



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 5396, **Version:** 1

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### **Subject:**

*Kanes Furniture, LLC (Bruce Moia) requests a Small Scale Comprehensive Plan Amendment (22S.16), to change the Future Land Use designation from CC and RES 4, to RES 15. (22SS00012) (Tax Accounts 2800116 & 2800342) (District 5)*

### **Fiscal Impact:**

None

### **Dept/Office:**

Planning & Development

### **Requested Action:**

It is requested that the Local Planning Agency conduct a public hearing to consider a Small Scale Comprehensive Plan Amendment (22S.16), to change the Future Land Use designation from CC (Community Commercial) and RES 4 (Residential 4), to RES 15 (Residential 15).

### **Summary Explanation and Background:**

The applicant is seeking to amend the Future Land Use designation on 12.59 acres of land from CC and RES 4 to RES 15 in order to develop the site as an apartment complex with up to 188 multi-family residential units. The proposed RU-2-15 zoning may not be considered consistent with the existing RES 4 FLU; however, the proposed RU-2-15 zoning can be considered consistent with the proposed RES 15 FLU, as provided in Section 62-1255.

The subject site is not adjacent to an existing RES 15 land use designation. This request can be considered an introduction of RES 15 to the south side of W. New Haven Avenue. The closest RES 15 FLU designation is located approximately 415 feet north of the subject property on Gray Road (north of W. New Haven Avenue). W. New Haven Avenue can be considered a dividing line between the north and south area.

A companion rezoning application was submitted accompanying this request to change the zoning classification from BU-1 (General Retail Commercial) and RU-1-7 (Single-Family Residential) with an existing BDP (Binding Development Plan) to RU-2-15 (Medium-Density Multiple-Family Residential) and the removal of the existing BDP (22Z00052).

The developed character of the area is commercial along W. New Haven Avenue which transitions to single-family residential zoning as you move away from the roadway. The residential zoning in the area is RU-1-7 (Single-Family Residential) which allows 1/4-acre lots; however, rural residential and agricultural residential zoning classifications are also located in the vicinity. There is one vacant property zoned RU-2-15 multi-family zoning classification within a one-half mile radius of the subject property. This request could be considered an

introduction of RU-2-15 zoning classification into the area.

The Board may wish to consider if the request is consistent and compatible with the surrounding area and the Comprehensive Plan.

The Board of County Commissioners will consider the request on **Thursday, February 2, 2023**, beginning at **5:00 p.m.** The meeting will be held at the Brevard County Government Center, 2725 Judge Fran Jamieson Way, Commission Room, Viera, Florida.

**Clerk to the Board Instructions:**

None