

## H. PUBLIC HEARINGS

Planning and Zoning Board  
Monday, January 7, 2019, at 3:00 p.m.  
and  
Brevard County Board of County Commissioners  
Thursday, February 7, 2019, at 5:00 p.m.  
Both at the  
Brevard County Government Center  
2725 Judge Fran Jamieson Way, Building C, First Floor, Viera, Florida

The Board of County Commissioners may approve or deny the requested classification, or may approve a classification of lesser intensity than that requested.

Items 1 and 2 are on the January 28, 2019, Local Planning Agency agenda.

- 3. LTM of Florida Holding, LLC** (Kim Rezanka) requests a change of zoning classification from GU (General Use) to RU-2-12 (Medium Density Multi-Family Residential). The property is 2.90 +/- acres, located at the north end of Dixie Highway, approximately 0.22 mile west of U.S. Highway 1. (No assigned address. In the Palm Shores area.) (18PZ00086) (District 4)

**Planning and Zoning Board Recommendation:** Lawandales/McLellan – Tabled to the March 11, 2019, Planning and Zoning Board meeting. The vote was unanimous.

**Board of County Commissioners Action:** Pritchett/Lober – Tabled to the April 4, 2019, Commission meeting. The vote was unanimous.

- 4. Alberto and Biviana Roman** (Ralph Kennedy) request an expansion of a CUP (Conditional Use Permit) for Alcoholic Beverages (full liquor) for On-Premises Consumption in conjunction with a restaurant, in a BU-1 (General Retail Commercial) zoning classification. The property is 0.24 acres, located on the southeast corner of North Grove Street and Tangerine Avenue. (170 North Grove Street, Merritt Island) (18PZ00114) (District 2)

**Planning and Zoning Board Recommendation:** Lawandales/Langston – Approved, limiting the hours of operation from 4:00 p.m. to 10:0 p.m., Tuesday through Saturday, and that shared parking agreements be obtained. The vote was unanimous.

**Board of County Commissioners Action:** Lober/Pritchett – Tabled to the March 7, 2019, County Commission meeting. The vote was 4:1, with Tobia voting nay.

**Board of County Commission Action of 03/07/19:** Lober/Pritchett - Approved as recommended. The vote was unanimous.

- 5. Martin Family Trust; Joseph P. Martin and Sarah Martin; Craig A. Sater and Jennifer Martin-Sater** (Jennifer Martin-Sater & Craig Sater) request a change of zoning classification from BU-1 (General Retail Commercial) to BU-2 (Retail, Warehousing, and Wholesale Commercial). The property is 1.39 acres, located on the west side of U.S. Highway 1, approximately 600 feet south of Cross Road. (3645 North U.S. Highway 1, Cocoa) (18PZ00117) (District 1)

**Planning and Zoning Board Recommendation:** Lawandales/McLellan – Tabled to the January 28, 2019, Local Planning Agency/Planning and Zoning Board meeting. The vote was unanimous.

**Planning and Zoning Board Recommendation of 01/28/19:** Moia/Wadsworth – Approved. The vote was unanimous.

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

6. **Sylvia Properties, Inc.** – (Fernando Ortiz) requests a change of zoning classification from TU-2 (Transient Tourist Commercial) to BU-2 (Retail, Warehousing, and Wholesale Commercial). The property is 5 acres, located on the northwest corner of U.S. Highway 192 and Columbia Lane. (No assigned address. In the Melbourne area.) (18PZ00120) (District 5)

**Planning and Zoning Board Recommendation:** Lawandales/Theodore – Approved with a Binding Development Plan limiting BU-2 to the northern 2 acres, with TU-2 remaining on the southern 3 acres; that no additional metal buildings be constructed on the property; and that the use be limited to the current business of Stone & Surface Designers, Inc. The vote was 8:1, with McLellan voting nay.

**Board of County Commissioners Action:** Lober/Pritchett – Approved with a Binding Development Plan, recorded on April 24, 2019, in ORB 8421, Pages 1532 – 1535, limiting BU-2 to the northern 1 acre, with TU-2 remaining on the southern 4 acres; that no additional metal buildings be constructed on the property; and that the use be limited to the current business of Stone & Surface Designers, Inc. The vote was unanimous.

7. **Peggy Townsend** (Dale Townsend) requests a change of zoning classification from AU (Agricultural Residential) and RU-1-9 (Single-Family Residential) to RU-1-7 (Single-Family Residential). The property is 0.69 acres, located on the south side of Bevis Road, approximately 540 feet south of Lucas Road. (No assigned address. In the Merritt Island area.) (18PZ00123) (District 2)

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

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

8. **CP Venture Five-AMC, LLC** (Venkar Puskar) requests a CUP (Conditional Use Permit) for Alcoholic Beverages (beer & wine only) for On-Premises Consumption in conjunction with an Indoor Family Entertainment Center, in a PUD (Planned Unit Development) zoning classification. The property is 40,000 +/- square feet, located on the east side of Colonnade Avenue, approximately 0.24 mile east of Lake Andrew Drive. (6729 Colonnade Avenue, Unit 130, Viera) (18PZ00124) (District 4)

**Planning and Zoning Board Recommendation:** Langston/Lawandales – Approved. The vote was unanimous.

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

- 9. Market Street Viera Senior Real Estate, LLC** (William Watson Jr.) requests a change of zoning classification from IN(L) (Institutional Use, Low Intensity) to BU-1-A (Restricted Neighborhood Commercial). The property is 3.66 acres, located on the northeast corner of Murrell Road and Crane Creek Boulevard. (6865 Murrell Road, Viera) (18PZ00126) (District 4)

**Planning and Zoning Board Recommendation:** Lawandales/McLellan – Approved. The vote was unanimous.

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

- 10. Clark A. and Patricia A. Simms** request a change of zoning classification from RU-1-9 (Single-Family Residential) to RU-2-4 (Low-Density Multi-Family Residential). The property is 0.93 acres, located on the west side of North Tropical Trail, approximately 685 feet north of Lucas Road. (700 Saint Lawrence Lane, Merritt Island) (18PZ00130) (District 2)

**Planning and Zoning Board Recommendation:** Lawandales/McLellan – Tabled to the January 28, 2019, Local Planning Agency/Planning and Zoning Board meeting. The vote was unanimous.

**Planning and Zoning Board Recommendation of 01/28/19:** Moia/Wadsworth – Approved with a Binding Development Plan limited to one single-family development, and that there be shared access to North Tropical Trail. The vote was unanimous.

**Board of County Commissioners Action:** Lober/Smith – Tabled to the March 7, 2019, Commission meeting to allow time for applicants to prepare a concept plan. The vote was unanimous.

**Board of County Commissioners Action of 03/07/19:** Lober/Pritchett – Tabled to the April 4, 2019, Commission meeting at the request of the applicant. The vote was unanimous.

**Board of County Commissioners Action of 04/04/19:** Lober/Pritchett – Returned to the Planning and Zoning Board meeting on May 6, 2019, and County Commission meeting on May 30, 2019. The vote was unanimous.

**Board of County Commissioners Action of 05/30/19:** Lober/Pritchett – Approved with a BDP (Binding Development Plan) limited to two lots, each developed with one single-family dwelling and one guesthouse with kitchen facilities. 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.**

- 11. Nestle Larracas and Tony Andrade De La Torre** request Small Scale Comprehensive Plan Amendment 19S.01, to change the Future Land Use designation from Residential 1 to Residential 6. The property is 0.18 acres, located on the west side of Highway A1A, approximately 83 feet north of Cardinal Drive. (5970 Highway A1A, Melbourne Beach) (18PZ00134) (District 3)

**Planning and Zoning Board Recommendation:** Glover/Wadsworth – Approved. The vote was 7:2, with Lawandales and Theodore voting nay.

**This item was withdrawn by the applicant. Letter received 02/07/19.**

- 12. Nestle Larracas and Tony Andrade De La Torre** request a change of zoning classification from RR-1 (Rural Residential) to BU-1-A (Restricted Neighborhood Commercial). The property

is 0.18 acres, located on the west side of Highway A1A, approximately 83 feet north of Cardinal Drive. (5970 Highway A1A, Melbourne Beach) (18PZ00133) (District 3)

**Planning and Zoning Board Recommendation:** Glover/Wadsworth – Approved with a Binding Development Plan limiting the commercial use to a bakery, and only one structure on the property. The vote was unanimous.

**This item was withdrawn by the applicant. Letter received 02/07/19.**

- 13. Gregory D. Taylor and Rachael J. Fitzpatrick** request an expansion of an existing CUP (Conditional Use Permit) for Alcoholic Beverages (beer & wine only) for On-Premises Consumption in conjunction with a bar, in a BU-1 (General Retail Commercial) zoning classification, and an amendment to certain previously approved conditions of existing CUP. The property is 0.31 acres, located on the northeast corner of McLeod Street and Myrtice Avenue. (110 & 120 McLeod Street, Merritt Island) (18PZ00138) (District 2)

**Planning and Zoning Board Recommendation:** Lawandales/Glover – Approved as follows: 1.) the indoor/outdoor seating for snack bar is expanded to 72 seats; 2.) the CUP is expanded for use of both buildings, and to the property to the north; 3.) the hours of operation are expanded to 7:00 a.m. to 2:00 a.m., Monday – Sunday; 4.) the landscaping plan is to be upgraded; and 5.) the CUP is expanded to include both businesses in both buildings. The vote was unanimous.

**Board of County Commissioners Action:** Smith/Isnardi – Approved as recommended. The vote was 3:2, with Pritchett and Lober voting nay.

- 14. James M. and Joanne M. Thomas, Trustees** request a change of zoning classification from RR-1 (Rural Residential) and BU-1 (General Retail Commercial) to SR (Suburban Residential), and removal of existing BDP (Binding Development Plan). The property is 1.25 acres, located on the west side of North Wickham Road, approximately 400 feet north of Pineda Plaza Way. (5850 North Wickham Road, Melbourne) (18PZ00112) (District 4)

**Planning and Zoning Board Recommendation:** Glover/Hodgers – Tabled to the February 11, 2019, Planning and Zoning Board meeting. The vote was unanimous.

**Board of County Commissioners Action:** Pritchett/Lober – Tabled to the March 7, 2019, County Commission meeting. The vote was unanimous.