

PUBLIC HEARINGS

Planning and Zoning Board
Monday, August 5, 2019, at 3:00 p.m.
and
Brevard County Board of County Commissioners
Thursday, September 5, 2019, at 5:00 p.m.
Both at the
Brevard County Government Center
2725 Judge Fran Jamieson Way, Building C, Commission Room, 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.

New Business, Re: Chair and Vice Chair Elections

1. **John Csanyi** requests 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. (5480 Date Palm Street, Cocoa) (19PZ00069) (District 1)

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

Board of County Commissioners Action: Pritchett/Lober – Approved as recommended.

2. **Kevin S. and Christina M. Langille** request 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)

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

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

3. **MDP Properties, LLC; Rojo Holdings of Florida, LLC; and Randall S. and Kaye T. Bratcher, Trustees** (Franklin Kelley or Robi Roberts) request 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, approximately 213 feet south of Mac Arthur Circle. (5080, 5090, 5094, 5130, 5140, 5150, and 5160 North U.S. Highway 1, Cocoa) (19PZ00079) (District 1)

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

Board of County Commissioners Action: Pritchett/Lober – Approved with a BDP (Binding Development Plan), recorded on December 13, 2019, in Official Records Book 8613, Pages 793 – 796, requiring onsite sewage treatment disposal systems (OSTDS) that meet or exceed a 70% reduction in total nitrogen (TN). Alternatively, the project may connect up to sanitary sewer system. The vote was unanimous.

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

Local Planning Agency Recommendation: Moia/Glover – Approved. The vote was 5:3, with Lawandales, Theodore, and Bartcher voting nay.

Board of County Commissioners Action: Pritchett/Smith – Tabled to the October 3, 2019, Commission meeting at the request of the applicant. The vote was unanimous.

Board of County Commissioners Action of 10/03/19: Pritchett/Lober – Tabled to the October 22, 2019, Regular Commission meeting.

Board of County Commissioners Action of 10/22/19: Pritchett/Lober – Tabled to the November 12, 2019, Regular Commission meeting.

Board of County Commissioners Action of 11/12/19: Pritchett/Lober – Approved. The vote was unanimous.

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

Planning and Zoning Board Recommendation: Moia/McLellan - Approved 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 access shall be on Falk Road. The vote was 6:2, with Lawandales and Bartcher voting nay.

Board of County Commissioners Action: Pritchett/Smith – Tabled to the October 3, 2019, Commission meeting at the request of the applicant. The vote was unanimous.

Board of County Commissioners Action of 10/03/19: Pritchett/Lober – Tabled to the October 22, 2019, Regular Commission meeting.

Board of County Commissioners Action of 10/22/19: Pritchett/Lober – Tabled to the November 12, 2019, Regular Commission meeting.

Board of County Commissioners Action of 11/12/19: Pritchett/Lober – Approved with a BDP (Binding Development Plan), recorded on February 27, 2020, in ORB 8676, Pages 2609 - 2625. The vote was unanimous.

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

Planning and Zoning Board Recommendation: Lawandales/Moia – Approved 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 vote passed unanimously.

Board of County Commissioners Action: Lober/Tobia – Approved as recommended, with a BDP, recorded on December 13, 2019, in Official Records Book 8613, Pages 815 – 820, with the following conditions: 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”.