

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, June 15, 2026**, 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 3:30 p.m.

Board members present were Mark Wadsworth, Chair (D4); Henry Minneboo, Vice-Chair (D2); John Hopengarten (D1); Ruth Amato (D1); Ron Bartcher (D2); Robert Wise (D2); Neal Johnson (D4); Ana Saunders (D5); Erika Orriss (D3); Debbie Thomas (D4); Jerrad Atkins (D1); Eric Michajlowicz (3); and Melissa Jackson (D5).

Staff members present were Trina Gilliam, Planning and Zoning Manager; Tim Craven, Senior Planner; Alex Esseesse, Deputy County Attorney; Darcie McGee, Natural Resources; and Alice Randall, Operations Support Specialist.

Mark Wadsworth stated that if any Board Member has had any ex-parte communication regarding any application, please disclose now.

EXCERPT OF COMPLETE AGENDA

H.3. Defender Homes Airway Heights LLC (Kim Rezanka) requests a Small-Scale Comprehensive Plan Amendment (26S.02) to change the Future Land Use designation from RES 4 (Residential 4) to RES 6 (Residential 6). (26SS00002) (Tax Account 2702763) (District 5)

H.4. Defender Homes Airway Heights LLC (Kim Rezanka) request a zoning classification change from RR-1 (Rural Residential) to RU-2-6 (Low-Density Multiple-Family). (26Z00008) (Tax Account 2702763) (District 5)

Trina Gilliam read both item H.3. and H.4. into the record as they are companion applications, needing separate motions.

Kim Rezanka spoke to the applications. She stated that we have heard the neighbors. We have read all the comments, and we are withdrawing H3. We're no longer seeking a change of the future language. Okay. So, if we could move to H4.

Mr. Wadsworth inquired with Ms. Rezanka if we only have the zoning issue now.

Ms. Rezanka responded with yes sir. And that is going to get better too. So, we have again listened to the neighbors for the rezoning 26Z00008, and we are amending the application from RU-2-6 to RU-1-11. So, that will allow 7500 square foot lots or larger. This is a constrained site, so we're not sure how many exactly we can get on there. So that will change it to purely single-family residential subdivision. We have with us Jake Wise, who is going to address the utilities, the flood zone, and other site plan and plat issues that really aren't before you, but they've been raised numerous times. So, he has a few things that he will discuss. I wanted to discuss the rezoning criteria. Many of the comments from the public indicate that we should be doing full blown wetland studies and full-blown drainage studies and things like that. The requirements of a zoning application are found in 62-1151. The name of the owner, the written consent of the owner, the legal description of the property, the current zoning classification, the requested zoning classification, and a recorded warranty deed. That's all that's required for this application. And that's what's been submitted. What you are to consider also in 62-1151C is the character of the land use of the property surrounding the property which is single family residential or mobile home park. The change in conditions of the land of the property be considered

and the surrounding property since the establishment of the current zoning classification. This zoning classification is RR-1. It was used apparently for a radio station which has been defunct for many, many years. So, it's now a non-used property with RR1. It also has wetlands on it which will have some issues but that's a site plan issue with the wetlands determination. Criteria three, the impact of proposed zoning on available and projected traffic patterns, water and sewer systems, other public facilities and utilities, and the established character of the surrounding property. Staff report says the surrounding property is mostly single family residential. But if you look at that last page that I gave you that shows the full area, page seven, there are four mobile home parks near this property. There's one immediately to the east. There's one further east of that. There are two or three to the south. I think there's three. And then you have single family to the north of larger size. Even further south across Aurora, you have RU-1-7, which is 5,000 square foot lots. And then you have Fox Bay to the east. I know that it was brought up to the west of the mobile home parks. So, this is a single-family residential area with mobile home parks surrounding the south and west. The compatibility of the proposed zoning classification on the conditional use or conditional use with existing land use plans for the affected area. This is residential four. Maximum use can be four units to the acre. That is what we're proposing. So, we can have some flexibility with the size of the lots at 7500. Some will likely be larger, but they cannot be any smaller than 7500. The homes to the east in Fox Bay according to staff report range anywhere from 0.15 acres to 0.33 acres. So, they're of similar sizes. The appropriateness of the proposed zoning classification based upon consideration of the conditions contained in this article and other laws, public health safety and welfare. So again, all we're here is for rezoning. We're not here for site plan. We're not here for platting. Everything that must be done will be done by the staff. Also look at the comprehensive plan and its policies which the staff report has done and has said there's no material violation of relevant policies that have been identified. I want to talk about the complaints from the neighbors. Most of them are the same. Most of the letters are identical if you've read them. The zoning we're requesting is single family. It was single family before, but now it's single family detached subdivision, 7500 square foot lots. It's similar in size of the subdivision to the east. They are larger lots than the TR-3 mobile home park to the west, to the TR-1A mobile home park to the south, or the RU-1-7 south across Aurora Road. Regarding traffic and safety, the staff report has stated that previously for the possible 86 units, now the maximum units would be 57, but even for the 86 units, the staff report says that the corridor is anticipated to operate within maximum acceptable volume, still only at 28.66% of capacity, and that specific concurrency issues will be addressed at the time of the site plan review. Also, at the time of site plan review, the county may require dedication of right-of-way, may require turn lanes, may require analysis of the intersections, whether the stop signs that people complain about are acceptable. So those are all things that will be done at the platting stage. The other concerns are drainage, wetlands, and flooding. Staff identified the wetlands, which will be addressed during planning of the site and will likely reduce the units. All storm water and drainage issues will also be addressed at site plan and platting. All water that currently drains to the site must be maintained on the site. As you know, post-development runoff cannot exceed pre-development runoff and that's something staff are very good about. Several neighbors cited 62-3724 which are development regulations for floodplain. I have put that in your packet. Page five and page six. Page six is the first page of 62-3724. It goes into estuarian and riverine and all those things that make your eyes roll back in your head. But no one's addressed that in any of these comments. They've decided to do this and said we must meet these. We do at platting stage, not now at zoning. But if you looked at page five, which is what starts this whole section, article 10, division five, floodplain protection, section 62-3723, general provisions, site plans, subdivisions, building permits, and other active development orders. This is not a development order. It's not an active development order. This is a rezoning. School capacity, according to the April 21st, 2026, school district capacity determination CD 2026-06, the 86 units previously sought, now down to 57, that there was sufficient capacity in the elementary, middle school, and high school for this area. So, school capacity is a non-issue. Property values were also a concern raised. There is a speculative statement in all these emails that the proposed rezoning and resulting development will negatively impact the property value of surrounding residential. The form letters claimed that the

individuals made investments based upon the established rural residential character. This is not an established rural residential character. When you have five mobile home parks in a subdivision to the east from 0.15 to 0.33 acres, that is not rural residential. In fact, the beginning of the criteria for RU-1-11 on page three says this is single family zoning classifications devoted to single family residential development of spacious character. That's the same language used in RR-1 zoning as well. Again, the compatibility for RU-1-11 is apparent just looking at the map. The Fox Bay subdivision to the east is on 17.754 acres with 46 lots ranging in size from 0.15 acres to 0.33. The Village Glen Mobile Home Park to the west is 27.2 acres with 143 units averaging over five units to the acre. The TR-3 zoning only requires mobile home sites of 4,000 square feet. There's also, I don't know if you've received it, but we found on Facebook that the city of Melbourne is objecting to this based upon utilities and I believe Ms. Sanders is here to talk about it, as Jake will talk about it here shortly. We received it from Facebook. I don't know if you all have it or not, this is not a zoning issue but a platting issue. We have not asked for utilities yet. We know it's available, but we could do quarter acre lots and we could do septic tanks once the moratorium's removed. So that is a platting issue. It is not a zoning issue. You're to look at the compatibility and whether this makes sense in this location. The fact that it's a vacant site, I don't know what's on it, but it's probably a derelict site and we would ask that you consider the rezoning to RU-1-11. Also, we are not within the city of Melbourne. We are not contiguous to the city of Melbourne. We cannot annex into the city of Melbourne at this time. With that, I would bring up Jake Wise and ask him to discuss the storm water and the special flood zone.

Jake Wise stated he is the Civil Engineer for the project. Like Ms. Rezanka said, we don't normally dive this deep at just rezoning. But just to reiterate, we're not asking for any change in the density. No land use change at all. Just bringing the zoning change. The property is on Turtle Mound Road. I used to live on Turtle Mound Road. I used to drive past here multiple times a day. We understand and know the character of this area. It is in flood zone A. Flood zone A just means that there's been no base flood established yet. That is something that we work with staff on during site plan development. I have a project that's under construction on Viera Boulevard right now that we did exactly that. Had flood zone A. We worked with staff, established the flood zone, and moved forward with our site plan. The site also has a nitrogen reduction overlay. That means that there must be some type of reduced type of septic treatment whether it be connected to a municipal system or one of the higher efficiency nitrogen type removal systems. Again, at site plan is when we dive into water and sewer connections, storm water, power, all those types of things that are related to a specific development, which currently we don't have. We did reach out to the city ourselves and we found out that they had water adjacent to the site, but that their nearest force main, which is where wastewater could connect to, was at capacity. So, there's different ways to work around that. Their plant has plenty of capacity, but the closest force main just doesn't. So that is just a factor in the site plan when we move forward with that in the future. For storm water, we get this all the time. We cannot exceed, in fact, on most projects, we decrease the amount of runoff. If there's any runoff coming into the site. We don't even have a full survey yet. We're just asking for zoning, we would analyze that at that time. If there's runoff coming into our site, we must accommodate that runoff. We can't block it. We can't reroute it. We can't push it back onto somebody else. That's not allowed per county or state regulations at all. In addition, just late last year, Water Management District has changed the way they review storm water treatment, and they also have a significant increase in nitrogen and phosphorus removal. So, that's even further helping to establish that. We do know there are wetlands on the site. We do know with Brevard County rules that there are limitations to impacting wetlands. We must work with the state as well and if they are determined to be federal wetlands we would work with the US Army Corps of Engineers as well. Again, we're not there yet. We don't have a specific site plan. We try to always do as much preservation and avoidance and minimization as we can for residential projects. Preservation of wetlands can be a huge benefit so that's something that we always work towards first and then look at the rest of the site plan secondly. As you heard earlier, schools do have capacity in this area. And as we go through a site plan, once we get to that point, we look at utility concurrency, we'll look at school capacity again, and we'll look at traffic concurrency as well. So, I'd be happy to answer any

questions the board may have and appreciate a chance to respond to any public comments.

Mr. Minneboo asked in your early submittal how many units that was. The very first threshold before you spoke to people and got input from people. What was the total number?

Mr. Wise responded the original request was to go to four to six units per acre. And that's what was withdrawn for item three tonight.

Mr. Minneboo replied that you're going to get to 50 some now. It could be in the 40s. Who knows?

Mr. Wise responded we probably won't get that high because of the limitations of the site, the character of that zoning we're requesting, and the size of the lots. It will probably be a lot less.

Mr. Minneboo continued so, you didn't you didn't do a preliminary environmental assessment. I mean, just a broad brush.

Mr. Wise responded just to know that there's wetlands on the site. We haven't done a full survey. We still do a tree survey, elevations, and topographic survey. None of that has been done yet. We're just trying to establish a zoning.

Mr. Minneboo stated I hope we never have to require that before it comes here.

Mr. Johnson asked at the zoning of RR-1-11, how many units per acre would that work out to be approximately?

Mr. Wise responded the land use was still four units per acre. But RR-1 has different zoning requirements on it and as I'm sure you're aware it used to have a radio tower on it.

Mr. Atkins asked for the purpose of calculating, do you have any idea how much wetlands were on that property acreage?

Mr. Wise responded with I don't know what the total acreage is, no.

Mr. Atkins inquired does anyone on the applicants team happen to have a ballpark on that? No. Okay.

Mr. Wadsworth stated I know pretty much everyone here wants to speak, could I see a show of hands of who wants to speak about this. Now, we can be here till 10:00 at night or I'm more than happy if everyone would listen please. Here we go. We had 25 30 people raise their hands. So, I'm more than happy to pick one or two people to go speak for this item and give you 15, 20 minutes each because we don't need to hear it's going to lower our property value, the traffic's going to be a problem, how many wetlands are on. We're not here for that. We're here for zoning. So, does anyone want to do that or does everyone want to speak? So, I'm going to open it up for public comment, but you're going to get two minutes and that's it. And please, if someone has said what you're wanting to say, we don't make any money up here doing this. We're just an advisory board for the county commissioners. They're going to make the final decision. And there's so many things here, like Mr. Jake said, Ms. Kim said, they don't even know how many units they can put on this property yet. So, they don't have a clue. I know there's the previous owner sitting back there. He doesn't know either because it's never been permitted. Never been permitted. This is a bigger deal. Bigger deal. So, everyone's got an opinion. I appreciate that. But we're going to open it up to the public. We're going to get two minutes and when the bell goes off... and if everyone could just funnel down towards this end that wants to speak, and we will go from there. And if everyone please could be respectful.

PUBLIC COMMENT

Diane Baumert-Moyik began with I am here to open our neighborhood's formal testimony requesting a recommendation of denial for comprehensive plan amendment 26SS00002 and rezoning request 26Z00008. I submitted a petition just a few moments ago, of over 2300 signatures and we have another 500 from our residents. Under Brevard County Code section 62-1151C, your primary legislative duty is to evaluate whether a proposed zoning change is structurally compatible with the established character of the surrounding land. The properties immediately to the north, south, and west are large acreage style single family homes. And I know there's been some changes here at the meeting today, but we ask that the county only maintain the RR-1 zoning. No compromise. The applicant has completely failed to meet their burden of providing harmony with our existing neighborhood, and we urge you to recommend denial. Thank you for all that you do to help our county grow properly and at the same time protect our quality of life.

Mr. Johnson commented we had a member of the audience, I believe a member of the press with a camera walked up here behind us. I would remind you that it is not allowed, sir, and do not do it again. You are not allowed back here.

Scott Schiffer stated before this board proceeds further, I need to raise a procedural issue that I believe requires this item to be tabled. Brevard County's notice to applicants for change of land use regarding applications generating public opposition is clear. When an application generates opposition through letters, petitions, phone calls, or testimony, the applicant must meet the concerned parties prior to the planning and zoning board hearing. And critically, the policy goes further if this board finds that the application is controversial and the applicant has not met with the affected property owners, the item not may but shall be tabled to the next agenda to allow the meeting to take place. This application is controversial. 159 pages of public comments in the agenda packet and numerous petitions of concerned neighbors. I personally submitted an 18-page detailed opposition to the requested changes to the board on June 8th and the applicant has not reached out to us. Not one member of the opposition has been contacted for a meeting, a discussion or even an acknowledgement of our concerns. I anticipate the applicant may respond by saying they intend to meet with us before the board of county commission hearing. I want to address that directly. That does not satisfy the requirement. The policy requires a meeting to occur before the board acts on a request. A future promise to meet before the BCC is a different stage of the process entirely and it does nothing to inform this board's deliberation today. If anything, offering to meet only before the BCC while skipping this stage underscores that the applicant has not complied with the policy as written. The policy is not discretionary given this application is controversial and no meeting has occurred. The application must be tabled. We respectfully request board tables item number four to the next agenda consistent with that requirement and direct the applicant to meet with the opposition before this matter returns to the board.

Glen Juber stated that we all know what the environmental concerns are out here. We're in the Indian River Lagoon drainage basin. But what we can address today is the applicants come up and say we're just here for a zoning change. Don't look at all the rest of this over here. That doesn't really matter, which is absolutely nonsense because the zoning regulations existed and were built to provide a plan for stable development. Now, unless there's been a change in the underlying conditions, better water, better roads, better sewer, there's no reason to grant a change for higher density because those conditions that came out with the RR-1 still exist. Now, it's a little bit disingenuous for the engineer to say, "Oh, we haven't looked at the drainage. We don't know about the wetlands." When it's nonsense. The US Geological Survey publishes a map available to anyone that lists a site elevation and half of this property fully is wetlands. The engineer knows that and he's here before the board saying, "I don't know. We're just here for a zoning change. Don't look at the other stuff right now." We'll see if we can slide this by while the developer from Washington state comes in, drops \$800,000 in his property in 2021 and now is looking to maximize his return, but will not suffer any of the consequences. Not the traffic, not the displacement of the turtles. There are

turtles on Turtle Mound Road. I know I live there. We have all kinds of wildlife that are at risk. I personally must put in a new septic system to meet the 2030 regulations which are driving this entire area to either sewer or new septic to preserve the Indian River Lagoon. We don't want another 200 dead manatees, nor do we want traffic concerns, but we want honesty from these people and we're not getting it.

Cynthia Sawczyn stated the references to the different trailer parks are irrelevant. They have been there for 50 years. They were there when we built our house 38 years ago. To use them as an example to have a multiple residential area intruding now simply does not hold water. That's my request that you realize that those multiple areas are decades old and don't do anything to warrant the change in zoning.

Richard Nink stated he's just off Parkway. My property is affected by what happens and your actions today. This is a planning issue. This is a rezoning issue. That's why all these people are here for you to consider concerns. Keep it RR-1. There is no need to rezone it to RU-1. The applicant is making an argument that they don't want to increase the density. They are not clear why they need to rezone to RU-1. Why not just keep it RR-1? They said it's the same amount of density. They need to be clear, and we need to understand that and not make rash decisions. They say they heard the neighbors yet they're still trying to rezone it and it's not clear why they're trying to rezone. Keep it RR-1. Now the applicant will explain that to you and she's very good at quickly explaining it and dismissing the concerns. We request an opportunity to respond to her dismissing our concerns today. Ask one of us to come up. I will gladly do that to ask follow-up questions because she will quickly dismiss our concerns of why it needs to be rezoned. And we'd like to have an opportunity to follow up on that quick dismissal. That's what we're asking. So, we'd like you to ask her those questions. Why the need to rezone if you're going to keep the same density? We heard your explanation. Now, let's give the residents an opportunity to follow up on your statements.

John McKinley stated he is the previous owner of the property. We bought the property about nine years ago from the radio station. It was MYBD properties. I'm the M. So, I can tell you a little bit about this property. We initially put in knowing that is RR-1 zoning, knowing that we had the trailer park and the other restrictions. We put in the zoning department of Brevard County that we get two per acre. It was immediately denied, and we were told that it will never be anything but RR-1, ever. We came back. We had a plan. We figured that it was probably going to fail. We had an RR-1 plan that was very good. We thought it would be a very nice neighborhood. Previously we had put in the Fawn Cove neighborhood and Atlanta Lane off Lake Washington Road. Both of those neighborhoods. All of those were 1 acre lots. We came back with a good plan, and it was again denied by the zoning department, and the reason was they would not let us access that road from Turtle Mound. They said if we wanted to do it, we had to go off White Road. Now, these folks are putting in this application, they are going to go off Turtle Mountain Road. I guarantee you. They're going to put in six per acre, if you do the math, it's pretty simple it's about six per acre. The environmental regulations on Atlanta are not that strict. I did a survey myself. We had one done. So, they will get at least five per acre when I couldn't get two and I couldn't get one. When you went to one off White Road it was economically unfeasible, the lots did not work. So basically, the zoning department said the land that I valued was worthless. All we could do at that point was to sell the property and we're here today.

Mr. Minneboo asked what year that all occurred.

Mr. McKinley responded about 13 years ago. We had the property for a long time before we moved the property and it was mainly because we couldn't get the zoning, the county would not allow us to use RR-1 coming off Turtle Mound.

Kelly Rich stated since the development team has already said they're going to throw out the six per

acre, that kind of changes the agenda and the tone of this meeting. I only have two points. The one point is the agenda items have changed. So, I think the public does deserve a chance to come back again if the board feels they really need to vote on this today. The other item is that the public understand that wetlands will not stop development. I want everybody to realize that there's wetland mitigation that's possible. So even if there's two acres of wetlands there, that doesn't mean it won't be developed. I just want to make sure the public knows that. And again, these are things that have come up now with them throwing out the idea of going six per acre. So, it's kind of changed the agenda items on the meeting. And I think the public deserves a chance to ask the board not to even vote on this today. They've already thrown out their six per acre. Don't vote on the four per acre till you hear more from the public because the public wasn't prepared to talk about four per acre. We were prepared to talk about 85 low income proposed housing. That's what we were prepared to talk about.

Julie Kennedy stated that for the record, my name is Julie Kennedy, not Julie Sanders. I had a name change a few years ago. I am the vice mayor of the city of Melbourne. I do recognize that this property is not within the city of Melbourne. It is within county. However, a lot of the adjacent properties are within my district, district 6, within the city. At last Tuesday's meeting, I brought up this project and every single member of the city council for the city of Melbourne opposes this particular property being developed and the zoning changes. I appreciate us not going for comprehensive plan change. But in hopes of not reiterating what I know everybody else is going to say here because I know what that's like being up there. I do have a copy of the mayor's letter that he posted on social media. But just to sum it all up, while the city of Melbourne recognizes the importance of providing additional housing opportunities within our community, it's imperative that growth occur in a manner that is supported by adequate public infrastructure. At this time, the city's existing sewer force main infrastructure serving this area does not have sufficient capacity to accommodate the additional wastewater demand that would result from the proposed multi-family development. I realize that now it's going to be smaller because of what they're proposing, but as others have said, it would be nice to be able to go back to look at this to see if we can or cannot and where we stand as a city knowing that now it's going to be decreased. I can't speak about the lower amount, but our wastewater, our roads, our infrastructure is just not equipped within the city to handle this type of development that was being proposed.

Mr. Minneboo asked if it was a little strange for the city to get involved in a county thing. Does the county go over the city, too?

Ms. Kennedy responded with sometimes, yes. Sometimes West Melbourne comes to us at meetings. Sometimes we go to West Melbourne meetings. Absolutely. Because we are so close together, our infrastructure is intertwined.

Mr. Minneboo stated that he thought it was a little strange and he's been around a long time. Not that you're not entitled to it.

Ms. Kennedy responded with our infrastructure is intertwined. And our roads are intertwined.

Suzanne Bella stated I do not know if you all have this flood map, but I wanted to draw your attention to how large the flood wetlands are on this piece of property. It almost takes up the whole piece of property. And to cram all these units into this little, tiny space, it's going to be very, very hard. I don't think that the massive permanently altering dirt ridge that they would put up around this property if they tried to develop it would be a good thing for the surrounding properties. Water seeks the path of least resistance. The ridge will displace storm water, push severe runoff directly into the backyards of the longstanding single family neighbors on Windmill Drive, Teresa Drive and White Road, Carolwood. Those little old trailer homes that have been there since the 1950s and 60s are going to

be floating away. The other issue I want to mention is if there is a traffic study done, somebody should take the time to do it when there is an accident on 95 and everybody heads down Eau Gallie and goes down Turtle Mound Road because at that point in time there's no way to get in and out of your neighborhoods. So concerned residents, we don't want it. We want you to deny it.

Amanda Sible stated she has been a resident of Lake Washington area for most of her life. I think that they're being very disingenuous in how they approached tonight's meeting. If they want to change it, then we should be able to address the changes, not come and surprise us. Also, I'd like to know about their out-of-state companies, they do rentals. Is it going to be rental units or are these houses going to be for sale? That's important. That affects my property value. I want to know. We don't want this. It's not the character. We bought out there because we wanted a rural way of life. We don't want zero lot line homes crammed on a wetland lot. It's just not feasible. The traffic's already bad out there. If you try to go on Turtle Mound during rush hour, you're backed up 10 12 cars. It's not built for it. We don't want it. Please, I urge you to just say no to more development.

Scott Dangler stated as I'm sure you can understand, the residents here are very happy to go ahead and hear about the withdrawal of the future land use map change. But I think quite honestly, it's fundamentally unfair now to go ahead and address a zoning change that has not been presented to the residents. Staff have not had an opportunity to go ahead and do a report. And quite honestly, I think if you polled the people here in the audience, no one knows what an RU-1-11 is. They were prepared to talk about RR-1, RA-2-6. So, I think first it would be premature to go ahead and have a zoning decision made today by this board. This should be heard by staff, have a full report, full notice to the community so then a properly noticed and informed decision could be made. The other thing I would say is council raised the issue of four lots per acre, it is kind of what they're anticipating with their zoning change but it's still incompatible and inconsistent with what's built there in the community. Now, this table was done to go ahead and address whether a RES-4 should be changed to a six. If you look at all the communities that are nearby, what you'll notice when you look at the units per acre is Fox Bay is 2.6 units per acre, Oakwood Trails 2.3 units per acre. Hammet Estates 2.4, Oaks of Eau Gallie is 2.2, Creekwood 1.1, Anson's less than three, Aurora Woods is 1.2, and Aurora Oaks is the only one that's four and that's all the way at John Rodes. That is so far away from the rest of the community. So, if you look at what's compatible with what's built in the neighborhood, this piece of land, even four is incompatible. That's why it's RR-1. And the last point I'd make, if you look at the corridor on the west side of Turtle Mound, every single lot is RR-1. This is a consistent neighborhood. There are no greater densities other than RR-1 as you move up that corridor.

Cassandra Ranier stated she is 34 years old and had the privilege of living in this area for 30 years. Not only did I get to be raised out here, I get to raise my children here. The reason we are fighting so hard against this zone change is because this is one of the few places left in Brevard County where you can go and drive down the road and see a cowgirl on her horse walking down the road. You can see donkeys, you can see cows, people free ranging their chickens in their little gardens that they've made. This is magical. It's what you see in story books. And that's the way that we want it to be preserved. We don't want more houses that are cookie cutter. If we wanted that, anybody could do that in Vieira. We have it all down the St. John's passageway. We have huge homes going in now in West Melbourne. Ms. Rezanka wanted to talk about the trailer home. She really wanted to focus on that. Go north. You have horses ranging in front yards. You have children running around in their sprinklers in these huge, beautiful plots of land with these beautiful trees that are strung with the Spanish moss and that is what we want to preserve. It's one of the few areas we have like this left in Brevard County, not just Melbourne. And to come and be like, "Oh, it's not that bad." This area and the reason why we are all fighting so hard is this area is magical not just for us but for our children. So please do not take this away from us.

Victor Pejic stated the bottom line with this is that we've gone through this for years, the seat is the

common term right here. The reason is the seat, 7500 square feet, that seems like a large lot. That's 0.15 acres roughly. We're going to only build 30, 40, 50 homes. That is just a vehicle to get in. There's nothing no money to be made once you develop that land if you build small number of homes. Rest of the homes are generally 0.75 acres, on a small side, but usually couple acres. So, it would completely be different even if it's four homes per acre. Also, out of the 14 acres there were five acres annexed about five years ago from Melbourne. So, there's not 14 acres now. There's a couple more lands that are about three acres aside that probably will be purchased and next thing you know they want another zone change because now instead of being 14 now we are 17 or 18 acres and now we want even more denser. So, the reason I wanted the overhead turned on is to show you this is how it looks after rain. And that wasn't even a big rain. So, let's go a few more pictures. This is how it looks in front of my house after a rain. This is how Northwest Plaza looks after rain. You don't have to be a rocket scientist or geological engineer to figure out that water doesn't run uphill. You bring these houses here; you must fill about 30 inches above the crown of the road. You bring that much dirt in, everyone else will flood.

Sean Strahlo stated he grew up in Carolwood Estates. I think the average lot size there is one acre plus. I just want to remind the board that currently there are no homes on the property. It's a derelict radio station. I spent my whole life in Carolwood Estates growing up. That area is very special to me and everyone here obviously, otherwise they wouldn't show up. The current owner of the property bought the property knowing what it was zoned as. Even if they developed it under the RR-1, that would be 14 new homes. That would be a big change for everyone here at just what it's currently zoned. If they were to change it to five homes per acre or 7,500 square foot lots, that's 5.8 homes per acre, that is drastic. That's 50 times more than what is currently there, which is nothing. So, allowing an out-of-state developer to come in and build 50 more potential homes is a drastic change to our current way of life and what we're all used to there. Even the 14 potential one home per acre under the RR-1 would be a significant change. Nobody wants this at all. And that's not to mention all the storm water that people have talked about before, traffic issues and things of that nature. I don't get how a developer can come in and knowing what the zoning currently is and then piss off the entire community to change it when it just makes no sense. You knew what it was zoned coming in. It's not upon us to come up here, take time off from work and out of our day to fight for our livelihood. They should be able to just step in and take over our way of life.

Ethan Pachy stated he is

here representing the St. Anthony the Great Orthodox Church. I'm treasurer for the church. We received a notification because we are also within the 500-foot boundary of the property. And I am probably going to be the controversial person here today saying I think it would be okay to move forward with the rezoning because we ourselves are looking at doing a project soon to expand our own facilities and we are coming up against enormous storm water and sewer infrastructure requirements that we're personally having to pay for out of pocket because of how little public investment has gone into this neighborhood, somewhat at the desire of neighbor but also because it's just been further out and now we're getting closer. I'll remind the entire audience that there is a brand-new Amazon warehouse facility right down at the end of Turtle Mound less than a mile away from this site. So, it's not as though there is no development nearby or that it is genuine rural. You can drive 10 miles out on 192, still be in Brevard, and be in actual rural territory. I understand a lot of the storm water and sewer discussion is going to be handled later. That is the way the process goes. I'm representing the Brevard County School Board on Melbourne's planning and zoning as another one of my volunteer activities. But today I'm here representing the church. We're interested to see how

this development is going forward to see if there are more public resources being developed in the area because we ourselves are suffering from having to pay for all our own storm water and sewer and all the costs that will come with building a larger church as we ourselves grow. Our church has expanded its population by over 50% from some 120 members to just over 180 in the last two years in our reporting to the arch diocese from 2023 to 2025. So, there is more out here than just pure rural residential. And if you want to go to rural Brevard, you can go further out, but I don't think anybody would want to get off city water. They don't want to have to put in a well. So, they're still living where the city can get to them.

Melissa Pedrick stated that the Amazon facility bulldozed wetlands. It doesn't matter. They'll find a way. Saying that they're going to go check everything out after they get approved. Buyer beware. They get approved, they're going to do whatever they want because they already got past it. Turtle Mound Road, I'm sure there's a lot of residents here, if they wanted water there, a lot of them were on wells, they had to get annexed to the city of Melbourne to get off well water, they had to go into the city. So, they had to pay for it. All these concerns, like I said I'm west, but I was flooded out. My property looked like it was an island because all the water had nowhere to go. So, you just keep bulldozing and putting more concrete and asphalt. We don't have anywhere to go. Our property goes up higher because we're having to pay for flood insurance. It's ridiculous. So, please consider that. So, I think if they have all these plans, they should do those plans before they get approved for the rezoning. We must do it ourselves.

Chris Hardy began with we the undersigned registered voters, property owners and residents of Brevard County urge the planning and zoning commission to deny the proposed rezoning of the property parcel. Due to the things that I've heard you stand up here and say you've heard it all before. If I'm not mistaken that is your job as the zoning committee to hear what the people have to say. So, we ask that due to safety, increased traffic, congestion, water management strain, environmental impact, property value, and strain on the fiscal, city, county, resident finances, and the equestrian rights as well as our agriculture and green space that you've heard everybody talk about here today. The proposed rezoning violates the once established neighborhood comprehensive plan. Where is the money coming from for the necessary road expansions and improvements? Is it apartments or is it houses? And how many are we specifically talking about? How will drainage infrastructure be upgraded and funded in this area that is currently already experiencing major flooding due to many retention ponds, poor canal maintenance, and lack of city council response? What is the plan in the funding source for expanding police, fire, rescue capabilities? Will the developer cover all the impact fees, or will the existing taxpayers bear the burden? This area was meant to be wooded larger lots, both deed and non-deed restricted homes where homeowners can expand and garden and enjoy wildlife. We have protected scrub jays and tortoises all over the area. This is about the character and the density of the area. It's about a saturated market already. There are currently 8,000 completed apartments and housing in Melbourne that remain unsold and empty, representing roughly 17 percent.....

Roger Baxter began by saying he was going to touch on a little bit of what John McKinley had said because he was an owner of that property as well. I am the B in MYBD. What's amazing to me is that we bought the property trying to put two houses per acre. And it can't be done. It really can't because by the time you mitigate wetlands and by the time you give the turtles a new home and by the time you deal with accessing, putting the road through there and the sewer and the whole bit, there is not enough property there to follow the rules to do the development with two. We did get approved for 11 homes after we did all the mitigation for the wetlands and dealt with finding homes for turtles. Unfortunately, it was completely too much money to bother to go forward with the project. And all of this information was given to the current owner. We did the studies. We know what the wetland's going to take. We know we did it all. It has the deepest ditches you'll find on each side. They're trying to drain those ditches. They flow. You can go to the side of the bank, and you can see the water

coming out of the thing on a dry day. There's always water in the ditches. So, yes, there's a lot of wetlands there. And for the current owner to come back and try to do this when he already knew before he bought it because we gave him everything is just a little bit.... It's not sneaky. You must try to make money with the decisions you make. And I just think like us he made a poor decision. That's it.

Mr. Atkins asked the speaker if he and his partner or partners in that venture ever try to go through this channel, rezone it?

Mr. Baxter responded with no. The city told us there was no way that they would let us do any more than the 11. When we put the sewer and everything. When we put our development into them, we must hook up water because we can't have a well on any of that. You can't. It's just not going to work. So, when we're cutting in roads and putting in drainage and doing the whole bit, the city gets involved with sewer and water. And they came and said, "Nope, not going to do it. You can have 11." The whole thing is you can't.

Mr. Atkins continued with so for the city infrastructure that that property ties to, was getting denied. So, you never formally requested a rezoning from the county.

Mr. Baxter responded with we didn't bother because if we were only allowed 11, we couldn't make it work. And all of that was given to them. Nothing sneaky about it.

Mr. Atkins replied I just wanted to find out how far you guys tried to take it.

Chelsea True began by stating she's lived in Merritt Island for 5 years. I originally am from Washington State and very familiar with Spokane and Airway Heights area. We don't want to see Brevard County make the same mistakes as Seattle and Spokane, where rapid high-density zoning completely overran local infrastructure. This project brings Pacific Northwest style overdevelopment to a rural Florida wetland, threatening our environment and creating flooding and traffic issues we aren't equipped to handle. There is currently a rat race to take up all our green space in Brevard County. I specifically just dealt with one less than a month ago. Let's keep Florida, Florida and not turn into Washington State as someone who personally fled from it.

Steven Lohse stated that this property pretty much backs up to the back of his yard. My major concern is it's very scary. You can't walk down our roads anymore. It's unsafe. We don't have sidewalks. And we had to finally petition for speed bumps because we have so many cars coming down our road so fast. No one wants to walk on our road anymore. I'm a dog walker. You can't walk your dogs on the road. I walk them twice a day. You don't see bicycles anymore. My friend's wife got run off into a ditch and she came up like a mud puppy which was not fun. He had to help her out of the ditch. And basically, my concern is the safety that we're already overloaded with cars out there, that we don't have the sidewalks. No one walks out there anymore. No one walks their dog anymore. Everybody's scared to get out on the road and that's not right.

Dennis O'Quinn stated he agrees with pretty much everything he's heard. I want to bring up a different aspect. I did have a professional engineering license in the state of Florida from the mid-1980s to just a few years ago. I did some work about 25 years ago on that site for the owner at that tower, at the time it was Twin Towers Broadcasting. I walked among those four towers. There are two pairs arranged in a parallelogram and the distance north to south is something about 500 plus feet and the distance between the diagonal towers because there were two towers on the other side where it went off at a different angle. The one thing I found common on that site was that it had a trash dump. Those radio stations were out in the woods and people threw everything in there. Specifically, a vacuum tube that is known as an 866 or an 866A. They were called mercury vapor rectifiers. So, if you are going to go forward with this, and I'm not sure at what stage, I'm just making

this information available. There should be extensive testing of that site across the site for mercury.

Mike Bandish stated we're seeing an overwhelming demand for equestrian riding and boarding and stuff like that to the point we're looking to maybe expand across the street. With the closing of Wickham Park and HWH up for sale, it's just overwhelming. People in this area love horses. So, we must decide if we want to remain an equestrian community.

Diane Perigo stated she bought an acre and a quarter because she wanted a rural living. I've worked two jobs all my life, I'm by myself, so that I can have that. I have horses and dogs and gardens, and I see more encroachment. You can't ride your horse on the side of the road anymore and it's a rural area and we've all sacrificed to live in a rural area. We'd like to keep it that way.

Terry Dexter stated he grew up on White Road. I was born and raised in the area. White Road took part of our property from the 30-acre track that my family had owned from the 40s. This is a wet area. I remember when Village Glenn, the trailer park they were talking about, went in and in this area if this goes in we're talking about heavy flooding in that trailer park. It's going to be overwhelming. You've got a bathtub there and we keep putting blocks in it. That water's got to go somewhere. Where White Road and Merrywood is there, we were just told that there's a possibility that it could go on White Road, the entrance to that. That's a deadly area right there. Are they going to buy the house? Who's going to pay for that mobile home park if it gets flooded? It's bad. There's got to be another way of doing this and this is not the way. It really is not the way. WML, they've owned that property since 21 and that building's still there and there's no way that building should be taken care of. Anybody else in this area, if that would have happened to their home in four years, they would have told us to.... It's deadly a problem. But come on, guys. Don't let this go in. Please don't let this go in. Let us have time. They've come in here and changed it. At least give us time.

Pamela Baxter stated she has been here since 1961. The concern I have amongst all the others is the last of the large pieces of acreage out there, one including the dairy, which is currently up for sale, over 9 acres that's right down the street on Turtle Mound. Does that suddenly become another large development? Those are things I ask you as a zoning board to consider. It's no different than what the first person was saying change from certain restrictions, but large property is rare. But again, down the street less than two miles, there's another large up for sale piece. You could be doing this again. Just please consider that.

Tracy Cody stated she wanted to address Mr. Atkins' question to the prior owner. Because they proposed 11 units on 14 acres, a rezone could not have been required on this RR-1 property. I mean, how could it be required if.

END PUBLIC COMMENT

Ms. Rezanka stated development is not allowed to flood its neighbors. This development can't flood Village Glenn. There's absolutely no storm water treatment or storm water plan or drainage plan of any sort on this 14 acres at this point. This will fix that issue of no treatment and storm water issues. Regarding the former owners, I've never seen that before where they come and fight against who purchased it from them. That's new. But they never came before you. There was nothing in the staff report that said they tried to rezone it. They were going into the city. We're not doing that. We are trying to rezone here because as they said, this property doesn't work for 11 units because there's floodplains. They've got wetlands. In fact, this is the wetlands map. Again, these are 1988 maps. They're not accurate. That's why people go and do their own new zoning. But if that area is wetland, you can't impact wetlands in Brevard County. You can in the city of Melbourne. We're not eligible to annex to the city of Melbourne. So that land can only be impacted 1.8% of wetlands. So, 1.8% of 14 acres. So, there is no way to impact wetlands. We are trying to work around the wetlands by having flexibility of smaller lots of 7500 square foot lots or greater. But again, the best evidence is this land

can't be developed with 1 acre lots. You've heard that two, three times here today. And you've also heard that it's derelict land and that it needs to be redeveloped. So, again, we can't build homes over wetlands. There might be a way to subdivide the wetlands into lots. St. John's doesn't like that. It's not the best use, but you try to protect the wetlands and give them all upland buffers. Let's talk about zoning. That's the zoning map. Only one-third of the area around it is RR-1, maybe a little bit more. But when you go south over Aurora Road, you have the RU-1-7. You have to talk about the trailer park. That is the character of the area. They might not like it. They built there, but that is part of the character of the area. It's adjacent to it. It's land used adjacent to it. And that land use is 5.26 units per acre. That's 143 units and 27.2 acres. You have trailer parks to the south. You have trailer parks further to the west. So, this is the character. This is the zoning. You have EU-2 to the east. There were many people that said zone it less. How about EU2? We've taken it a step lower to RU-1-11 to give them flexibility because of the challenges of this land. And let's talk about the character. They only want to talk about the rural lands, but there's a lot more out there than just rural lands. Fox Bay is 1.15 acres, 0.33 acres. Those are not rural residential lots. Those are smaller lots. That's a subdivision. That's where most of these people are from that are complaining about this. Most of the emails that I saw were from Fox Bay. But you do see the smaller lots. You see the smaller lots all around it. And you see the mobile home parks which are part of the character of the area. With that I would like to ask you to look at the character of the surrounding area, the five criteria that you are to look at, the staff report that said even for a higher requested density we're not impacting on any of the capacity for schools or traffic. The site plan process will require, and platting process will require staff to look at what needs to be done if anything for turn lane improvements. Sidewalks will be put in along the section of the road. Impact fees will be paid to help with other improvements in the area. And with that we would ask that you approve the rezoning to RU-1-11.

Debbie Thomas stated she first wanted to thank Miss Kennedy for being here. I was a Melbourne city council woman for eight years and termed out after two four-year terms. I do understand why we're here and it is important to have a P and Z, and it's important to have that here. It's important to have it in the city of Melbourne. I sat in front of many meetings of the city of Melbourne that were just like this one. And you know, probably 90% of the time I've agreed with what the development was that was coming in and I probably approved 90% of the time the developments that were coming in. That being said, my parents built in Carolwood Estates. They were the first home that was built in Carolwood Estates back when Carolwood Estates opened. The character of the area is a rural area. It is meant to have one acre lots per house. That's my opinion and that is the way that I feel. I also do believe in development, and I also do believe in developers for smart development and development that is important. The city of Melbourne does have a stake in this. They provide water. Lake Washington is right down the road. We get our water from Lake Washington. That is extremely important. It's also extremely important for the runoff and what is going to happen there with that. It could be improved. I think Ms. Rezanka said that earlier. It could very well be improved, but we don't know that without having more information. At this point, I know early on we had the first speaker that came up that said that the residents did not have a meeting. And I don't know. I would like to ask the attorney if that is supposed to happen or is that necessary?

Mr. Essee responded no, ma'am. I'm not aware of that being a requirement.

Ms. Thomas continued with I would have loved to have that been a requirement and for you guys to have that opportunity, but the fact that right now that the whole plan has changed from what was brought to us originally here, what we have read originally here, I don't want to say that I'm definitely going to give an answer one way or the other, but what I will tell you is that I think it's extremely important that we get these answers before we make that decision as a board. So, as it stands right now, I would be a nay vote if the vote does go to a vote. However, I also believe that they should have the opportunity to come forward and explain exactly what they want to do and how they want to do it and then you have the opportunity again to come and speak about it. So, that is where I sit.

Ms. Rezanka stated this is not a PUD. This is a rezoning. We've met the criteria of the code. We don't have engineering studies. We don't have the survey. We've said we want to have single family homes of 7,500 square foot. The wetlands have not been ground-truthed. There are no elevations. There's no tree survey. So, zoning does not require a site plan or a plat. And so, I would ask that you allow us to go forward and rely on your staff, which is what all the staff do is to review and make sure we meet the code.

Debbie Thomas added I would just like to say to finish, I think that is um is true. However, I would also state that this is completely changed from what we've all received previously.

Mr. Hopengarten stated I'm looking at the document here that we received that I studied before I came to this meeting when you were asking for an RU-2-6. Coming here today asking for an RU-1-11 is totally different and we have not had time to research it to get all the information necessary that that change would make. So, I would ask for a continuation of this and let's get some real information so we can determine exactly what your client wants to do and then we can make a decent decision.

Ms. Rezanka asked what information you wanted that we haven't shared with you. That we haven't shared with you today. What do you want?

Mr. Hopengarten responded I'm not having an opportunity to really think it through. I go through these and you know I always object to you bringing things to the dais here for us to see right when you're making a presentation. I want time to think it through, to do my own research on every item that comes before me. This is also one of them that I would like to go a little in depth to find out what's going on, what the impact would be on RU-1-11. I don't know. And the staff report is not based on RU-1-11.

Ms. Rezanka added it's based on 87 units instead of 57.

Mr. Hopengarten responded maybe so, but they haven't commented on RU-1-11. You're bringing in something else. They have to take it back.

Ms. Rezanka stated not necessarily. I already spoke to staff on this.

Eric Michajlowicz asked Ms. Rezanka if she would be willing to return and come back with specifics with their revised plan and impact or would they rather have a vote on a denial or approval. That's the main concern of all the residents.

Ms. Rezanka responded with you need to tell me what you want because the zoning code does not require storm water plans, site plans, platting, or any of that. If you want us to do full engineering designs, no, we're not coming back with full engineering designs. That's not zoning.

Mr. Wadsworth stated we are an advisory board to the county commissioners. We're here for zoning. So, we need to make a motion, and we need to make a second and the county commissioners are going to make the final decision.

Mr. Atkins stated he would make a motion to deny.

Ms. Saunders stated she was opposed to the denial. We asked the applicant questions. Would they be willing to table it? What would they want to do? I don't know if Ms. Rezanka answered that question. I guess I would ask her to come back up and would you prefer to table or are you comfortable going forward with the denial to the commission?

Ms. Rezanka asked for a roll call vote, stating she didn't believe everyone voted.

Mr. Wadsworth did a roll call vote.

Motion to recommend denial of item H.4. by Jerrad Atkins, seconded by Eric Michajlowicz. Motion passed with a vote of 11:2.

DRAFT