

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, July 18, 2022**, 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: Board members present were: Henry Minneboo (D1); Ron Bartcher (D1); Brian Hodgers (D2); Robert Sullivan (D2); Ben Glover (D3); Mark Wadsworth, Chair (D4); Liz Alward (D4); Bruce Moia (D5); Peter Filiberto (D5); and John Hopengarten (BPS).

Staff members present were: Jeffrey Ball, Planning and Zoning Manager; Jane Hart, Planner III; Alex Esseesse, Assistant County Attorney; and Tonya Parker, Administrative Secretary.

Excerpt of Complete Agenda

Island Bluff, LLC (Kim Rezanka)

A change of zoning classification from BU-1 (General Retail Commercial) and IN(L) (Institutional Use, Low-Intensity), with an existing BDP (Binding Development Plan), to SR (Suburban Residential), removing the existing BDP, and adding a new BDP. The property is 2.12 acres, located on the west side of N. Tropical Trail, approx. 362 ft. south of Merritt Ave. (495 W. Merritt Ave., Merritt Island) (22Z00023) (Tax Account 2426893) (District 2)

Kim Rezanka, Law Firm of Lacy Lyons Rezanka, stated she represents the contract purchaser, Gene Bucksell, who has purchased the property so that he and his daughter can build two homes. The request is for the SR zoning classification, which is one lot per half-acre, but a BDP is proposed to limit development to two homes. There is residential to the north and south; and although there is a lot of commercial zoning in the area, there are a lot of small houses that people live in and some have been converted to mixed uses. She noted the old BDP had some vegetative buffering, but she believes that was because there was residential to the north, but this request will be residential next to residential, and the old BDP permitted a professional and laboratory use, so that will be eliminated.

Public Comment:

Sue Cody, 3345 Canaveral Groves Boulevard, Cocoa, stated she owns the property to the south of the subject property. She said she has concerns as to how the approval of single-family homes will adversely affect her property now and in the future for development. She said it does not seem to be the highest and best use of property in the area due to the current zonings already in place, and it concerns her that single-family homes will be in the middle. She said it also does not seem to be compatible with any comprehensive land use in the area. The properties to the north of the subject property are zoned similarly to her property. She stated she strongly objects to single-family homes in the area because she does not feel it is the best use for Merritt Island in that area, as it is in the middle of multi-family and commercial properties.

Ms. Rezanka stated the subject property is currently under a professional and laboratory use, which doesn't belong in the area. She noted that part of the property is in a flood zone and part of it is in the coastal high hazard area, so bringing in development of two single-family homes makes more sense for the health of the Indian River Lagoon and for the flood zone and high hazard areas, but it is residential next to residential, so it is compatible and is currently an under-utilized parcel that provides a variety of housing opportunities.

John Hopengarten stated the aerial map shows a foundation on the property. Ms. Rezanka replied there used to be a church on the property.

Peter Filiberto asked if the property will connect to sewer. Ms. Rezanka replied yes.

Mr. Filiberto stated he did not see any concerns on the school capacity, and the public safety aspect looks good as well, along with utilities. He asked if the mangroves along the river be affected. Ms. Rezanka replied she doesn't know, they are still working on their site plans, but they are allowed to impact them to some degree if they want a dock, but they will have to meet regulations at the time.

Motion by Liz Alward, seconded by Bruce Moia, to approve the requested change of zoning classification from BU-1 and IN(L), with an existing BDP, to SR, removing the existing BDP, and adding a new BDP, limiting density to one unit per acre, for a total of two units. The motion passed unanimously.