the project was approved they would give the neighbors a 35-foot barrier of trees. She noted there are no two-story homes in Cypress Woods, so there will be a privacy issue. She said the biggest issue is the flooding, and stated she would prefer to see mobile homes because they are not two-story and it would be less of an impact on the wetlands.

Tom Wells, 7586 Fringe Place, stated he is opposed to the project as it is out of character for the surrounding neighborhood. He asked where the nearest development is that is close to what the developer is proposing, because he is not aware of any. (Mr. Wells provided a handout to the board and staff). He said the neighbors were told the developer would pave Ranch Road as the access to the project, and he is proposing the access be on the easterly boundary. He noted the developer's proposal also makes use of their ability to buy into use of wetlands, which is something he objects to, because it's an inadequate approach. He said the drainage on Ranch Road is not adequate and the proposed development would add to the problem. He stated the developer shouldn't be able to use the wetlands to create the numbers to allow them to build whatever they want on the uplands; the developer is going into the wetlands, but the buyout is not going to help the drainage situation, it will exacerbate it. He said it is improper to allow them to not make use of what's there and not get into an arithmetic game of using a buyout to increase their number of units.

Ms. Lawandales stated under RA-2-6, it looks like there is a perimeter setback of 25 feet. Mr. Body replied the perimeter setback is 25 feet. Mr. Moia stated that would be a building setback and not landscaping. Mr. Filiberto asked if it was 15 feet plus 25 feet, or 25 feet total. Ms. Lawandales replied it would be 25 feet total. Tad Calkins clarified it would be a 25-foot total perimeter setback; the 15-foot buffer tract that was mentioned earlier would be inside the 25 feet. Ms. Lawandales stated the 15 feet would go away and it would essentially be 25 feet. Mr. Calkins stated the 15 feet would be a tract that has to be in its natural state, so the remaining 10 feet would be able to be impacted in some way. Mr. Moia asked the rear setback for the lots. Mr. Body replied its 25 feet for the perimeter setback, and the setback for interior lots is 20 feet, except for screen enclosures which have a setback of not less than 10 feet. Mr. Calkins stated it would be a 35-foot setback from the property line, except for screen enclosures.

Ms. Rezanka stated Ms. Barber is Lot 10 and that area of the subject property will not be developed, and it also cannot be used for retention, so that can be part of the binding development plan as well. She said regarding the flooding and drainage, both of those will have to be addressed at site planning. She said the flooding will not increase and the drainage will not change towards Cypress Woods. The developer does not want to impact wetlands, but they do not know where the roads are going to be at this point. As to the wetlands, there is a nominal amount that can be impacted by the Code and Comprehensive Plan at 1.8%, and that would have to be mitigated, but the developer cannot buy six acres of wetland credits. She said she would ask that the board approve the density change to Residential 6 and the rezoning to RA-2-6 (Single-Family Attached Residential), with a binding development plan limiting density to 49 units and prohibiting development of the area on the western portion of the property marked 425 on the proposed concept plan. She noted the concept plan is not final, but it does depict the area marked 425 as to what they would stipulate that there will be no development in that area because of the wetlands.

Mr. Moia stated the request is for 49 attached residential units as opposed to what could be developed today, which could be 39 mobile home units. Ms. Rezanka stated they would have to

request a rezoning because right now the zoning is inconsistent with the Future Land Use, so it could be nine mobile homes because of the one-acre lot requirement in that zoning classification.

Ms. Lawandales stated in the Comprehensive Plan there are certain criteria that have to be met in order to consider a change of land use classification from Residential 4 to Residential 6, and noted she has not heard any testimony that addresses that criteria. Ms. Elmore stated the Residential 6 designation is a transition in density between higher urbanized areas and more intensity land uses. Residential 6 permits a maximum density of up to six units per acre except as otherwise may be provided in the Future Land Use Element.

Ms. Rezanka stated she believes the Comprehensive Plan has specific provisions for in-fill development. Mr. Calkins stated staff would not consider the development as in-fill because it talks about transition and the siting requirement talks specifically about it being a transition between more intense land uses to less intense, and in the area the land use is Residential 4, and there is no other intensity or a different transition between the two.

Dane Theodore stated the concept plan shows the road coming off of Ranch Road, and asked if there is any intention to not do that. Ms. Rezanka stated at this point the County will not allow the subdivision to be off of a non-paved road; Ranch Road is a stabilized road which residents use now; however, County Code merely states it has to be off of a paved road. At this point, she does not have clarification from the County as to whether Ranch Road has to be paved, so at this point it is connected to Falk Avenue until she gets additional information.

Mr. Theodore addressed Mr. Moia and stated Ms. Rezanka said they were obligated to receive historical runoff onto the site from neighbors, and asked if that was correct. Mr. Moia replied yes, and they cannot have any drainage that comes off of their property. Mr. Theodore stated they would not block flow from adjacent homes. Mr. Moia stated that is correct. Mr. Theodore stated the request is for Residential 6 which is kind of a spot zoning, and Residential 4 will get the developer 39 or so units, and the developer deems that not sufficient. Ms. Rezanka stated originally the developer thought they could get 58 units, but after getting the preliminary wetlands, they went to 49 units. She stated she does not think it is spot zoning.

Ms. Lawandales asked if there will be seven units in each building. Ms. Rezanka replied yes, that is correct.

Ms. Rezanka stated regarding Residential 6, the Comprehensive Plan is a policy decision, and it even states in Policy 6, "May be considered for lands within the following generalized locations", and she believes that based upon the condition of the subject property, and the fact that it hasn't been developed because of the wetlands, that it can be changed to Residential 6. She said she does believe it is infill development, and she would cite the Housing Comprehensive Plan which states Objective 4 is to have adequate lands for residential land uses in a wide variety of housing types. She said there are probably no townhomes in Port Saint John, but a half-mile north in Titusville there are townhomes along U.S. 1, so there are other developments in the area that are townhomes.

Ms. Lawandales stated the easiest thing to have happen is that the applicant live with the Residential 4 and they develop as RA-2-4, or RU-2-4; either of those zoning classifications allow the ability to build an attached unit, but it's at a much more reasonable number. She asked if there is an opportunity for Ms. Rezanka's client to consider that in moving forward. Ms. Rezanka replied her client has asked for Residential 6 and RA-2-6, and the board can deny that and recommend RA-2-4,

but she believes the evidence for the request of RA-2-6 is adequate and necessary because of the unique criteria of the property.

Ms. Lawandales stated she doesn't have a problem with the property being developed, and she doesn't have a problem with townhomes; the land can be made suitable for development without impacting the surrounding areas, but she cannot support Residential 6. She said the entire area is Residential 4 and there is ample opportunity using an existing zoning classification of RA-2-4 or RU-2-4 that would give them the ability to have 39 units and that's probably the carrying capacity of the property.

Motion by Rochelle Lawandales, seconded by Dane Theodore, to deny the Small Scale Comprehensive Plan Amendment from Residential 4 to Residential 6 based on inconsistency with the criteria to change to Residential 6.

Mr. Moia stated the current zoning of RRMH-1 is a spot zoning; the project will be difficult to develop; they will be limited by Code for the wetlands impact, which means they will probably have to build bridges to cross the wetlands, and the expense of that would basically kill the project. The tradeoff for having an increased density and ensuring a single-family product would be better than the possibility of a multi-family rental property. Between the flood plain conservation, the wetlands, and the sheer expense of what they will have to do to ensure they there are no drainage impacts, if they don't get some density to make this project a reality, it's never going to happen. The offset of single-family as opposed to multi-family rental is worth the extra 10 units.

Ms. Lawandales stated she is in favor of the attached single-family versus multi-family, but she thinks 49 is a big number and its inconsistent with the Comprehensive Plan. Mr. Moia stated having mobile homes on the property would de-value the surrounding properties.

Mr. Filiberto called for a vote on the motion as stated, and it failed 3:5, with McLellan, Wadsworth, Moia, Glover, and Filiberto voting nay.

Motion by Bruce Moia, seconded by Ben Glover, to approve the Small Scale Comprehensive Plan Amendment from Residential 4 to Residential 6. The motion passed 5:3, with Rochelle Lawandales, Dane Theodore, and Ron Bartcher, voting nay.

Motion by Bruce Moia, seconded by Ron McLellan, to approve the requested change of zoning classification from RRMH-1 (Rural Residential Mobile Home) to RA-2-6 (Single-Family Attached Residential) with a BDP (Binding Development Plan) limited to a maximum 49 units, the area marked as 425 on the conceptual plan submitted 08/05/19 shall not be developed and shall be left in its natural state, and that access be on Falk Road. The motion passed 6:2, with Rochelle Lawandales and Ron Bartcher voting nay.

#### **7. Barbara J. and Joseph J. Tulske, Jr. (Rodney Honeycutt)**

An amendment to an existing BDP (Binding Development Plan), in a BU-2 (Retail, Warehousing, and Wholesale Commercial) zoning classification. The property is 1.55 acres, located on the southeast corner of Tangerine Avenue and North Tropical Trail. (140 North Tropical Trail, Merritt Island) (18PZ00159) (District 2) This item was tabled from the July 22, 2019, Local Planning Agency meeting.



Rodney Honeycutt, 3700 South Washington Avenue, Titusville, stated the reason for the request is because the original BDP (Binding Development Plan) on the property allowed a landscape and storage area, as well as all of the BU-1 (General Retail Commercial) uses. He explained that the Tulsie's rezoned to BU-2, but changed the allowable use to recreational vehicle sales and display, as well as a retail building, but they did not include the BU-1 uses because they didn't see a need for it, but when they tried to record the BDP, the bank would not sign the joinder because the BU-1 uses were not included. He noted there is no change in their plans, they just want the BU-1 uses included in the BDP.

Motion by Rochelle Lawandales, seconded by Bruce Moia, to approve the requested amendment to an existing BDP, with the following limitations: the uses on the property shall be limited to recreational vehicle display/sales with detailing and minor repairs; the only access to the site will be from the existing access on North Tropical Trail and the existing access on Tangerine Avenue; an opaque access gate on North Tropical Trail; the property shall be completely buffered by a combination of plantings, fence, and the opaque gate on North Tropical Trail; parking of vehicles or equipment from any use on the site will not be allowed outside the property; and approved the additional stipulation that no other BU-2 uses shall be permitted. Any other uses of the subject property shall be limited to those within the Brevard County Land Development Code under the BU-1 commercial zoning classification listed as "permitted uses". The motion passed unanimously.

Upon consensus of the board, the meeting adjourned at 4:26 p.m.