



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

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STAFF COMMENTS

25Z00038

Jay & Grant Steinke

GU (General Use) to AU (Agricultural Residential)

Tax Account Number: 2504763
Parcel I.D.s: 25-36-07-00-8
Location: South side of Barton Blvd., approx. 1,150' west of Bluegrass Ln.
(District 2)
Acreage: 14.94 acres of 21.48 acres

Planning & Zoning Board: 11/17/2025

Board of County Commissioners: 12/11/2025

Consistency with Land Use Regulations

- Current zoning can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal would maintain acceptable Levels of Service (LOS) (XIII 1.6.C)

	CURRENT	PROPOSED
Zoning	GU	AU
Potential*	2 Single-Family	5 Single-Family
Can be Considered under the Future Land Use Map	YES RES 4	YES RES 4

* Zoning potential for concurrency analysis purposes only, subject to applicable land development regulations.

Background and Purpose of Request

The applicant is requesting a change of zoning classification from GU (General Use) to AU (Agricultural Residential) on a 14.94-acre portion of a 21.48-acre parcel. The entire property is currently vacant, and the applicant intends to develop the subject property for personal and commercial agricultural pursuits followed by a single-family residence. With the proposed use by the applicant, a roadside stand could potentially be used for selling the grown produce on the property, or the property could be used for agritourism

activities. Agritourism, as defined by Florida Statute, is any agricultural-related activity consistent with a bona fide farm, livestock operation, or ranch or in a working forest, which allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy activities, including farming, ranching, historical, cultural, civic, ceremonial, training, and exhibition, or harvest-your-own activities and attractions. A roadside stand pursuant to Section 62-1945.5, states: Roadside stands are subject to site plan approval, with the following minimum requirements:

- (1) All parking for salespeople and customers shall be on the property of the landowner, and there shall be no parking permitted on a right-of-way.
- (2) Roadside stands shall be subject to site plan approval as provided in Article VIII, site plans.
- (3) Roadside stands shall meet the same setbacks required for primary structures located in the applicable zoning classification.

The subject property's original zoning classification was GU when the Brevard County Zoning Code was established on May 22, 1958.

The subject property Future Land Uses are Residential 4 on the 14.94-acre portion and Private Conservation on the remaining 6.54 acres. These FLU designations established in 1988 by the Brevard County Comprehensive Plan and zoning classification established in 1958 have been retained on the subject property.

On May 15, 2023, the property was put into its current configuration as recorded in **ORB 9786, Pages 2929-2930**, of the Public Records of Brevard County, Florida.

The subject is located on a county-maintained right-of-way. Public water and sewer currently service the surrounding area.

There are currently no open Code Enforcement case violations noted on the property.

Surrounding Area

	Existing Land Use	Zoning	Future Land Use
North	Single-family residence	AU/RR-1	RES 15
South	Residential Related Amenities	GU	PUB-CONS
East	Single-family residence	AU/ GU	RES 4
West	Vacant	GU	RES 4/ PRIV-CONS

The site to the north of the subject property is improved with single-family homes ranging in size from 2.55 to 5.47 acres; zoned AU and RR-1 within Residential 15 FLU.

South is a 574.72-acre parcel developed with a residential related amenity, zoned GU and Public Conservation FLU.

East of the subject property is a 19.63-acre property that fronts on Barton Blvd. and is zoned AU with a Residential 4 FLU. It is improved with a single-family residence built in 1986.

West of the subject property is a 21.52-acre vacant site zoned GU within Residential 4 and Private Conservation FLU.

GU classification is a holding category, that encompasses rural single-family residential development or unimproved lands for which there is no definite current proposal for development or land in areas lacking specific development trends on five acre lots with a minimum width and depth of 300 feet. The minimum house size in GU is 750 square feet.

The proposed AU zoning classification encompasses lands devoted to agricultural pursuits and single-family residential development of spacious character on 2.5-acre lots, with a minimum lot width and depth of 150 feet. The minimum house size in AU is 750 square feet. The AU classification also permits the raising/grazing of animals, fowl, beekeeping, plant nurseries, and the packing and processing of commodities raised on site. Conditional uses in AU include hog farms, zoological parks, and land alteration.

Florida Statute 570.86 defines “agritourism activity” as “any agricultural related activity consistent with a bona fide farm, livestock operation, or ranch or in a working forest which allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy activities, including farming, ranching, historical, cultural, civic, ceremonial, training and exhibition, or harvest-your-own activities and attractions.” Local government is prohibited from adopting ordinances, regulations, rules, or policies that prohibit, restrict, regulate, or otherwise limit an agritourism activity on land that has been classified as agricultural land. At this time, there is no agricultural exemption on the subject property.

RR-1 classification encompasses lands devoted to single-family residential development of spacious character, together with such accessory uses as may be necessary or are normally compatible with residential surroundings on a minimum one-acre lot, with a minimum lot width and depth of 125 feet. The RR-1 classification permits horses, barns and horticulture as accessory uses to a single-family residence. The minimum house size is 1,200 square feet. Keeping of horses and agricultural uses are accessory to a principal residence within the RR-1 zoning district.

Policy 1.7 –The Residential 4 Future land use designation. The Residential 4 land use designation affords an additional step down in density from more highly urbanized areas. This land use designation permits low density residential development with a maximum density of up to four (4) dwelling units per acre, except as otherwise may be provided for within the Future Land Use Element.

Future Land Use

The subject property's GU zoning classification can be considered consistent with the RES 4 Future Land Use designation provided on the FLUM series contained within Chapter XI – Future Land Use Element of Brevard County's Comprehensive Plan. The proposed AU zoning classification can be considered consistent with the RES 4 FLU designation.

Applicable Land Use Policies

The Board should evaluate the compatibility of this application within the context of Administrative Policies 2 – 8 of the Future Land Use Element.

Analysis of Administrative Policy #3 - Compatibility between this site and the existing or proposed land uses in the area.

Compatibility shall be evaluated by considering the following factors, at a minimum:

Criteria:

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foreseeably be affected by the proposed use;

This request is not anticipated to significantly diminish the enjoyment, safety, or quality of life, as the rezoning would effectively permit the construction of up to five single-family residences in an existing residential area. Future development would need to meet Brevard County's Performance Standards defined by Sections 62-2251 through 62-2272 for hours of operations, lighting, odor, noise levels, traffic, or site activity.

- B. Whether the proposed use(s) would cause a material reduction (five per cent or more) in the value of existing abutting lands or approved development.

Only a certified MAI (Master Appraisal Institute) appraisal can determine if material reduction has or will occur due to the proposed request.

- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through an analysis of:

- 1. Historical land use patterns;

There are five (5) FLUM designations within a half-mile radius of the subject property. They include Residential 4, Residential 15, Public Facilities, Public Conservation, and Private Conservation. The surrounding areas include portions within the City of Rockledge. The subject property is surrounded by RES 4, which is the prominent FLU

designation. Within the past three years, there have been no FLUM changes within a half-mile radius.

The zoning character of the surrounding area is conservation and single-family residential, with the residential lots ranging in size from 0.14 acres to 19.63 acres. There is a hodge-podge of zoning classifications in the area, including GU, AU, RR-1, RU-1-13, RU-1-9, RU-1-7, RRMH-1, TR-1 and IN(L). The surrounding areas include portions within the City of Rockledge. GU is prominent zoning classification in the area followed by RR-1.

2. Actual development over the immediately preceding three years; and

Within a half-mile radius, there has been no actual development.

3. Development approved within three years but not yet constructed.

During the preceding three years, there has been one (1) approved rezoning within 0.5 mile of the subject property, but not yet constructed. 24Z00060 changed the zoning from AU to RR-1 with a binding development plan, May 2, 2025.

- D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

No material violation of relevant policies of the Comprehensive Plan has been identified.

Analysis of Administrative Policy #4 - Character of a neighborhood or area.

Character of a neighborhood or area shall be a factor for consideration whenever a rezoning or any application involving a specific proposed use is reviewed. The character of the area must not be materially or adversely affected by the proposed rezoning or land use application. In evaluating the character of an area, the following factors shall be considered:

Criteria:

- A. The proposed use must not materially and adversely impact an established residential neighborhood by introducing types or intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, etc.), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.

Based on staff analysis, the proposed use will introduce commercial activity that is not already present within the area. The applicant intends to sell meats and produce from the proposed onsite commercial farming

business to the general public and at local farmers markets, which is not anticipated to cause a decrease to the level of service provided in the area.

B. In determining whether an established residential neighborhood exists, the following factors must be present:

1. The area must have clearly established boundaries, such as roads, open spaces, rivers, lakes, lagoons, or similar features.

Staff analysis has determined this is not an established residential neighborhood, however, there are clearly established roads and residential lot boundaries.

2. Sporadic or occasional neighborhood commercial uses shall not preclude the existence of an existing residential neighborhood, particularly if the commercial use is non-conforming or pre-dates the surrounding residential use.

The subject property is located within an existing residential area. The request is for personal and commercial agricultural pursuits. These activities and any visitors anticipated to the site are not anticipated to preclude the existence of the existing residential area.

3. An area shall be presumed not to be primarily residential but shall be deemed transitional where multiple commercial, industrial or other non-residential uses have been applied for and approved during the previous five (5) years.

The area is primarily a conservation and mixed residential with no commercial zoning nearby.

Analysis of Administrative Policy #7- Environmental Constraints

Proposed use(s) shall not cause or substantially aggravate any (a) Substantial drainage problem on surrounding properties; or (b) significant, adverse and unmitigable impact on significant natural wetlands, water bodies or habitat for listed species.

The entire subject parcel contains mapped National Wetlands Inventory (NWI) and St. Johns River Water Management District (SJRWMD) wetlands and hydric soils which are indicators that wetlands may be present on the property. A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal.

This property is located within an area mapped as FEMA Special Flood Hazard Area (SFHA) AE, as identified by the Federal Emergency Management Agency, and as shown on the FEMA Flood Map. The property is likely within the St. Johns Riverine floodplain as identified by the Federal Emergency Management Agency and as shown on the FEMA Flood Map. If confirmed, the property is subject to the

development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance, including compensatory storage and filled footprint restrictions.

Preliminary Concurrency

The closest concurrency management segment to the subject property is Fiske Blvd. from Eyster Blvd to Barton Blvd., which has a Maximum Acceptable Volume (MAV) of 38,430 trips per day, a Level of Service (LOS) of D, and currently operates at 68.82% of capacity daily. The maximum development potential from the proposed rezoning increases the percentage of MAV utilization by 0.27%. The corridor is anticipated to operate at 69.09% of capacity daily. The proposal is not anticipated to create a deficiency in LOS.

No school concurrency information has been provided as the development potential of this site falls below the minimum number of new residential lots that would require a formal review.

Environmental Constraints

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Wetlands and Hydric Soils
- Floodplain Protection
- Protected and Specimen Trees

Please refer to the complete report.

For Board Consideration

The Board may wish to consider whether the proposed request is consistent and compatible with the surrounding area.

In addition, the Board may wish to consider the potential impacts of Agritourism, or any the more intense agricultural uses permitted in AU, on surrounding properties.

NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary
Item No. 25Z00038

Applicants: Jay and Grant Steinke (Owners: Jay and Grant Steinke)

Zoning Request: GU to AU

Note: for future agricultural use

Zoning Hearing: 11/17/2025; **BCC Hearing:** 12/11/2025

Tax ID No.: 2504763

- This is a preliminary review based on best available data maps reviewed by the Natural Resources Management Department (NRM) and does not include a site inspection to verify the accuracy of the mapped information.
- In that the rezoning process is not the appropriate venue for site plan review, specific site designs submitted with the rezoning request will be deemed conceptual. Board comments relative to specific site design do not provide vested rights or waivers from Federal, State or County regulations.
- **This review does not guarantee whether or not the proposed use, specific site design, or development of the property can be permitted under current Federal, State, or County Regulations.**

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Wetlands and Hydric Soils
- Floodplain Protection
- Protected and Specimen Trees

Land Use Comments:

Wetlands and Hydric Soils

The entire subject parcel contains mapped National Wetlands Inventory (NWI) and St. Johns River Water Management District (SJRWMD) wetlands and hydric soils (Floridana, Chobee, and Felda soils, frequently flooded; and Riviera sand, 0 to 2 percent slopes); indicators that wetlands may be present on the property. **A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal.**

Section 62-3694 states that non-bona fide agricultural and forestry operations utilizing best management practices are permitted in wetlands **provided they do not result in permanent degradation or destruction of wetlands or adversely affect the functions of the wetlands**. Any permitted wetland impacts must meet the requirements of Section 62-3694(e) including avoidance of impacts and will require no net loss mitigation in Brevard County in accordance with Section 62-3696. Pursuant to the Florida Agricultural Lands and Practices Act (Chapter 163.3162(4), Florida Statutes), any activity of a Bona Fide Agricultural Use, with state-approved Best Management Practices, on land classified as agricultural land pursuant to Section 193.461, Florida Statute is

exempt. The Brevard County Property Appraiser's Office establishes Bona Fide Agricultural land classification.

Per Section 62-3694(c)(1), residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. **For residential parcels greater than five acres in area, the preceding limitation of one dwelling unit per five (5) acres within wetlands may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of the total non-commercial and non-industrial acreage on a cumulative basis as set forth in Section 62-3694(c)(6).** Any permitted wetland impacts must meet the requirements of Section 62-3694(e), including avoidance of impacts, and will require no net loss mitigation in Brevard County in accordance with Section 62-3696. **The applicant is encouraged to contact NRM at 321-633-2016 prior to any plan or permit submittal.**

Floodplain Protection

This property is located within an area mapped as FEMA Special Flood Hazard Area (SFHA) AE, as identified by the Federal Emergency Management Agency, and as shown on the FEMA Flood Map. The property is likely within the St. Johns Riverine floodplain as identified by the Federal Emergency Management Agency and as shown on the FEMA Flood Map. If confirmed, the property is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance, **including compensatory storage and filled footprint restrictions.**

Per Section 62-3723(4), elevations of the riverine 100-year, riverine 25-year, and ten-year floodplains shall be determined utilizing the best available data, which includes FIRM maps and the Flood Insurance Study for Brevard County, Florida and Unincorporated Areas, April 3, 1989, prepared by the Federal Emergency Management Agency; and the Mean Annual, 10-Year, 25-Year and 100-Year Profiles for the Upper St. Johns River Under the Existing Conditions, prepared by Dr. Donthamesetti V. Rao, P.E., St. Johns River Water Management District (March 1985). Chapter 62, Article X, Division 6 states, "No site alteration shall adversely affect the existing surface water flow pattern." Chapter 62, Article X, Division 5, Section 62-3723 (2) states, "Development within floodplain areas shall not have adverse impacts upon adjoining properties." **The applicant is encouraged to contact NRM at 321-633-2016 prior to any plan or permit submittal or performing any land clearing activities.**

Protected and Specimen Trees

Protected and Specimen Trees likely exist on the parcel. Brevard County Landscaping, Land Clearing and Tree Protection ordinance, Section 62-4331(3), encourages the protection of Specimen Trees. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for preservation and canopy coverage requirements. **Applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.**