

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, April 14, 2025**, 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 Mark Wadsworth, Chair (D4); Henry Minneboo, Vice-Chair (D1); Ana Saunders (D5); Erika Orriss (D3); Logan Luse (D4); Ruth Amato (D1); John Hopengarten (D1); Jerrad Atkins (D1); Melissa Jackson (D5); and Robert Brothers (D5).

Staff members present were Trina Gilliam, Interim Zoning Manager; Paul Body, Planner; Justin Caron, Assistant County Attorney; Alice Randall, Operations Support Specialist; and Jordan Sagosz, Operations Support Specialist.

Excerpt of complete agenda

H.2. Troy Holdings LLC requests a change of zoning classification from BU-1-A with an existing BDP to BU-2 with removal of existing BDP with a new BDP applied. (25Z00001) (Tax Accounts 2501390 & 2521094) (District 2)

Trina Gilliam read Item H.2. into the record.

Jim Trouger spoke to the application on behalf of the owners. The binding development plan from 2023 failed when it never made its rounds to get all the required signatures, the property has been transferred to a new owner, so staff recommended we do it all over again. Same product with larger setbacks now.

Mark Wadsworth inquired if they want to add outside storage.

Mr. Trouger responded he doesn't believe there is outside storage tied to this. So, the allowable uses will be the indoor storage for boats and RVs in BU-2 as well as the allowable uses in BU-1.

Public Comment

Maggie Duchek stated my bedroom window looks right to where I think they're planning on putting not only the RV storage, but to get in and out of the storage. Going from BU-1-A to BU-2 scares me. I've lived in that house for over 20 years and on Merritt Island 40 years. You can put anything there. I would not have bought this house 25 years ago if it was zoned BU-2 behind it. The other BU-1 uses is another concern for me because if that doesn't happen it gives them a free bump from BU-1-A to BU-1 without going back to the board. I don't see how it's not going to affect my quality of life, either outside on my porch or in my bedroom people opening bay doors. I just wanted to give you my concerns.

Mr. Minneboo asked when she moved into the area.

Ms. Duchek responded she bought it in 2001. We had a thing with a carwash in 2005, 2006, and then this one.

Michael McGraw stated he is Maggie's neighbor. This is the 3rd time we have addressed this property. Was going to be a carwash and nothing happened. Then they wanted to put storage units there, that never happened. The owner sold the property after being upgraded in zoning, so I guess we increase the property value by doing so, which I think is not right. They sold the property without

any development. I'm very concerned that this is becoming a shell game. Let's make it do this, let's make it do that, let's get the property zoned as high as we can, and increase the value of that property as much as we can before we decide to sell it again. We have a lot of noise issues. We fight the airport and the training school nonstop. They have no regard for the neighborhood. If we can get a binding development plan and see what this plan is, what's the plan going to be next. I own my own business. I abide by code and regulations; in roofing you wouldn't believe the amount of regulation we have to deal with. Look at the history of this property and consider that when you make your recommendation. Please consider what we're going to go through.

Steve Duchek stated Maggie is his daughter. She bought that house because it was 2 blocks from the elementary school. There's no other access except through this "U"; it's Tropical Way. I would really like to know what is going there. There is a 7-Eleven on the corner, and we were told they were given an exemption to build it there. On the other side is agriculture with horses there. I spend half my time cleaning up beer cans, bottles and stuff from people going back in the back. I helped her put up a privacy fence, so she doesn't have to worry. Then they said they were going to put a carwash there. Within a span of 4 miles there are 6 carwashes, it's going to work because it's going to be a 24-hour carwash. Will there be security? No. Fencing? No. But there will be a binding development plan. Nothing happened so I called some people that work for the county, and they said he's not going to build it because he can't afford it. Now they're going to put up a storage place for RVs and boats. If you go down 4 or 5 blocks, there's a whole bunch of them by the airport. Those are all commercial. So, they want to change this site with 2 bays with a road down the middle for people to drive in with their RVs and boats aimed right at my daughter's house. As a businessman that doesn't make a lot of sense, to put something in you don't need. Are they trying to get this thing to get a higher zoning so they can just say we can't do this, but we'll do that because you allowed it. I would like to see the BDP written in such a way that if they don't do it, it reverts to the original one.

End Public Comment

Mr. Minneboo asked to be enlightened on what you're willing to undertake out there.

Mr. Trouger responded we're aware the previous package that came through had a 16-foot setback the code requires 15 feet. Now we're proposing over 60 feet. We're listening. We're doing what we can, as well as a wall, buffers, all the bells and whistles that the land development requires on our site plans. Storage is one of the lowest traffic generators, so hopefully that will be a benefit from what else could be built on this property.

Mr. Minneboo inquired if they would do a BDP.

Mr. Trouger responded yes; we are doing a BDP.

Erika Orriss asked staff if this was considered inconsistent since there is no BU-2 in the area.

Ms. Gilliam responded it would be up to the board to determine whether this would be compatible and consistent with the character of the area.

Mr. Trouger stated the BDP does list the only allowable use in BU-2 is indoor boat and RV storage with the rest of the allowable uses are only BU-1.

Ms. Orriss responded that it also states in the BDP the developer and the owner can only use it for such. Number 6 in the BDP says that no one else can change this, so that can't buy it, flip it and do something different. So, it can only be used for this. So, even if we were to go against what's consistent with the area then the agreement shall be binding. The wording is a little confusing. Number 4 says the developer/owner shall be limited to the RV and boat storage as allowed in BU-2 zoning district. The developer can sell it, and it's rezoned.

Mr. Trouger responded the binding development plan runs with the property. If it's sold or transferred. The document that's part of this is a draft document. If we get the approval of the commission, it then goes to the county attorney's office, and they mark it up and it goes back and forth. This is the draft version.

Ms. Orriss continued her only comment is that it may be inconsistent with the surrounding area.

Mr. Hopengarten asked if staff had a copy of the old BDP.

Ms. Gilliam responded not at this time.

Mr. Hopengarten stated he has no idea other than the one paragraph at the bottom of our documents which stipulated part of it; I would like to review that before I make a decision. I would like to review the previous BDP from 2023. I understand it wasn't signed. But there was one from before that.

Mr. Minneboo stated he was trying to remember because this is a strange configuration on the lot. I don't remember an earlier, at the beginning, BDP.

Ms. Gilliam stated I have it here. The one that's currently active says it's granted having BU-1-A classification for restricted neighborhood retail commercial zoning will not construct or permit the construction of any convenience market on the property and will not undertake or permit gasoline sales accessory to a convenience store or otherwise will not permit the sales of alcoholic beverages from the property. It's dated 1990.

Paul Body stated that BDP is only on that small sliver of the parcel. It's not on the bigger portion of parcel 8.

Mr. Hopengarten inquired if it was put in there because of the existing 7-Eleven that's on the corner. They didn't want competition.

Mr. Body responded yes. And, it's only on a very small portion. The one that's right up against the 7-Eleven.

Mr. Hopengarten then inquired on the height of the building.

Mr. Trouger responded it's going to be single story.

Mr. Hopengarten stated that could be 30 feet. You're going to put boats in, like dry storage with a lift.

Mr. Trouger responded they won't be stacked. I've never seen one of those garage doors more than 12 feet tall. It's one building with multiple units.

Mr. Hopengarten commented like open storage. Usually these are open racks that they put boats in and then they can stack them. Or they could have an inside bay where they work inside the unit. Essentially, it's a set of garages.

Mr. Trouger responded the intent is for personal boat or RV storage, so if your HOA doesn't allow you to park it in your yard, you can bring it here. It's on a licensed trailer, not taken off and put on a rack.

Logan Luse inquired if everything will be indoors or will anything be parked outside the garage. I think with the last BDP this is less invasive, it's only RVs and boats that can be stored there. It's not going to be in and out. It will be for someone who wants to store their boat for the winter or their RVs if they're not going out camping. It could be a carwash where they're rotating cars in and out all day, this is let's park it, leave it until we need it again. This is less invasive than a commercial or retail. The height would be the only concern I have, but if it's one where you pull it in, park it and leave it, I don't see a problem with that.

Mr. Trouger responded this is an indoor storage facility. It's a very low trip generator. They're usually pretty quiet.

Mr. Hopengarten asked how many of these garages are you going to have? This is a residential neighborhood, and I don't think it's appropriate to have it in this area. Down the road, on Cone Road you have all the industrial sites.

Mr. Body stated that according to the plan there's 10 units with 10,000 sq. ft. and then 8,000 sq. ft. for another 10 units. So, there's only going to be 20 units per the plan they turned in. And, the BDP has an 8 ft. wall going along the south property line.

Mr. Trouger added there's less units than what was approved in 2023.

Mr. Hopengarten stated he's against storage in the County strictly because we're not a storage county. We have more storage facilities here than the city of Houston, which has 6 million people. It always bothers me. It doesn't provide jobs for anybody, it doesn't help the neighborhood, and yet we allow it to happen. I've always objected to them because I don't think it's the right thing to do with the land. Especially when we have a housing crisis.

Mr. Brothers asked if the way it's zoned right now you can put a shopping center there?

Mr. Trouger responded the BU-1-A allows for that type of strip mall. It is a funny site because of the access to it. But yes, you could put in a large trip generator. Something noisier. Or a daycare or something like that.

Mr. Minneboo stated left me assure you this is the lesser of all the evils that particular site can have.

Mr. Luse responded it's all BU-1, BA, B1, BU-2, so it does conform with the whole area around that subdivision to the south and I do think this is a less intrusive aspect that can go there.

Ms. Saunders asked if there is power here. Are people hooking their RVs up and letting them run. Is there a prohibition you can't live there, they're not renting it out to a landscape company, no one's coming in and parking their trailer at night and then leaving the next day for work. There's not dump station.

Mr. Trouger responded that is correct. That's not allowed by code. There are no pump outs. There is power in the units because you charge your batteries, that sort of thing for your RVs and boats. The code is very strict, it is intended to not have someone live in these units or use them for a commercial purpose.

Mr. Luse inquired if this would be a 24/7 in/out or just certain times.

Mr. Trouger replied 24 hours.

Ms. Saunders asked if it would be gated with a keypad so it would be controlled security wise. And, I don't see an office on site.

Mr. Trouger responded it would be a key fob system and then there will be a small office and bathroom, as it's required.

Motion to recommend approval of Item H.2. with a BDP by Henry Minneboo, seconded by Logan Luse. Motion passed with a vote of 8 to 2.

The meeting was adjourned at 4:03 p.m.

DRAFT