



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 5397, **Version:** 1

Subject:

Kanes Furniture, LLC (Bruce Moia) requests a change of zoning classification from RU-1-7 and BU-1 with an existing BDP, to RU-2-15 and removal of existing BDP. (22Z00052) (Tax Accounts 2800116 & 2800342) (District 5)

Fiscal Impact:

None

Dept/Office:

Planning & Development

Requested Action:

It is requested that the Planning and Zoning Board conduct a public hearing to consider a change of zoning classification from RU-1-7 (Single-Family Residential) and BU-1 (General Retail Commercial) with an existing BDP (Binding Development Plan), to RU-2-15 (Medium Density Multi-Family Residential) and removal of existing BDP.

Summary Explanation and Background:

The applicant is requesting a change of zoning classification from RU-1-7 and BU-1 with an existing BDP to RU-2-15 and removal of the existing BDP on 12.59 acres to develop the site as an apartment complex with up to 188 multi-family residential units. The 12.59-acre subject property is currently undeveloped. The site has frontage on W. New Haven Avenue.

The subject property is currently designated as CC (Community Commercial) and RES 4 (Residential 4) Future Land Use. The existing BU-1 zoning can be considered consistent with the existing CC designation; however, the existing RU-1-7 zoning may not be considered consistent with the existing RES 4, as provided in Section 62-1255. A companion application, 22SS00012, if approved, would amend the Future Land Use designation from CC and RES 4 to RES 15 (Residential 15).

The developed character of the area is commercial along W. New Haven Avenue which transitions to 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-2-6 multi-family zoning classification within a one-half mile radius of the subject property. This request can be considered an introduction of RU-2-15 zoning classification into the area.

The concept plan included in the application was provided as a courtesy. This is not a requirement for rezoning and has not been reviewed for compliance with the land development codes and other County

departments. The concept plan is non-binding.

The Board may wish to consider if the request is consistent and compatible with the surrounding area with the introduction of RU-2-15 zoning.

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