


RECORD

CERTIFICATION

STATE OF FLORIDA)
COUNTY OF BREVARD)

I, Trina Gilliam, Planning and Zoning Manager of Brevard County Planning and Development Department, do hereby certify that the following pages are true and correct copies of the February 5, 2026, Board Agenda Item for Strada Development, LLC, Application No. 25Z00039, prepared by the Planning and Development Department and provided to the Board of County Commissioners via Legistar for the February 5, 2026, Zoning Board Meeting for property: Tax Accounts 2316605, 2316606, 2316607, and 2316617.

Dated this 25 day of February, 2026.



Trina Gilliam
Planning and Zoning Manager
Brevard County Planning & Development

STATE OF FLORIDA)
COUNTY OF BREVARD)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 25th day of February, 2026, by Trina Gilliam, Planning and Zoning Manager of Brevard County Planning and Development Department, who is personally known to me or who has produced _____ as identification.

[Notary Seal]





Notary Public Signature

Kristen Champion

Name typed, printed or stamped

My Commission Expires: 12/19/26

ADMINISTRATIVE POLICIES OF THE FUTURE LAND USE ELEMENT

Administrative Policies in the Future Land Use Element establish the expertise of staff with regard to zoning land use issues and set forth criteria when considering a rezoning action or request for Conditional Use Permit, as follows:

Administrative Policy 1

The Brevard County zoning official, planners and the Director of the Planning and Development, however designated, are recognized as expert witnesses for the purposes of Comprehensive Plan amendments as well as zoning, conditional use, special exception, and variance applications.

Administrative Policy 2

Upon Board request, members of the Brevard County planning and zoning staff shall be required to present written analysis and a recommendation, which shall constitute an expert opinion, on all applications for zoning, conditional uses, comprehensive plan amendments, vested rights, or other applications for development approval that come before the Board of County Commissioners for quasi-judicial review and action. The Board may table an item if additional time is required to obtain the analysis requested or to hire an expert witness if the Board deems such action appropriate. Staff input may include the following:

Criteria:

- A. Staff shall analyze an application for consistency or compliance with comprehensive plan policies, zoning approval criteria and other applicable written standards.
- B. Staff shall conduct site visits of property which are the subject of analysis and recommendation. As part of the site visit, the staff shall take a videotape or photographs where helpful to the analysis and conduct an inventory of surrounding existing uses. Aerial photographs shall also be used where they would aid in an understanding of the issues of the case.
- C. In cases where staff analysis is required, both the applicant and the staff shall present proposed findings of fact for consideration by the Board.
- D. For development applications where a specific use has not been proposed, the worst case adverse impacts of potential uses available under the applicable land use classification shall be evaluated by the staff.

Administrative Policy 3

Compatibility with existing or proposed land uses shall be a factor in determining where a rezoning or any application involving a specific proposed use is being considered. 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.

- B. Whether the proposed use(s) would cause a material reduction (five percent or more) in the value of existing abutting lands or approved development.
- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through analysis of:
 - 1. historical land use patterns;
 - 2. actual development over the immediately preceding three years; and
 - 3. development approved within the past three years but not yet constructed.
- D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

Administrative Policy 4

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 of intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, et cetera), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.
- 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.
 - 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.
 - 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.

Administrative Policy 5

In addition to the factors specified in Administrative Policies 2, 3, and 4, in reviewing a rezoning, conditional use permit or other application for development approval, the impact of the proposed use or uses on transportation facilities either serving the site or impacted by the

use(s) shall be considered. In evaluating whether substantial and adverse transportation impacts are likely to result if an application is approved, the staff shall consider the following:

Criteria:

- A. Whether adopted levels of services will be compromised;
- B. Whether the physical quality of the existing road system that will serve the proposed use(s) is sufficient to support the use(s) without significant deterioration;
- C. Whether the surrounding existing road system is of sufficient width and construction quality to serve the proposed use(s) without the need for substantial public improvements;
- D. Whether the surrounding existing road system is of such width and construction quality that the proposed use(s) would realistically pose a potential for material danger to public safety in the surrounding area;
- E. Whether the proposed use(s) would be likely to result in such a material and adverse change in traffic capacity of a road or roads in the surrounding area such that either design capacities would be significantly exceeded or a de facto change in functional classification would result;
- F. Whether the proposed use(s) would cause such material and adverse changes in the types of traffic that would be generated on the surrounding road system, that physical deterioration of the surrounding road system would be likely;
- G. Whether projected traffic impacts of the proposed use(s) would materially and adversely impact the safety or welfare of residents in existing residential neighborhoods.

Administrative Policy 6

The use(s) proposed under the rezoning, conditional use or other application for development approval must be consistent with, (a), all written land development policies set forth in these administrative policies; and (b), the future land use element, coastal management element, conservation element, potable water element, sanitary sewer element, solid waste management element, capital improvements element, recreation and open space element, surface water element, and transportation elements of the comprehensive plan.

Administrative Policy 7

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

Administrative Policy 8

These policies, the staff analysis based upon these policies, and the applicant's written analysis, if any, shall be incorporated into the record of every quasi-judicial review application for development approval presented to the Board including rezoning, conditional use permits, and vested rights determinations.

Section 62-1151(c) of the Code of Ordinances of Brevard County directs, "The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.
- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.

The minutes of the planning and zoning board shall specify the reasons for the recommendation of approval or denial of each application."

CONDITIONAL USE PERMITS (CUPs)

In addition to the specific requirements for each Conditional Use Permit (CUP), Section 62-1901 provides that the following approval procedure and general standards of review are to be applied to all CUP requests, as applicable.

- (b) Approval procedure. An application for a specific conditional use within the applicable zoning classification shall be submitted and considered in the same manner and according to the same procedure as an amendment to the official zoning map as specified in Section 62-1151. The approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved. If the applicant meets its initial burden, then the Board has the burden to show, by substantial and competent evidence, that the applicant has failed to meet such standards and the request is adverse to the public interest. As part of the approval of the conditional use permit, the Board may prescribe appropriate and reasonable conditions and safeguards to reduce the impact of the proposed use on adjacent and nearby properties or the neighborhood. A nearby property, for the purpose of this section, is defined as any property which, because of the character of the proposed use, lies within the area which may be substantially and adversely impacted by such use. In stating grounds in

support of an application for a conditional use permit, it is necessary to show how the request fulfills both the general and specific standards for review. The applicant must show the effect the granting of the conditional use permit will have on adjacent and nearby properties, including, but not limited to traffic and pedestrian flow and safety, curb-cuts, off-street loading and parking, off-street pickup of passengers, odors, glare and noise, particulates, smoke, fumes, and other emissions, refuse and service areas, drainage, screening and buffering for protection of adjacent and nearby properties, and open space and economic impact on nearby properties. The applicant, at his discretion, may choose to present expert testimony where necessary to show the effect of granting the conditional use permit.

(c) General Standards of Review.

- (1) The planning and zoning board and the board of county commissioners shall base the denial or approval of each application for a conditional use based upon a consideration of the factors specified in Section 62-1151(c) plus a determination whether an application meets the intent of this section.
 - a. The proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties due to: (1), the number of persons anticipated to be using, residing or working under the conditional use; (2), noise, odor, particulates, smoke, fumes and other emissions, or other nuisance activities generated by the conditional use; or (3), the increase of traffic within the vicinity caused by the proposed conditional use.
 - b. The proposed use will be compatible with the character of adjacent and nearby properties with regard to use, function, operation, hours of operation, type and amount of traffic generated, building size and setback, and parking availability.
 - c. The proposed use will not cause a substantial diminution in value of abutting residential property. A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15% reduction in value as a result of the proposed conditional use. A reduction of 10% of the value of abutting property shall create a rebuttable presumption that a substantial diminution has occurred. The Board of County Commissioners carries the burden to show, as evidenced by either testimony from or an appraisal conducted by an M A I certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.
- (2) The following specific standards shall be considered, when applicable, in making a determination that the general standards specified in subsection (1) of this section are satisfied:

- a. Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire and catastrophe, shall be: (1), adequate to serve the proposed use without burdening adjacent and nearby uses, and (2), built to applicable county standards, if any. Burdening adjacent and nearby uses means increasing existing traffic on the closest collector or arterial road by more than 20%, or 10% if the new traffic is primarily comprised of heavy vehicles, except where the affected road is at Level of Service A or B. New traffic generated by the proposed use shall not cause the adopted level of service for transportation on applicable roadways, as determined by applicable Brevard County standards, to be exceeded. Where the design of a public road to be used by the proposed use is physically inadequate to handle the numbers, types or weights of vehicles expected to be generated by the proposed use without damage to the road, the conditional use permit cannot be approved without a commitment to improve the road to a standard adequate to handle the proposed traffic, or to maintain the road through a maintenance bond or other means as required by the Board of County Commissioners.
- b. The noise, glare, odor, particulates, smoke, fumes or other emissions from the conditional use shall not substantially interfere with the use or enjoyment of the adjacent and nearby property.
- c. Noise levels for a conditional use are governed by Section 62-2271.
- d. The proposed conditional use shall not cause the adopted level of service for solid waste disposal applicable to the property or area covered by such level of service, to be exceeded.
- e. The proposed conditional use shall not cause the adopted level of service for potable water or wastewater applicable to the property or the area covered by such level of service, to be exceeded by the proposed use.
- f. The proposed conditional use must have existing or proposed screening or buffering, with reference to type, dimensions and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.
- g. Proposed signs and exterior lighting shall not cause unreasonable glare or hazard to traffic safety, or interference with the use or enjoyment of adjacent and nearby properties.
- h. Hours of operation of the proposed use shall be consistent with the use and enjoyment of the properties in the surrounding residential community, if any. For commercial and industrial uses adjacent to or near residential uses, the hours of operation shall not adversely affect the use and enjoyment of the residential character of the area.
- i. The height of the proposed use shall be compatible with the character of the area, and the maximum height of any habitable structure shall be not more than 35 feet higher than the highest residence within 1,000 feet of the property line.

- j. Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties. For existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

FACTORS TO CONSIDER FOR A REZONING REQUEST

Section 62-1151(c) sets forth factors to consider in connection with a rezoning request, as follows:

“The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.
- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.”

These staff comments contain references to zoning classifications found in the Brevard County Zoning Regulations, Chapter 62, Article VI, Code of Ordinances of Brevard County. These references include brief summaries of some of the characteristics of that zoning classification. Reference to each zoning classification shall be deemed to incorporate the full text of the section or sections defining and regulating that classification into the Zoning file and Public Record for that item.

These staff comments contain references to sections of the Code of Ordinances of Brevard County. Reference to each code section shall be deemed to incorporate this section into the Zoning file and Public Record for that item.

These staff comments contain references to Policies of the Brevard County Comprehensive Plan. Reference to each Policy shall be deemed to incorporate the entire Policy into the Zoning file and Public Record for that item.

These staff comments refer to previous zoning actions which are part of the Public Records of Brevard County, Florida. These records will be referred to by reference to the file number. Reference to zoning files are intended to make the entire contents of the cited file a part of the Zoning file and Public Record for that item.

DEFINITIONS OF CONCURRENCY TERMS

Maximum Acceptable Volume (MAV): Maximum acceptable daily volume that a roadway can carry at the adopted Level of Service (LOS).

Current Volume: Building permit related trips added to the latest TPO (Transportation Planning Organization) traffic counts.

Volume with Development (VOL W/DEV): Equals Current Volume plus trip generation projected for the proposed development.

Volume/Maximum Acceptable Volume (VOL/MAV): Equals the ratio of current traffic volume to the maximum acceptable roadway volume.

Volume/Maximum Acceptable Volume with Development (VOL/MAV W/DEV): Ratio of volume with development to the Maximum Acceptable Volume.

Acceptable Level of Service (CURRENT LOS): The Level of Service at which a roadway is currently operating.

Level of Service with Development (LOS W/DEV): The Level of Service that a proposed development may generate on a roadway.



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

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<https://www.brevardfl.gov/PlanningDev>

**STAFF COMMENTS
 25Z00039**

Strada Development, LLC. (Kim Rezanka)

**AU (Agricultural Residential) & RR-1(Rural Residential) to SR (Suburban Residential)
 W/BDP**

Tax Account Number: 2316605, 2316606, 2316607, 2316617
 Parcel I.D.: 23-36-24-00-500
 23-36-24-00-501
 23-36-24-00-502
 23-36-24-00-513
 Location: North side of E. Crisafulli Rd. approximately 90 feet east of Josephs Ct. (District 2)
 Acreage: 142.13 acres
 NMI Special District Board: 1/08/2026
 Planning and Zoning Board: 1/12/2026
 Board of County Commissioners: 2/05/2026

Consistency with Land Use Regulations

- Current zoning can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal cannot 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	AU, RR-1	SR w/ BDP
Potential*	70 single-family residences	61 single-family residences
Can be Considered under the Future Land Use Map	Yes RES 1	No** RES 1

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

** The proposed BDP would limit the density of the property to one (1) unit per acre (as provided for under Section 62-1255(2), Brevard County Code of Ordinances), to provide consistency between the SR zoning classification and the Future Land Use (FLU) of RES1.

Background and Purpose of Request

The applicant is requesting a change of zoning classification from AU (Agricultural Residential) and RR-1 (Rural Residential) on 142.13 acres to SR (Suburban Residential) with a Binding Development Plan (BDP) to allow for the development of 61 single-family residences on the subject property. The subject parcel has access to E. Crisafulli Rd., a county-maintained roadway. The subject parcel is currently undeveloped and is located on the north side of E. Crisafulli Rd., approximately 90 feet east of Josephs Ct.

The property's current configuration has remained the same since the earliest recorded deed available from February 05, 1962.

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, and beekeeping.

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 are accessory to a principal residence within the RR-1 zoning district.

SR classification encompasses lands devoted to single-family residential development of relatively spacious character, together with such accessory uses as may be necessary or are normally compatible with residential surroundings on minimum half-acre lots, with a minimum width of 100 feet and a depth of 150 feet. The minimum house size in SR is 1,300 square feet.

The subject property is within the septic moratorium area. Any proposed development requiring a septic permit could potentially be affected by this moratorium. For further information regarding the septic moratorium, the property owner would need to reach out to the Department of Environmental Health, which issues septic permits.

A portion of the subject property retains its original zoning classification of AU when the Brevard County zoning code was adopted on May 22, 1958.

The portion of the property zoned RR-1 was approved under resolution **Z-4894**, on May 10, 1979, which changed the zoning classification from AU to RR-1.

The RES 1 FLU designation is the original from the adoption of the Brevard County Comprehensive Plan on September 8, 1988.

The subject property is located within both the 1992 and 2018 North Merritt Island (NMI) Small Area Studies, situated approximately 0.5 miles south of N. Courtenay Pkwy. The 1992 study notes that residential density should be reduced from two (2) units per acre to one (1) unit per acre, which applies to 65% of the NMI area. 92B.5.13 affected the subject parcel by changing the residential density from Suburban 2 to Suburban 1 on a total of 6500± acres.

The subject property is also located within the 2018 NMI Small Area Study also wanted a reduction in density by a Future Land Use (FLU) change. This Future Land Use change from Residential 1 to Residential 1:2.5 (RES 1:2.5) would apply to 2,486.14 acres, which could potentially reduce the number of dwelling units that can be built in the Study Area by a maximum of 1,492 dwelling units. This NMI study did not impact the subject property, due to the owner at submitting a letter to the Brevard County Commissioners requesting that this property be removed from the small area study.

Brevard County Utility Service comments state: Please be aware that the North Indian River Lagoon Basin Management Action Plan Injunction prohibits septic tanks in this area. In the context of onsite sewage treatment and disposal systems, "Available" is defined in F.S. 381.0065 (2)(a) and the requirements to connect to an existing onsite sewage treatment and disposal system to central sewerage system are defined in F.S. 381.00655 (1)(a). Brevard County has the exclusive right to furnish the sewer service per Section 110-181, Brevard County Code of Ordinances, because this is within the Brevard County Utility Services Department Service Area. Please note that a Brevard County force main abuts Tax ID 2316607 on Crisafulli Road.

The parcel is located on North Merritt Island (NMI), north of Hall Road. Section 62-3724(4) contains additional criteria including compensatory storage and written certification from the engineer of record that there will be no adverse flooding impacts upon properties resulting from the proposed development. **The applicant is encouraged to continue communication with Natural Resources Management prior to any plan or permit submittal or performing any land clearing activities.**

This property is located within an area mapped as FEMA Special Flood Hazard Area (SFHA) AE. The parcel is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance, including compensatory storage. Most of this property is located within the Coastal High Hazard Area (CHHA) as defined by Florida Statute 163.3178(2)(h), and as shown on the CHHA Map. The Coastal Management Element of the Comprehensive Plan, Policy 6.1, designates Coastal High Hazard Areas to be those areas below the elevation of the Category 1 storm surge elevation as defined in Chapter 163, Florida Statutes. Objective 7 of the Coastal Management Element aims to limit densities within the coastal high-hazard area and direct development outside of this area.

There are no current code enforcement complaints on the property.

Surrounding Area

	Existing Land Use	Zoning	Future Land Use
North	Single-family residence, single-family residence with grazing land	AU	RES 1
South	Undeveloped, single-family residence	RR-1	RES 1

East	Nursery, conservation tract	AU, SR	RES 1
West	Undeveloped, single-family residence	AU	RES 1

North of the subject property are three (3) parcels, all zoned AU with RES 1 FLU. First parcel is 10.32 acres, developed with the agricultural pursuit of mixed tropical fruits. The second parcel is 10.32 acres, developed with a single-family residence. Finally, the third parcel is 20 acres, developed with a single-family residence along with grazing land.

South of the subject property are five (5) parcels, all zoned RR-1 with RES 1 FLU. One parcel is 1.0 acres developed with a single-family residence. Next are two (2) parcels, both are 1.69 acres, developed with single-family residences. There is an additional parcel, 1.69 acres, that is undeveloped. Lastly, there is a 0.37-acre parcel, developed with a single-family residence.

South and west of the subject property is a 1.69-acre parcel, zoned RR-1 with RES 1 FLU, developed with a single-family residence.

South and east of the subject property is a 2.93-acre parcel, zoned RR-1 with RES 1, developed with a single-family residence.

East of the subject property are two (2) parcels: First parcel is 70.73 acres, zoned AU with RES 1 FLU, developed as a nursery. The second parcel is 56.38 acres, zoned SR w/ BDP and RES 1 FLU, undeveloped as a conservation tract for the Indian Forest Preserve Subdivision. The BDP limited development to 110 units in the subdivision, which encompassed a total of 110.97 acres (as is proposed in the subject property, the inconsistency between the zoning classification and the land use designation was cured through this BDP, pursuant to Section 62-1255(2)).

West of the subject property are three (3) parcels, all zoned AU with RES 1. The first parcel is 4.39 acres, developed with a single-family residence. The final two (2) parcels are 7.59 acres and 26.57 acres, which are both undeveloped.

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, and beekeeping.

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.

SR classification encompasses lands devoted to single-family residential development of relatively spacious character, together with such accessory uses as may be necessary or are normally compatible with residential surroundings on minimum **half-acre** lots, with a minimum width of 100 feet and a depth of 150 feet. The minimum house size in SR is 1,300 square feet.

Future Land Use

The subject property's AU zoning classification is consistent with the RES 1 Future Land Use designation provided on the FLUM series contained within Chapter XI – Future Land Use Element of Brevard County's Comprehensive Plan. The subject properties' other current RR-1 zoning classification can be considered consistent with the RES 1 Future Land Use. The applicants' request for SR zoning classification cannot be considered consistent under the RES 1 Future Land Use. However, pursuant to Section 62-1255(2), “. . . Where an application for a change of residential zoning classification is not consistent with the residential future land use map designation . . . the rezoning may be considered if the applicant limits the project to a density equal to or less than the maximum density threshold for the subject property.”

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;

The applicant's request is not anticipated to significantly diminish the enjoyment of, safety, or quality of life.

In addition, the performance standards within Sections 62-2251 through 62-2272 will be reviewed at the subdivision stage should the zoning change be approved.

Traffic from the proposed development will impact the surrounding area, however, the corridor is anticipated to operate within the Maximum Acceptable Volume (MAV). The maximum development potential from the proposed FLUM amendment increases the percentage of MAV utilization by 1.63%. The corridor is anticipated to operate at 48.56% of capacity daily. Specific concurrency issues will be addressed at the time of subdivision review.

- 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 (Member 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;

Within the 0.5-mile radius of the subject property, there are two (2) FLU designations: RES 1 and Residential 1:2.5 (RES 1:2.5). RES 1 is the predominant FLU in the area.

The existing pattern is a mixture of single-family detached homes and vacant land on properties predominantly approximately 1 acre in size, with two lots ranging from 0.3 to 0.5 acres. Several properties, approximately 10 acres or more in size, are developed with agricultural uses. There is one subdivision in the area, Island Forest Preserve, which is approved for 110 single-family detached homes and is currently built out at 65%. Lot sizes in the development are approximately one-quarter of an acre.

There has been one FLUM amendment within one-half mile of the subject property in the past three years.

There are several zoning classifications: RR-1, SR, and AU within the 0.5-mile radius of the subject property, with the predominant zoning classification being AU.

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

Development of the Island Forest Preserve subdivision has occurred within 0.5 miles of the subject property within the last three years. It is located abutting the subject property to the northeast. From 2023 to 2025, a total of 72 single-family detached dwellings have been developed, which is 65% of the total maximum development of the property.

Additionally, one single-family detached dwelling was built in 2023, and two more were built in 2022, on three properties that abut the subject property to the south.

3. development approved within the past three years but not yet constructed.

It appears no development has been approved and not yet constructed in the immediate area within the last three years. However, there has been one zoning action:

- **21Z00020: On 9/2/2021, approved rezoning from Planned Industrial Park (PIP) to RR-1 on 8.25 acres. This rezoning had an approved companion application 21PZ00033, changing the FLU from Planned Industrial (PI) to RES 1.**

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

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

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, parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.

Staff analysis of a preliminary traffic concurrency indicates the proposed use will not materially and adversely impact the established residential areas, agricultural lands, and a residential subdivision by introducing types or intensity of traffic, parking, or trip generation. This is not an introduction of commercial activity within the identified boundaries of a neighborhood.

- 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.

The area is not considered an established residential neighborhood. However, there are clearly established boundaries, such as roads and open spaces.

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 surrounding is considered a residential area, not a residential neighborhood. The proposed use would not 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.

This area is presumed to be predominantly residential. However, there are agricultural uses within the area of the subject property, along with large lot undeveloped properties.

FLUE Administrative Policy 7

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 subject parcel contains mapped National Wetlands Inventory (NWI) and St. Johns River Water Management District (SJRWMD) wetlands and hydric soils. Most of this property is located within the Coastal High Hazard Area (CHHA) as defined by Florida Statute 163.3178(2)(h), and as shown on the CHHA Map. This property is mapped as FEMA Special Flood Hazard Area (SFHA) AE.

The parcel is also located on North Merritt Island (NMI), north of Hall Road. Section 62-3724(4) contains additional criteria including compensatory storage and written certification from the engineer of record that there will be no adverse flooding impacts upon properties resulting from the proposed development. The applicant is encouraged to continue communication with NRM prior to any plan or permit submittal or performing any land clearing activities. The entire property is mapped within the Indian River Lagoon Nitrogen Reduction Overlay. Approximately 1,700 feet east of the subject property is a large area of mapped Florida Scrub Jay occupancy.

Please refer to all comments provided by the Natural Resource Management Department at the end of this report.

Preliminary Concurrency

The closest concurrency management segment to the subject property is N. Courtenay Pkwy., between Hall Rd. and N. Tropical Trail, which has a Maximum Acceptable Volume (MAV) of 39,170 trips per day, a Level of Service (LOS) of D, and currently operates at 46.92% of capacity daily. The maximum development potential from the proposed rezoning increases the percentage of MAV utilization by 1.63%. The corridor is anticipated to operate at 48.56% of capacity daily. The maximum development potential of the proposal is not anticipated to create a deficiency in LOS. Specific concurrency issues will be addressed at the time of site plan review. This is only a preliminary review and is subject to change. Preliminary concurrency was

conducted using traffic counts from N. Courtenay Pkwy., since E. Crisafulli Rd. currently has no traffic counts from SCTPO.

School concurrency indicates there is enough capacity at Lewis Carroll Elementary School, Jefferson Middle School, and Merritt Island High School for the total of projected and potential students from this development. This was a non-binding review; a Concurrency Determination must be performed by the School District prior to a Final Development Order and the issuance of a Concurrency Evaluation Finding of No Deficiency by the Local Government.

The subject property is within access to centralized sewer from Brevard County Utilities and centralized water from the City of Cocoa.

Environmental Constraints

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Wetlands and Hydric Soils
- Coastal High Hazard Area
- Floodplain Protection in North Merritt Island
- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Land Clearing and Landscape Requirements
- Protected and Specimen Trees
- Protected Species

Please refer to all comments provided by the Natural Resource Management Department at the end of this report.

For Board Consideration

The Board should consider whether the proposed zoning request is consistent and compatible with the surrounding area. The Board may also consider whether the proposed BDP is sufficient and appropriate to cure the inconsistency between the proposed SR zoning and the land use designation of RES 1, and whether an effective density of two units per acre (through clustering of one-half acre lots, which is the minimum lot size of SR zoning) is consistent and compatible with the area despite the land use designation.

**NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary
Item No. 25Z00039**

Applicant: Kimberly Rezanka (Owner: Strada Development, LLC)

Zoning Request: AU and RR to SR with a BDP

Note: to develop 61 single family residential units

Advisory Board: 01/07/2026; **Zoning Hearing:** 01/12/2026; **BCC Hearing:** 02/05/2026

Tax ID No.(s): 2316605, 2316606, 2316607, 2316617

- 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
- Coastal High Hazard Area
- Floodplain Protection in North Merritt Island
- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Land Clearing and Landscape Requirements
- Protected and Specimen Trees
- Protected Species

Land Use Comments:

Wetlands and Hydric Soils

The subject parcel contains mapped National Wetlands Inventory (NWI) and St. Johns River Water Management District (SJRWMD) wetlands and hydric soils (Copeland-Bradenton-Wabasso complex, limestone substratum; Bradenton fine sand, limestone substratum; Anclote sand, frequently ponded, 0 to 1 percent slopes; Wabasso sand, 0 to 2 percent slopes; 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.**

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. **This density may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of the total residential acreage 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.**

Coastal High Hazard Area

The majority of this property is located within the Coastal High Hazard Area (CHHA) as defined by Florida Statute 163.3178(2)(h), and as shown on the CHHA Map. The Coastal Management Element of the Comprehensive Plan, Policy 6.1, designates Coastal High Hazard Areas to be those areas below the elevation of the Category 1 storm surge elevation as defined in Chapter 163, Florida Statute. Objective 7 of the Coastal Management Element aims to limit densities within the coastal high hazard area and direct development outside of this area.

Floodplain Protection in North Merritt Island

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 parcel is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance, including compensatory storage. 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."

Additionally, the parcel is located on North Merritt Island (NMI), north of Hall Road. Section 62-3724(4) contains additional criteria including compensatory storage and written certification from the engineer of record that there will be no adverse flooding impacts upon properties resulting from the proposed development. **The applicant is encouraged to continue communication with NRM prior to any plan or permit submittal or performing any land clearing activities.**

Indian River Lagoon Nitrogen Reduction Septic Overlay

The property is mapped within the Indian River Lagoon Nitrogen Reduction Overlay. Per Chapter 46, Article II, Division IV - Nitrogen Reduction Overlay, if adequate sewer for the

development is not available, then the use of an alternative septic system, designed to provide at least 65% total nitrogen reduction through multi-stage treatment processes, shall be required. NRM requires a Septic Maintenance Notice be filed with the Brevard Clerk of Courts.

Protected and Specimen Trees

Protected and Specimen trees may exist on the parcel. The applicant shall perform a tree survey prior to any site plan design in order to incorporate valuable vegetative communities or robust trees into the design. Per Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, Section 62-4341(18), Specimen and Protected Trees shall be preserved or relocated on site to the Greatest Extent Feasible. Greatest Extent Feasible shall include, but not be limited to, relocation of roads, buildings, ponds, increasing building height to reduce building footprint or reducing Vehicular Use Areas. 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.**

Protected Species

Information available to NRM indicates that federally and/or state protected species may be present on the property. There is a large area of mapped Florida Scrub Jay occupancy adjacent to the property, approximately 1,700 feet to the east. Prior to any plan, permit submittal, or development activity, including land clearing, the applicant should obtain any necessary permits or clearance letters from the U.S. Fish and Wildlife Service, as applicable.



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

2725 Judge Fran Jamieson Way
Building A, Room
114 Viera,
Florida 32940

(321)633-2070 Phone / (321)633-2074 Fax
<https://www.brevardfl.gov/PlanningDev>

Addendum 25Z00039 Strada Development, LLC.

This addendum is provided to address comments and questions raised during the Planning and Zoning Board public hearing and to clarify the applicability of Comprehensive Plan policies, Administrative Policies, and zoning approval criteria relevant to the rezoning request.

During the hearing, the applicant, Strada Development, stated through its representative that the applicant would agree to Binding Development Plan (BDP) conditions limiting development to no more than sixty-one (61) dwelling units, subject to wetland and floodplain constraints. Staff notes that any such limitation would need to be formally incorporated into a Binding Development Plan approved by the Board in order to be enforceable and tracked through subsequent development review.

The applicant's engineer stated that stormwater drainage from both the subject subdivision and adjacent portions along E. Crisafulli Road would be evaluated and considered during the subdivision and stormwater design phase, and that the developer would complete any improvements required by County code. While these statements acknowledge future evaluation, Administrative Policy 7 requires that proposed uses shall not cause or substantially aggravate drainage problems on surrounding properties or cause significant, adverse, and unmitigable impacts to wetlands or water bodies. At the rezoning stage, no engineering analysis or drainage modeling has been provided to demonstrate compliance with this policy, and commitments to evaluate drainage at a later stage do not, by themselves, establish consistency with Administrative Policy 7 at the time of rezoning.

During the hearing, the applicant stated that the rezoning request was limited to compatibility. Staff clarifies that rezoning review is not limited solely to compatibility. Section 62-1151(5), Brevard County Code, requires that the appropriateness of a proposed zoning classification be evaluated based on applicable zoning and land use regulations and considerations of public health, safety, and welfare. Accordingly, issues related to environmental constraints, drainage, flood hazards, transportation impacts, and consistency with Comprehensive Plan elements are applicable considerations at the rezoning stage.

The Comprehensive Plan's Coastal Management Element, Objective 7.0, directs development away from the Coastal High Hazard Area and seeks to limit densities within it. The majority of the subject property is mapped within both the Coastal High Hazard Area and the Special Flood Hazard Area. Comments were raised regarding the introduction of three to four feet of fill to accommodate development and the potential impacts to runoff and drainage. Staff notes that increasing density within these hazard areas raises policy considerations related to flood hazards, drainage, and environmental impacts, similar to concerns previously identified by the Board in prior rezoning cases involving properties within the Coastal High Hazard Area.

Concerns were also raised regarding increased traffic and whether such impacts could diminish the enjoyment, safety, or quality of life in the surrounding area. These concerns are applicable under Administrative Policies 3 and 4, which address neighborhood and area impacts. During the hearing, the applicant's representative stated that a traffic study would be completed for E. Crisafulli Road, and that the developer would complete any roadway improvements required by the County. Administrative Policy 5 requires that, when reviewing a rezoning, the impacts of the proposed use on transportation facilities be considered, including adopted levels of service, roadway capacity and construction quality, public safety, and whether projected traffic would materially and adversely affect surrounding residential neighborhoods. At the time of rezoning, no traffic study or transportation analysis has been submitted to demonstrate compliance with these criteria; given the current known conditions of the area, the Board may consider whether more information is needed in order to demonstrate compliance with the Comprehensive Plan.

Administrative Policy 6 requires that rezoning requests be consistent with all applicable land development policies and the relevant elements of the Comprehensive Plan, including the Coastal Management, Conservation, Surface Water, and Transportation Elements. Staff notes that the proposed rezoning raises questions regarding consistency with Coastal Management Element Objective 7, which seeks to limit development within the Coastal High Hazard Area.

Pursuant to Administrative Policy 2, staff is required to analyze rezoning applications for consistency with Comprehensive Plan policies, zoning approval criteria, and other applicable written standards. Based on the policies cited above, staff notes that wetlands, drainage, flood hazards, and traffic impacts are applicable considerations at the rezoning stage, even if detailed engineering analysis would occur during later phases of development review. Should the Board wish to approve this application, it may consider memorializing any commitments offered by the applicant through an enforceable mechanism such as a Binding Development Plan in order to ensure consistency with applicable policies and allow for effective review and enforcement during subsequent development approvals.

Staff additionally notes that this application requires the Board to approve a Binding Development Plan in order to establish consistency between the SR zoning classification and the RES 1 future land use designation (which are not considered consistent under Brevard County Code of Ordinances). This is done by capping the overall density of the project, but would allow more than one unit per acre (two per acre). Should the Board find that this is not appropriate in this instance, the Board should note that entering such an agreement is voluntary. Alternatively, the applicant could submit a request for a Planned Unit Development, which would allow consistency with the Comprehensive Plan while allowing clustering where appropriate. Such a PUD application would also allow the applicant the opportunity to demonstrate consistency with policies referenced above through the approval of the associated Preliminary Development Plan (PDP), and give the Board the opportunity to condition approval based on circumstances in the area. If the Board offers this option and the applicant accepts, the applicant would be required to submit a new rezoning application requesting PUD zoning. reviewed formally by the county zoning office and such other departments of county government as necessary to determine the consistency of the plan with county plans and policies prior to the submission of the PUD zoning application to the planning and zoning board of the county. The planning and zoning board shall then review the preliminary plan.



BOARD OF COUNTY COMMISSIONERS

Planning and Development

2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940
321-633-2070

Application for Zoning Action, Comprehensive Plan Amendment, or Variance

Applications must be submitted in person. Please call 321-633-2070 for an appointment at least 24 hours in advance. Mailed, emailed, or couriered applications will not be accepted.

PZ # _____

Existing FLU: RES1 Existing Zoning: AU and RR-1

Proposed FLU: _____ Proposed Zoning: SR

PROPERTY OWNER INFORMATION

If the owner is an LLC, include a copy of the operating agreement.

Joseph "Bud" Crisafulli 782, LLC
Name(s) Company
5525 N. Courtenay PKWY Merritt Island FL 32953
Street City State Zip Code
budc5525@yahoo.com 321-453-7131
Email Phone Cell

APPLICANT INFORMATION IF DIFFERENT FROM OWNER:

[X] Attorney [] Agent [] Contract Purchaser [] Other

Kimberly B. Rezanka Lacey Rezanka
Name(s) Company
6013 Farcenda Pl. Melbourne FL 32940
Street City State Zip Code
KRezanka@llr.law 321-608-0892
Email Phone Cell

APPLICATION NAME

- Large Scale Comprehensive Plan Amendment (CP) (greater than 50 acres)
- Small Scale Comprehensive Plan Amendment (CP) (less than 50 acres)
- Text Amendment (CP): Element _____
- Other Amendment (CP): Name _____
- Rezoning Without CUP (RWOC)
- Combination Rezoning and CUP (CORC)
- Conditional Use Permit (CUP)
- Binding Development Plan (BDP)
- Binding Development Plan (BDP) (Amendment)
- Binding Development Plan (BDP) (Removal)
- Variance(s) (V) (building permits will not be approved until 30 days after the date the order is signed)
- Administrative Approval of Setbacks, Lot Size, or Accessory Structures
- Administrative Approval of Flag Lot or Easement
- Administrative Approval of On-Premises Consumption of Alcoholic Beverages for Restaurants / Snack Bars
- Other Action: Name _____

Acreage of Request: 142.13

Reason for Request:

Rezone from AU and RR-1 to SR.

The undersigned understands this application must be complete and accurate prior to advertising a public hearing:

- I am the owner of the subject property, or if corporation, I am the officer of the corporation authorized to act on this request.
- I am the legal representative of the owner of the subject property of this application. (Notarized Authorization to Act must be submitted with application)
- An approval of this application does not entitle the owner to a development permit.
- For Variances, I understand that building permits will not be approved until 30 days after the date the order is signed, in order to comply with the appeal procedure.
- I certify that the information in this application and all sketches and data attached to and made part hereof are true and accurate to the best of my knowledge.

Joseph Bud Crisafulli
 Signature of Property Owner or
 Authorized Representative

8-26-25
 Date

State of FLORIDA
 County of BREVARD

Subscribed and sworn before me, by physical presence or online notarization,
 this 26th day of August, 20 25, personally appeared
Joseph Bud Crisafulli, who is personally known to me or produced
PERSONALLY KNOWN as identification, and who did / did not take an oath.

Rachel Whitcomb
 Notary Public Signature

Seal





RECEIPT OF PAYMENT

Payment Date: 9/5/2025
 Receipt #: 819128
 Transaction Id# 182080035

Payment Method	Payment Reference #	Amount Paid	Comments
	182080035	\$2,540.00	
		\$2,540.00	Total
Rezoning 25Z00039		\$2,540.00	
Fee	Invoice #	Amount	
Rezoning Natural Resources Review	1002415	\$300.00	
Rezoning Single Family Residential	1002415	\$2,240.00	
			Grand Total
			\$2,540.00

Reprint Date: 10/10/25

**Additional Fees may apply to obtain a Certificate of Completion, a Certificate of Occupancy, Pre-Power, or Final Inspection.
 To verify fees please visit the Brevard County Planning & Development Search.**

www.brevardcounty.us/PlanningDev

P (321) 633-2068 F (321) 633-2052



RECEIPT OF PAYMENT

Payment Date: 8/28/2025
 Receipt #: 818195
 Transaction Id# 181697608

Payment Method	Payment Reference #	Amount Paid	Comments
	181697608	\$25.00	
		\$25.00	Total
Rezoning 25Z00039			\$25.00
Fee	Invoice #	Amount	
Application Processing Fee	1001498	\$25.00	
			Grand Total
			\$25.00

Reprint Date: 10/10/25

**Additional Fees may apply to obtain a Certificate of Completion, a Certificate of Occupancy, Pre-Power, or Final Inspection.
 To verify fees please visit the Brevard County Planning & Development Search.**

www.brevardcounty.us/PlanningDev

P (321) 633-2068 F (321) 633-2052

Zoning Information Worksheet

Owner(s): _____
(Does this match the warranty deed?)

Applicant(s): _____
(Does this person have authorization from everyone listed on the warranty deed?)

Parcel ID#: _____
(If more than one parcel, they must share a property line to be on the same application.)

Present Zoning: _____

Is there a BDP or a CUP on the property? Yes/No: _____ (If yes, attach BDP)

Existing BDP states: _____

Requested Zoning/CUP: _____

BDP Requested? Yes/No: _____

If CUP Request, do you have a CUP worksheet filled out by the applicant? Yes/No

Previously Approved Zoning Actions on lot:

Is this a non-conforming lot of record? Yes/No: Why?
Non-Conforming to: _____

Is this a substandard lot? Yes/No: Why?

What is the FLU Designation of the property?: _____

- Is the requested zoning consistent with the FLU? Yes/No (See compatibility table)
- If no, what is the requested **small scale plan amendment**? (Must be 10 acres or less)

Character of the Area – List the recent zoning changes in same section? (Last 3 years)

Action #, Date of action and State what changed?

Z# _____

If this is a CUP request, list all CUP's on adjacent properties: _____

Abutting property zoning: N _____ S _____ E _____ W _____

JPA/Special Board/Special Section? Yes/No (Circle one and make a note on the application) PSJ, NMI, MIRA
ROCKLEDGE, MELBOURNE, PALM SHORES, TITUSVILLE, PALM BAY or within 500' of PALM BAY EXTENSION

Reason for Rezoning Request: _____

- If proposing single-family or multi-family how many units? _____
- If proposing a CUP for alcohol, how many seats? _____ Bar or Restaurant? _____
 - Do you have a certified survey indicating there are no churches or schools within 400'? Yes/No
 - Do you have a site plan showing the layout and parking configuration? Yes/No
 - Do you have a CUP worksheet filled out by the applicant? Yes/No
- If the request is for commercial zoning, do you have a wetland survey that includes a legal description of the wetland? Yes/No (If no, NR must have checked no on the front of the application)

Existing structures/uses on the property? _____

Describe the character of the area based upon Administration Policy 3 of FLUE (attached):

Concerns raised as part of request: _____

Other options discussed with applicant: _____

Did you print out the Property Appraiser's Map for this property?
Did you mark the map?
Did you stamp the deed(s)?

Jackson, Desiree  Digitally signed by Jackson,
Desiree
Date: 2025.10.10 16:59:56 -04'00'

Planner Signature

Date

Administrative Policy 3

Compatibility with existing or proposed land uses shall be a factor in determining where a rezoning or any application involving a specific proposed use is being considered. 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 foresee ably be affected by the proposed use;
- B. Whether the proposed use(s) would cause a material reduction (five percent or more) in the value of existing abutting lands or approved development.
- 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;
 - 2. Actual development over the immediately preceding three years; and
 - 3. Development approved within the past three years but not yet constructed.
- D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.



BOARD OF COUNTY COMMISSIONERS

Planning and Development

2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940
Phone 321-633-2070

NOTICE TO APPLICANTS FOR CHANGE OF LAND USE

The Planning and Development Department staff will be preparing written comments concerning your request. These comments will be provided to the Planning and Zoning Board/Local Planning Agency and Board of County Commissioners. The comments will address the following:

- The current zoning of the property along with its current development potential and consistency with the Brevard County Comprehensive Plan use and density restrictions.
- The proposed zoning of the property along with its development potential and consistency with the Brevard County Comprehensive Plan use and density restrictions.
- The proposal's impact on services, such as roads and schools.
- The proposal's impact upon hurricane evacuation, if applicable.
- Environmental factors.
- Compatibility with surrounding land uses.
- Consistency with the character of the area.

You may place your own written comments on these items into the record. Up to two typewritten pages can be included in the package if received at least 10 working days prior to the Planning and Zoning Board hearing. You are not required to provide written comments. **An applicant presentation to the Planning and Zoning Board is required regardless of written submittals.** The board may approve the requested classification, or a classification which is more intensive than the existing classification but less intensive than the requested classification.

Note:

If your application generates public opposition, as may be expressed in letters, petitions, phone calls, testimony, et cetera, you are advised to meet with concerned parties in an effort to resolve the differences prior to the Board of County Commission (BCC) taking final action on the request; therefore, you are encouraged to meet with affected property owners prior to the public hearing by the Planning and Zoning Board / Local Planning Agency (P&Z / LPA). During the course of conducting the public hearing, if the P&Z / LPA finds the application is controversial, and the applicant has not met with affected property owners, the item shall be tabled to the next agenda to allow such a meeting to take place. If the item is controversial, despite the applicant's efforts to meet with affected property owners, the Planning and Zoning Board / Local Planning Agency may include, in their motion, a requirement to meet with interested parties again prior to the BCC public hearing. The BCC may also table your request

Revised 09/2021

in order for you to meet with interested parties if this has not occurred prior to the public hearing before the BCC. If you need assistance to identify these parties, please contact the Planning and Development Department.

Brevard County Board of County Commissioners approval of a zoning application does not vest a project nor ensure issuance of a permit. At the time of permit application, land development regulations and concurrency-related level of service standards must be met.

Staff comments will be available approximately one week prior to the Planning and Zoning Board hearing. These comments will be made available to you at that time. In order to expedite receipt of staff's comments, please provide an email address, or indicate if you wish to receive the comments by U.S. mail.

krezanka@llr.law

E-mail address

Receipt of Comments by U.S. Mail

Yes

No

Kimberly B. Rezanaka
Applicant Signature

THIS INSTRUMENT CONTAINS THE OFFICIAL
RECORD BOOK AND PAGE NUMBERS DESCRIBING
THE PARCELS TO BE ADVERTISED.

Prepared by & Return to
Kevin P. Markey P.L.
380 S. Courtenay Parkway Suite A
Merritt Island Florida 32952

Leidyuskis
SIGNATURE

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE, made on 16 April 2018 between Andrea Lee Negroni, Personal Representative of the Estate of Samuel J. Foosner, Deceased, (hereinafter called the Grantor), to 782 LLC, a Florida limited liability company, whose address is 5525 North Courtenay Parkway, Merritt Island, Florida 32953, (hereinafter called the Grantee)

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporation)

WITNESSETH, that the Grantor, by virtue of the power and authority to Grantor given in and by said Last Will and Testament, and in consideration of the sum of SEVEN HUNDRED THOUSAND DOLLARS to Grantor paid by the Grantee, receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, remise, released, conveyed and confirmed and by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, the Grantee's successors or assigns forever, the following described land, situate, lying and being in Brevard County, Florida (Property), to-wit

See attached Exhibit A

The Property is vacant, unimproved land.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and also all the estate, right title, interest, property, possession claim and demand whatsoever both in law and equity, which the Testator had in his lifetime and at the time of Testator's death, and which the Grantor has, by virtue of the said Last Will and Testament, or otherwise, of, in and to the above granted premises, and every part and parcel thereof, with the appurtenances

TO HAVE AND TO HOLD all and singular the above granted premises, together with the appurtenances and every part thereof unto the Grantee, its successors or assigns forever, the same in fee simple forever

Reference is hereby made to the Probate Case No 05-1988-CP-007746 in the Circuit Court of the State of Florida, in and for the County of Brevard in the matter of the Estate of Samuel J. Foosner, Deceased, and particularly the decedent's Last Will and Testament which is filed therein and contains a Power of Sale pertaining to real property without order of Court

This Conveyance is subject to

1 Restrictions and limitations of record, and any easements for public utilities



2 Taxes for the year 2018

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written

Signed, sealed and delivered in our presence

Andrea Lee Negroni

Andrea Lee Negroni, Personal Representative of the Estate of Samuel J Foosaner

A El Bachiri
Signature of Witness

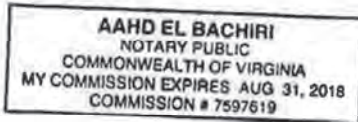
AAHD EL BACHIRI
Name typed or printed

Cavelle Lamy
Signature of Witness

Cavelle Lamy
Name typed or printed

STATE OF VIRGINIA
COUNTY OF ARLINGTON

The foregoing instrument was acknowledged before me on April 12th, 2018, by Andrea Lee Negroni, Personal Representative of the Estate of Samuel J Foosaner, who is personally known to me or has produced VA DRIVER'S LICENSE identification



AAHD EL BACHIRI
Notary Public/State of VA at Large
Printed Name AAHD EL BACHIRI
Commission No 7597619
Commission Expires 08/31/2018

Exhibit A

Tax parcel No s

- 2316617
- 2316607
- 2316606
- 2316605

PARCEL 1

A parcel of land lying in the Southwest 1/4 of Section 24, Township 23 South, Range 36 East, Brevard County, Florida, being more particularly described as follows

Commence at the Southwest corner of said Southwest 1/4 and run N 00 degrees 27'16" W , along the West line of said Southwest 1/4, a distance of 625 0 feet to the point of beginning, thence continue N 00 degrees 27'16" W , along said West line, a distance of 2023 27 feet, to the West quarter corner of said Section 24, thence N 89 degrees 02'20" E , along the North line of said Southwest 1/4, a distance of 2684 74 feet, to the mid-section corner of said Section 24, thence S 00 degrees 25'53" E , along the East line of said Southwest 1/4, a distance of 1353 69 feet, thence 18'00" W , parallel with the South line of said Southwest 1/4, a distance of 500 0 feet, thence S 00 degrees 25'53" E , with said East line of the Southwest 1/4, a distance of 1306 81 feet, to a point on the South line of said Southwest 1/4, thence S 89 degrees 18'00" W , along said South line, a distance of 1348 09 feet, thence N 00 degrees 27'16" W , parallel with said West line of the Southwest 1/4, a distance of 625 0 feet, thence S 89 degrees 18'00" W , parallel with said South line of the Southwest 1/4, a distance of 835 50 feet, to the point of beginning,

LESS AND EXCEPT lands per O R Book 1093, Page 912 being more particularly described as follows

Commence at the Southeast corner of the West 1/2 of said Southwest 1/4, and run N 00 degrees 42'00" W , a distance of 40 0 feet to the point of beginning, thence N 89 degrees 19'00" E , a distance of 100 0 feet, thence N 00 degrees 42'00" W , a distance of 65 0 feet, thence N 75 degrees 57'27" W , a distance of 160 0 feet, thence S 22 degrees 28'50" W , a distance of 115 0 feet, thence N 89 degrees 18'00" E , a distance of 100 0 feet

PARCEL 2

A parcel of land lying in the Southwest 1/4 of Section 24, Township 23 South, Range 36 East, Brevard County, Florida, being more particularly described as follows

Begin at the Southeast corner of said Southwest 1/4 and run S 89 degrees 18'00" W , along the South line of said Southwest 1/4, a distance of 500 0 feet, thence N 00 degrees 25'53" W , parallel with the East line of said Southwest 1/4, a distance of 1306 81 feet, thence N 89 degrees 18'00" E , parallel with the South line of said Southwest 1/4, a distance of 500 0 feet to a point on the said East line of the Southwest 1/4, thence S 00 degrees 25'53" E , along said East line, a distance of 1306 81 feet, to the point of beginning





BOARD OF COUNTY COMMISSIONERS

Planning and Development
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

AUTHORIZATION TO ACT ON BEHALF OF OWNER

I, Joseph "Bud" Crisafulli

authorize Kimberly B. Rezanka, Hassan Kamal/BSE, Robert Lee & Eric Sergi/Maronda Homes

to act on my behalf, which may include representing me in public hearings pertaining to the submittal of the attached application.

Choose the applicable application type. More than one may apply.

- Administrative Action
Development Plan
Variance
Comprehensive Plan Amendment
Rezoning

Signature [Handwritten Signature]

Date 8-26-25

State of FLORIDA
County of BREVARD

The foregoing instrument was acknowledged before me this 26th day of August, 2025 by Joseph "Bud" Crisafulli, who is personally known to me or has produced personally known as identification, and who did or did not take an oath.

Signature of Notary [Handwritten Signature]

Seal:





BOARD OF COUNTY COMMISSIONERS

Planning and Development
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

AUTHORIZATION TO ACT ON BEHALF OF OWNER

I, Joseph "Bud" Crisafulli, as manager on behalf of T&Z, LLC

authorize Kevin P. Markey, Esq.

to act on my behalf, which may include representing me in public hearings pertaining to the submittal of the attached application.

Choose the applicable application type. More than one may apply.

- Administrative Action, Comprehensive Plan Amendment, Development Plan, Rezoning, Variance

Signature of Joseph "Bud" Crisafulli

Date July 18, 2025

State of Florida

County of Brevard

The foregoing instrument was acknowledged before me this 21st day of July, 2025 by Joseph "Bud" Crisafulli, who is personally known to me or has produced F.L. D.L. as identification, and who did or did not take an oath.

Signature of Notary Summer J. Walters

Seal:





B.S.E. CONSULTANTS, INC.
 CONSULTING ENGINEERS
 LAND SURVEYING
 3710 WOODBRIDGE BLVD., SUITE 100
 TAMPA, FLORIDA 33613
 (813) 988-8800
 WWW.BSECONSULTANTS.COM

PROFESSIONAL LAND SURVEYOR
 FLORIDA LICENSE NUMBER 4151

LESLIE E. HOWARD
 PROFESSIONAL LAND SURVEYOR
 FLORIDA LICENSE NUMBER 90178

ABBREVIATIONS

1	ACRES
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FIELD BOOK

1	DATE	09/27/2023
2	DESCRIPTION	LEED
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4	PREPARED BY	
5	CHECKED BY	
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7	DESCRIPTION	
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PROJECT TITLE

PRESERVE POINT

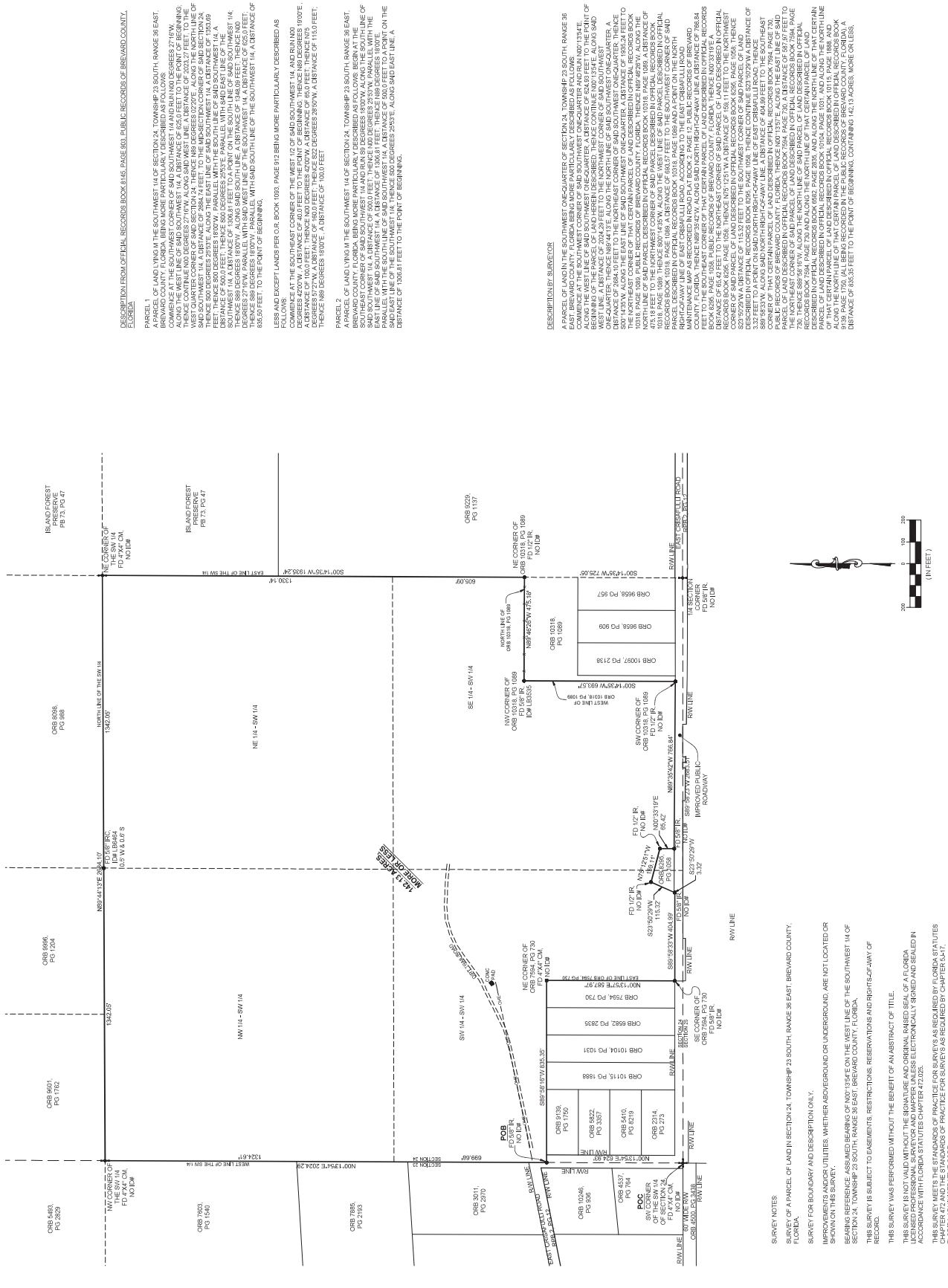
SHRIMP

BOUNDARY SURVEY

PROJECT NO.
11894

DRAWING NO.
11894-001_002

SHEET
1 of 1



DESCRIPTION FROM OFFICIAL RECORDS BOOK 8145, PAGE 809, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA

PARCEL 1
 OF LAND IN THE S04 RANGE 36 SOUTH, TOWNSHIP 23 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCE AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4 AND RUN N00 DEGREES 27'19\"/>

PARCEL 2
 A PARCEL OF LAND LYING IN THE S04 RANGE 36 SOUTH, TOWNSHIP 23 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCE AT THE SOUTHWEST CORNER OF THE WEST 1/2 OF SAID SOUTHWEST 1/4 AND RUN N00 DEGREES 27'19\"/>

LESS AND EXCEPT LANDS PER OFFICIAL RECORDS BOOK 1009, PAGE 912 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCE AT THE SOUTHWEST CORNER OF THE WEST 1/2 OF SAID SOUTHWEST 1/4 AND RUN N00 DEGREES 27'19\"/>

DESCRIPTION BY SURVEYOR
 A PARCEL OF LAND IN THE S04 RANGE 36 SOUTH, TOWNSHIP 23 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCE AT THE SOUTHWEST CORNER OF SAID SOUTHWEST ONE-QUARTER AND RUN N00°13'34\"/>

SURVEY NOTES
 SURVEY OF A PARCEL OF LAND IN SECTION 24, TOWNSHIP 23 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA.
 SURVEY FOR BOUNDARY AND DESCRIPTION ONLY.
 IMPROVEMENTS AND/OR UTILITIES, WHETHER ABOVEGROUND OR UNDERGROUND, ARE NOT LOCATED OR SHOWN ON THIS SURVEY.
 BEARING REFERENCE ASSUMED BEARING OF N00°13'34\"/>

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.
THIS SURVEY IS MADE WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA SURVEYOR, AND IS NOT VALID FOR RECORDING PURPOSES IN BREVARD COUNTY, FLORIDA, UNLESS IT IS ACCORDANCE WITH FLORIDA STATUTES CHAPTER 472.022.
THIS SURVEY MEETS THE STANDARDS OF PRACTICE FOR SURVEYS AS REQUIRED BY FLORIDA STATUTES CHAPTER 472 AND THE STANDARDS OF PRACTICE FOR SURVEYS AS REQUIRED BY CHAPTER 54-T, FLORIDA COMBINATION TIME CODE.
 DATE OF LAST FIELD WORK: MAY 21, 2024



R-40

OPERATING AGREEMENT
OF

782, LLC

ARTICLE I
OFFICES

Section 1. Principal Office - The principal office of the Company shall be as set forth in its Articles of Organization. The Company may have such additional offices at such other place within or without the State of its organization as the Members may from time to time determine or as the business of the Company may require.

ARTICLE II
MEETINGS

Section 1. Annual Meeting - An annual meeting of Members shall be held within five (5) months after the close of the fiscal year of the Company on such date and at the time and place (either within or without the State of its organization) as shall be fixed by the Members. At the annual meeting the Members shall elect a Manager, Secretary, Treasurer, and other officers and transact such other business as may properly be brought before the meeting.

Section 2. Special Meeting - A special meeting of Members may be called at any time by the Manager, and shall be called by the Manager at the request in writing of a majority of the Members entitled to vote at such meeting. Any such request shall state the purpose or purposes of the proposed meeting. Business transacted at any special meeting of Members shall be confined to the purposes set forth in the notice thereof.

Section 3. Notice of Meetings - Written notice of the time, place and purpose of every meeting of Members (and, if other than an annual meeting, the person or persons at whose discretion the meeting is being called), shall be given by the Manager to each Member of record entitled to Vote at such meeting, not less than ten nor more than fifty days prior to the date set for the meeting. Notice shall be given either personally or by mailing said notice by first class mail to each Member at his address appearing on the record book of the Company or at such other address supplied by him in writing to the Manager of the Company for the purpose of receiving notice.

A written waiver of notice setting forth the purposes of the meeting for which notice is waived, signed by the person or persons entitled to such notice, whether before or after the time of the meeting stated therein, shall be deemed equivalent to the giving of such notice. The attendance by a Member at a meeting either in person or by proxy without protesting the lack of notice thereof shall constitute a waiver of notice of such Member.

All notices given with respect to an original meeting shall extend to any and all adjournments thereof and such business as might have been transacted at the original meeting may be transacted at any adjournment thereof; no notice of any adjourned meeting need be given if an announcement of the time and place of the adjourned meeting is made at the original meeting.

Section 4. Quorum - The holders of a majority in interest of the Members present in person or represented by proxy, shall be requisite and shall constitute a quorum at all meetings of members except as otherwise provided by statute or the Articles of Organization. A Member's "Interest" in the Company shall be in accordance with the ownership percentage set forth in Exhibit A attached hereto. The phrase "a majority in interest of the Members" shall mean Members who, in the aggregate, shall have an Interest in the Company in excess of fifty (50%) percent of the total ownership interest in the Company. If, however, a quorum shall not be present or represented at any meeting of Members, the Members entitled to vote thereat, present in person or represented by proxy, shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum shall be present or represented. At such adjourned meeting at which a quorum shall be present or represented, any business may be transacted which might have been transacted at the meeting as originally notified. When a quorum is once present to organize a meeting, such quorum is not deemed broken by the subsequent withdrawal of any Members.

Section 5. Voting - Every Member entitled to vote at any meeting shall be entitled to vote in accordance with his Interest in the Company held by him of record on the date fixed as the record date for said meeting and may so vote in person or by proxy. Any Company action shall be authorized by a majority in interest of the votes cast by the Members entitled to vote thereon except as may otherwise be provided by statute, the Articles of Organization or this Operating Agreement.

Section 6. Proxies - Every proxy must be signed by the Member entitled to vote or by his duly authorized attorney-in-fact and shall be valid only if filed with the Manager of the Company prior to the commencement of voting on the matter in regard to which said proxy is to be voted. No proxy shall be valid after the expiration of eleven months from the date of its execution unless otherwise expressly provided in the proxy. Every proxy shall be revocable at the pleasure of the person executing it except as otherwise provided by statute. Unless the proxy by its terms provides for a specific revocation date and except as otherwise provided by statute, revocation of a proxy shall not be effective unless and until such revocation is executed in writing by the Member who executed such proxy and the revocation is filed with the Manager of the Company prior to the voting of the proxy.

Section 7. Member List - A list of Members as of the record date, certified by the Manager of the Company shall be prepared for every meeting of Members and shall be produced by the Manager thereat.

Section 8. Inspectors at Meetings - In advance of any Members' meeting, the Members may appoint one or more inspectors to act at the meeting or at any adjournment thereof and if not so appointed the person presiding at any such meeting may, and at the request of any Member entitled to vote thereat shall, appoint one or more inspectors. Each inspector, before entering upon the discharge of his duties, shall take and sign an oath faithfully to execute the duties of inspector at such meeting with strict impartiality and according to the best of his ability.

Section 9. Conduct of Meetings - All meetings of Members shall be presided over by the Manager, or if he is not present, by a Member thereby chosen by the Members at the meeting. If the Secretary is not present, the Manager or the person presiding at the meeting shall appoint any person present to act as secretary of the meeting.

ARTICLE III COMMITTEES

The Members, by resolution of a majority in interest of the Members, may designate from among themselves one or more committees, each consisting of three or more Members, and each of which, to the extent provided in such resolution, shall have all the authority of the Members except that no such committee shall have authority as to any of the following matters:

- (a) The filling of vacancies in any committee;
- (b) The fixing of compensation of the Members for serving on any committee;
- (c) The amendment or repeal of this Operating Agreement or the adoption of a new Operating Agreement; and
- (d) The amendment or repeal of any resolution of the Members which by its terms shall not be so amendable or repealable.

The Members may designate one or more Members as alternate members of any such committee who may replace any absent member or members at any meeting of such committee.

Each such committee shall serve at the pleasure of the Members. The Members shall have the power at any time to fill vacancies in, to change the membership of, or to discharge any such committee. Committees shall keep minutes of their proceedings and shall report the same to the Members at the meeting of the Members next succeeding, and any action by the committee shall be subject to revision and alteration by the Members, provided that no rights of a third party shall be affected in any such revision or alteration.

ARTICLE IV OFFICERS

Section 1. Executive Officers - The officers of the Company shall be one or more Managers, Secretary, Treasurer, and such other officers as the Members may determine. Any two or more offices may be held by the same person. As used herein the term "Manager" shall refer to all duly appointed persons to that office.

Section 2. Election - The Manager, and the other officers shall be chosen by the Members and shall hold office for the term for which elected and until their successors have been elected and qualified. The Members may from time to time appoint all such other officers as they determine and such officers shall hold office from the time of their appointment and qualifications until the time at which their successors are appointed and qualified. The Members may fill a vacancy in any office arising from any cause for the unexpired portion of the term.

Section 3. Removal - Any officer may be removed from office by the Members at any time with or without cause.

Section 4. Delegation of Powers - The Members may from time to time delegate the powers or duties of any officer of the Company, in the event of his absence or failure to act otherwise, to any other officer or Member or person whom they may select.

Section 5. Compensation - The compensation of each officer shall be such as the Members may from time to time determine.

Section 6. Manager - The Manager shall be the chief executive officer of the Company, and shall have general charge of the business and affairs of the Company, subject, however, to the right of the Members to confer specified powers on officers and subject generally to the direction of the Members. The Manager shall have all necessary power to carry out the operations, affairs and business of the Company, including, but not limited to, the right to enter into and carry out contracts of all kinds; to employ employees, agents, consultants and advisors on behalf of the Company; to bring and defend actions in law or at equity; to buy, own, manage sell, lease, mortgage, pledge or otherwise acquire or dispose of Company property; and report the details of any such activity to the Members on a bi-monthly basis. In carrying out the powers granted by this section, the Manager may, but is not required to confer with the Members and no action or meeting by the Members shall be a condition for the Manager to perform its management duties.

Unless otherwise ordered by the Members, the Manager, or in the event of his inability to act, an officer designated by the Members, shall have full power and authority on behalf of the Company to attend and to act and to vote at any meeting of security holders of companies in which the Company may hold securities, and at such meetings shall possess and may exercise any and all rights and powers incident to the ownership of such securities, and which, as the owner thereof, the Company might have possessed and exercised, if present. The Members by resolution from time to time may confer like powers upon any other person or persons.

Section 7. Secretary - The Secretary shall keep the minutes of all meetings and record all votes of Members and committees in a book to be kept for that purpose. He shall give or cause to be given any required notice of meetings of Members or any committee, and shall be responsible for preparing or obtaining from a transfer agent appointed by the Members, the list of Members required by Article X hereof. He shall be the custodian of the seal of the Company and shall affix or cause to be affixed the seal to any instrument requiring it and attest the same and exercise the powers and perform the duties incident to the office of Secretary subject to the direction of the Members.

Section 8. Treasurer - Subject to the direction of the Members, the Treasurer shall have charge of the general supervision of the funds and securities of the Company and the books of account of the Company and shall exercise the powers and perform the duties incident to the office of the Treasurer. If required by the Members, he shall give the Company a bond in such sum and with such sureties a may be satisfactory to the Members for the faithful discharge of his duties.

Section 9. Other Officers - All other officers, if any, shall have such authority and shall perform such duties as may be specified from time to time by the Members, or in default thereof, as may be customarily associated with their official titles.

Section 10. Multiple Managers - In the event more than one Manager is properly appointed to act, all acts shall be in accord with Section 605.04073, *Florida Statutes*.

ARTICLE V
RESIGNATIONS

An officer of the Company or any member of any committee of the Members, may resign at any time by giving written notice to the Members, the Manager or the Secretary. Any such resignation shall take effect at the time specified therein or, if the time is not specified therein, upon the receipt thereof, irrespective of whether any such resignations shall have been accepted.

ARTICLE VI
CERTIFICATES REPRESENTING MEMBERSHIP

Section 1. Form of Certificates - Each Member shall be entitled to a certificate or certificates in such form as prescribed by the Members and by any applicable statutes, which Certificate shall certify the interest of the Member in the Company. The Certificates shall be numbered and registered in the order in which they are issued and upon issuance the name in which each Certificate has been issued together with the interest in the Company represented thereby and the date of issuance shall be entered in the Membership book of the Company by the Secretary or by the transfer agent of the Company. Each certificate shall be signed by the Manager and countersigned by the Secretary and shall be sealed with the Company Seal or a facsimile thereof. The signatures of the officers upon a certificate may also be facsimiles if a transfer agent countersigns the certificate or registered by a registrar other than the Company itself or an employee of the Company. In case any officer who has signed or whose facsimile signature has been placed upon a certificate shall have ceased to be such officer before the certificate is issued, such certificate may be issued by the Company with the same effect as if the officer had not ceased to be such at the time of its issue.

Section 2. Record Date for Members - For the purpose of determining the Members entitled to notice of, or to vote at any meeting of Members or any adjournment thereof or to express consent or dissent from any proposal Without a meeting, or for the purpose of determining the Members entitled to receive payment of any dividend or the allotment of any rights, or for the purpose of any other action, the Members may fix, in advance, a date as the record date for any such determination of Members. Such date shall not be more than fifty nor less than ten days before the date of any meeting nor more than fifty days prior to any action taken without a meeting, the payment of any dividend or the allotment of any rights, or any other action. When a determination of Members of record entitled to notice of, or to vote at any meeting of Members has been made as provided in this Section, such determination shall apply to any adjournment thereof, unless the Members fix a new record date under this Section for the adjourned date.

Section 3. Members of Record - The Company shall be entitled to treat the holder of record of any Membership certificate as the holder in fact thereof and, accordingly, shall not be bound to recognize any equitable or other claim to or interest in such membership interest on the part of any other person whether or not it shall have express or other notice thereof, except as otherwise provided by the laws of the State of its organization.

ARTICLE VII
STATUTORY NOTICE

The Members may appoint the Treasurer or any other officer of the Company to cause to be prepared and furnished to members entitled thereto any special financial notice and/or statement which may be required by any applicable statute.

ARTICLE VII
FISCAL YEAR

The Members shall fix the fiscal year of the Company by resolution duly adopted, and, from time to time, by resolution duly adopted the Members may alter such fiscal year.

ARTICLE IX
COMPANY SEAL

The Company seal shall have inscribed thereon the name of the Company, the year and state of its creation and the words "A Limited Liability Company" (or other notation to that effect) and shall be in such form and contain such other words and/or figures as the Members shall determine. The Company seal may be used by printing, engraving, lithographing, stamping or otherwise making, placing or affixing, or causing to be printed, engraved, lithographed, stamped or otherwise made, placed or affixed, upon any paper or document, by any process whatsoever, an impression, facsimile or other reproduction of said Company seal.

ARTICLE X
BOOKS AND RECORDS

There shall be maintained at the principal office of the Company books of account of all the Company's business and transactions. There shall be maintained at the principal office of the company or at the office of the Company's transfer agent a record containing the names and addresses of all Members, the number and class of membership interest held by such and the dates when they respectively became the owners of record thereof.

ARTICLE XI
INDEMNIFICATION OF OFFICERS,
EMPLOYEE AND AGENTS

Any person made or threatened to be made a party to an action or proceeding, whether civil or criminal, by reason of the fact that he, his testator or intestate, then, is, or was a manager, member, employee or agent of the Company, or then serves or has served on behalf of the company in any capacity at the request of the Company, shall be indemnified by the Company against reasonable expenses, judgments, fines and amounts actually and necessarily incurred in connection with the defense of such action or proceeding or in connection with an appeal therein, to the fullest extent permissible by the laws of the State of Florida. Such right of indemnification shall not be deemed exclusive of any other rights to which such person may be entitled.

ARTICLE XII
AMENDMENTS

EXHIBIT A

Actions of Members reviewed

The actions of the Members as those actions relate to the management and operation of the Company were reviewed.


A motion was made that the actions of the Members as those actions relate to the management and operation of the Company be approved and ratified in all respects. The motion was seconded and approved.

Election of Managers

It being proper to elect Managers, nominations were called for. The following were nominated and elected to serve as Managers. The following were elected to serve in their respective offices:

Manager Name	Office
JOSEPH B. CRISAFULLI	Manager

With no further business to conduct, upon motion made, properly seconded, and passed, the meeting was adjourned.



 JOSEPH B. CRISAFULLI, Secretary for the
 meeting APRIL 4 2018

MEMBERS:



 JOSEPH B. CRISAFULLI, AS TRUSTEE OF
 THE CRISAFULLI FAMILY TRUST DATED
 APRIL 12, 2002, AS AMENDED AND RESTATED



 ROBERT E. BUFFKIN

MANAGER:



 JOSEPH B. CRISAFULLI



School Board of Brevard County School Facility Planning and Concurrency Application (School Impact Analysis)

Instructions: Submit one copy of completed application, location map, and applicable fee for each project with a residential component requiring a review by the School Board of Brevard County to **each affected Local Government**.

The School Board of Brevard County requires this information for student generation to be calculated, school capacity evaluated, and potential mitigation addressed. Local governments require the information to complete their part of the application.

For information regarding this application process, please contact the Planning and Project Management Department of the School Board of Brevard County at 321.633.1000 x463.

Local Government to determine the type of Application:

FEES: See Brevard County Public School Concurrency Review Fee Schedule. Make check payable to School Board of Brevard County

I. Project Information

Project Name: Preserve Point County / Municipality: Brevard County
Parcel ID / Tax Account #. (attach separate sheet for multiple parcels): 2316607; 2316605; 2316617; 2316606
Location / Address of subject property: _____ (Attach location map)
Acreage: 142.13 +/- Type of Request at Local Government Zoning

II. Ownership / Agent Information

Owner/Contract Purchaser Name(s): 782, LLC
Agent / Contact Person: Kimberly B. Rezanka
(Please note that if agent or contact information is completed, the District will forward all information to that person.)
Mailing Address: 6013 Farcenda, PL, STE 101, Melbourne, FL 32940
Telephone: 321-608-0892 Fax: _____

I hereby certify the statements and/or information contained in this application with any attachments submitted herewith are true and correct to the best of my knowledge.

Kimberly B. Rezanka
Owner or Agent Signature

7/22/25
Date

If applicant is not the owner of record, the "Agent for Owner" form (see page 4 of this application form) must be completed and included with this application at time of application submittal. If owner is a company/corporation, please submit documentation that signatory is an authorized officer of the company/corporation.

State of Florida, County of Brevard
Sworn and subscribed to before me

This 22nd day of July 2025

Lindsay M Keyser
Notary Public

Commission Expires: 10/05/2025

(Form of Identification)



SCHOOL BOARD USE ONLY
Date / Time Stamp: _____



**School Board of Brevard County
School Facility Planning and Concurrency Application
(School Impact Analysis)**

III. Development Information

Current Land Use Designation	RES1	Proposed Land Use Designation	RES1	
Current Zoning	AU, RR-1	Proposed Zoning	SR	
Project Acreage	142.13			
Total Dwelling Units Proposed	61			
Dwelling Unit Breakdown (Qty)	Single Family or Town Homes: 61	Multi-Family or Apartments:	Condo:	Mobile Home / Manufactured:

Year of Project or Phase Completion: Total Dwelling Units by Type / Year

Year End 20XX					
Unit Type	Year 1	Year 2	Year 3	Year 4	Year 5+
Single Family / Town Homes	3	24	24	10	
Multi-Family / Apartments					
Condominium					
Mobile Home / Manufactured					
Totals by Year	3	24	24	10	

NOTE: This application will not be deemed complete until all required information has been submitted to the School Board of Brevard County. Submittal requirements include completed application, phasing information, review fee(s), agent authorization (if applicable) and location map. Please be advised that additional documentation/information may be requested during the review process.

SCHOOL BOARD USE ONLY
Date / Time Stamp: _____



**School Board of Brevard County
School Facility Planning and Concurrency Application
(School Impact Analysis)**

Local Government Agency

This section is to be completed by the Local Government and submitted to the School Board of Brevard County. The Local Government is responsible for verifying the number of units currently vested under the existing Comprehensive Plan and Zoning or a previously issued School Concurrency Availability Determination Letter.

Local Government Case #: _____

Please check [✓] type of application request (check only one; as defined by Interlocal Agreement):

- | | |
|---|---|
| <input type="checkbox"/> School Capacity Determination (Preliminary Development Requests) | <input type="checkbox"/> Exemption Review |
| <input type="checkbox"/> Capacity Determination Conversion to Concurrency Determination | <input type="checkbox"/> Time Extension |
| <input type="checkbox"/> Concurrency Determination (Final Development Requests) | |

Preliminary Development Requests (examples: Rezoning and Comp Plan Amendments):

Number of Units by Type	Maximum Permitted by Proposal	Currently Permitted (Vested)	Difference
Single Family / Town Homes			
Multi-Family / Apartments			
Condominium			
Mobile Home / Manufactured			
Totals:			

Note: The Total Difference will determine if this meets the De Minimis Impact per the Interlocal Agreement.

Final Development Requests requesting a Concurrency Determination:

Number of Units by Type	Proposed
Single Family / Town Homes	
Multi-Family / Apartments	
Condominium	
Mobile Home / Manufactured	

Local Government Reviewer's Signature / Title

Date

Other Affected Local Governments:

Comments:

<p>SCHOOL BOARD USE ONLY</p> <p>Date / Time Stamp: _____</p>
--



School Board of Brevard County
School Facility Planning and Concurrency Application
(School Impact Analysis)

AUTHORIZATION TO ACT AS AGENT

I, Joseph "Bud" Crisafulli (Owner) authorize Kimberly B. Rezanka (Agent) to act as applicant, representing me in Public Hearings before Brevard County (Local Government) pertaining to Preliminary and Final Development Requests, and other matters pertaining to School Concurrency.

[Handwritten Signature]
Owner Signature

State of Florida, County of Brevard
Sworn and subscribed to before me

This 26th day of August, 2025

PERSONALLY KNOWN
(Form of Identification)

[Handwritten Signature]

Notary Public
My Commission Expires: 4/7/2026



SCHOOL BOARD USE ONLY
Date / Time Stamp: _____

School Board of Brevard County

2700 Judge Fran Jamieson Way • Viera, FL 32940-6699
Dr. Mark Rendell, Ed.D., Superintendent



October 6, 2025

Desiree Jackson, Planner I
Planning & Development Department
Brevard County Board of County Commissioners
2725 Judge Fran Jamieson Way Bldg. A-114
Viera, Florida 32940

**RE: Proposed Preserve Point Development
School Impact Analysis – Capacity Determination CD-2025-18**

Dear Ms. Jackson,

We received a completed *School Facility Planning & Concurrency Application* for the referenced development. The subject property is Tax Account 2316605 (Parcel ID: 23-36-24-00-500), Tax Account 2316606 (Parcel ID: 23-36-24-00-501), Tax Account 2316607 (Parcel ID: 23-36-24-00-502) and Tax Account 2316617 (Parcel ID: 23-36-24-00-513) containing approximately 141.13 acres in District 2, Brevard County, Florida. The proposed single-family development includes 61 single-family homes. The School Impact Analysis of this proposed development has been undertaken and the following information is provided for your use.

The calculations used to analyze the prospective student impact are consistent with the methodology outlined in Section 13.2 and Amended Appendix “A”-School District Student Generation Multiplier (approved April 11, 2022) of the *Interlocal Agreement for Public School Facility Planning & School Concurrency (ILA-2014)*. The following capacity analysis is performed using capacities/projected students as shown in years 2025-26 to 2029-30 of the *Brevard County Public Schools Financially Feasible Plan for School Years 2024-25 to 2029-30* which is attached for reference.

Single Family Townhomes		61	
Students Generated	Student Generation Rates	Calculated Students Generated	Rounded Number of Students Generated
Elementary	0.24	14.64	15
Middle	0.07	4.27	4
High	0.12	7.32	7
Total	0.43		26

Planning & Project Management
Facilities Services
Phone: (321) 633-1000, ext. 11418



School Board of Brevard County

2700 Judge Fran Jamieson Way • Viera, FL 32940-6699
 Dr. Mark Rendell, Ed.D., Superintendent



FISH Capacity (including relocatable classrooms) from the Financially Feasible Plan (FFP) Data and Analysis for School Years 2025-26 to 2029-30

School	2025-26	2026-27	2027-28	2028-29	2029-30
Carroll	751	751	751	751	751
Jefferson	873	873	873	873	873
Merritt Island	1,966	1,966	1,966	1,966	1,966

Projected Student Membership

School	2025-26	2026-27	2027-28	2028-29	2029-30
Carroll	624	607	576	546	488
Jefferson	481	450	437	513	528
Merritt Island	1,328	1,272	1,231	1,149	1,135

Students Generated by Newly Issued SCADL Reservations Since FFP

School	2025-26	2026-27	2027-28	2028-29	2029-30
Carroll	-	-	-	-	-
Jefferson	2	2	2	2	2
Merritt Island	3	3	3	3	3

Cumulative Students Generated by Proposed Development

School	2025-26	2026-27	2027-28	2028-29	2029-30
Carroll	-	1	6	12	15
Jefferson	-	0	2	4	4
Merritt Island	-	0	3	6	7

Total Projected Student Membership (includes Cumulative Impact of Proposed Development)

School	2025-26	2026-27	2027-28	2028-29	2029-30
Carroll	624	608	582	558	503
Jefferson	483	452	441	519	534
Merritt Island	1,331	1,275	1,237	1,158	1,145

Projected Available Capacity = FISH Capacity - Total Projected Student Membership

School	2025-26	2026-27	2027-28	2028-29	2029-30
Carroll	127	143	169	193	248
Jefferson	390	421	432	354	339
Merritt Island	635	691	729	808	821

Planning & Project Management
 Facilities Services
 Phone: (321) 633-1000, ext. 11418



School Board of Brevard County

2700 Judge Fran Jamieson Way • Viera, FL 32940-6699
Dr. Mark Rendell, Ed.D., Superintendent



At this time, **Lewis Carroll Elementary, Thomas Jefferson Middle School and Merritt Island High School are projected to have enough capacity for the total of projected and potential students from the Preserve Point development.**

This is a **non-binding** review; a *Concurrency Determination* must be performed by the School District prior to a Final Development Order and the issuance of a Concurrency Evaluation Finding of Nondeficiency by the Local Government.

We appreciate the opportunity to review this proposed project. Please let us know if you require additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Karen M. Black".

Karen M. Black, AICP
Manager – Facilities Planning & Intergovernmental
Coordination Planning & Project Management, Facilities
Services

Enclosure: *Brevard County Public Schools Financially Feasible Plan for School
Years 2024-25 to 2029-30*

Copy: Susan Hann, P.E., AICP, Assistant Superintendent of Facility Services
File CD-2025-18

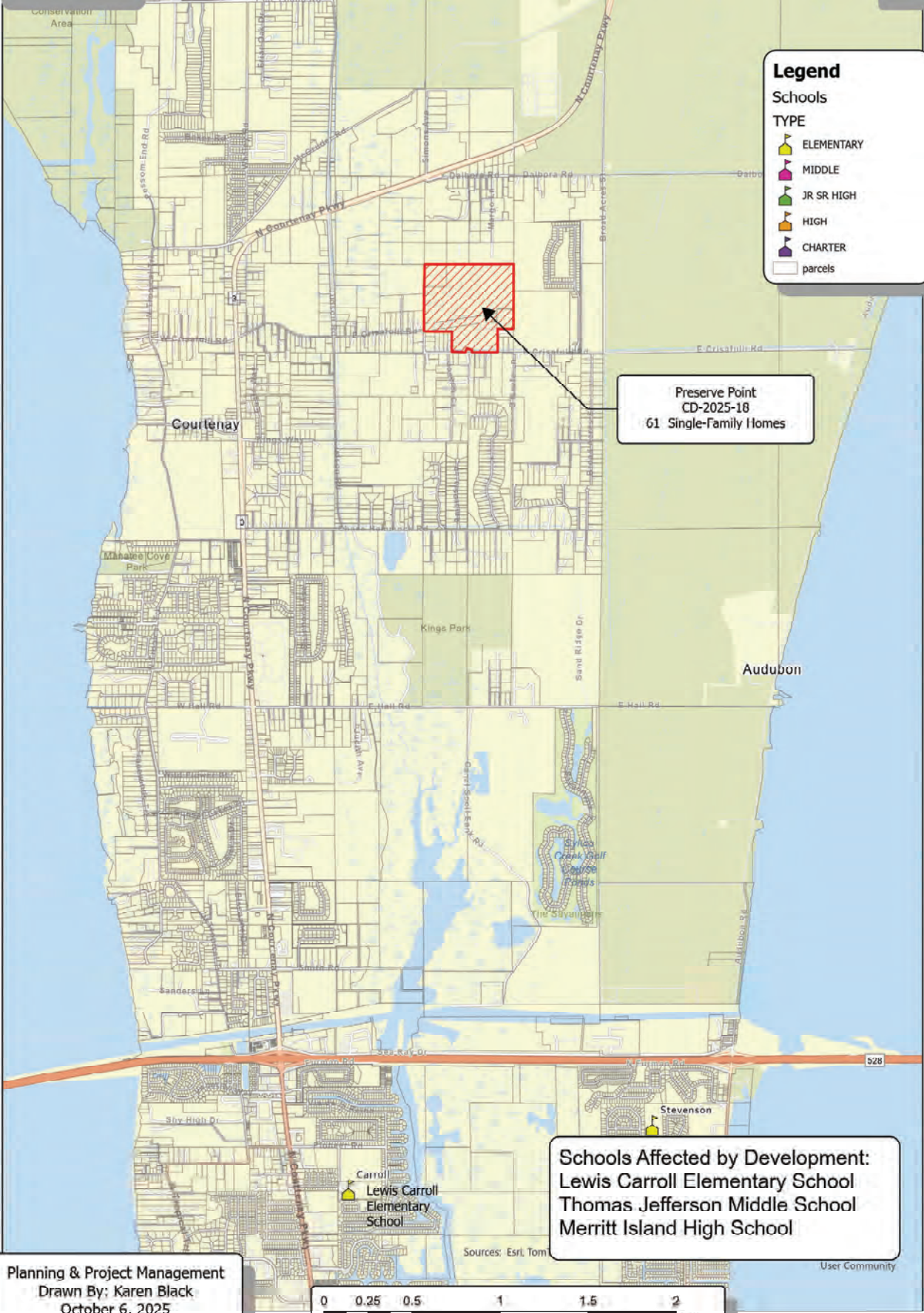
David G. Lindemann, AICP
Director of Planning & Project Management, Facilities Services
File CD-2025-18

Planning & Project Management
Facilities Services
Phone: (321) 633-1000, ext. 11418





Preserve Point Location Map



Legend

Schools

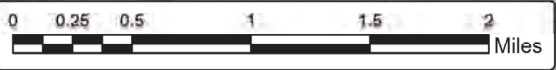
TYPE

- ELEMENTARY
- MIDDLE
- JR SR HIGH
- HIGH
- CHARTER
- parcels

Preserve Point
CD-2025-18
61 Single-Family Homes

Schools Affected by Development:
Lewis Carroll Elementary School
Thomas Jefferson Middle School
Merritt Island High School

Planning & Project Management
Drawn By: Karen Black
October 6, 2025



Brevard County Public Schools

Financially Feasible Plan To Maintain Utilization Rates Lower than the **100%** Level of Service Data and Analysis for School Years 2024-25 to 2029-30



Summary	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Highest Utilization Elementary Schools:	105%	99%	100%	100%	100%	100%
Highest Utilization Middle Schools:	83%	100%	99%	97%	97%	99%
Highest Utilization Jr / Sr High Schools:	81%	80%	80%	80%	77%	75%
Highest Utilization High Schools:	95%	97%	98%	100%	99%	100%

School	Type	Grades	Utilization Factor	School Year 2024-25			School Year 2025-26			School Year 2026-27			School Year 2027-28			School Year 2028-29			School Year 2029-30		
				FISH Capacity	10/14/24 Membership	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization

Elementary School Concurrence Service Areas																					
Allen	Elementary	PK-6	100%	751	620	83%	751	635	85%	751	650	87%	751	680	91%	751	695	93%	751	710	95%
Andersen	Elementary	K-6	100%	757	481	64%	757	457	60%	757	455	60%	757	419	55%	757	401	53%	757	390	52%
Apollo	Elementary	K-6	100%	902	596	66%	902	579	64%	902	550	61%	902	518	57%	902	494	55%	902	480	53%
Atlantis	Elementary	PK-6	100%	739	653	88%	739	632	86%	739	613	83%	739	599	81%	739	590	80%	739	578	78%
Audubon	Elementary	PK-6	100%	761	415	55%	761	420	55%	761	422	55%	761	413	54%	761	398	52%	761	386	51%
Cambridge	Elementary	PK-6	100%	787	477	61%	787	491	62%	787	507	64%	787	538	68%	787	556	71%	787	566	72%
Cape View	Elementary	PK-6	100%	570	273	48%	570	263	46%	570	264	46%	570	279	49%	570	277	49%	570	276	48%
Carroll	Elementary	K-6	100%	751	636	85%	751	624	83%	751	607	81%	751	576	77%	751	546	73%	751	488	65%
Challenger 7	Elementary	PK-6	100%	573	431	75%	573	408	71%	573	393	69%	573	360	63%	573	345	60%	573	346	60%
Columbia	Elementary	PK-6	100%	751	573	76%	751	638	85%	751	682	91%	751	732	97%	751	792	100%	751	836	100%
Coquina	Elementary	K-6	100%	711	465	65%	711	472	66%	711	464	65%	711	474	67%	711	468	66%	711	473	67%
Creel	Elementary	PK-6	100%	1,114	540	48%	1,114	536	48%	1,114	531	48%	1,114	530	48%	1,114	511	46%	1,114	509	46%
Croton	Elementary	PK-6	100%	795	464	58%	795	451	57%	795	470	59%	795	469	59%	795	482	61%	795	488	61%
Discovery	Elementary	PK-6	100%	980	680	69%	980	716	73%	980	752	77%	980	789	81%	980	791	81%	980	809	83%
Endeavour	Elementary	PK-6	100%	968	744	77%	968	751	78%	968	750	77%	968	766	79%	968	729	75%	968	708	73%
Enterprise	Elementary	K-6	100%	729	597	82%	729	585	80%	729	563	77%	729	557	76%	729	557	76%	729	554	76%
Fairglen	Elementary	PK-6	100%	789	466	59%	789	460	58%	789	470	60%	789	464	59%	789	463	59%	789	451	57%
Gemini	Elementary	K-6	100%	711	410	58%	711	401	56%	711	374	53%	711	349	49%	711	332	47%	711	309	43%
Golfview	Elementary	PK-6	100%	777	448	58%	777	474	61%	777	480	62%	777	490	63%	777	500	64%	777	517	67%
Harbor City	Elementary	PK-6	100%	629	390	62%	629	399	63%	629	428	68%	629	452	72%	629	464	74%	629	458	73%
Holland	Elementary	PK-6	100%	605	444	73%	605	416	69%	605	408	67%	605	379	63%	605	364	60%	605	351	58%
Imperial Estates	Elementary	K-6	100%	729	607	83%	729	628	86%	729	607	83%	729	598	82%	729	574	79%	729	562	77%
Judialantic	Elementary	K-6	100%	798	664	83%	798	646	81%	798	641	80%	798	599	75%	798	606	76%	798	584	73%
Jupiter	Elementary	PK-6	100%	930	856	92%	930	946	97%	1,018	979	96%	1,062	1,048	99%	1,106	1,059	96%	1,150	1,149	100%
Lockmar	Elementary	PK-6	100%	892	573	64%	892	567	64%	892	585	66%	892	586	66%	892	591	66%	892	595	67%
Longleaf	Elementary	PK-6	100%	790	579	73%	790	562	71%	790	549	69%	790	524	66%	790	528	67%	790	535	68%
Manatee	Elementary	K-6	100%	998	910	91%	998	900	90%	998	930	93%	998	941	94%	998	932	93%	998	887	89%
McAuliffe	Elementary	PK-6	100%	838	687	82%	838	705	84%	838	726	87%	838	745	89%	838	765	91%	838	777	93%
Meadowlane Intermediate	Elementary	3-6	100%	1,004	778	77%	1,004	764	76%	1,004	742	74%	1,004	712	71%	1,004	704	70%	1,004	708	71%
Meadowlane Primary	Elementary	K-6	100%	824	604	73%	824	553	67%	824	565	69%	824	596	72%	824	598	73%	824	591	72%
Mila	Elementary	PK-6	100%	707	382	54%	707	384	54%	707	377	53%	707	367	52%	707	329	47%	707	319	45%
Mims	Elementary	PK-6	100%	725	395	54%	725	420	58%	725	442	61%	725	443	61%	725	460	63%	725	476	66%
Oak Park	Elementary	PK-6	100%	968	473	49%	968	472	49%	968	490	51%	968	480	50%	968	482	50%	968	495	51%
Ocean Breeze	Elementary	PK-6	100%	654	499	76%	654	488	75%	654	463	71%	654	448	69%	654	418	64%	654	395	60%
Palm Bay Elem	Elementary	PK-6	100%	983	583	59%	983	585	60%	983	601	61%	983	605	62%	983	591	60%	983	587	60%
Pinewood	Elementary	PK-6	100%	613	501	82%	613	519	85%	613	535	87%	613	537	88%	613	541	88%	613	551	90%
Port Malabar	Elementary	PK-6	100%	852	628	74%	852	662	78%	852	679	80%	852	725	85%	852	797	94%	852	820	96%
Quest	Elementary	PK-6	100%	932	690	74%	932	675	72%	932	674	72%	932	662	71%	932	637	68%	932	630	68%
Riviera	Elementary	PK-6	100%	733	721	98%	777	765	98%	821	814	99%	887	883	100%	931	911	98%	931	900	97%
Roosevelt	Elementary	K-6	100%	599	275	46%	599	295	49%	599	294	49%	599	294	49%	599	305	51%	599	314	52%
Sabal	Elementary	PK-6	100%	785	493	63%	785	495	63%	785	499	64%	785	501	64%	785	476	61%	785	457	58%
Saturn	Elementary	PK-6	100%	998	622	62%	998	634	64%	998	633	63%	998	622	62%	998	600	60%	998	579	58%
Sea Park	Elementary	PK-6	100%	461	308	67%	461	308	67%	461	313	68%	461	310	67%	461	305	66%	461	301	65%
Sherwood	Elementary	PK-6	100%	609	494	81%	609	511	84%	609	520	85%	609	522	86%	609	522	86%	609	532	87%
Sunrise	Elementary	PK-6	100%	957	907	95%	1,001	984	98%	1,045	1,029	98%	1,133	1,120	99%	1,243	1,236	99%	1,353	1,338	99%
Suntree	Elementary	K-6	100%	755	585	77%	755	574	76%	755	555	74%	755	532	70%	755	530	70%	755	536	71%
Surfside	Elementary	K-6	100%	541	404	75%	541	412	76%	541	410	76%	541	392	72%	541	391	72%	541	390	72%
Tropical	Elementary	K-6	100%	910	569	63%	910	550	60%	910	540	59%	910	532	58%	910	498	55%	910	490	54%
Turner	Elementary	PK-6	100%	874	599	69%	874	669	77%	874	768	88%	874	871	97%	1,006	988	98%	1,072	1,065	99%
University Park	Elementary	PK-6	100%	811	529	65%	811	548	68%	811	612	75%	811	647	80%	811	649	80%	811	665	82%
Viera Elem	Elementary	K-6	100%	1,030	885	86%	1,030	960	93%	1,030	979	95%	1,030	997	97%	1,030	1,001	97%	1,030	1,002	97%
Westside	Elementary	K-6	100%	941	984	105%	1,051	1,041	99%	1,117	1,112	100%	1,227	1,208	98%	1,337	1,296	97%	1,425	1,411	99%
Williams	Elementary	PK-6	100%	715	436	61%	715	395	55%	715	387	54%	715	371	52%	715	353	49%	715	329	46%
Elementary Totals				42,106	30,023		42,348	30,425		42,546	30,883		42,876	31,251		43,338	31,428		43,690	31,653	

School	Type	Grades	Utilization Factor	School Year 2024-25			School Year 2025-26			School Year 2026-27			School Year 2027-28			School Year 2028-29			School Year 2029-30		
				FISH Capacity	10/14/24 Membership	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization
Middle School Concurrency Service Areas																					
Central	Middle	7-8	90%	1,514	1,058	70%	1,514	1,063	70%	1,514	1,048	69%	1,514	1,101	73%	1,514	1,161	77%	1,514	1,158	76%
DeLaura	Middle	7-8	90%	960	548	57%	960	440	46%	960	419	44%	960	446	46%	960	430	45%	960	411	43%
Hoover	Middle	7-8	90%	680	473	70%	680	465	68%	680	451	66%	680	480	71%	680	490	72%	680	486	71%
Jackson	Middle	7-8	90%	660	505	77%	660	465	70%	660	454	69%	660	446	68%	660	434	66%	660	411	62%
Jefferson	Middle	7-8	90%	873	479	55%	873	481	55%	873	450	52%	873	437	50%	873	513	59%	873	528	60%
Johnson	Middle	7-8	90%	1,064	577	54%	1,064	602	57%	1,064	633	59%	1,064	682	64%	1,064	718	67%	1,064	696	65%
Kennedy	Middle	7-8	90%	869	449	52%	869	355	41%	869	327	38%	869	362	42%	869	368	42%	869	348	40%
Madison	Middle	7-8	90%	781	446	57%	781	431	55%	781	412	53%	781	463	59%	781	482	62%	781	436	56%
McNair	Middle	7-8	90%	616	262	43%	616	259	42%	616	258	42%	616	282	46%	616	324	53%	616	322	52%
Southwest	Middle	7-8	90%	1,281	1,001	78%	1,281	1,046	82%	1,281	1,073	84%	1,281	1,224	96%	1,439	1,403	97%	1,459	1,448	99%
Stone	Middle	7-8	90%	1,076	556	52%	1,076	523	49%	1,076	584	54%	1,076	612	57%	1,076	651	61%	1,076	786	73%
Viera Middle	Middle	7-8	90%	896	742	83%	955	954	100%	955	943	99%	955	925	97%	955	903	95%	955	898	94%
Middle Totals				11,270	7,096		11,329	7,084		11,329	7,052		11,329	7,460		11,487	7,877		11,507	7,928	
Junior / Senior High School Concurrency Service Areas																					
Cocoa	Jr / Sr High	PK, 7-12	90%	2,085	1,435	69%	2,085	1,371	66%	2,085	1,320	63%	2,085	1,270	61%	2,085	1,306	63%	2,085	1,317	63%
Cocoa Beach	Jr / Sr High	7-12	90%	1,464	1,049	72%	1,464	982	67%	1,464	966	66%	1,464	912	62%	1,464	894	61%	1,464	859	59%
Space Coast	Jr / Sr High	7-12	90%	1,852	1,505	81%	1,852	1,500	81%	1,852	1,482	80%	1,852	1,476	80%	1,852	1,433	77%	1,852	1,382	75%
Jr / Sr High Totals				5,401	3,989		5,401	3,853		5,401	3,768		5,401	3,658		5,401	3,633		5,401	3,558	
Senior High School Concurrency Service Areas																					
Astronaut	High	9-12	95%	1,451	1,054	73%	1,451	1,047	72%	1,451	1,034	71%	1,451	984	68%	1,451	953	66%	1,451	970	67%
Bayside	High	9-12	95%	2,358	2,126	90%	2,358	2,173	92%	2,358	2,304	98%	2,429	2,427	100%	2,572	2,554	99%	2,786	2,784	100%
Eau Gallie	High	PK, 9-12	95%	2,211	1,400	63%	2,211	1,416	64%	2,211	1,429	65%	2,211	1,446	65%	2,211	1,530	69%	2,211	1,588	72%
Heritage	High	9-12	95%	2,314	1,992	86%	2,314	1,969	85%	2,314	1,979	86%	2,314	1,922	83%	2,314	1,923	83%	2,314	1,969	85%
Melbourne	High	9-12	95%	2,370	2,210	93%	2,370	2,202	93%	2,370	2,199	93%	2,370	2,214	93%	2,370	2,218	94%	2,370	2,309	97%
Merritt Island	High	PK, 9-12	95%	1,966	1,445	73%	1,966	1,328	68%	1,966	1,272	65%	1,966	1,231	63%	1,966	1,149	58%	1,966	1,135	58%
Palm Bay	High	PK, 9-12	95%	2,642	1,366	52%	2,642	1,326	50%	2,642	1,307	49%	2,642	1,325	50%	2,642	1,410	53%	2,642	1,435	54%
Rockledge	High	9-12	95%	1,836	1,577	86%	1,836	1,579	86%	1,836	1,592	87%	1,836	1,555	85%	1,836	1,526	83%	1,836	1,560	85%
Satellite	High	PK, 9-12	95%	1,551	1,436	93%	1,551	1,373	89%	1,551	1,317	85%	1,551	1,232	79%	1,551	1,213	78%	1,551	1,178	76%
Titusville	High	9-12	95%	1,801	1,277	71%	1,801	1,260	70%	1,801	1,206	67%	1,801	1,160	64%	1,801	1,141	63%	1,801	1,104	61%
Viera	High	PK, 9-12	95%	2,461	2,333	95%	2,461	2,379	97%	2,461	2,375	97%	2,461	2,422	98%	2,461	2,421	98%	2,461	2,435	99%
High Totals				22,961	18,216		22,961	18,052		22,961	18,014		23,032	17,918		23,175	18,038		23,389	18,467	
Schools of Choice (Not Concurrency Service Areas)																					
Freedom 7	Elementary	K-6	100%	475	408	86%	475	414	87%	475	414	87%	475	414	87%	475	414	87%	475	414	87%
Stevenson	Elementary	K-6	100%	569	481	85%	569	486	85%	569	486	85%	569	486	85%	569	486	85%	569	486	85%
South Lake	Elementary	K-6	100%	639	469	73%	639	496	78%	639	496	78%	639	496	78%	639	496	78%	639	496	78%
West Melbourne	Elementary	K-6	100%	654	605	93%	760	625	82%	760	625	82%	760	625	82%	760	625	82%	760	625	82%
Edgewood	Jr / Sr High	7-12	90%	1,077	940	87%	1,077	945	88%	1,077	945	88%	1,077	945	88%	1,077	945	88%	1,077	945	88%
West Shore	Jr / Sr High	7-12	90%	1,264	947	75%	1,264	945	75%	1,264	945	75%	1,264	945	75%	1,264	945	75%	1,264	945	75%
Schools of Choice				4,678	3,850		4,784	3,911		4,784	3,911		4,784	3,911		4,784	3,911		4,784	3,911	
Brevard Totals				86,416	63,174		86,823	63,325		87,021	63,628		87,422	64,198		88,185	64,887		88,771	65,517	

Notes

- FISH Capacity is the sum of the factored permanent capacity and the factored relocatable capacity. Permanent and relocatable capacities for 2024-25 are reported from the FISH database as of November 13, 2024.
- Student Membership is reported from the Fall Final Membership Count (10/14/2024).
- Davis Demographics SchoolSite Enrollment Forecasting Extension for ArcGIS estimates future student populations by analyzing the following data:
 - Development Projections from Brevard County Local Government Jurisdictions
 - Brevard County School Concurrency Student Generation Multipliers (SGM)
 - Fall Membership student addresses and corresponding concurrency service areas
 - Student Mobility Rates / Cohort Survival Rates
 - Brevard County Birth rates by zip code
- Davis Demographics estimates are then adjusted using the following factors:
 - PK (Pre-Kindergarten) and AH (daycare for students with infants) enrollment number are assumed to be constant
 - Current From/To attendance patterns are assumed to remain constant.
 - Nongeocoded student addresses are assumed to continue in their attendance schools.
 - Charter School Growth.
- In order to maintain utilization rates lower than the 100% Level of Service, Permanent Capacity and Relocatable Classrooms are assumed to add future student stations as necessary.
- If student projections are accurate, the school board could add additional classroom capacity, implement attendance boundary changes, or add relocatable classrooms. A south area elementary school is planned for the future growth, but the exact timing hasn't been established.
 - Primary relocatable classrooms (Grades K-3) = 18 student stations, Intermediate (Grades 4-8) relocatable classrooms = 22 student stations, and High School (Grades 9-12) relocatable classrooms = 25 student stations

For school year 2025-26, a total of 13 intermediate classrooms are projected for Jupiter (2), Riviera (2), Sunrise (2), and Westside (4) Elementary Schools and Viera Middle School (3).

For school year 2026-27, a total of 9 intermediate classrooms are projected for Jupiter (2), Riviera (2), Sunrise (2), and Westside (3) Elementary Schools.

For school year 2027-28, a total of 15 intermediate classrooms are projected for Jupiter (2), Riviera (3), Sunrise (4), Turner (1) and Westside (5) Elementary Schools and 3 High School relocatable classrooms are proposed for Bayside High School.

For school year 2028-29, a total of 29 intermediate classrooms are projected for Columbia (2), Jupiter (2), Riviera (2), Sunrise (5), Turner (5), and Westside (5) Elementary Schools, Southwest Middle School (8) and 6 High School relocatable classrooms are proposed for Bayside High School.

For school year 2029-30, a total of 17 intermediate classrooms are projected for Columbia (2), Jupiter (2), Sunrise (5), Turner (3), and Westside (4) Elementary Schools, Southwest Middle School (1) and 9 High School relocatable classrooms are proposed for Bayside.
- A classroom addition is planned to open at West Melbourne School of Science for 2025-26. The factored capacity is adjusted for the proposed 106 student stations.

Prepared by: Kimberly Bonder Rezanka
Address: Lacey Rezanka
6013 Farcenda Pl #101
Melbourne, FL 32940

BINDING DEVELOPMENT PLAN

THIS AGREEMENT, entered into this __ day of _____, 2025 between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and 782, LLC, a Florida Limited Liability Company (hereinafter referred to as "Developer/Owner").

RECITALS

WHEREAS, Developer/Owner owns property (hereinafter referred to as the "Property") in Brevard County, Florida, as more particularly described in **Exhibit "A"** attached hereto and incorporated herein by this reference; and

WHEREAS, Developer/Owner has requested the SR zoning classification, and pursuant to the Brevard County Code, Section 62-1157; and

WHEREAS, as part of its plan for development of the Property, Developer/Owner wishes to mitigate negative impacts on abutting land owners and affected facilities or services; and

WHEREAS, the County is authorized to regulate development of the Property.

NOW, THEREFORE, the parties agree as follows:

1. Recitals. The above recitals are true and correct and are incorporated into this Agreement by their reference.
2. The County shall not be required or obligated in any way to construct or maintain or participate in any way in the construction or maintenance of the improvements. It is the intent of the parties that the Developer/Owner, its grantees, successors or assigns in interest or some other association and/or assigns satisfactory to the County shall be responsible for the maintenance of any improvements.
3. The density of the Property shall be limited to one (1) unit per acre, to provide consistency between the SR suburban residential zoning classification, which encompasses lands

devoted to single-family residential development of relatively spacious land character, and the FLU of RES1.

4. Developer/Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Developer's/Owner's agreement to meet additional standards or restrictions in developing the Property. This Agreement provides no vested rights against changes to the Brevard County Comprehensive Plan or land development regulations as they may apply to this Property.

5. Developer/Owner, upon execution of this Agreement, shall pay to the Clerk of Court all costs of recording this Agreement in the Public Records of Brevard County, Florida.

6. This Agreement shall be binding and shall inure to the benefit of the successors or assigns of the parties and shall run with the subject Property unless or until rezoned and shall be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject Property, and shall be subject to the above referenced conditions as approved by the Board of County Commissioners on _____. In the event the subject Property is annexed into a municipality and rezoned, this Agreement shall be null and void.

7. Violation of this Agreement shall constitute a violation of the zoning classification and of this Agreement. This Agreement may be enforced by Sections 1-7 and 62-5 of the Code of Ordinances of Brevard County, Florida, as may be amended.

8. Conditions precedent. All mandatory conditions set forth in this Agreement mitigate the potential for incompatibility and shall be satisfied before Developer/Owner may implement the approved use(s), unless stated otherwise. The failure to timely comply with any condition is a violation of this Agreement and constitutes a violation of the Zoning Classification and is subject to enforcement action as described in Paragraph 7, above.

9. Severability clause. If any provision of this BDP is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provision shall continue in full force and effect without being impaired or invalidated in any way.

IN WITNESS THEREOF, the parties hereto have caused these presents to be signed all as of the date and year first written above.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA
2725 Judge Fran Jamieson Way
Viera, FL 32940

Rachel M. Sadoff, Clerk of Court
(SEAL)

Rob Feltner, Chairman
As approved by the Board on _____

WITNESSES:

782, LLC
5255 N. Courtenay PKWY
Merritt Island, FL 32953

(Witness Name typed or printed)

(Title)

(Witness Name typed or printed)

(Name typed, printed or stamped)

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of physical presence, this ____ day of _____, 2025, by _____, for 782, LLC, who is personally known to me/presented _____ as identification.

My commission expires: _____

Notary Public

SEAL

Commission No.:

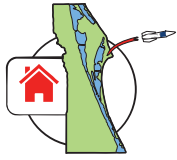
(Name typed, printed or stamped)

EXHIBIT "A"

LEGAL DESCRIPTION:

A PARCEL OF LAND IN THE SOUTHWEST ONE-QUARTER OF SECTION 24, TOWNSHIP 23 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE SOUTHWEST CORNER OF SAID SOUTHWEST ONE-QUARTER AND RUN N00°13'54"E, ALONG THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER, A DISTANCE OF 624.93 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N00°13'54"E, ALONG SAID WEST LINE, A DISTANCE OF 2024.29 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST ONE-QUARTER; THENCE N89°44'13"E, ALONG THE NORTH LINE OF SAID SOUTHWEST ONE-QUARTER, A DISTANCE OF 2684.10 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST ONE-QUARTER; THENCE S00°14'35"W, ALONG THE EAST LINE OF SAID SOUTHWEST ONE-QUARTER, A DISTANCE OF 1935.24 FEET TO THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 10318, PAGE 1089, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N89°46'26"W, ALONG THE NORTH LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 10318, PAGE 1089, A DISTANCE OF 475.18 FEET TO THE NORTHWEST CORNER OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 10318, PAGE 1089; THENCE S00°14'35"W, ALONG THE WEST LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 10318, PAGE 1089, A DISTANCE OF 693.57 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 10318, PAGE 1089 AND A POINT ON THE NORTH RIGHT-OF-WAY LINE OF EAST CRISAFULLI ROAD, ACCORDING TO THE EAST CRISAFULLI ROAD MAINTENANCE MAP AS RECORDED IN ROAD PLAT BOOK 2, PAGE 12, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N89°35'42"W, ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 766.84 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 8295, PAGE 1058, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N00°33'19"E A DISTANCE OF 65.42 FEET TO THE NORTHEAST CORNER OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 8295, PAGE 1058; THENCE N75°12'51"W A DISTANCE OF 159.11 FEET TO THE NORTHWEST CORNER OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 8295, PAGE 1058; THENCE S23°50'29"W A DISTANCE OF 115.32 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 8295, PAGE 1058; THENCE CONTINUE S23°50'29"W A DISTANCE OF 3.32 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE OF EAST CRISAFULLI ROAD; THENCE S89°58'33"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 404.99 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 7594, PAGE 730, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N00°13'57"E, ALONG THE EAST LINE OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 7594, PAGE 730, A DISTANCE OF 587.97 FEET TO

THE NORTHEAST CORNER OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 7594, PAGE 730; THENCE S89°58'16"W, ALONG THE NORTH LINE OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 7594, PAGE 730 AND ALONG THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 6582, PAGE 2835, AND ALONG THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 10104, PAGE 1031, AND ALONG THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 10115, PAGE 1888, AND ALONG THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 9139, PAGE 1750, (ALL BEING RECORDED IN THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA), A DISTANCE OF 835.35 FEET TO THE POINT OF BEGINNING. CONTAINING 142.13 ACRES, MORE OR LESS.



REAL PROPERTY DETAILS
Account 2316605 - Roll Year 2024

Owners	782 LLC
Mailing Address	5525 COURTENAY PKWY MERRITT ISLAND FL 32953
Site Address	NONE
Parcel ID	23-36-24-00-500
Taxing District	2200 - UNINCORP DISTRICT 2
Exemptions	NONE
Property Use	6100 - GRAZING LAND - SOIL CAPABILITY CLASS II - VACANT
Total Acres	76.66
Site Code	0001 - NO OTHER CODE APPL.
Plat Book/Page	0000/0000
Subdivision	--
Land Description	SW 1/4 AS DES IN ORB 2344 PG 2621



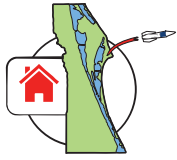
VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$417,950	\$417,950	\$417,950
Agricultural Land Value	\$7,600	\$6,470	\$6,470
Assessed Value Non-School	\$7,600	\$6,470	\$6,470
Assessed Value School	\$7,600	\$6,470	\$6,470
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$7,600	\$6,470	\$6,470
Taxable Value School	\$7,600	\$6,470	\$6,470

SALES / TRANSFERS

Date	Price	Type	Instrument
04/12/2018	\$700,000	WD	8145/0903
12/31/1981	\$625,000	WD	2344/2621
10/01/1971	\$120,300	PT	1203/0200

No Data Found



REAL PROPERTY DETAILS
Account 2316606 - Roll Year 2024

Owners	782 LLC
Mailing Address	5525 COURTENAY PKWY MERRITT ISLAND FL 32953
Site Address	NONE
Parcel ID	23-36-24-00-501
Taxing District	2200 - UNINCORP DISTRICT 2
Exemptions	NONE
Property Use	6120 - GRAZING LAND - SOIL CAPABILITY CLASS II - WITH BUI
Total Acres	11.11
Site Code	0001 - NO OTHER CODE APPL.
Plat Book/Page	0000/0000
Subdivision	--
Land Description	PART OF SW 1/4 AS DES IN ORB 2344 PG 2621



VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$52,540	\$52,580	\$52,620
Agricultural Land Value	\$1,470	\$1,250	\$1,250
Assessed Value Non-School	\$4,570	\$4,300	\$4,030
Assessed Value School	\$4,570	\$4,390	\$4,430
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$4,570	\$4,300	\$4,030
Taxable Value School	\$4,570	\$4,390	\$4,430

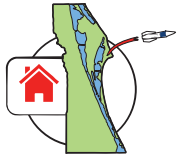
SALES / TRANSFERS

Date	Price	Type	Instrument
04/12/2018	\$700,000	WD	8145/0903
12/31/1981	\$625,000	WD	2344/2621
10/01/1971	\$22,200	PT	1203/0201

No Data Found

ADDITIONAL EXTRA FEATURES

Description	Units
Outbuilding	660
Patio - Concrete	640



REAL PROPERTY DETAILS
Account 2316607 - Roll Year 2024

Owners	782 LLC
Mailing Address	5525 N COURTENAY PKWY MERRITT ISLAND FL 32953
Site Address	NONE
Parcel ID	23-36-24-00-502
Taxing District	2200 - UNINCORP DISTRICT 2
Exemptions	NONE
Property Use	6100 - GRAZING LAND - SOIL CAPABILITY CLASS II - VACANT
Total Acres	36.86
Site Code	0001 - NO OTHER CODE APPL.
Plat Book/Page	0000/0000
Subdivision	--
Land Description	PART OF SW 1/4 AS DES IN ORB 2344 PG 2621, & NW 1/4 OF NW 1/4 OF SW 1/4 PAR 503



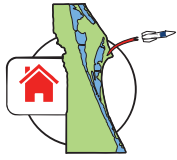
VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$204,230	\$204,230	\$204,230
Agricultural Land Value	\$4,920	\$4,460	\$4,460
Assessed Value Non-School	\$4,920	\$4,460	\$4,460
Assessed Value School	\$4,920	\$4,460	\$4,460
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$4,920	\$4,460	\$4,460
Taxable Value School	\$4,920	\$4,460	\$4,460

SALES / TRANSFERS

Date	Price	Type	Instrument
04/12/2018	\$700,000	WD	8145/0903
12/31/1981	\$625,000	WD	2344/2621
10/01/1971	\$120,300	PT	1203/0200

No Data Found



REAL PROPERTY DETAILS
Account 2316617 - Roll Year 2024

Owners	782 LLC
Mailing Address	5525 N COURTENAY PKWY MERRITT ISLAND FL 32953
Site Address	NONE
Parcel ID	23-36-24-00-513
Taxing District	2200 - UNINCORP DISTRICT 2
Exemptions	NONE
Property Use	6100 - GRAZING LAND - SOIL CAPABILITY CLASS II - VACANT
Total Acres	7.13
Site Code	0001 - NO OTHER CODE APPL.
Plat Book/Page	0000/0000
Subdivision	--
Land Description	PART OF SE 1/4 OF SW 1/4 AS DESC IN ORB 2345 PG 1489 EXC ORB 8639 PG 1696, ALSO EXC PART OF SE 1/4 OF SW 1/4 BOUNDED ON S BY CRISAFULLI RD, ON E BY 1/2 SECTION LINE & ON N & W BY ORB 8639 PG 1696



VALUE SUMMARY

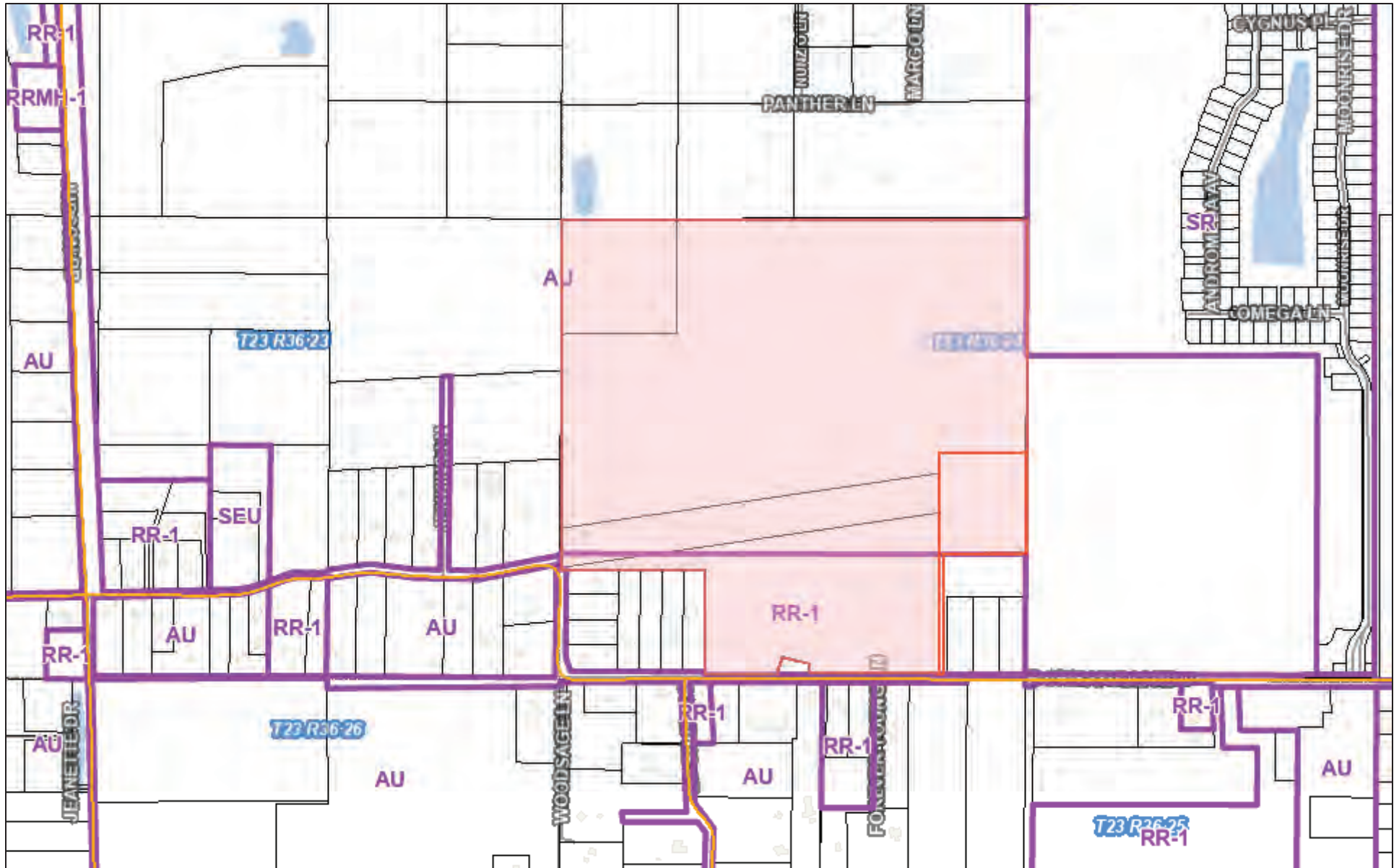
Category	2024	2023	2022
Market Value	\$142,600	\$142,600	\$142,600
Agricultural Land Value	\$920	\$770	\$0
Assessed Value Non-School	\$920	\$770	\$142,600
Assessed Value School	\$920	\$770	\$142,600
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$920	\$770	\$142,600
Taxable Value School	\$920	\$770	\$142,600

SALES / TRANSFERS

Date	Price	Type	Instrument
04/12/2018	\$700,000	WD	8145/0903
01/02/1981	\$175,000	WD	2345/1489

No Data Found

Tax Account 2316605, 2316617, 2316606, 2316607

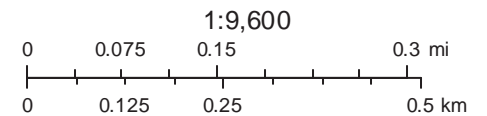


Search Results: Parcel (Tax Account) Roadway

Override 1

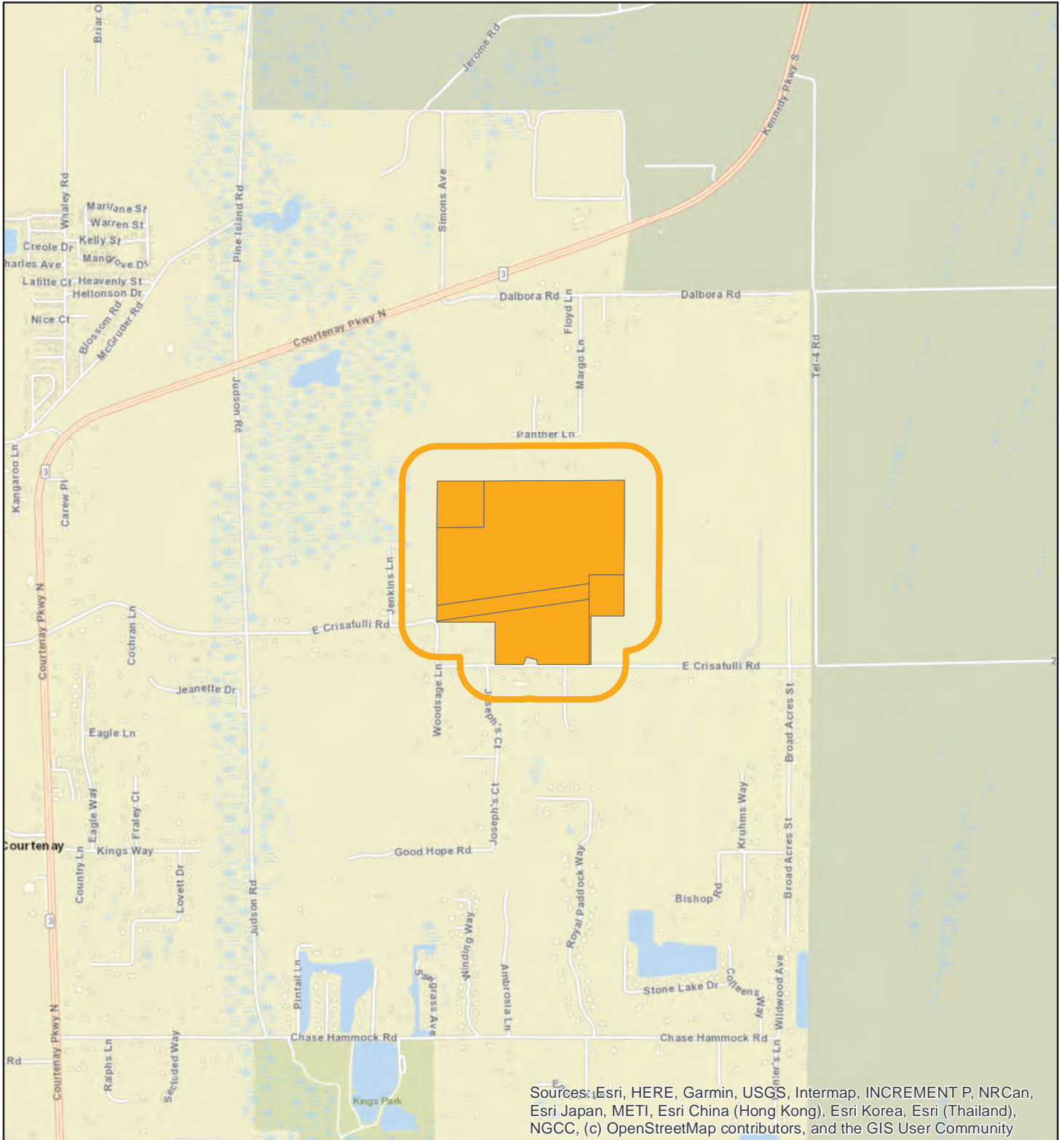
- County
- County ROW/Non-Maintained

- County ROW (Under Maintenance Bond)
- Zoning
- Street Label
- Section



LOCATION MAP

782 LLC
25Z00039



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community





1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 500 feet

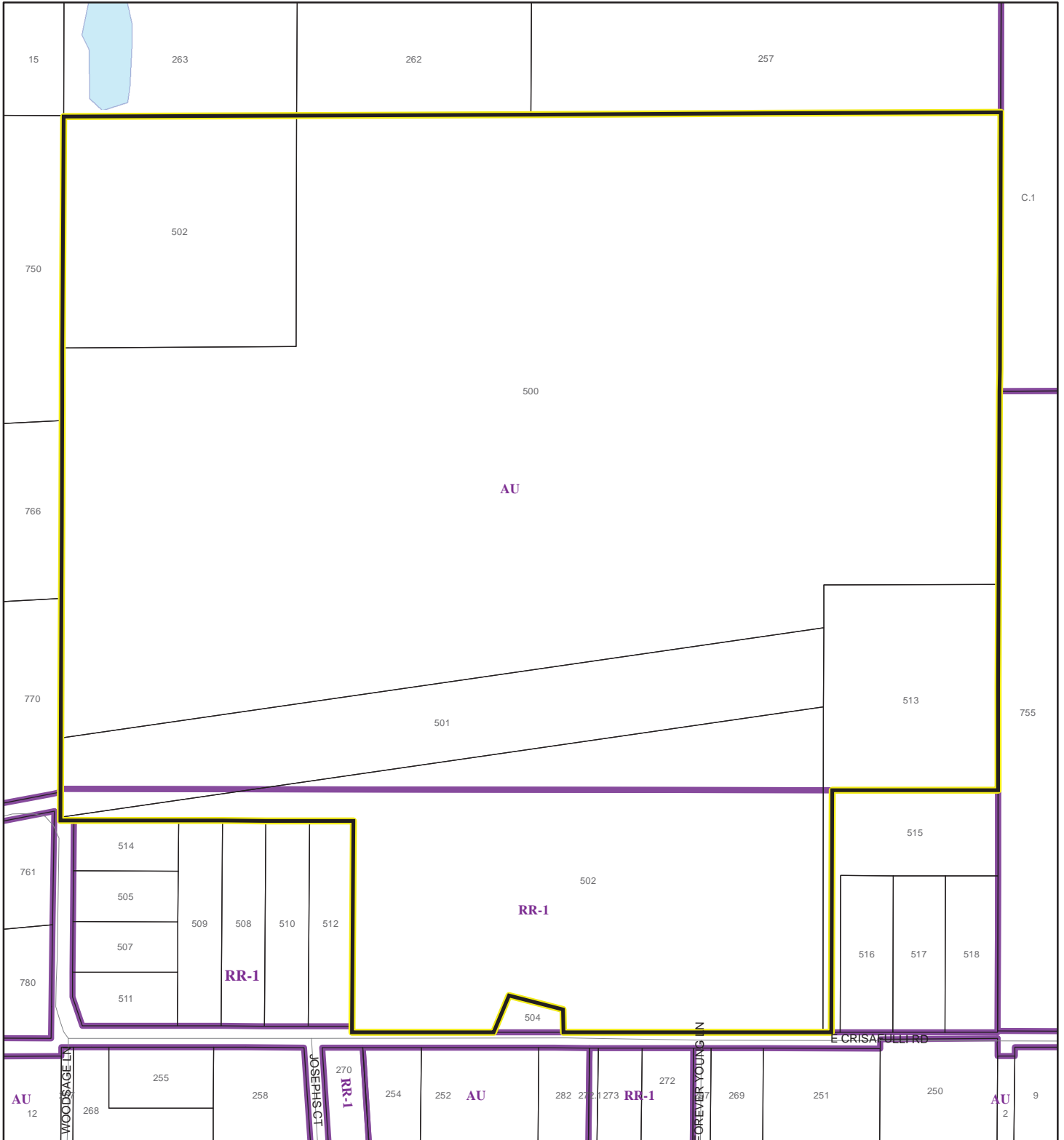
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 10/13/2025

-  Buffer
-  Subject Property

ZONING MAP

782 LLC
25Z00039



1:4,800 or 1 inch = 400 feet

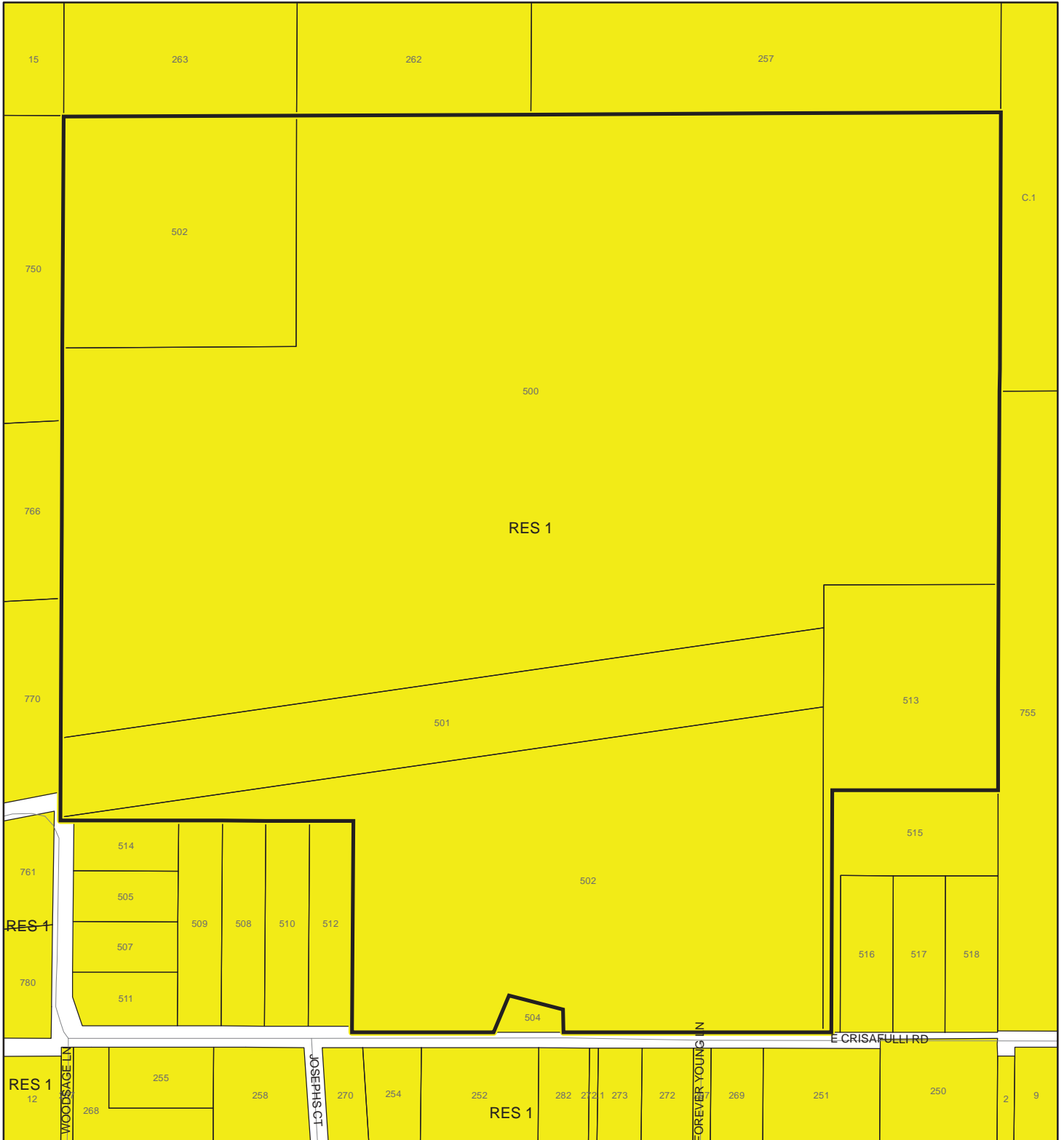
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 10/13/2025



-  Subject Property
-  Parcels
-  Zoning

FUTURE LAND USE MAP

782 LLC
25Z00039



1:4,800 or 1 inch = 400 feet

-  Subject Property
-  Parcels

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 10/13/2025

R-70

AERIAL MAP

782 LLC
25Z00039



1:4,800 or 1 inch = 400 feet

PHOTO YEAR: 2025

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

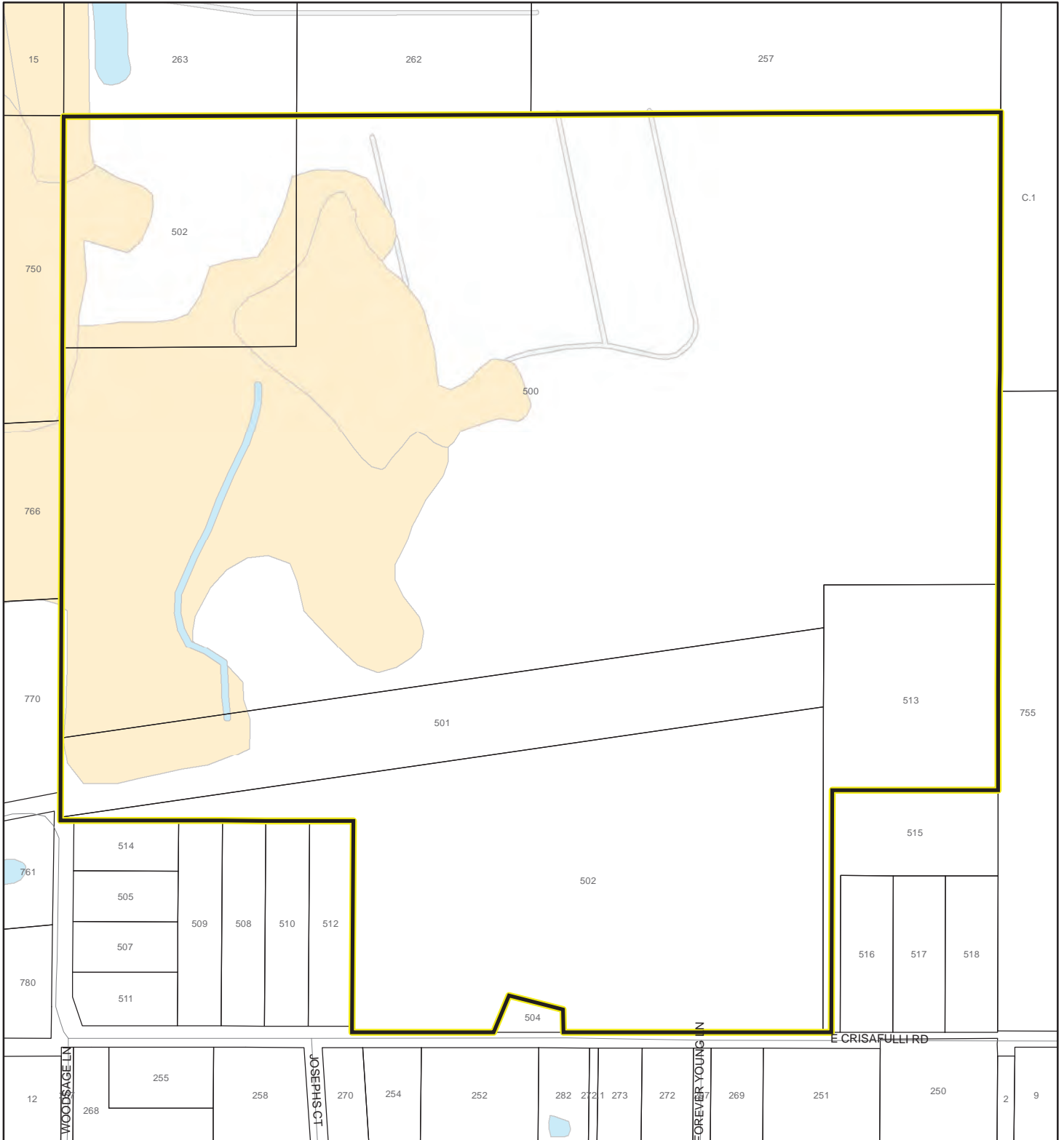
Produced by BoCC - GIS Date: 10/13/2025

 Subject Property

 Parcels

NWI WETLANDS MAP

782 LLC
25Z00039













1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

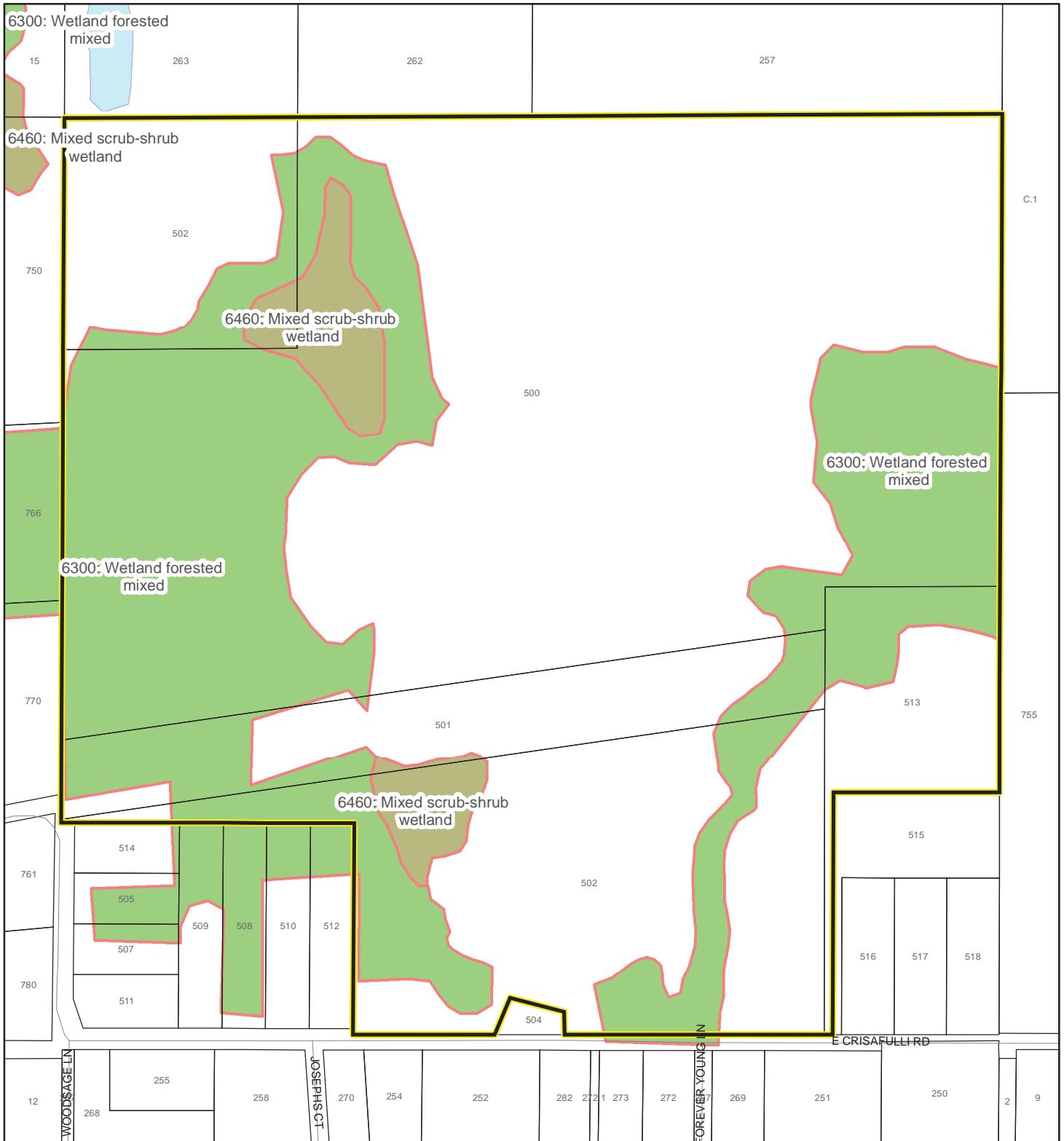
Produced by BoCC - GIS Date: 10/13/2025

National Wetlands Inventory (NWI)

- | | |
|--|--|
|  Estuarine and Marine Deepwater |  Freshwater Pond |
|  Estuarine and Marine Wetland |  Lake |
|  Freshwater Emergent Wetland |  Other |
|  Freshwater Forested/Shrub Wetland |  Riverine |
| |  Subject Property |
| |  Parcels |

SJRWMD FLUCCS WETLANDS - 6000 Series MAP

782 LLC
25Z00039



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 10/13/2025

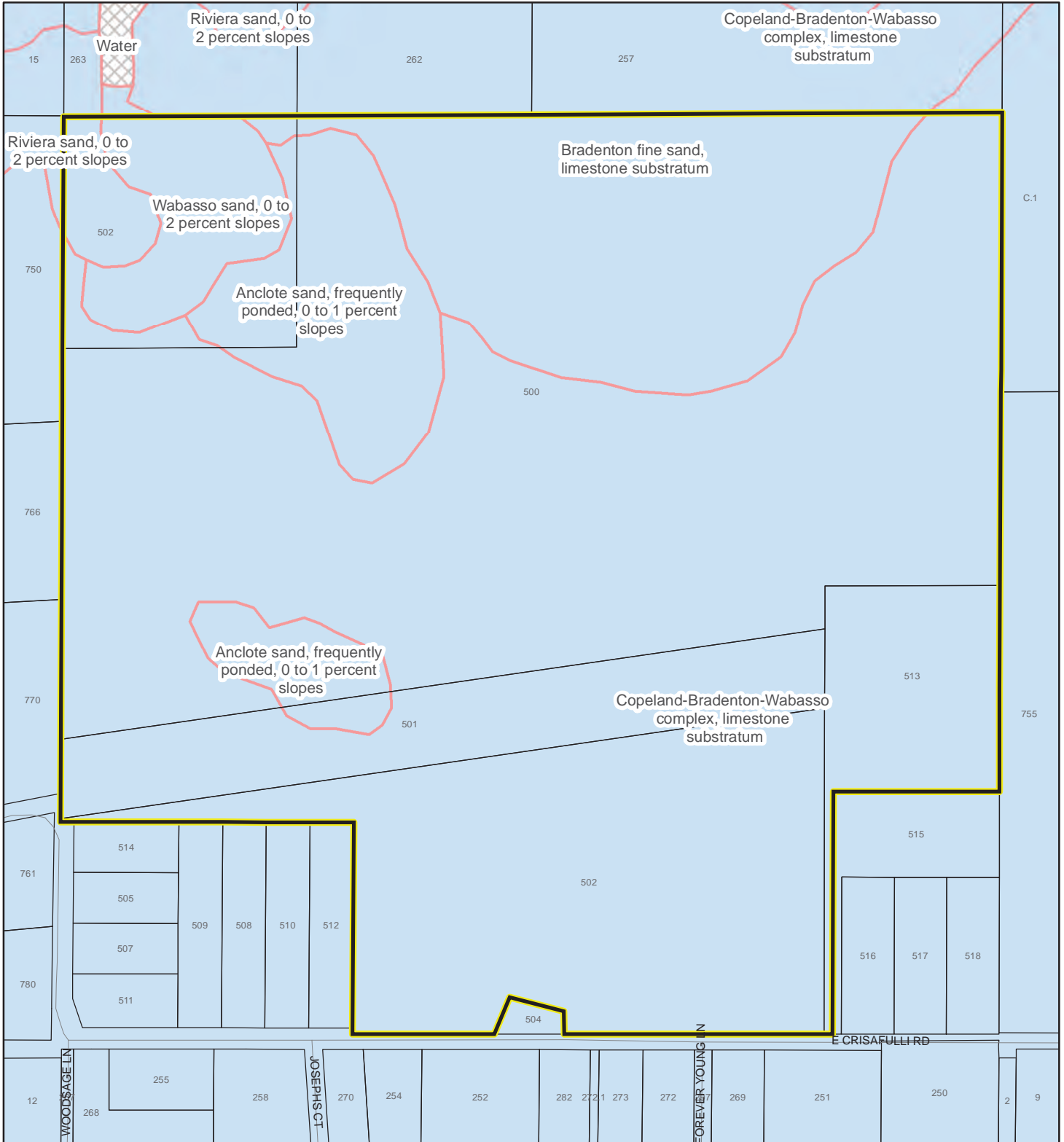
- SJRWMD FLUCCS WETLANDS**
- Wetland Hardwood Forests - Series 6100
 - Wetland Coniferous Forest - Series 6200
 - Wetland Forested Mixed - Series 6300
 - Vegetated Non-Forested Wetlands - Series 6400
 - Non-Vegetated Wetland - Series 6500

Subject Property

Parcels

USDA SCSSS SOILS MAP

782 LLC
25Z00039



1:4,800 or 1 inch = 400 feet

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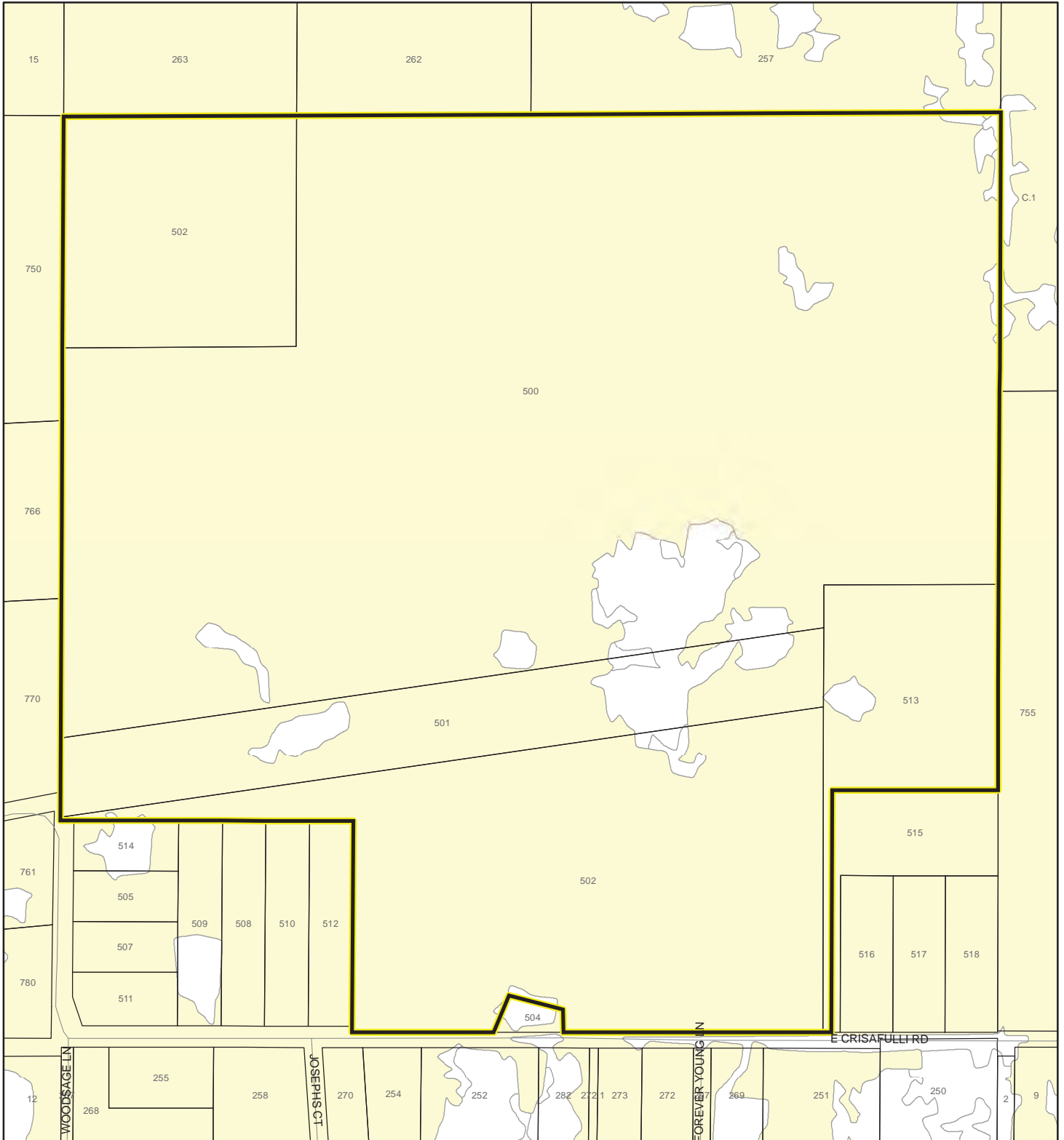
Produced by BoCC - GIS Date: 10/13/2025

USDA SCSSS Soils

- Aquifer and Hydric
- Aquifer
- Hydric
- None
- Subject Property
- Parcels

FEMA FLOOD ZONES MAP
















782 LLC
25Z00039



1:4,800 or 1 inch = 400 feet

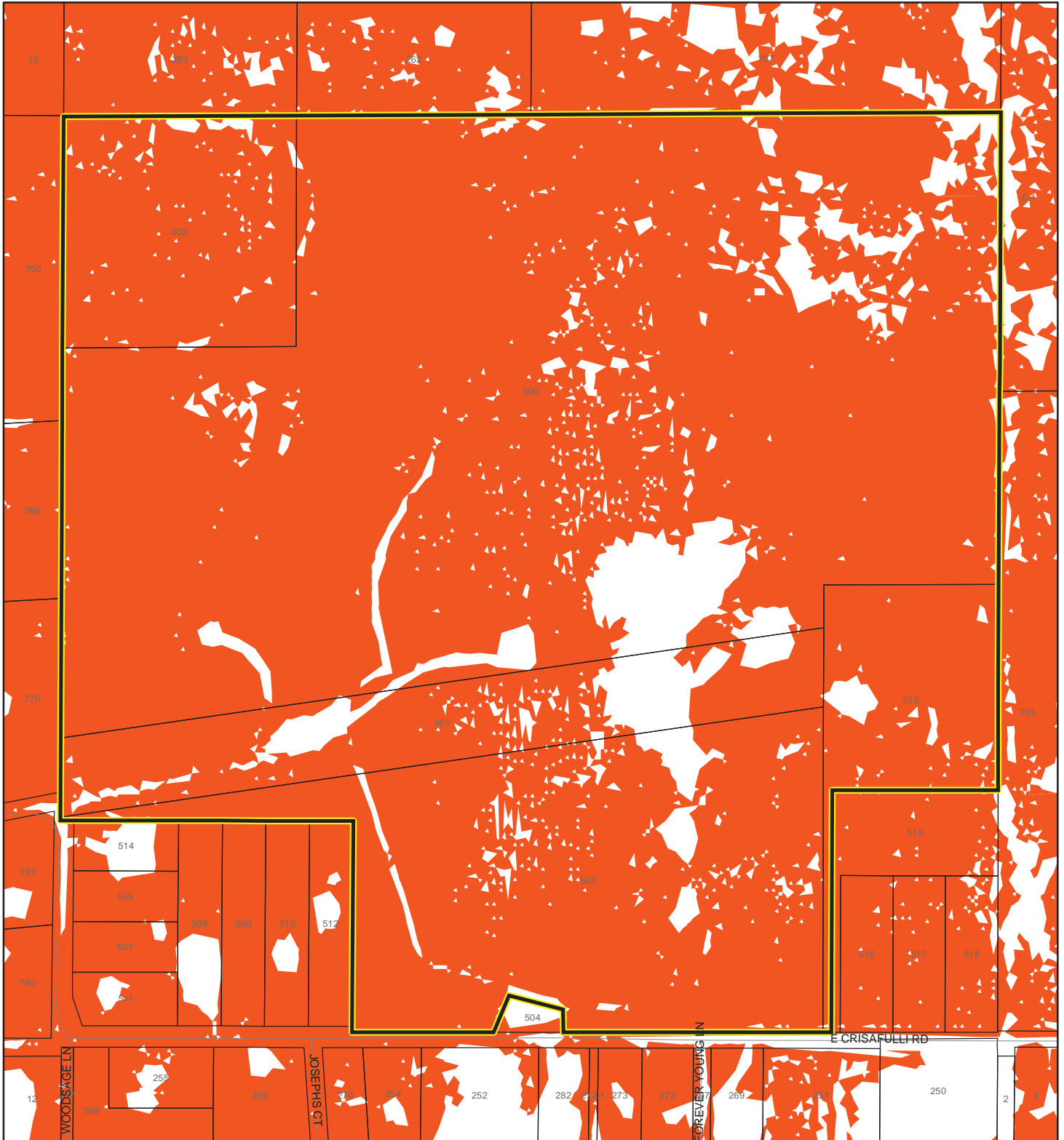
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 10/13/2025

FEMA Flood Zones		
	A	
	AO	
	AE	
	AH	
	Open Water	
	VE	
	Subject Property	
	Parcels	

COASTAL HIGH HAZARD AREA MAP

782 LLC
25Z00039



1:4,800 or 1 inch = 400 feet




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Produced by BoCC - GIS Date: 10/13/2025

 Subject Property

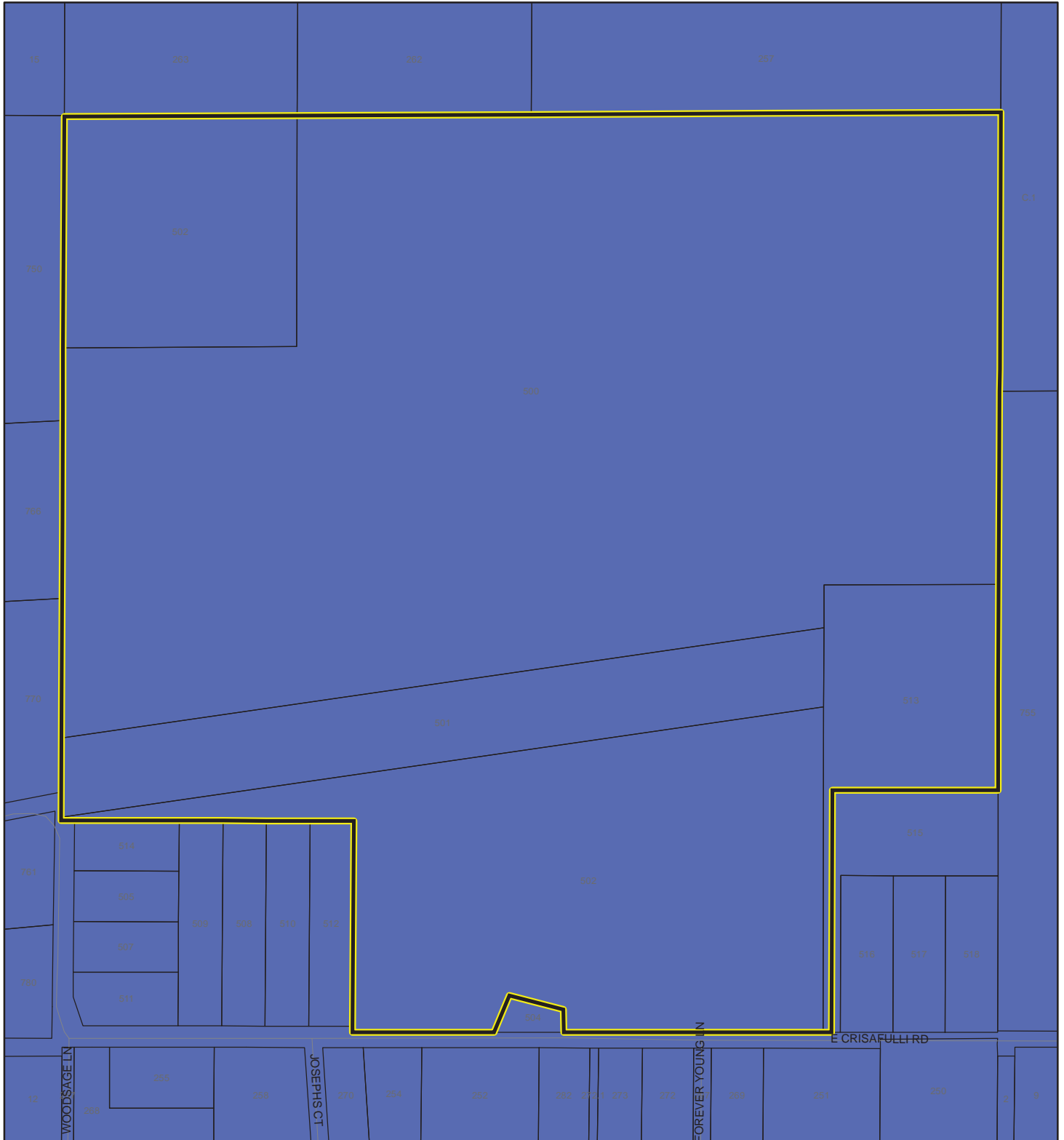
 Parcels

Coastal High Hazard Area

 SurgeZoneCat1

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

782 LLC
25Z00039



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 10/13/2025

 Subject Property

 Parcels

Septic Overlay

 40 Meters

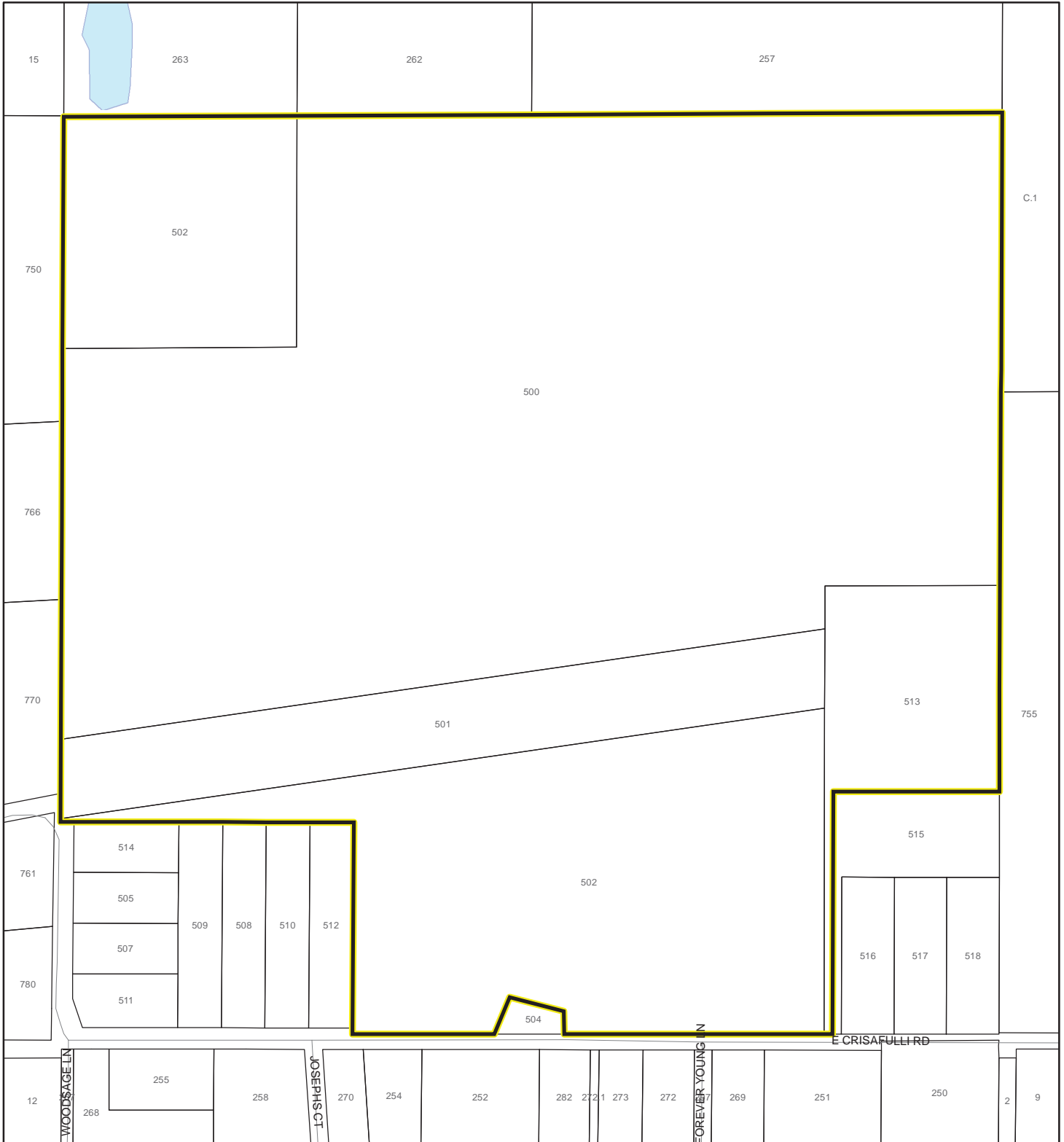
 60 Meters

 All Distances

R-77

EAGLE NESTS MAP

782 LLC
25Z00039



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 10/13/2025

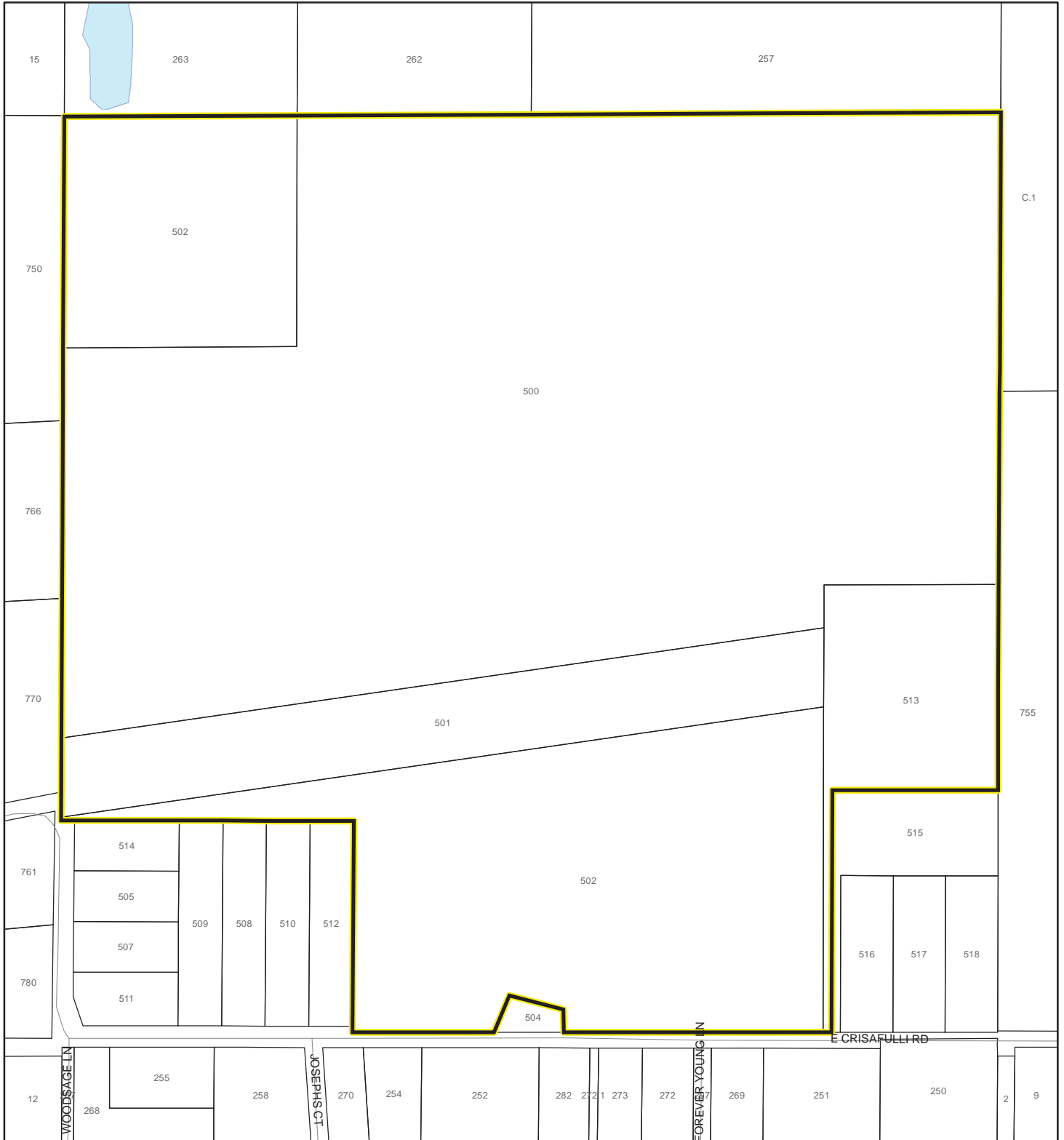
 Subject Property

 Parcels

 Eagle Nests
FWS

SCRUB JAY OCCUPANCY MAP




782 LLC
25Z00039



1:4,800 or 1 inch = 400 feet

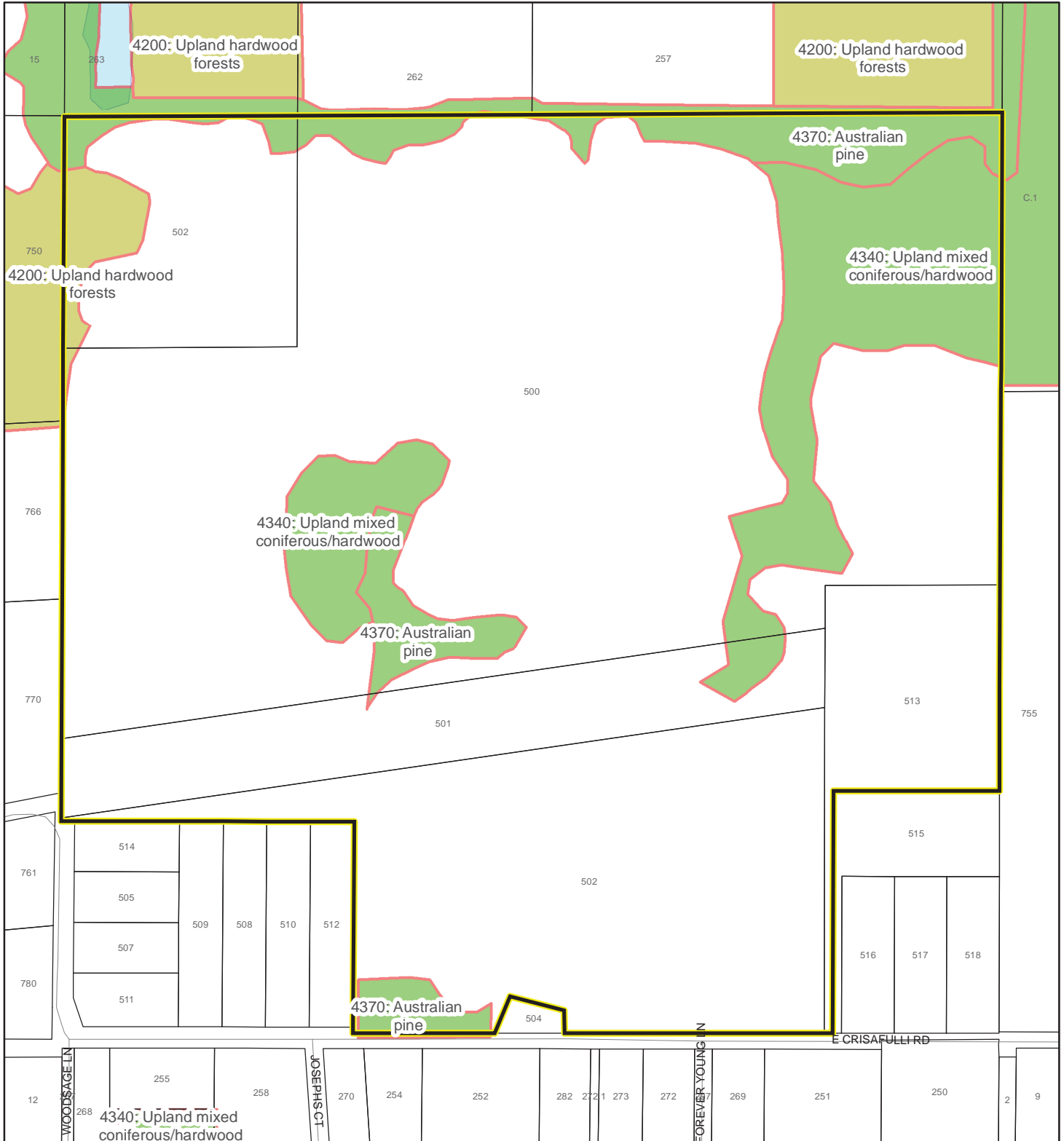
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Produced by BoCC - GIS Date: 10/13/2025

-  Subject Property
-  Parcels
-  Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

782 LLC
25Z00039



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 10/13/2025

SJRWMD FLUCCS Upland Forests

- Upland Coniferous Forest - 4100 Series
- Upland Hardwood Forest - 4200 Series
- Upland Mixed Forest - 4300 Series
- Tree Plantations - 4400 Series

Subject Property

Parcels

Owner's Name: STRADA DEVELOPMENT LLC

Hearing Date: 1/12/26

25200039

THIS AFFIDAVIT IS TO BE SUBMITTED BEFORE THE PUBLIC HEARING

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF BREVARD

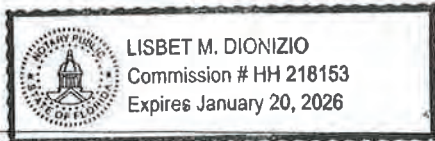
Before me, this undersigned authority, personally appeared, Amanda Kirkendall
to me well known and known to me to be the person described in and who executed the foregoing affidavit after
being first duly sworn, says:

1. That the affiant posted the notice provided by the Brevard County Planning & Development Department, which contains the time(s) and date(s) of the Public Hearing(s) involved.
2. Said posted notice contains the name of the applicant, the total acreage of the property in question, the existing land use classification, special use classification, or conditional use designation, and the requested amendment to the official zoning maps. Said notice also contains the time and place of the public hearing on the consideration of said application by the Board of County Commissioners of Brevard County, if applicable.
3. The said notice has been posted in a conspicuous place on the subject property not more than twenty-five (25) days, nor less than fifteen (15) days prior to the first public hearing before the applicable board (as indicated on notice). If the property abuts a public road right-of-way, the notice has been posted within ten (10) feet of the road right-of-way in such a manner as to be visible from the road right-of-way.
4. The affiant understands that this affidavit is intended to be submitted as a requirement for a public hearing, and as such, will be officially filed with the Government of Brevard County, Florida.

A. M. Mador

Signature

Sworn and Subscribed before me, this 31st day of December 2025.



(Print, Type, or Stamp Commissioned Name of Notary Public)

Lisbet M. Dionizio
Notary Public, State of Florida

Personally known OR Produced Identification

Type of I.D. Produced: _____

25200039

THIS AFFIDAVIT IS TO BE SUBMITTED BEFORE THE PUBLIC HEARING

AFFIDAVIT

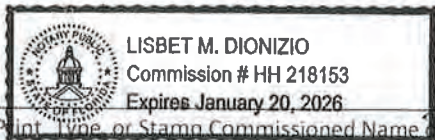
STATE OF FLORIDA
COUNTY OF BREVARD

Before me, this undersigned authority, personally appeared, Amanda Kirkendall,
to me well known and known to me to be the person described in and who executed the foregoing affidavit after
being first duly sworn, says:

1. That the affiant posted the notice provided by the Brevard County Planning & Development Department, which contains the time(s) and date(s) of the Public Hearing(s) involved.
2. Said posted notice contains the name of the applicant, the total acreage of the property in question, the existing land use classification, special use classification, or conditional use designation, and the requested amendment to the official zoning maps. Said notice also contains the time and place of the public hearing on the consideration of said application by the Board of County Commissioners of Brevard County, if applicable.
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4. The affiant understands that this affidavit is intended to be submitted as a requirement for a public hearing, and as such, will be officially filed with the Government of Brevard County, Florida.

A. Whelan
Signature

Sworn and Subscribed before me, this 31st day of December 2025.



(Print, Type, or Stamp Commissioned Name of Notary Public)

Lisbet Dionizio
Notary Public, State of Florida

Personally known OR Produced Identification

Type of I.D. Produced: _____

AERIAL MAP

782 LLC
25Z00039

WOODSAGE LN

E CAISAPUL RD



1:4,800 or 1 inch = 400 feet

PHOTO YEAR: 2025

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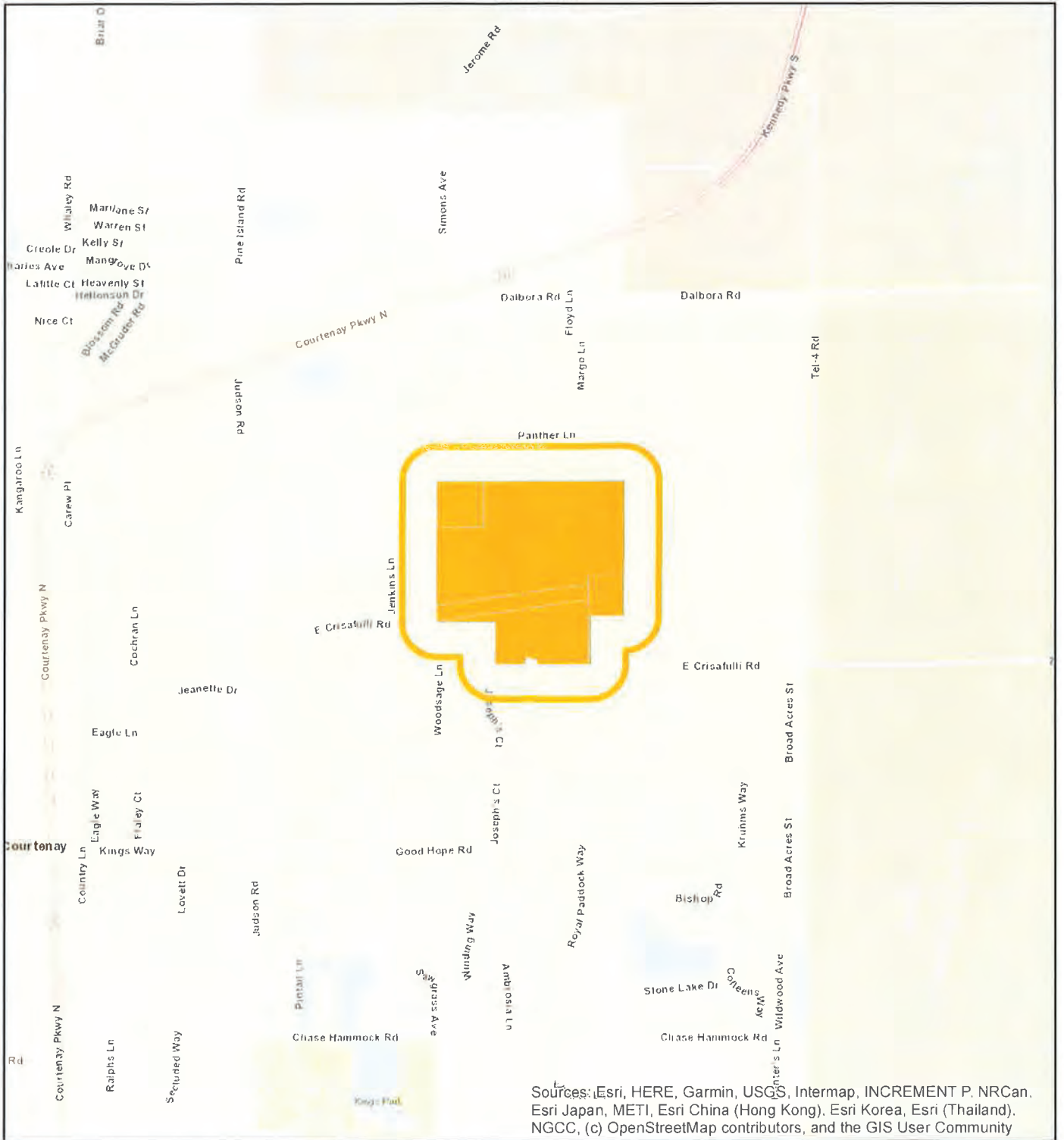
Produced by BoCC - GIS Date: 10/13/2025

 Subject Property

 Parcels

LOCATION MAP

782 LLC
25Z00039



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community





1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 500 feet

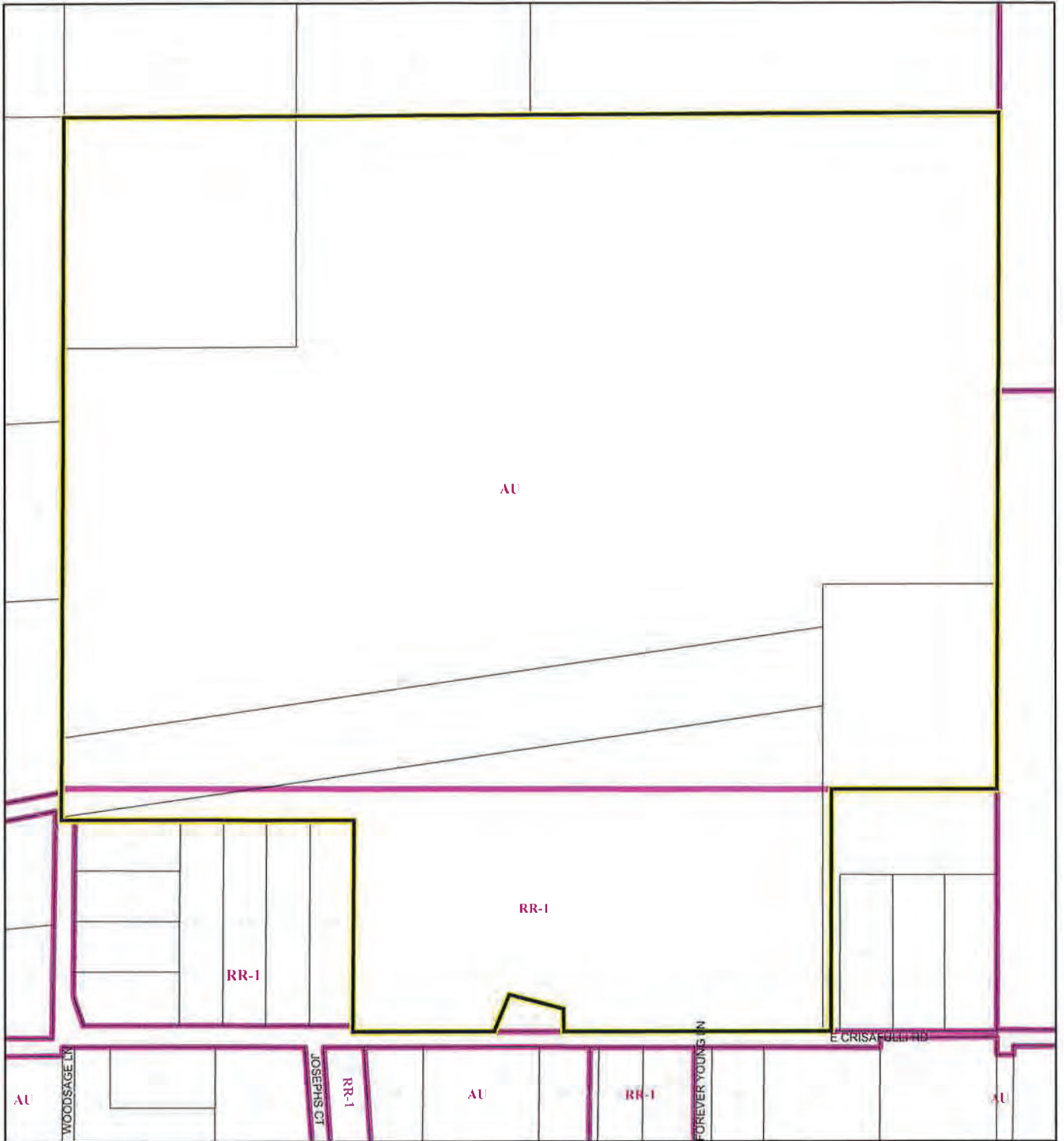
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Produced by BoCC - GIS Date: 10/13/2025

-  Buffer
-  Subject Property

ZONING MAP




782 LLC
25Z00039



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Produced by BoCC - GIS Date: 10/13/2025

-  Subject Property
-  Parcels
-  Zoning



REAL PROPERTY DETAILS
 Account 2316605 - Roll Year 2024

Owners 782 LLC
 Mailing Address 5525 COURTENAY PKWY MERRITT ISLAND FL 32953
 Site Address NONE
 Parcel ID 23-36-24-00-500
 Taxing District 2200 - UNINCORP DISTRICT 2
 Exemptions NONE
 Property Use 6100 - GRAZING LAND - SOIL CAPABILITY CLASS II - VACANT
 Total Acres 76.66
 Site Code 0001 - NO OTHER CODE APPL.
 Plat Book/Page 0000/0000
 Subdivision --
 Land Description SW 1/4 AS DES IN ORB 2344 PG 2621



VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$417,950	\$417,950	\$417,950
Agricultural Land Value	\$7,600	\$6,470	\$6,470
Assessed Value Non-School	\$7,600	\$6,470	\$6,470
Assessed Value School	\$7,600	\$6,470	\$6,470
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$7,600	\$6,470	\$6,470
Taxable Value School	\$7,600	\$6,470	\$6,470

SALES / TRANSFERS

Date	Price	Type	Instrument
04/12/2018	\$700,000	WD	8145/0903
12/31/1981	\$625,000	WD	2344/2621
10/01/1971	\$120,300	PT	1203/0200

No Data Found



REAL PROPERTY DETAILS
 Account 2316606 - Roll Year 2024

Owners 782 LLC
 Mailing Address 5525 COURTENAY PKWY MERRITT ISLAND FL 32953
 Site Address NONE
 Parcel ID 23-36-24-00-501
 Taxing District 2200 - UNINCORP DISTRICT 2
 Exemptions NONE
 Property Use 6120 - GRAZING LAND - SOIL CAPABILITY CLASS II - WITH BUI
 Total Acres 11.11
 Site Code 0001 - NO OTHER CODE APPL.
 Plat Book/Page 0000/0000
 Subdivision --
 Land Description PART OF SW 1/4 AS DES IN ORB 2344 PG 2621



VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$52,540	\$52,580	\$52,620
Agricultural Land Value	\$1,470	\$1,250	\$1,250
Assessed Value Non-School	\$4,570	\$4,300	\$4,030
Assessed Value School	\$4,570	\$4,390	\$4,430
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$4,570	\$4,300	\$4,030
Taxable Value School	\$4,570	\$4,390	\$4,430

SALES / TRANSFERS

Date	Price	Type	Instrument
04/12/2018	\$700,000	WD	8145/0903
12/31/1981	\$625,000	WD	2344/2621
10/01/1971	\$22,200	PT	1203/0201

No Data Found

ADDITIONAL EXTRA FEATURES

Description	Units
Outbuilding	660
Patio - Concrete	640



Dana Blickley, CFA, Brevard County Property Appraiser

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(321) 264-6700

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Disclaimer

REAL PROPERTY DETAILS
Account 2316607 - Roll Year 2024

Owners 782 LLC
 Mailing Address 5525 N COURTENAY PKWY MERRITT ISLAND FL 32953
 Site Address NONE
 Parcel ID 23-36-24-00-502
 Taxing District 2200 - UNINCORP DISTRICT 2
 Exemptions NONE
 Property Use 6100 - GRAZING LAND - SOIL CAPABILITY CLASS II - VACANT
 Total Acres 36.86
 Site Code 0001 - NO OTHER CODE APPL.
 Plat Book/Page 0000/0000
 Subdivision --
 Land Description PART OF SW 1/4 AS DES IN ORB 2344 PG 2621, & NW 1/4 OF NW 1/4 OF SW 1/4 PAR 503



VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$204,230	\$204,230	\$204,230
Agricultural Land Value	\$4,920	\$4,460	\$4,460
Assessed Value Non-School	\$4,920	\$4,460	\$4,460
Assessed Value School	\$4,920	\$4,460	\$4,460
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$4,920	\$4,460	\$4,460
Taxable Value School	\$4,920	\$4,460	\$4,460

SALES / TRANSFERS

Date	Price	Type	Instrument
04/12/2018	\$700,000	WD	8145/0903
12/31/1981	\$625,000	WD	2344/2621
10/01/1971	\$120,300	PT	1203/0200

No Data Found



Dana Blickley, CFA, Brevard County Property Appraiser

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Disclaimer

REAL PROPERTY DETAILS
Account 2316617 - Roll Year 2024

Owners 782 LLC
Mailing Address 5525 N COURTENAY PKWY MERRITT ISLAND FL 32953
Site Address NONE
Parcel ID 23-36-24-00-513
Taxing District 2200 - UNINCORP DISTRICT 2
Exemptions NONE
Property Use 6100 - GRAZING LAND - SOIL CAPABILITY CLASS II - VACANT
Total Acres 7.13
Site Code 0001 - NO OTHER CODE APPL.
Plat Book/Page 0000/0000
Subdivision --
Land Description PART OF SE 1/4 OF SW 1/4 AS DESC IN ORB 2345 PG 1489 EXC ORB 8639 PG 1696, ALSO EXC PART OF SE 1/4 OF SW 1/4 BOUNDED ON S BY CRISAFULLI RD, ON E BY 1/2 SECTION LINE & ON N & W BY ORB 8639 PG 1696



VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$142,600	\$142,600	\$142,600
Agricultural Land Value	\$920	\$770	\$0
Assessed Value Non-School	\$920	\$770	\$142,600
Assessed Value School	\$920	\$770	\$142,600
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$920	\$770	\$142,600
Taxable Value School	\$920	\$770	\$142,600

SALES / TRANSFERS

Date	Price	Type	Instrument
04/12/2018	\$700,000	WD	8145/0903
01/02/1981	\$175,000	WD	2345/1489

No Data Found

REZONING NOTICE

25Z00039

The North Merritt Island Dependent Special District Board will hold a public hearing at 6:00 P.M. on JANUARY 08, 2026, at the Meritt Island Service Complex, 2575 North Courtenay Parkway, Second Floor, North Merritt Island, FL, to consider the below proposal.

The Planning & Zoning Board will hold a public hearing at 3:00 P.M. on JANUARY 12, 2026, at the Government Center, 2725 Judge Fran Jamieson Way, Viera, to consider the proposed zoning action on this property as indicated below:

Owner: Strada Development, LLC (Kim Rezanka)

Present Zoning: AU & RR-1 Acreage: 142.13

Requested Action(s): SR (Suburban Residential) with a BDP

The recommendations from the aforementioned public hearings will be presented to the County Commission at 5:00 P.M. on FEBRUARY 05, 2026, at the Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera. Interested parties are invited to appear and be heard. Written comments filed with the Brevard County Zoning Official, Brevard County Government Center, 2725 Judge Fran Jamieson Way, A114, Viera, FL 32940, will be considered.

Removal of this sign prior to FEBRUARY 05, 2026 is illegal and subject to prosecution.



REZONING NOTICE

25Z00039

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North Merritt Island Dependent Special District Board

The North Merritt Island Dependent Special District Board met on Thursday, January 08, 2026, at 6:00 p.m., at the Merritt Island Service Complex, 2575 N. Courtenay Pkwy., Second Floor, Merritt Island, Florida.

The meeting was called to order at 6:00 p.m.

Board members present were Mary Hillberg, Chris Cook, Jim Carbonneau, Gina Lindhorst, and John Speck.

Staff members present were Trina Gilliam, Planning and Zoning Manager; Derrick Hughey, Planner; and Jordan Sagosz, Operations Support Specialist.

EXCERPT OF COMPLETE MINUTES

Item H.1. Strada Development, LLC (Kim Rezanka) requests a zoning classification change from AU and RR-1 to SR with a BDP. (25Z00039) (Tax Accounts 2316605, 2316606, 2316607, 2316617) (District 2)

Derrick Hughey read the application into the record.

Kim Rezanka spoke to the application. Maronda Homes is the related entity to Strada Development. The proposed plan is for 61 homes on 142 acres, with an average density of 1 unit per 2.33 acres. The concept plan has not been reviewed by staff. We have a BDP that's for 1 unit per acre, we willing to change that to 61 units because that's all they can really build and that's all they want to build. They will be 1/2 acre and they're not going to be using the open space subdivision. The property is very difficult to development. It's been agricultural land for a long time and there are many wetlands. That is why it's in this configuration. They must work around the wetlands, and they can only impact 1.8 percent of the wetlands. It's a difficult design. There have been questions as to why we can't come in before the 90.....turn. Those are wetlands there and a canal or ditch. We had a community meeting on December 15th, with approximately 25 people in attendance. They had concerns about the road, with the traffic, stormwater and the flooding. We have our engineer here to discuss that. This is the proposal, the SR zoning requires 1/2 acre, the BDP will limit it to 61 units. This is not going to impact the neighbors. We have been asked to work with the county regarding the canal maintenance and Judson Road. There is no bond maintenance for this road. So, if there are problems with this road that's up to the County Commissioners to take care of.

Katie Peck stated Maronda is in 6 different areas of Florida. She said they are envisioning larger lot sizes, 1/2 acre lots complying with the minimum square footage of the lots under the requested zoning being proposed. Price point wise they are proposing the same as Island Forest, starting around high 5's and up into the 7's and 8's.

John Speck asked who is responsible for the flooding engineering.

Ms. Peck stated it would be their engineer.

Hassan Kamal spoke about the concept plan. Going to be developing about 50 to 55 acres. Will be preserving almost 60 percent of the property. 85 to 90 acres will remain in it's natural condition.

Jim Carbonneau asked how many acres are being developed.

Mr. Kamal responded between 50 and 55 acres. We don't have an exact number yet. Between 85 and 90 acres will remain natural. Lots will be served by the City of Cocoa water facility. Will have an

onsite lift station that will connect to the Brevard County force main that runs along Crisafulli Road. The 61 lots are all a minimum of 1/2 acre in size, sized based on the zoning requirements for the lot size on both frontage and depth. We are conceptualizing a master stormwater system that will provide for all the stormwater treatment onsite, so we don't discharge anymore water from the property than what's currently going. Will comply with North Merritt Island Drainage study as well as the new state criteria that went into effect at the end of December. Will be reviewed and approved by both Brevard County and the Water Management District. The system will consist of a series of pipes and stormwater ponds that will take care of the water and make sure that there's not adverse impacts to downstream or upstream of the facilities. The wetland impacts on the site are very minimal. We're limited to no more than 1.8 percent of the total property as far as total wetland impacts, which comes out to less than 2.5 acres. The current plan reflects that number. The perimeter buffers are as large as possible.

Gina Lindhorst asked what do you consider undeveloped land? What does that look like?

Mr. Kamal responded you can see on the map; there's 2 shades of green, the darker would be the jurisdictional wetlands, the lighter are upland buffers that will remain in place. Those are the areas we won't have lots or stormwater ponds, or roadways. It will remain in its' current condition.

Ms. Lindhorst stated she's wondering if you're considering grass and maintained foliage undeveloped.

Mr. Kamal responded if it's in any of the green color it will be undeveloped. Completely undeveloped. When going through the Water Management process there will be requirements for maintaining upland buffers and wetlands. They'll be placed in conservation easements that will address exactly what you can and can't do within those areas. Those will be recorded easements; they'll be in the declarations and homeowner's documents.

Mary Hillberg asked what percentage of the properties are green.

Mr. Kamal responded around 60 percent of the property will be undeveloped.

Mr. Speck asked about the conceptual stormwater criteria design.

Mr. Kamal responded this area of Merritt Island has a master drainage study that's in place and a master model for the drainage basins. We must take this project and how we're developing it and insert it into that model and run it through, basically show that the impacts from the flow from this project don't impact any upstream or downstream from the facilities. That's in addition to meeting our own water quality onsite. We must evaluate region wide.

Mr. Speck asked about the lift station and if it's part of this concept.

Mr. Kamal responded we haven't done the full design of the lift station. We know we need one, there's not gravity sewer out there. There's a force main along Crisafulli Rd. We've done some preliminary coordination with Brevard County to understand what that force main is and what the pressures are, so we'll have our own onsite lift station and our own onsite gravity sewer system that will collect domestic waste from the 61 homes, goes to the lift station and gets pumped out to the force main on Crisafulli.

Mr. Speck stated that he noticed that the Natural Resource Department said it should be 5 acres per dwelling, how do you get around that.

Mr. Kamal responded you're allowed to impact up to 1.8 percent of the total project area. That's what we're limited to.

Mr. Speck stated it specifically says development shall be limited to not more than 1 dwelling per 5 acres.

Ms. Rezanka responded if you want to build in the wetlands you can only put 1 house per 5 acres. We're not building in the wetlands.

Mr. Speck stated that whole property is almost.....

Ms. Rezanka continued we're only building in the uplands. Currently the zoning is 1 unit per 2.5 acres in the AU. We're asking for SR, Suburban Residential, zoning which is 1/2 acre, so we're asking for a zoning change to SR. But we're going to keep within the future land use of 1 unit to the acre, in fact way less with 1 unit per every 2.33 acres if this is approved.

Ms. Hillberg inquired why do you ask for that then if you're not going to be using it.

Ms. Rezanka responded because we can't put houses in the wetlands. The County doesn't allow it. So, to get use of this property we must have 1/2 acre lots or less, like Island Forest Preserve has 1/4 acre lots. Because they did an open space subdivision plan even though they have SR zoning as well.

Mr. Speck stated so they're .5 acres.

Ms. Hillberg inquired if they tried the open space program.

Ms. Rezanka responded we could, but then we'd have smaller lots. And we still can't build in the wetlands by the County code.

Mr. Carbonneau stated in the packet the map indicates coastal high hazard flood area. That's only for a category 1. And, 2 pages back is the upland forest area. Is that what we're seeing here?

Ms. Rezanka responded that is a wetlands map which is different than the forested map. There should be a wetlands map in that package as well.

Mr. Speck stated you're squeezing in the development inside of this area without touching the wetlands.

Ms. Rezanka responded we're touching approximately 2 acres of the wetlands.

Mr. Carbonneau inquired how are you going to address all that flooding on the orange map. All that wetness in your plan.

Mr. Kamal responded our structures will be set well above that. When we do the engineering we have to evaluate the site elevations, the site will be filled above the flood hazard.

Mr. Carbonneau continued with you are going to fill at least 61 acres, to raise it above.

Mr. Kamal replied correct.

Ms. Hillberg asked how high are your elevations?

Mr. Kamal we don't know that yet. We'll have to do the engineering and once we run the model we'll be able to set the elevation. From experience it's going to be at least 2 or 3 feet, maybe a little bit more in places. It will vary through the site. Depending on where the homes sit.

Ms. Hillberg stated that would be a foot above the crown of the road.

Mr. Kamal responded yes. We must set the road elevation to make sure it meets the county criteria, which is the 25-year flood, then the houses will sit above that.

Mr. Carbonneau inquired regarding impacting the area, how are you going to help the area with this project.

Mr. Kamal bringing high quality development into the area it increases the tax base, a lot of different arguments you can make. But I'm not sure the engineer is the best one to make those arguments for you.

Ms. Rezanka spoke (unintelligible)

Mr. Kamal continued our charge is to make sure we don't have any negative impacts. Which means we're going to make sure that the water's treated, there's no more discharge going to the offsite areas, and that there's no adverse impacts.

Ms. Rezanka stated she wanted to expand on something that Hassan said. Page 8 of the staff report, under future land use administrative policies 7, in the 3rd paragraph it talks about the North Merritt Island Compensatory Storage issue. This came into being in 2018. There's a special ordinance in the county just for North Merritt Island that states there will be no adverse flooding impacts on properties resulting from the proposed development. The county has this whole modeling program, and all the engineers data must go into this. That's how the county has tried to make sure that you don't have the flooding that happened during tropical storm Faye. It is much more intense than any other place in the county because Merritt Island has special issues with the elevations.

Chris Cook inquired about a letter that had been submitted by an owner to the Brevard County Commissioners requesting that his property be exempt from this special impact. Was it approved?

Ms. Hillberg responded she believes it was approved.

Mr. Cook inquired on the rationale for it.

Ms. Rezanka stated the small area study was presented and they recognized it, but never formally adopted it.

Mr. Cook asked about the school board concurrency and the fact that it calls the project Preserve Point and if that's the name of the proposed development. We already have a Preserve Point on North Merritt Island.

Ms. Rezanka responded it's a holding name.

Mr. Cook inquired if the engineer has access to the level of service for that section of Courtenay. The maximum allowable vehicles are now sitting at 49 percent. Which is a level of service "D", meaning traffic is beginning to be unstable. Are there any roads in Brevard County that are a level "E"?

Trina Gilliam responded we do have roads that are classified level of service "E" and level of service "D". as you can see this roadway is no where near running close to being over capacity. It's operating currently at 46.92 percent. This development is going to utilize 1.63 percent, which will anticipate the corridor operating at 48.56 percent.

Mr. Cook replied he thought that would put it at a "D".

Ms. Gilliam responded it doesn't change the level of service.

Mr. Cook stated he knows that's just the number of cars per hour going down there, I think it's a bad metric because it doesn't take into account that that is the only real avenue we have in North Merritt Island and we have drawbridges on both sides that have to be raised and lowered, they have to be maintained, and they break. I wish the county could come up with something. Babcock Street down in Melbourne finally got a level "E" and that's the only reason they got it fixed, because the county pushed a ton of money at it.

Mr. Carbonneau stated he lives on W. Crisafulli Rd. and have visited this property 3 times. Saturday I had to pull over to view this property, going the speed limit, I had to pull over 4 times to let people go by. Sunday morning was quiet. Tuesday afternoon about 2 I had to do it 6 times. So, the traffic on that road is terrible.

Mr. Speck asked if this study evaluated that Island Forest is not finished and the development above it is at 60 percent, there's probably another 40 homes that are yet to be finished on that road.

Ms. Gilliam responded with the preliminary concurrency it's based upon what the percentage of the roadway is at right now, the capacity, based upon the space coast TPO. It doesn't consider homes that are still under construction, it's what they captured for their trip count at that current time, not projected.

Mr. Speck inquired where the projected comes in.

Ms. Gilliam responded we don't do projected. We just do a snap.

Ms. Lindhorst stated that's not a good metric.

Mr. Speck inquired if anyone in the county has driven that road lately, to enjoy the potholes. There is volume of service, but where is quality of the road being evaluated? That road is awful and should have been redone years ago.

Ms. Hillberg inquired on the quality of roads and where it's estimated and kept track of.

Ms. Gilliam responded she can talk to public works about the potholes and see if they have a project list.

Mr. Speck stated the metric is way off. It's just a snapshot. 61 homes plus the additional almost 40 that are being finished, that's 100 that are going to be added to that. It will just go until it collapses.

Mr. Hughey reminded everyone that this just preliminary. When they go through the subdivision process traffic engineers look at the project and if there is an issue with the level of service at that time it will be addressed, before anything could be developed.

PUBLIC COMMENT

Terry White stated he's been a Merritt Island resident since 1965. He has knowledge of this property because he was authorized to eliminate the nuisance hogs. There is only one drawbridge to get off Merritt Island. There's nothing restricting the water coming off the property now. They're going to develop it and may still have the same amount of water coming off it, coming out to E. Crisafulli and the surrounding areas. Some of the area is wooded, it has oak trees, pine trees, and some of it is pasture. Currently mowed only for the cattle. The traffic levels and surveys are for state road 3, not E. Crisafulli. I can believe 50 percent for state road 3, not E. Crisafulli. Recent traffic survey was only for counting cars for putting in speed humps.

Mr. Speck asked if the maximum acceptable volume that they predicted, 48.56 percent, was really for route 3?

Mr. White responded route 3, yes, for the 4-lane highway, not the 2 lane.

Mr. Hughey stated the Space Coast TPO, who does the traffic counts, provided counts for state road 3, they don't have counts for Crisafulli Road.

William Bell stated he's lived on Crisafulli Road for about 4 years. The flooding on E. Crisafulli is unbelievable. In November that road was under a foot of water, and you couldn't go down it. You didn't know if you were going into a canal or not. They eventually closed the road. If you needed an emergency vehicle there was no way an ambulance was going to go down there. It was impossible. There were several families that went under water, they lost everything in their house. The road is nonexistent. The construction vehicles going down that road, the road is falling apart. There are cement trucks, concrete trucks, the road east bound is gone. The traffic is crazy.

Joe Martin there was a big survey on how to control the water. Water was supposed to go down the west side of Broad Acres and then the east side through a drainage pipe to a ditch on this property. The roads are collapsing, the grades are wrong. The engineering reviews the county had indicated it will cost \$12 million and it's only going to help 5 to 6 inches of flooding and it's not worth it. With the 6-hour rain we had, 6" of rain would have saved 6 houses, if we'd have had a pump there, but the water's going down to the end and that's where it's collecting. Doesn't matter how deep you dig the ditches water runs where it wants to run, and that's where the grade is. As we walked all the way down, going north to that big ditch where all that water was supposed go that big 4' pipe, that water was gushing into our ditch from the NASA side. The Pine Island pumps were pumping through Blue Origin over to their drainages over to the NASA ditch also. It was well overloaded, and it will come

back and that's what flooded Broad Acres. I've been there since 2010, and I've seen it getting closer and closer to my property. I'm a little bit higher. When you come down to the stop sign and see all the kids getting on their bus and that bus turning, that bus must stop at the entrance to that development because all those cars coming out, they don't stop at the stop sign, they cut the bus off. You must wait for all that traffic after the bus. It's a traffic jam there. Then at lunch time is UPS, FedEx, 3 mail trucks, trash trucks, grass cutting guys, so there's only one lane that goes up and down there now with all this stuff, and now we have little kids in the neighborhood that play in their driveways and these cars come flying down, there's a traffic and safety problem happening. The county has worked on it and investigated it. Their response was you're on your own. There was a way to get the water off, but it's not there. I had a beautiful yard a couple years ago, now with so much rainwater, so much manure, so much septic I have nothing but a beautiful set of weeds. The quality of life is gone. All I see is more headaches. The road needs to be bigger.

Mr. Speck asked about the buses and if people are following the law.

Mr. Martin stated the bus must go into someone's driveway, back up onto Broad Acres and people try to beat the bus.

Mr. Speck asked if there have been any incidents with the children because of the bus situation.

Mr. Martin responded no, not that I'm aware of, but there's a lot of people that don't see them. There's no crossing signs or children playing signs anywhere in the area.

Chris Wishmayer commented on the "S" turn and the bus. His kids' bus stop was at that turn. It was a sketchy situation with cars coming through, especially since the other neighborhood has been built. We moved the bus stop to our driveway, right before the "S" turn. They used to have to walk down from our driveway to the "S" turn and it was too shady to let them do that. Since the speed humps were put in, at the beginning of E. Crisafulli, if you slow down for them generally people make up time elsewhere. There are a couple high-end cars I've heard and watched almost go into the ditch from the "S" turn. It is a shady situation. Bringing more cars into that situation with the kids out there, I don't have a gate to the road, I have dogs, the baby. I didn't envision that road becoming what it is now. With the flooding our house was one of the ones where the entire yard.... we have a retention pond on our property, but it became the street, it was over the street. And, every day around 5:00 there's traffic before the drawbridge.

John Noonan stated he's lived out there since 1986. In 1990..... we got a good idea about ground water, storm water. Understanding the terrain, the geography of North Merritt Island I understood what was going on. I was an engineer at the space center and got involved in agriculture as a side hobby, I had a great plan. Island Forest Preserve decides to build this development, it was all cattle land, compensatory storage area was we seen it. Most of those fields get water. Our properties were built up to the codes back in 1980. My home was 30+ inches above the crown of the road. Now I don't know exactly where I'm at, but I can tell you that the amount of water that's coming down from Island Forest Preserve is unprecedented. As an engineer I am very disappointed in Brevard County, to allow what is happening to my property. The water was so bad that it was strong enough to move a power pole. In 2020 when I came to a special district meeting I told them you don't have homes here and you already have this problem, and I have 1/3 of my agriculture property under water. I've lost \$800, \$900 trees. After all the flooding, no support from the county, the county ignores you. I wrote letters, I'm going to Haridopolos next. I've had it, I'm done, my business is done. I've had to rally 300 people

together. I've done my research. I contacted Richard Kerns, the engineer that wrote the report, he didn't have a clue about Broad Acres flooding. The water is going over the sand ridge. The sand ridge is about 4', Island Forest Preserve is about 5', and the end of the cul-de-sac is a little bit lower. The amount of water that's coming down from that area and Blue Origin who lifted their whole complex, their ditches and everything is lifted. So, all that water is coming down through the sloughs to the middle of Merritt Island. They say we live in a bowl; I don't live in a bowl. Whoever designed this and whoever agreed upon this needs to have their engineering license removed. They messed up, they knew about it. We went to John Denninghoff, 12 of my neighbors. Shelly..... water was right up to her door. Powerlines were down. I had to risk my life because of this situation. And this was before the development with the houses. Why are we not addressing the violations? What is our recourse? What is our remedy? One guy lost 200 trees, I've lost thousands of pine trees and some palms. Who's going to compensate me for all the hundreds of thousands of dollars I've lost? I built a barn and the slab is cracked because of the design and poor neighborly understanding of our situation. I've tried for 2 years to get power for my agricultural property. We're footing the bill; we're paying the taxes, and they pay nothing. How are they getting exempt? We have some serious problems.

Dan Stallbaum said his property backs up to the property being developed. He wanted to get an approved slab permitted for a storage area on his property, was told he could not bring in 1" of fill, he didn't need fill because the slab was already there; he couldn't put in a concrete slab because it was filling the area and will affect the water. He worked with zoning to get that done and he mitigated 6.5 acres of it to make it a preserve so he could use 1.5 acres of the 8 acres and gave that away so it would stay there and be available. Was told no fill allowed north of Crisafulli Road. And now we're going to rezone it for 61 homes. And I can't get a 20x30 shop built on my property. Seems a little strange.

Pam Steele stated she was at the wrong meeting; she's opposed to a development that the same company is trying to do at the end of her new neighborhood. She lived on Crisafulli Road for 21 years. She was tired of the drive up and down Crisafulli Road. It was a crazy road. She watched people die on that road. People fly up and down that road. They flip into the ditch. There's no light at the end of the road, so getting across is crazy. They're eventually going to have to put a light at the end of Crisafulli Road, people are not going to abide by it. Regarding the flooding on Broad Acres Street, we brought approximately 32" of fill because we had to be above the crown of the road, because it was muck, the land is low. About 20 years ago we had the 100-year storms I was one of only 3 homes on the entire street that did not flood. I had a moat around me. I was stuck in my house for 5 days. I could not get out because every house on the road, but 3, had water touching it. There was no other way out on that road, one way in and one way out. There is no alternate evacuation route. I had experience out there 21 years ago, I've seen the pictures and videos, I've driven out there to see my old house and I am so grateful I don't own it anymore because it has flooded. The amount of water in the past 3 years is crazy. The county needs to address the flooding issues and the traffic issues. There's not a good master plan. The tax dollars are going to Viera. The water is redistributed when you take away permeable surfaces. Until there is a real plan in place for the traffic, for the road development, and the funding goes with it for the flooding, it's just not the right time on Merritt Island. I went through the Citizens Academy last year, I knew about the flooding on Merritt Island, and I asked the manager of that department, he talked about the 100-year flood plain and he admitted we have a 25-year flood problem. It's what the model should be based on, but it's not. The model is outdated. We decide on whether we're going to by flood insurance based on the county. I moved into my new development and it's in a flood zone, so I bought flood insurance. Then I received a letter saying I'm not in a flood zone, so I dropped it. Now to buy flood insurance in the last 3 years, since my house

has flooded.....it's over 3 grand, on top of my regular insurance. The county needs to step up and have an integrated plan.

Mr. Cook stated he tried to find out how many 100-year floods we've had in Brevard County and the data is not recorded. I found out there were 8 100-year floods in the state of Florida last year. In 2025 we had the 1,000-year flood and in 2022 we had a 500-year flood in Brevard County. Insurance companies are no longer using the 100-year flood.

Amy Muir stated she lives right next to the project. My biggest concern is flooding. On top of traffic and everything else. We already have flooding issues, before 61 homes being built in here. She brought pictures to share, taken not after a hurricane but after a day and a half of rain. This was flooding in October/November 2025. The road was closed for about a week. I homeschool my kids and we couldn't leave. To put more homes with raised elevation where is that water going to go. We have a serious issue.

End Public Comment

Mr. Kamal stated this project will be subject to the strictest governmental criteria for any of the development around it in this area. There are new rules that have been passed in the past 2 years that haven't been applied to any of the other recent development in this area. New rules passed by the state, water management district that took effect in December. If these rules had been in effect years and years ago I think a lot of these problems wouldn't be as severe as they are now. As time has gone on the rules have been stricter and new development is required to manage the water much better than in the past. These subdivisions have very strict criteria, where if you had larger individual lots that weren't part of a master system, there were really no rules governing them. The fact that we're preserving 60 percent of the property in its natural condition, that alone is going to absorb a lot of the storm water onsite. The preserved wetlands act to treat and attenuate any flow that comes through there. A huge benefit, much better than if we filled that. I'm very confident that the stormwater facilities for this site are not going to make anything worse. We can't fix all the problems in that area, but the criteria that's in place now is not going to make it worse.

Mr. Carbonneau stated he heard a couple things that don't make sense. The flooding will not impact the neighbors, was one thing. They're connecting and putting in a sewer, but there will be an onsite gravity sewer collection system. How does that work if it's below grade already. Where is that sewer collection system going to go.

Mr. Kamal responded there's a series of gravity pipes that will be installed in the roadway, lines going to each house, it will drain to an onsite lift station that will pump that sewage to the county force main, and that gets sent out to the wastewater treatment plant for treatment. No septic tanks.

Mr. Carbonneau asked if it was the system on N. Courtenay and if it would have capacity to the force main and the capacity to process it.

Mr. Kamal responded yes, and when we go through the development process we're required to go through concurrency process, which we submit our estimated flow to the county, they verify that the plant and facilities have capacity to handle the additional development.

Mr. Carbonneau stated the majority of the property around this development is AU, one of the reasons a lot of these people have purchased their properties over the years, because of the

ambiance and use of the AU zoning classification. Changing this to a subdivision is detrimental to the overall intent of the North Merritt Island area. We have a preliminary site visit, if this is application is approved I'd like to see them come back and show us a final layout of the area, including egresses.

Ms. Hillberg stated we don't address development....

Mr. Speck commented we don't do site engineering.

Mr. Carbonneau asked about the traffic flow.

Ms. Hillberg stated traffic issues are different than the site plan.

Ms. Gilliam added if they would like to bring it back to you it would be voluntary. It's not mandatory.

Mr. Cook stated this is a rural character and half acre lots are not rural in nature; you need 1 acre at least to pursue rural hobbies and the like on it. I would be more comfortable if the lots were minimum 1 acre, maybe with RR-1. 1 acre lots were the intent of the small area study. The mitigation and clustering were done afterward to violate the intent of the law, in my opinion. I would be more comfortable with 1 unit per acre. I'm not comfortable with binding development plans. I've been down that road. They're binding until they are not. I'd feel better with RR-1, or SR-2 would be even better. It's irresponsible for the county to approve any more developments until they get the road fixed and fix the flooding that's already there. When they did the development out by us they made the developer put up a bond to repair the road after they were done, from all the damage that was done from the trucks and construction vehicles. I think that would be something to consider. And, we're in an evacuation zone. We must get everyone off this island and increasing the density on a narrow, limited access road is just not smart. There should be an additional full traffic study done on E. Crisafulli for the entire length of the road. Fill and build are going out of favor. Because it disturbs the surface water flow, and it also disturbs the subsurface water flow. We should really discourage fill and build. Especially in areas where we know we have problems. The state is trying to take control away from local and move it up to Tallahassee. We need to pay attention.

Mr. Speck stated on page 16, one of the criteria I'm reading is the applicant's request is not anticipated to significantly diminish the enjoyment or safety or quality of life; and it appears the safety and quality of life will be affected by this development. The bus safety and the kids are a concern that should be addressed before anything more is built on this road. There is only one way in and one way out. This is a disaster waiting to happen. Adding 61 more homes there will make it worse.

Ms. Lindhorst suggested zoning of SEU or RR-1.

Mr. Hughey explained the difference of SEU and RR-1. Both are 1 acre zoning, with the difference being the size of the residence. RR-1 is minimum 1,200 sq. ft. floor area, SEU requires 2,000 sq ft floor area.

Mr. Cook stated he was making a suggestion. I don't like to just say no without alternatives.

Motion by Jim Carbonneau, seconded by Gina Lindhorst to recommend denial of the request, with the suggestion of rezoning to SEU or RR-1. The motion passed unanimously.

The meeting adjourned at 7:52 p.m.

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, January 12, 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 3:00 p.m.

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

Staff members present were Trina Gilliam, Planning and Zoning Manager; Paul Body, Planner; George Ritchie, Planner; Derrick Hughey, Planner; Alex Esseesse, Deputy County Attorney; and Alice Randall, Operations Support Specialist.

EXCERPT OF COMPLETE MINUTES

H.3. Strada Development, LLC. (Kim Rezanka) requests a zoning classification change from AU and RR-1 to SR with a BDP. (25Z00039) (Tax Accounts 2316605, 2316606, 2316607, 2316617) (District 2)

Trina Gilliam read the item into the record.

Ana Saunders stated her office is representing this application so she will not be voting on it. However, she thinks it's a good project.

Ms. Gilliam commented that the item went before the North Merritt Island Special District Board, and they recommended denial. They also recommended a zoning of SEU or RR1.

Kim Rezanka spoke to the application. The request is for property on North Merritt Island off E Crisafulli Rd. It's 142 acres. It's zoned agricultural and RR1. The purpose of this is to do a subdivision of 61 homes. Our BDP says that we will limit it to one unit per acre. We are now willing to limit it to 61 homes, which is less than can be developed per the staff report. Staff report says 70 could be developed. With that, I'd ask you consider that we would only be using 61 homes. With me today is a representative of Maronda, Katie Peck. She is the director of land acquisitions. Maronda Home is under contract, Strada Development is a related entity. It's already been purchased. So, they're hopeful that this rezoning goes forward so they can move forward. Also with me is Hassan Kamal with BSE now LJA. He is the engineer of record, and he can explain some of the issues that have arisen. We had a neighborhood meeting on December 15th. We had approximately 25 people from the neighborhood show up and their concerns were maintenance of the road, the conditions of the road, traffic, storm water, flooding, which you have heard most of the times. They also suggested that perhaps we could connect to Dalbora Road, but there's no public road or private access road that we could reach. It's all private property. We did attend the North Merritt Island Board, and those same issues were raised. The North Merritt Island Board failed to recognize that this property can't be developed because of the number of wetlands on the property. Their suggestion was, "Oh, just put one acre lots over the entire property." Well, we're saving quite a bit of wetlands. As Mr. Hasan Kamal will tell you we are building only in the uplands in the middle of the property of about 60 acres, I think is the number he used. So, we can't do one unit per acre because we have to cluster, and that cluster allows us to preserve wetlands. Also, since we're only doing 61 units we're doing less than what the staff report says we can do of 70. The staff report also comments that most of the area here is AU. That may be true but if you look at where our property is, which on page one of what I handed you is

the blue portion of that is the top portion of this 142 acres and it's next to SR. Which is what we're seeking, suburban residential, half acre lots. We're willing to commit to half acre lots. The SR to the east is Island Forest Preserve which you're going to hear a lot of complaints about today. Maronda has purchased lots in that, but Maronda was not the developer of that property. They are now developing homes in those individual lots. SR was done by Island Forest Preserve at SR, but they used the open space subdivision concept which allowed them to use quarter acres. We are committed to not doing that, doing half acre lots. So, we'll be a transition from the quarter acre lots to the half-acre lots to the larger lots. But there is quite a bit of RR1. That SR is over 100 acres. So, there is a variety. Also to the north is PIP which is unusual as well in this area. Flooding and storm water is a huge issue. You'll likely hear complaints that the canals aren't draining properly, and we understand that. We've committed to doing what we can to help with the canal drainage. Mr. Kamal will talk about that as well. Section 62-3724 on page three section 4, this is the portion of the code that was adopted I think in 2019 due to issues that came about in North Merritt Island. This requires a special modeling program for anything developed north of Paul Road. It's only been used by one other subdivision to my knowledge, Pine Grove subdivision to the north that's being developed by Titan. So, it is a special criteria that is to ensure that, as page two of this project says, there will be no net change in the rate of volume of flood water discharge from pre-development flood plains. That is a site plan issue. Nothing in the code says you don't approve new zoning because of existing flooding problems. We just can't contribute to them with this development, and they won't. The other issue that was raised is the condition of this road. It is a squirrely road. It's got two 90 degree turns. You'll hear about accidents that have happened. It seems like people do not listen to the laws and in fact there are speed humps on the road and people say there are too many trips on this road, too many cars on this road. But to put speed humps on the road, which was just done recently, there had to be less than 1500 vehicles per day. So, this, although it is an unusual road, it's not got too many trips on it, and this won't generate too many trips. Page six is the FDOT generation manual of what you can have your average daily trips. And if you look at the third column, a two-lane road, level D, which this would be under the county standards, in theory, they could have 14,000 trips on that road. It doesn't make sense to have 14,000, but this road is not at capacity. If there are issues with people not abiding by the speed limit or things like that as page five, which this was pulled from Brevard County, they should contact the sheriff's office. And I understand that doesn't always work, but the speed humps are there to hopefully help, but there is limited traffic on East Crisafulli Road. Also, issues were raised about the drawbridge and how that contributes to people getting in and off the island. The drawbridge is not open during peak hours, which generally is when people complain about traffic. So, on page seven and eight, I just pulled this from the cruising authority. It was a marina website, and it talks about the hours of operation that the Christa McAuliffe drawbridge is closed between 6:15 and 8:15 and 3:10 p.m. and 6 p.m. I understand these are issues that have been raised for anything that's been developed in North Merritt Island and these aren't issues that can be solved with this development and won't be increased by this development. With that, we're requesting rezoning from RR1 and AU to SR with a BDP limiting this development to 61 units. With that I'd like to introduce Katie Peck to tell you a little bit about Maronda, what they plan to do, their price point, things like that, and then Mr. Kamal will talk about the concept plan that's been developed. It hasn't been reviewed by staff, but it's a concept plan to show the one-half acres and the access and things like that.

Katie Peck stated she is the director of land acquisitions for Maronda Homes and is here to present the project with Kim on be our behalf. We're currently building in Island Forest Preserve and have had great success out there and we had the opportunity to purchase this property and with that we've taken a lot of good care and review of coming up with a with a concept plan that works really well on half acre lots in the upland areas of the site knowing that they are that the property is primarily

wetlands. So there's a lot of preservation that's going to be occurring and obviously as we go through the construction planning, the engineering, we'll make sure that we follow the model that is being required up in the area and there's a concept of the monument entry that we're looking to do and we'll be looking to build the same product that we're currently building in Island Forest Preserve.

Hasan Kamal stated he is with BSE Consultants and is the civil engineer for the project. Just a brief overview of the project in a little more engineering detail. The site's 142 acres on the north side of East Crisafulli Road. Of the 142 acres, the development footprint based upon the concept plan that we provided you copies of, and you see on that map is going to be approximately 50 to 55 acres, which means about 85 to 90 acres of the property or about 60% is going to be preserved either as existing wetland preservation areas or upland buffers that are associated with that. So, relatively small, less than 40% of the property is slated for development. The current plans anticipate a total of 61 lots. All will be a minimum of a half-acre size, consistent with the requested zoning classification. The lots will be served by the city of Cocoa for portable water, and we'll have an on-site sanitary sewer lift station which will collect the domestic waste and pump to the existing force main on Crisafulli Road. There will be no septic tanks associated with the project. Drainage for the site will be provided by a series of pipes, inlets, and the storm water ponds that you see. The plan is preliminary in nature, but we are aware of the very strict storm water criteria that's applicable to this area. We've already had some preliminary meetings with county staff and their consultants regarding the detailed model and have started working that and as we go through the process when we go post zoning into the land development portion we'll continue working with staff, and the requirements are that any of these projects that are within that, we have to do a basin wide model and confirm that there's no adverse impacts from our project. On addition to the state criteria that we must meet, we also must meet some very strict project specific criteria from Brevard County. The proposed wetland impacts to the site are minimal. We're subject to the limitation of 1.8% of wetland impacts, which is approximately 2 and 1/2 acres. The concept plan that you see in front of you is consistent with that limitation. We're going to be under that and that'll also be resolved both with Brevard County's Office of Natural Resources as well as with the local or state agencies. Ms. Rezanka talked about some of the audience comments which are generally dealt with during a detailed engineering and site plan approval through the county and I'll be available to answer any specific questions about the concept plan.

Henry Minneboo asked staff if we left it AG, which it is now, what would their single-family residents entitlement be? Under normal conditions what would they be allowed to do under AG.

Ms. Gilliam responded under AG in that RR1 that they currently have they can have 70 units total right now. I believe it's something like 40 units in the AU and I believe 20 something in the RR1. But that does not account for wetlands.

Mr. Minneboo inquired if on East Crisafulli, have you done any analysis of the road configuration. The width, a lot of people are going to tell you it's substandard. Some areas it's 17 some it's 18 and every now and then you might see 20.

Mr. Kamal responded we haven't done any structural analysis. We've done surveys. We know the road widths in front of the project. We're aware of the speed limit. We know that a project of this size that we're proposing would add, based upon the IT trip generation around 600 trips per day or 60 trips per hour on the peak hour. But we have not done a structural analysis of the roadway.

Mr. Minneboo stated you've got two accesses to this property. You've got one that's further to the north and it's in the first 90-degree bend. You have access to this piece of property. Have you looked at that to do any geometric, the alignments or anything?

Mr. Kamal stated that the challenge with any access besides what we've shown, is that would involve significant wetland impacts which would push us over the 1.8% limitation.

Mr. Minneboo commented so it's beneficial to you more so than the people that may live up there.

Mr. Kamal stated I know we've looked at the north one. We don't have any ownership to the north. But I know going to either the east or the west or even shifting the driveway or the entrance location further west on Crisafulli would involve additional wetland impacts.

Mr. Minneboo Inquired in your technical analysis that you are going to do; wouldn't it be worthwhile to look at that and see if it falls within the scope of this project?

Mr. Kamal responded we can certainly make some estimates with the wetland impacts. We'd obviously have to work with the state as well as Brevard County to see what those total wetland impacts would be.

Mr. Minneboo stated some of the things that I see is Crisafulli, some improvements have got to be made and we're right on the threshold right now and technically you're the last guys in. So, this is always when the last guy gets to not really reap from the benefits but make the necessary improvements from what everybody else has done, the subdivision way to the east too. They didn't have to do anything. Nobody's had to do anything to Crisafulli, and I am just extremely reluctant to allow anybody else in there without some improvements being made. And it's easy for me to say, but it's all prescriptive rights. Nobody's going to raise their hand and say, "Hey, you come get my 10 acres or five, or five feet." That's a situation now. Did you all look, to the north is Dal Bora and on paper it looks to be so simplified to have access to the North Park and eliminate some of the impact that's going to be added to East Crisafulli. Did you all even think about that.

Mr. Kamal responded I know they don't own the property to the north. The other problem to my understanding is the roads to the north are not public right of ways. They're private lanes. So, we haven't evaluated what those improvements would need to be to bring those up to acceptable public right of way standards. But I don't think they're public roads right now.

Mr. Minneboo stated I think you've heard it from probably 500 people before you got here, but you haven't heard it from us, there's a lot of water up there. Are there possibilities that you guys can expand your retention areas to accommodate some of the East Crisafulli water?

Mr. Kamal responded there is a possibility. We obviously must study that very detailed model and work with county staff on that. Even before doing the engineering, we've got a pretty good understanding of where the water is coming from, and the volumes associated with it and how to deal with that. So, if there's opportunity there, working with county staff to slow that water down or accommodate some of it, and still meet the criteria and we're capable of doing that, we'll certainly evaluate that and see if we can work it into the system.

Robert Wise stated we're hearing that you met the 1.8% requirement for preserving wetlands. Maybe I'm not understanding, but I'm looking at one of the maps. This is FLUCCS wetlands, and this shows

nearly half the property covered by wetlands. I'm wondering, is this irrelevant? Am I looking at the wrong thing or if not, how do you handle this?

Mr. Kamal responded we're limited to impacting no more than 1.8% of the total property. We have 142 acres. So, we're maxed out at around, I'm giving you rough numbers, 2.5 acres. The client has hired an environmental company to go out there and field flag the wetlands. They're in the process of meeting with the state agencies to verify those lines. And those are very close to what you're seeing on the plan right now. That's all going to be done through the permitting process, both with Brevard County and the water management district. And Brevard County's criteria are the one that's 1.8%. The water management district doesn't have that criteria. They have different criteria for what's allowable, but that's really going to be governed by Brevard County. That's something that happens through the detailed subdivision approval process. But to give you an idea, on the maps that we provided, the heavy green coloring is the preliminary wetland lines, and the lighter green coloring is the upland buffers that would be preserved around the wetlands. And everything inside it, the red shading and hatching, those are areas that would describe the areas that are going to be impacted. And that's what's less than the 1.8%.

Ruth Amato inquired do we know approximately how many acres there are in wetlands on that property?

Mr. Kamal responded it's probably close to the 85 to 90 acres and we haven't done a formal delineation yet, but we're preserving almost all the wetlands. Well, let me take that back. It's going to be a little bit less than that because some of what you see in the light green are uplands that are going to be preserved associated with that. So, I would probably say somewhere between 70 to 80 acres of existing wetlands are on the property.

Ms. Amato responded so about half then.

Mr. Kamal replied in round numbers, that's accurate.

Mr. Hopengarten commented you said you're putting one unit per acre on the entire site.

Ms. Rezanka responded we're going to put one unit per 2.33 acres because we're limiting ourselves now to 61 units even though we could put 70 by the existing zoning.

Mr. Hopengarten stated the flag lot, lot 2316617 is designated to have quarter acre lots. To the east of it.

Ms. Rezanka responded that was Island Forest Preserve that was developed by Chad Janoni. It's all being rezoned. Those four parcels have all been combined for this rezoning.

Mr. Hopengarten stated so, you're not going to keep that one quarter acre designation.

Ms. Rezanka stated I don't see that on my map.

Mr. Hopengarten responded it is shown on the appraisal district website.

Ms. Rezanka asked if it's 515. She then stated that's not part of this, if that's the flag lot.

Mr. Hopengarten responded no, 6617.

Ms. Rezanka stated that is part of this zoning application. So, yes, that will be pulled into that.

Mr. Hopengarten ask if that will change what the original designation was.

Ms. Rezanka responded yes. This is in your package, the map package. Mr. Wise, all the white on this is uplands so that's where the development will be. The white is where the uplands will be.

Ms. Amato asked staff for clarification. If about half of it, 70 acres is in wetlands would that make it unbuildable for one home per five acres if 70 acres is in wetlands? I asked him how much was in wetlands he said roughly about 70 acres wetlands. Doesn't that mean it would be one home per five acres in wetlands?

Ms. Gilliam responded yes in wetlands it would be one home per five acres, but they're not constructing in the wetlands so they can impact 1.8% of their total 142 acres, of the wetlands.

Ms. Amato stated the question was asked if currently how it sits how much could be developed out and if half of it's in wetlands and it takes one home per 5 acres instead of one home per 2.5 acres wouldn't that be considerably less than 70.

Ms. Gilliam replied as Mr. Hassan already stated that they can only impact about two acres of the wetlands.

Jane Hart responded under our code they can impact 1.8% of the total area of the acreage of the parcel.

Ms. Amato stated I understand that. If it weren't developed into a subdivision, I was trying to come up with the number of homes that would be sitting on that property.

Jerrad Atkins commented let me see if I understand this. So, it's AG now so that's one home on 2.5 acres but if half of it is wetlands, then that's one on five. So that's not 70. It's half of 70 plus.

Mr. Minneboo stated semantically that sounds good, but it doesn't relate that way. It's somewhat of the opposite. They're going to be on smaller lots.

Mr. Atkins responded sure, but in a hypothetical sense, when you ask how many homes could be built on the property the way it's zoned now, two and a half, you can't just blanket it with two and a half because part of it is wetlands. So, some of those would have to be on five. Is that right? Am I doing that math correctly?

Ms. Gilliam responded because this is a subdivision and not just an individual lot, they'd have to do a subdivision. That part of the code, from my understanding, wouldn't apply. They couldn't do one unit per five acres. They would have to do the 1.8%.

Ms. Hart replied that's correct. The 1.8% is basically one unit per five acres. It's just been calculated out. Usually, it's for smaller lots that come in that are under five acres and that were established post 1988. So, if they don't have five acres, they could impact 1.8% of the property's wetlands. For parcels that are greater than five acres, they could do the 1.8%. But for subdivisions, we just use the 1.8%.

Mr. Atkins inquired if 70, the way that it's zoned now, AG, you could put 70 homes with the wetlands that are there. So, what is that number? Do we have that number?

Ms. Hart asked in a hypothetical are you saying the 70 acres as one parcel itself?

Mr. Atkins replied no, the way that it's zoned with AG, it's really the same question Henry asked, is the way it's zoned now, how many buildable lots?

Ms. Gilliam responded the way that it's zoned now with that just the AU portion, not the RR1 portion, the AU portion would be 47 lots. That's not counting the wetlands. With the wetlands, they still would only be able to impact the 1.8% of the total acreage of the property in wetlands.

Alex Esseesse commented ultimately what needs to happen is a wetland study needs to be finalized so that we can calculate out what the actual acreage of wetlands are on the property as a whole and then deduct that based on the 1.8%. So maximum is 70 units total right now in the best pristine condition but with wetlands it'll obviously drop down.

Ms. Rezanka stated I just want to clarify the zoning is RR1 and AU and with strict zoning the max could see 70. The wetlands, the access, the road, what must be improved, those are all site plan platting issues that are not before you yet. You can ask for conditions to be added to a BDP such as the 61 units. But the SR, the half-acre lots is what we're trying to do. And if it comes up that the wetlands are greater than that and we can only do less than 61, then we must do less than 61. But wetlands is a separate criteria from zoning.

PUBLIC COMMENT

Terry White stated he lives just south of this proposed development. My neighbors, if they're going to come up will talk about the traffic issues, but East Crisafulli cannot handle the current traffic issues, the condition of the road, etc. And we've been asking for a traffic survey of the road that would spell out that it has a lot more cars than what they're saying is on there. The last little bit of study they did was in reference to the speed humps and they only monitored down where they wanted to put the speed humps, and a lot of people turn north or south prior to the speed humps. The developments that have been built in the past 25 years in this area have raised the groundwater levels. The retention ponds hold water, but they increase the water level of the surrounding area at the groundwater levels. My land stays wet longer after storms than it did when I first purchased the area. Officials say it is because I live in a bowl, but it was not always a bowl until the development of the past few years has made the water levels in my area rise. I was not required to have flood insurance on the property in 1993 when I purchased it. And bottom line is my land isn't sinking. The water around there is coming up and impacting my land. In 1968, Congress created a flood plain management plan. And I'm interested, does this project comply with the federal plan? Does Brevard County's water management comply with the federal plan and does North Merritt Island comply with the federal plan? I want to know, are the developers aware that the current pumps on Pine Island Road and Hall Road that handle the storm water like the recent storm we had in October, have they figured out that that's handling the water up here? Because it's not. And it's even worse when Blue Origin turns on their pumps.

Robert Adams stated he's lived here for 40 years. I know that the road is substandard. I also know that it was put together for orange trucks and buses with workers on it. And the groves were pumped

all the time. My house is 2 feet above the crown of the road. And I had water this past time, 6 inches from being in my house for the first time in 40 years. That's after the little subdivision up the way. And now you want to put another one in. And as far as anything new, I don't know what else could be new. We don't understand why they don't listen to us when we tell them that. Does anybody here know whether or not all the figuring you've been doing, did the 17 inches of rain get that memo that you we're going to have too much water up there the last time in October? And how many of you walked this preserve area that you want to be in after that rain or during that rain and tell me how much of that was still above the water? Those are things that you need to think of when you're cranking houses out here. I can't jack my house up. I also heard the last time that when they look around for building homes out here, when I built my home 40 years ago, I had to build 2,000 square feet on my acre, or I couldn't build. Last time I heard it was 1250. So, everything changes except for the surrounding area. We don't have anything, and we don't know who else to speak to and they use goofball studies for cars, and it doesn't do us any good. So that's what most of these folks here are fussing about and we just don't.... Are the teeth of this group any good when you go to the commissioners, or do they blow you off like they blow us off? I can think that's our question.

Mary Watkins stated she is a native Floridian. I have worked for the county in building development. I have worked for St. John's River Water Management District and flood control data collection. Both of those were over 10 years' worth of employment. And I'm aware of a lot of the situations. Water takes the path of least resistance. Yes, you've heard about flooding. I'm going to ask the engineer directly, how many times have you been to North Merritt Island after the rains? Any amount of rain, 5 inches, 15 inches, 17 inches, I don't care. I've lived out there since 1985. I have seen the water get progressively worse. Anytime you dig through a hard pan, which was done in Island Preserve to build their little lake, you're pushing the water somewhere else. That will happen. That is a known fact. I question you cubicle engineers, and I call you cubical engineers because you sit in front of a computer and model. Come out after the rains and look at it. That's all I have to say about that. Now, regarding traffic, I have had to sell my Mini Cooper because I can't get it over the speed bumps. I have a neighbor that sold a Maserati because he couldn't get it over the speed bumps. Nobody asked us out on Broadacre Street if we wanted those speed bumps. So, I think we need to look at everybody that has been there for some time and consider that. And my next question also is, how much dirt are you going to bring in to bring the level of this property up to at least 2 feet above the center line of which road?

Mr. Wadsworth stated getting back to the subdivision, the flooding, the traffic, etc., etc., is pretty much everyone's concerns. Correct. I would highly recommend everyone here that wants to speak go to the county commissioners meeting. We are just an advisory board and what's in front of us right now is just zoning. You know, they haven't even gone through permitting or even started the process. And once that happens, they're going to be held to a very high standard. And the man that was doing the speaking right here has been here longer than probably all of us put together. So, and he knows Merritt Island. He lives there. I still will bring people up, but we're aware of this. Everyone on the board knows everyone's issues. Go to the county commissioners meeting because we are just an advisory board. And the only thing we have is we need to determine whether we want to rezone this and then they're going to be going through hoops to make this happen. Kim, if you could come back to the mic, please. You still haven't delineated a wetland upland. Is that correct?

Ms. Rezanka responded it has not been approved by St. Johns or the county to my knowledge.

Mr. Wadsworth stated when that gets either expanded or shrunk, that's going to determine units.

Robert Wise stated I'd like to know, we read in the notes that the transportation corridor will not be affected adversely by this traffic. I'd like to know when the last study was done of traffic in that corridor, the study that you're basing your recommendation on.

Ms. Gilliam responded there is no available data for East Crisafulli. The preliminary traffic concurrency was done for the segment of North Courtenay. That is the closest traffic concurrency points that we can get. So, I'm not able to answer the question about the traffic on East Crisafulli.

Mr. Wise asked when the study of North Courtenay was done.

Ms. Gilliam responded the last traffic count would be 2024 for North Courtenay.

Mr. Minneboo asked when you're doing your analysis on the drainage, can we try to consider a broader or a larger retention area that can handle the water from both the portion on East Crisafulli as well as the subdivision. Can we incorporate those two distributions?

Mr. Kamal responded your suggestion would be when we're doing the subdivision design analysis and the storm water design to look at the drainage that's coming from the portion of Crisafulli Road adjacent to the property and see if we can incorporate that. That's something we can certainly do and see what the impacts are. That's a feasible process to go through.

Mr. Minneboo asked Kim, you understand that, because if this board does any approving, I'd like to put that into the BDP. I don't want that to get away because I think it's extremely critical. Kim on this I read your DDP, and I went through it, and I want to do an NTE. You're an attorney, do you know what an NTE is not, to exceed. I knew you'd be happy about it. I'd hate to see that area if it's approved to exceed 60 units.

Mr. Kamal asked are you okay with 61?

Mr. Minneboo stated I know, you guys are going to get in there and you're going to do the counts and there's going to be 68.

Ms. Rezanka responded we've agreed to limit it to 61 in the BDP. Maronda will have to answer as to 60.

Mr. Minneboo stated if that's in there, I'd like you to put it in the BDP.

Ms. Rezanka responded yes sir.

Mr. Minneboo stated there's no reason you guys can't collect some data for the county to do the ADTs on the road.

Mr. Kamal stated what likely is going to happen or what does happen with each of these subdivisions is that when we go through the land development process, staff will require a traffic impact study which will include the traffic volumes on Crisafulli. We'll obviously hire a traffic consultant to do that and make the evaluation as well as traffic volumes and trip distribution for Crisafulli.

Mr. Minneboo stated he was just trying to beat the staff to it, that's all. I know the staff's going to do it. Do you have any indication what the finished floor elevation's going to be on the houses?

Mr. Kamal responded we haven't obviously set any, but I would expect that that site will probably take at least three feet of fill for the finished floor and maybe a little bit more in certain places.

Mr. Minneboo inquired above the crown of East Crisafulli.

Mr. Kamal responded I haven't done that analysis compared to the crown. I'm talking about above existing grade, but if I look at that as elevation, I could do the comparison, but I don't have that information right off the top of my head.

Mr. Minneboo stated I think that's extremely critical. What the newer houses are doing, I think is imperative to what Maronda would like to do in there as well.

Mr. Kamal commented agreed.

Erika Orriss stated she had a question for staff. I know you said under pristine conditions we'd get 70 units in there. And I'm still stuck on how many units would fit. For me to make a recommendation feels like we need to know what's more realistic.

Ms. Gilliam responded it's still the same answer. Without knowing the total amount of wetlands on the property, we cannot determine how many houses they could fit on there.

Mr. Esseesse added I believe Mr. Minneboo referenced it, but you could set that as the cap. 61 maximum subject to the wetlands. I think that's implied already because they must go through the subdivision plan and meet all the county codes and regulations. So again, until we can identify what acreage is the wetlands, that will dictate how many units can be developed.

Ms. Orriss responded so, you're saying as part of the binding development plan, we would say subject to what's buildable, right? Subject to our rules and regulations regarding flood plains.

Mr. Esseesse stated if that's the pleasure of the board. Yes, ma'am.

Mr. Hopengarten stated it's difficult for us to make a decision on this when you don't have all your information together. We don't know the wetlands. We don't know what the traffic analysis is. Usually when people come before us, we have more information to make an intelligent decision. On this one, I don't think so. I think we're guessing. And it's always, well, we'll look into this, we'll look into that. Just give us the zoning first and then we'll proceed. I don't know. I would rather have more information.

Mr. Kamal responded specific to the wetland question, maybe we didn't accurately convey the status, the lines that you see here are preliminary and basis. It's been a substantial amount of fieldwork that's done that. What hasn't been done is that we haven't taken the agencies out and this is just the way the process works. Once an environmental consultant delineates it then they go out with the agencies that confirm that and that's just the nature of this business, that just happens at a later process. We're not guessing where the wetland lines are. We got a very good idea, and they may change a little bit when we go out with the agencies. So, we're very comfortable that at the end of the day, it's going to look very similar to what we've conceptualized on the plan. The traffic, I don't disagree that there hasn't been a traffic study done, but we also know that we've got 61 units. When a traffic study is done, there's established trip generation rates that all the traffic consultants use that assign a number of trips per unit, and that's generally between 9 and 10 trips per unit. So, we're looking at about 600

trips per day out of that subdivision. We haven't gone downstream and seen if there's any impacts to intersections, but we know the traffic volumes are coming out. So, we do have some of that information and like we mentioned and committed to earlier those traffic studies are for a project of this scope and are generally done at the land development process.

Mr. Hopengarten stated that's true. Go back to the wetlands. What maps or data are you using for the situation there currently?

Mr. Kamal responded they go out on the site, and they walk the wetlands.

Mr. Hopengarten asked if that had been done.

Mr. Kamal responded yes. That's what those lines are from. They look at the vegetative indicators, water levels and so on.

Mr. Hopengarten stated my question is you're not just using the maps from the county.

Mr. Kamal responded no. These are all based upon ground truthing. Walking the site, spending days out there evaluating vegetation, water levels, soils, so on. It's a pretty detailed process. It's not just done based on aerial photography.

Mr. Hopengarten stated I understand that. I just wanted to know what you were using because the maps from the county are from the 70s.

Mr. Kamal responded no, we're not using those maps. It's based upon actual condition as of the current conditions.

Mr. Minneboo stated what he's telling you is the truth, because I looked at the study, he didn't arbitrarily do that. Hasan's extremely capable and that wasn't his data, but it was professionally done.

Mr. Hopengarten stated I just wanted to make sure that you did the boots on the ground rather than take the existing data that was available through the county.

William Bell stated he is curious about this fill section they keep talking about. They're going to bring the level up 3 to 4 feet. Back here a year or so ago, when I wanted to put a shed on my property, I was told I couldn't change the elevation. I couldn't do nothing. I couldn't bring no dirt in. I couldn't take no dirt out. How do they plan on bringing this level up?

Mr. Wadsworth responded that's all going to be with design, with the engineer, with storm water retention, etc.

Mr. Bell continued with can I leave these pictures here with the devastation? That was just to comment on the fill section. I just wanted to show them pictures of the devastation of forest preserve that was supposedly not going to impact any flooding on the road and probably 80% of the water on that road's coming from there.

Chris Cook stated he is representing the North Merritt Island Homeowners Association. They sent me down here. We're over 450 homeowners north of the Barge Canal and they reviewed this application and recommended denial on it for many of the reasons you're looking at, the flooding, the roads. The

road is completely overflowed, they couldn't get access, one lady was stranded in her home for 3 or 4 days, she couldn't get out. We're looking at last year, the state of Florida had over eight 100-year floods. In the past year in Brevard County 5 and I think we've had a one in a thousand year and one in a 500-year flood. And not only is this in a flood zone, but we must also evacuate. It's in the surge zone. You don't talk about the surge when a surge comes. It's messed up. So, adding increased density to this area just doesn't make sense. What wasn't talked about yet was the rural character of the neighborhood. Half-acre lots are not rural in character. I think what might be a good solution here is to make them put in 1-acre lots, have it the SEU zoning on it. The wetlands will take care of itself. There'll be about roughly half of what they want to put in, the 61. But I think it'll increase the land values. It'll increase the impacts on the road and the flood in the whole area. And it's just something to think about.

END PUBLIC COMMENT

Mr. Minneboo asked Ms. Rezanka if she got everything he had suggested.

Ms. Rezanka stated I do. And as I started off this presentation earlier saying we would limit to 61. If you're dead set on 60, I need a response from Maronda.

Mr. Minneboo stated let's don't debate over one lot.

Ms. Rezanka responded okay. Before we go to preliminary plat, a traffic study will be done on this road. We will do whatever the county says has to be done to upgrade it. If some of this was caused by Island Forest Preserve, the developer, that should be considered as well. Mr. Janone did put in water, sewer, and reclaim, and he did go back and fix it. I've heard from the residents he didn't do a very good job, but again, that was done. The county may require a performance bond. We don't know yet, but they don't want to harm anyone. They want to look at the water, which Mr. Minneboo we'll put that in the BDP. Again, the reason they're seeking SR is because of the wetlands. Preservation of wetlands and clustering is in the comp plan and in the land development regulations. That's to keep the wetlands to do their jobs. So that is why they want to build just in the uplands and only impact 1.8%. The conditions of this property don't allow 1 acre lots. Otherwise, we'd ask for R1. They've done the engineering. This used to be AG lands. It's not AG lands anymore. It's got wetlands that weren't there before because of the agriculture and the ditches and things like that. So, this property has changed its use. It's no longer AG. The conditions have changed where it's no longer usable for AG and they want to put in subdivisions, single family homes, one half acre lots which are compatible with the area. Single family to single family quarter acres to the east, one half acres here, and then one acre in other sizes. There is nothing in the comp plan or the administrative policies that says anything about you must show what your wetlands are when you're asking for a rezoning. You just have to show the changing conditions of the lot. Your staff report shows that we're meeting the administrative policies. It even talks, administrative policy 7, on page eight of the staff report about the compensatory storage, the code I showed you in that packet. This is a very strict standard. Hassan has said that he will look at trying to take other water in and he already knows about the canals. He knows what's going on up there. I'm sure he's going to look at the pumps. He's going to look at what Island Forest Preserve did. If water is now coming to this property from Island Forest Preserve, he's still going to have to take it into his calculations. This is all done at the preliminary plat stage. The staff reviews it, and this is just zoning if it's compatible with the area and it makes sense. If we could do 70, we're asking 61. Going to limit it to 61, just have smaller lots and preserve a ton of property around the home. So, there will be buffers as well. With that, we'd ask that you approve the rezoning from

RR1 and AU to SR with a BDP. The BDP will include the limitation of 61 lots, and the other, looking at the whole entire basin.

Mr. Hopengarten inquired you know the study that the county did on the flooding in the area that was presented to the homeowners association?

Ms. Rezanka asked are we talking about the study of Fay from 2008?

Mr. Hopengarten responded no, the one they did a new engineering program. It was two years ago.

Ms. Rezanka stated that's the modeling program. That was approved two years ago.

Mr. Hopengarten responded okay. How will that affect this property?

Ms. Rezanka That's what resulted in that code section on page two of the packet I gave you. So, they must use this two-terabyte modeling program, put all their data into it and see if it has no adverse impacts. Pine Grove subdivision to the north had to use that as well. It's the only other one that's done it. It's very difficult. In fact, Pine Grove had to hire the consultant that made the program to make it work right.

Mr. Hopengarten inquired if it was a past failure.

Ms. Rezanka responded no. It's basically, it is, pretty much it's like you have no impacts, none.

Mr. Hopengarten responded okay. So, with your increase in the elevation on this property of 3 to 4 feet.....

Ms. Rezanka continued it's going to be in the uplands to where the houses are going to be developed and then the engineers do their magic.

Mr. Hopengarten responded so, you're going to build a hill in North Merritt Island. That would be nice. Except for all the neighbors that are going to get all the runoff.

Ms. Rezanka replied well, that's why they must compensate for that and use that modeling program. They can't. They're not allowed to impact others and they're going to have all the wetlands.

Mr. Bartcher commented this went before the North Merritt Island Board, and they recommended denying it unanimously. I read through all their minutes, and I tend to agree with them and one of the reasons for that is we're going to use a BDP to establish a consistency between the land use and the zoning. This process has been used several times in the past and the county commission decided we don't want to do that. We want our zoning and our land use to be consistent. Period. They even passed regulation that says we can't do that. And then of course the state comes in and says we're going to abolish your home rule, so whatever you want to do you can't do. Some other counties created a lawsuit against Senate Bill 180. Our county decided not to do that. We're just going to talk to our representatives and see if we can convince them that it's a bad idea rather than going to court to do it. I still would prefer to follow what the county commission did and not use a BDP to establish consistency.

Ms. Rezanka responded that's completely incorrect.

Mr. Bartcher continued I love BDPs, but this is not the proper use of a BDP. For those two reasons, I'm just not in favor of approving this. I'd recommend a denial.

Ms. Rezanka commented I do understand there is some disagreement with use of BDPs. This is not in the comprehensive plan. This is in section 621255B. It's been in the code for a very long time. It's been used for 25 years since I've done land use. I know staff doesn't like it. It's hard to track. I know people don't like it because it can be changed, but it's like zoning is changed because conditions change. What Mr. Bartcher is referring to in the comprehensive plan, the EAR that was sent up to the state was so you couldn't do it in reverse. You couldn't do a BDP to make a future land use consistent with the zoning. Here we're making the zoning consistent with future land use. I only know that because of the Dunkin Donuts. That's why they did that. When I came and got an amendment to the zoning, we did a reverse BDP because it was asked by Brian Lober, commissioner at the time. So, we made the future land use consistent with the zoning because they needed a drive thru. So, it was reverse, and we've never been allowed to do it again. And that's what's in the comp plan. And I think Trina will back me up on that. That is what the prohibition on BDPs is in the comp plan that was set to the state that has been rejected by the state.

Mr. Bartcher stated that was not his understanding. It's my understanding is that the BDP has been used to establish the consistency between the two between land use and zoning. That was the purpose. I don't understand when you say reverse BDP. I'm not clear on what it is you're trying to tell me.

Ms. Rezanka stated what we're doing is making the zoning consistent with the future land use. Our future land use is RES 1. With the Dunkin Donuts project, we used a BDP to make the future land use consistent with the zoning. That's what I meant by reverse BDP. It's the only time it's ever been done.

Mr. Bartcher asked why did you do that? Because you can't attach a BDP to a land use request. You can only do it for a zoning request.

Ms. Rezanka responded I understand. And that's what's now in the comp plan that says you can't do it. But Brian Lober when he was a commissioner made us do it. I didn't think it could be done either. No one liked it. We did it. We recorded in the public records.

Billy Prasad commented I think both sides are right. I think there's just some misunderstanding. Ms. Rezanka is correct. The current code section 62 1255. I think it's B2 allows for this type of BDP to cure the inconsistency between the comprehensive plan and the zoning classification. So, this would allow effectively as you can see here clustering to exceed the RES 1. That's not that unusual. Even if we were to change it that could be done. It's usually done through a PUD today. With that said that it is allowed today, and we were on a path to potentially change this. There was a comp plan amendment and then there would have been land development regulations that followed that and ultimately it would have been up to the board whether to change this code section, but it was potentially on a path for this section of code to be amended and SB 180 however prevents that, not only the code, but it prevented the EAR amendment that this board had previously reviewed from going forward. So as of today, the underpinning to that the comprehensive plan was never amended because of SB 180.

Mr. Bartcher responded I understand it hasn't been in effect because of that SB 180. My take on it is it's the right thing to do and to hell with SB 180.

Mr. Atkins stated he used to live right around the corner. Not as close as Henry lives to this but used to go shooting down Crisafulli Road every weekend. Used to hang out down there. I lived there for maybe five years. And during that five years, we had many family members in the area whose homes flooded, these homes have been there since the 50s and 60s. They never flooded until everybody built houses higher than theirs around them, putting them in a bowl as somebody mentioned. So, the question was also asked if we have any teeth as this board, which we advise the commission, as you all know. But we don't make the final decision. They don't have to listen to anything we say. We are just simply the first gatekeeper before you go in front of them. Whether you're for or against. I think that anybody can create studies to show anything they want, and reality is going to show what it shows. And it has shown that this type of development especially in the low-lying area which that is that it floods people out. It runs water onto other people. And I'm going to vote against this for that reason, among others, not to mention the road. People walk their pets up and down that road. There's no sidewalk. Quadrupling the traffic, doubling the traffic, whatever this may do. I don't know what those numbers would do, but it's an old grove road and nothing's been done to improve it or raise it. And I do know people personally that were trapped in Island Forest Preserve. I know people that were trapped in their homes for 3 or 4 days because the road was 18 inches underwater. I've been back there. I have a cattle lease back there and it's wet. I can't even drive my four-wheel drive lifted by 6 inches, F350 into that pasture because it's in a bowl. So, I would just make a motion to deny it.

Mr. Wise stated I think we ought to remember that this area has been through two small unit studies that both recommended that housing density be decreased in the zoning of the area. And because of that and because it's 85-90% in flood zone AE and it's almost entirely in the high hazard coastal flood zone. It just doesn't seem right to me to increase the density even with all the nice improvements that they're doing in their design.

Mr. Brothers stated the problem I'm having, is are we increasing the density? We don't know that. This is very important for what we do. We don't know how many houses you are able to put on and in the current state. Because something's going to be done with this land. This is an old orange grove that it looks like citrus greening or something got it. And it's not an orange grove anymore. It's just empty land. Someone owns this. They have the right to do things with it. They're going to do things with it. But no this is a little tiny road. No infrastructure has been done. Everyone's flooding. I live in an old neighborhood and no development has gone on around me because we're all built out. But every year that water gets a little higher because it rains more. Theoretically all these developments must keep their water on their site. Some engineers do that better than others. But something is going to be done and I'm just having trouble because I'm missing a very pertinent piece of information. And generally, staff is very good. They'll come out and they'll say, "Oh yeah, they were going to be able to put this many and now they want to do this many." But today they're like, "I don't know. They might have been able to do this and now they want to do that." This is my only problem. I feel for you folks. I moved into a built-out neighborhood. My neighborhood I moved into is from the 70s and everything was done around it and like I said, the water keeps getting a little higher every year. We're having more and more storms every year. So, I'm having a hard time deciding here. The infrastructure, your houses being flooded, that's infrastructure. You need better drainage in your neighborhood. You need better roads in your neighborhood. That's not us. Mr. Chairman made a point that that is not us. We're here to try to look at what's going on and what people are doing with their land and to try to fit everything together and make a great community. We're not here about drainage. That's someone else's department. They're supposed to do their job, and we're supposed to do ours. I would really like that piece of information though.

Ms. Rezanka responded Mr. Brothers, I think it's clear in the staff report and everything you've heard today that the zoning allows 70 units. The wetlands is a different issue. The wetlands is a site plan issue.

Mr. Brothers stated so you're saying that 70 and you want to do 61. That's a very important piece of information that if we don't change the zoning that you can go in there and put 70 houses there.

Ms. Rezanka responded in theory. Yes, the wetlands would come in but those are sight plan issues.

Mr. Atkins stated that's not true though, right? Because this is what we asked, and we don't have the equation. So, in theory if there were no wetlands 70 houses.

Ms. Rezanka responded wetlands is not a zoning criteria.

Mr. Atkins stated I understand that, but it was asked in a hypothetical manner, it does matter when you go to build a house, and zoning giving someone the legal ability to do so that's where it starts and then what? You give them the zoning and then you get past that and then we've got any number of studies or things that can happen and then it's another hurdle and another hurdle. I think it's important to look at all these potential issues before we just change the zoning.

Motion to recommend denial of Item H.3. by Jerrad Atkins, seconded by Eric Michajlowicz. Motion passed with a vote of 9:4 (Ana Saunders abstained)

Meeting adjourned at 6:28 p.m.

DRAFT

From: [Sara Belichki](#)
To: [AdministrativeServices](#)
Subject: Public Comment on NMI Agenda 1-08-2026 H.1
Date: Thursday, January 8, 2026 10:49:57 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

My name is Sara Belichki and I live on Broad Acres Street. I would like to publicly comment on Strada Development, LLC (Kim Rezanka) request to have a zoning classification change from AU and RR-1 to SR with a BDP. This rezoning directly impacts myself and many of my neighbors living on Broad Acres and East Crisafulli Street. The addition of more residential homes to this property is not feasible due to the lack of infrastructure that this area currently has. East Crisafulli is a single lane street with no shoulder that cannot accommodate the additional traffic. East Crisafulli is also the only way in and out to many peoples' homes here. We have no alternative routes to get to Courtenay Parkway. The recent development of the Island Forest Preserve neighborhood has already caused a lot of damage to East Crisafulli road littering the road with potholes and shoddy patch work. The bad state of this road is destroying residents' vehicles faster and this problem will only get worse with further construction and people moving in. The additional traffic also brings safety concerns as first responder vehicles will take longer to reach residents at the end of Crisafulli such as myself. Simply put, East Crisafulli Street cannot take in additional residents with this zoning change without negatively impacting current residents.

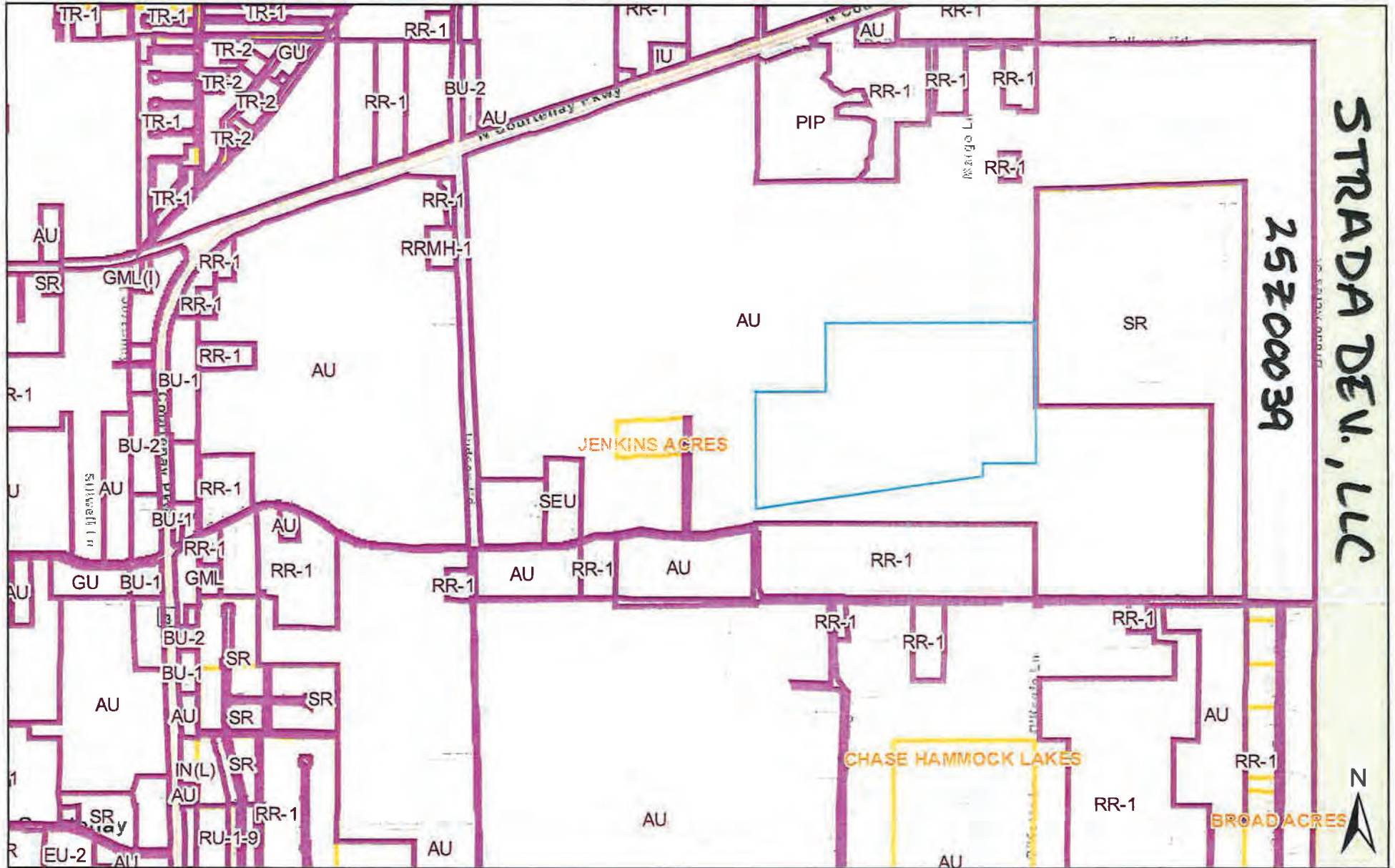
Furthermore, the property that is currently zoned agricultural helps the flooding issues that North Merritt Island has to deal with. Developing this land with concrete and roads will only worsen flooding issues for current residents. We recently had flooding in late October 2025 that affected many of my neighbors' homes and flooded major portions of East Crisafulli. This issue needs to be resolved before we can even think about adding more homes to this area. If flooding worsens, impacts to the personal safety and well being of my neighbors will continue as once again, first responders cannot reach us due to our only road into the neighborhood becoming badly flooded.

I am strongly against this rezoning request and know that many in my community feel the same way. I implore the advisory board to please listen to our community.

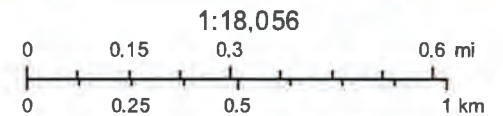
Thank you.

Regards,
Sara Belichki
727-254-2094

Zoning Map



Zoning
 Subdivisions



R-121

Sec. 62-3724. Development regulations.

- (1) There shall be no net change in the rate and volume of floodwater discharged from the pre-development 100-year, 25-year, ten-year, or mean annual riverine floodplain.
 - (a) Within the 100-year riverine floodplain (that is the area that is below the 100-year flood elevation but above the 25-year flood elevation).
 - (i) Residential density shall be limited to no more than two dwelling units per acre.
 - (ii) Commercial, institutional, and industrial land uses shall be limited to a filled footprint of no more than 15,000 square feet per acre, except for redevelopment as specified in subsection 62-3724(1)(f).
 - (iii) Density may be transferred from areas within the 25-year to 100-year riverine floodplain to areas above the riverine 100-year floodplain at a density consistent with the service sector.
 - (iv) Any expansion of commercial and industrial structure footprint, including parking areas, within the 100-year to 25-year riverine floodplain greater than 25 percent of the earliest permitted development footprint size shall be reviewed by the natural resources management department for compliance.
 - (v) Development shall not adversely impact the drainage of adjoining properties. There shall be no net loss of flood storage capacity of the 100-year riverine floodplain, except that undeveloped parcels created prior to February 17, 2011, may fill up to $\frac{1}{8}$ acre for development without providing compensatory storage. For other parcels, compensatory storage shall be required for all fill within the floodplain. Compensatory storage calculations for proposed development shall be submitted and approved by engineering staff prior to final approval of any new lot creation, site plan or subdivision application. All site plans, subdivision plats, building permits, and other active development orders shall meet the criteria in chapter 62, division 6, stormwater criteria specific to CLOMR requirements, and increase(s) in flood elevations must be investigated by detailed hydraulic modeling in volume-sensitive floodplains (e.g. lakes, closed basins).
 - (vi) Development of a lot or parcel within the 100-year to 25-year riverine floodplain shall provide a contiguous area that includes the primary structure and perimeter buffer, accessory structures, on-site sewage disposal system and buffer, potable on-site well and buffer, and access to the primary and accessory structures. These areas shall be elevated to or above the 100-year base flood elevation (BFE). All site plans, subdivision plats, building permits, and other active development orders shall meet the criteria in chapter 62, division 6, stormwater criteria specific to CLOMR requirements, and increase(s) in flood elevations must be investigated by detailed hydraulic modeling in volume-sensitive floodplains (e.g. lakes, closed basins). All site plans, subdivision plats, building permits, and other active development orders shall also meet floodplain protection criteria in chapter 62, article X, division 5; standards for flood hazard reduction criteria in chapter 62, article XI, division 3; and stormwater criteria in chapter 62, division 6.
 - (vii) Access to single-family residential structures on lots adjoining a government maintained road that is not elevated to or above the 100-year BFE and not scheduled to be upgraded within five years from the time of residential permit submittal, may be developed at the elevation of the abutting government maintained roadway. This exception shall not apply to construction in FEMA Regulatory Floodways.
 - (b) Within the 25-year floodplain (that is the area that is at or below the 25-year flood elevation but above the ten-year flood elevation).

system and buffer, access to the primary and accessory structure. These areas shall be elevated to or above the 100-year base flood elevation. All site plans, subdivision plats, building permits, and other active development orders shall also meet floodplain protection criteria in chapter 62, article X, division 5; standards for flood hazard reduction criteria in chapter 62, article XI, division 3; and stormwater criteria in chapter 62, division 6.

- (c) Access to single-family residential structures on lots adjoining a government maintained road that is not elevated to or above the 100-year BFE and not scheduled to be upgraded within five years from the time of residential permit submittal, may be developed at the elevation of the abutting government maintained roadway. This exception shall not apply to construction in FEMA Regulatory Floodways.
 - (d) Compensatory storage shall be required for fill in excess of that which will provide an upland buildable area within the floodplain greater than one-third acre in size regardless of the date the lot was created. Compensatory storage for lots within a platted subdivision created after the effective date of this ordinance shall be provided. Compensatory storage calculations for proposed development shall be submitted and approved by engineering staff prior to final approval of any new lot creation, site plan or subdivision application. All site plans, subdivision plats, building permits, and other active development orders shall meet the criteria in chapter 62, division 6, stormwater criteria specific to CLOMR requirements, and increase(s) in flood elevations must be investigated by detailed hydraulic modeling in volume-sensitive floodplains (e.g. lakes, closed basins).
- (4) Development, land alteration, or grading on North Merritt Island in the area from Hall Road, north to State Road 405, excluding federally owned lands, hereinafter referred to as "area," are subject to the following requirements:
- (a) Compensatory storage; and
 - (b) Written certification from the engineer of record that there will be no adverse flooding impacts upon properties within the area resulting from the proposed development. Written certification shall be required prior to issuance of a land alteration permit, building permit, site plan, preliminary plat approval, or any other authorization for grading or drainage modifications. The engineer of record shall certify that the proposed development will not increase flood stages, and will not increase the duration of the peak flood stages within the area. Such certification shall be accompanied by a report supporting the certification. This report shall include full engineering data and analysis, in compliance with good engineering practices, and any and all applicable standards, criteria, and regulatory requirements, including the hydraulic and hydrologic modelling and analysis demonstrating that there is no impact; and
 - (c) Sealed pre-existing topographic survey or engineered site plan delineating floodplain limits on the property, if any, with base flood elevation using best available flood elevation data. Delineation of floodplains shall use best available pre-alteration ground elevation data.
 - (d) A waiver from the compensatory storage requirement may be granted by the county manager or designee where the engineer of record certifies that the proposed design does not increase peak flood stage or duration, based on a stormwater model accepted by the board of county commissioners. Any such stormwater model shall be based on best available data addressing, at minimum; water storage, water volume, groundwater elevations, peak stages, and peak rates for the area.
 - (e) Compensatory storage for fill in the area shall be required for single family parcels created prior to the effective date of the ordinance from which this section is derived. However, written certification in subsection (4)(b) shall not be required. If compensatory storage is not available as a result of insufficient depth to groundwater, a compensatory storage waiver must be obtained from the county manager or designee by property owner or designee. The amount of fill for which a waiver may be granted shall be limited to the volume necessary to construct no more than the minimum floor area designated by the applicable zoning classification, plus on-site disposal system and necessary ingress

and egress. Compensatory storage waivers shall not be granted for accessory structures requiring fill in the floodplain.

- (f) Properties, including portion thereof, demonstrating discharge of site runoff directly to the Indian River Lagoon, through sheet flow, channels, and/or stormwater systems, without reliance on other conveyances and/or stormwater systems serving other properties, and without impeding flows from other properties to the Indian River Lagoon, are exempt from the compensatory storage requirement.
- (g) An as-built survey shall be submitted to the county within 60 days of project completion.
- (h) Any engineered compensatory storage approved by the county shall be maintained by the owner in perpetuity. Any modifications to the system require approval under this section.
- (i) Land alteration and grading in the area are prohibited unless reviewed and approved under this subsection and subsection 62-4421(a)(5).

(Code 1979, § 14-84.3; Ord. No. 02-08, § 4, 2-26-02; Ord. No. 04-07, § 1, 2-24-04; Ord. No. 09-03, § 1(Attch. C), 1-13-09; Ord. No. 2014-14, § 1, 5-1-14; Ord. No. 2015-27, § 3, 9-3-15; Ord. No. 2019-26, § 2, 12-5-19; Ord. No. 2023-014, § 1, 7-11-23)

Speed Humps

Too many people speed through my neighborhood, how can I get Speed Humps installed?

Speeding can be deterred by requesting local law enforcement patrol your area. If enforcement is ineffective in addressing the problem a speed hump study will need to be conducted to evaluate if speed humps could address the problem safely. A study is conducted because speed humps can cause unintended negative effects on the function of the surrounding street network and the safety of the public. The speed hump study is conducted in accordance with Brevard County Board of County Commissioners Policy BCC-91 and Brevard County Administrative Order AO-72. There are a number of criteria that will be evaluated associated with a speed hump request:

The subject street shall be a two-lane residential street, with a speed limit of 30 mph or less.

The speed hump(s) shall be on tangent sections, with limited horizontal and vertical curvature, without sight obstruction and have a minimum roadway length of 500 feet.

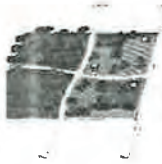
Requests for speed humps must be supported by a petition that must meet specific criteria.

The average daily volume of traffic on the roadway must be less than 1,500 vehicles per day as determined by a traffic count performed by the County.

Stronger enforcement can be requested from the Sheriff's Office. The Sheriff's Office can be contacted through the County telephone switchboard at (321) 633-2000, or the [Sheriff's Office website](#) . If enforcement does not address the problem please fill out a Comment Form or contact the Brevard County Engineering Division at (321) 633-2077.

C1 & C2

Motor Vehicle Highway Generalized Service Volume Tables



(C1-Natural & C2-Rural)

Peak Hour Directional

	B	C	D	E
1 Lane	240	430	730	1,490
2 Lane	1,670	2,390	2,910	3,340
3 Lane	2,510	3,570	4,370	5,010

Peak Hour Two-Way

	B	C	D	E
2 Lane	440	780	1,330	2,710
4 Lane	3,040	4,350	5,290	6,070
6 Lane	4,560	6,490	7,950	9,110

AADT

	B	C	D	E
2 Lane	4,600	8,200	14,000	28,500
4 Lane	32,000	45,800	55,700	63,900
6 Lane	48,000	68,300	83,700	95,900

Adjustment Factors

- 2 Lane Divided Roadway with Exclusive Left Turn Adjustment: Multiply by 1.05
- Multilane Undivided Highway with Exclusive Left Turn Adjustment: Multiply by 0.95
- Multilane Undivided Highway without Exclusive Left Turn Adjustment: Multiply by 0.75

9

This table does not constitute a standard and should be used only for general planning applications. The table should not be used for corridor or intersection design, where more refined techniques exist.

Thanks for your valuable feedback!

Christa McAuliffe (SR3) Drawbridge

Mile Marker: 1.0

Lat / Lon: N 28° 24.464' / W 080° 42.353'

Bridge Type: Draw

Vertical Clearance (Closed): 21.60 ft.

Horizontal Clearance: 90.00 ft.

Schedule:

Opens on the hour and half hour from 6:00 a.m. to 10:00 p.m. daily but is closed between 6:15 a.m. and 8:15 a.m. and from 3:10 p.m. to 6:00 p.m., Monday through Friday, except federal holidays. Requires a three-hour advance notice to open between 10:00 p.m. and 5:59 a.m.

Editor's Note: Bridge schedules are subject to temporary change due to repairs, maintenance, events, etc. Check the Waterway Explorer for possible nav alerts.

VHF Channel: 9

Phone: 3214525220

DISCLAIMER: Bridge heights and clearances are published from sources and records provided by various state and federal entities. Waterway Guide Media does not warrant the information as accurate. Water depth, placement of on-location signage and other variables may impact published horizontal and vertical clearances. Exercise caution when transiting.



[View in Waterway Explorer](#)

3 Boater Comments

These are observations from the boating community. Waterway Guide information is verified regularly and all efforts will be made to validate any new updates submitted here. Thank you for taking the time to share comments about your experience.

Waterway Guide reserves the option of editing reviews and comments for grammar, clarity and the removal of defamatory or potentially slanderous language. When appropriate, reviews are forwarded to businesses for response prior to being made public. We will make every effort to be objective and impartial when posting reviews, but do not publicize details of disputes between parties.

Comment by: Jane Hawkey, *Explorer II*, on Jan 20, 2022

Vessel Type: Sail

LOA: 57'

Draft: 5.5'

Lots of derelict boats. Sail and motor. As one reviewer said of the Cocoa Beach anchorage, lock your boat when you

Comment on this Bridge

Earn +100 Points

Name *(Displayed)*

Customer

The name field is required.

Email *(Not Displayed)*

Email

The email field is required.

LOA (ft):

From: [Sara Belichki](#)
To: [Commissioner, D2](#)
Subject: Comment Against Rezoning Request on East Crisafulli
Date: Friday, January 9, 2026 1:04:14 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Commissioner Goodson,

My name is Sara Belichki and I live on Broad Acres Street. I would like to voice my concern on Strada Development, LLC (Kim Rezanka) request to have a zoning classification change from AU and RR-1 to SR with a BDP. This rezoning directly impacts myself and many of my neighbors living on Broad Acres and East Crisafulli Street. The addition of more residential homes to this property is not feasible due to the lack of infrastructure that this area currently has. East Crisafulli is a single lane street with no shoulder that cannot accommodate the additional traffic. East Crisafulli is also the only way in and out to many peoples' homes here. We have no alternative routes to get to Courtenay Parkway. The recent development of the Island Forest Preserve neighborhood has already caused a lot of damage to East Crisafulli road littering the road with potholes and shoddy patch work. I have also witnessed cases of road rage as a result. The bad state of this road is destroying residents' vehicles faster and this problem will only get worse with further construction and people moving in. The additional traffic also brings safety concerns as first responder vehicles will take longer to reach residents at the end of Crisafulli such as myself and my family. Simply put, East Crisafulli Street cannot take in additional residents with this zoning change without negatively impacting current residents.

Furthermore, the property that is currently zoned agricultural helps the flooding issues that North Merritt Island has to deal with. Developing this land with concrete and roads will only worsen flooding issues for current residents. We recently had flooding in late October 2025 that affected many of my neighbors' homes and flooded major portions of East Crisafulli. Joseph Ct, which comes off of East Crisafulli received the worst flooding I have ever seen in my 10 years of living here. The floodwater there took many days to recede. This issue needs to be resolved before we can even think about adding more homes to this area. If flooding worsens, impacts to the personal safety and well being of my neighbors will continue as once again, first responders cannot reach us due to our only road into the neighborhood becoming badly flooded.

I am strongly against this rezoning request and know that many in my community feel the same way. I implore you to please listen to our community. I am very proud of the beautiful area that I live in and want to see my community grow in a healthy, well-planned manner. Infrastructure and flood management must come first. This zoning change does not adhere to that.

Thank you.

Regards,
Sara Belichki

727-254-2094

**WRITTEN PUBLIC COMMENT FOR OFFICIAL
RECORD**

Rezoning Case No. 25Z00039

**E. Crisafulli Road – Proposed Rezoning from AU &
RR-1 to SR with Binding Development Plan**

Submitted by:
Matt McFadden
Resident, E. Crisafulli Road
Brevard County, Florida
Date: January 12, 2026

Statement for the Record

I submit this written comment for inclusion in the official public record regarding Rezoning Case No. 25Z00039, which seeks to rezone property from AU (Agricultural Residential) and RR-1 (Rural Residential) to SR (Suburban Residential) with a Binding Development Plan. I am a resident of E. Crisafulli Road and am directly impacted by this request. I oppose this rezoning for the reasons outlined below.

1. Impact to Rural Character and Quality of Life

E. Crisafulli Road is a rural roadway and rural community by design and by long-standing use. Residents chose this area specifically because of low-density land use, limited traffic volumes, agricultural and equestrian activity including regular horseback riding, pedestrian and bicycle use, golf-cart use, and quiet residential conditions. Many neighbors own horses, and horseback riding along E. Crisafulli Road was common for years but has declined significantly over the past seven years due to increased traffic volumes, speeding, and unsafe driving behavior. Residents using golf carts are now regularly forced off the roadway by speeding vehicles, creating an ongoing and serious safety risk.

The County itself recognizes this rural character through the installation of multiple "Horse Area" warning signs along E. Crisafulli Road, including one located at 1015 E. Crisafulli Road, approximately 250 feet from the proposed entrance to the development associated with this rezoning request. Rezoning to Suburban Residential represents a fundamental change in land-use intensity incompatible with the existing roadway design and community character.

2. Traffic Safety and Single-Access Roadway

E. Crisafulli Road is a narrow, winding, two-lane roadway without shoulders and is the sole means of access for residents. Traffic volumes and unsafe driving behavior have already increased following prior development approvals. Speeding, aggressive tailgating, unsafe passing, and vehicles forcing pedestrians, cyclists, equestrians, and golf-cart users off the roadway are now routine occurrences.

Excessive speeding has already required the installation of speed-control measures. While I personally do not support speed humps, many residents feel they are necessary due to persistent reckless driving.

Additional development will increase traffic volume, slow emergency response times, reduce evacuation efficiency during flooding, and further degrade roadway functionality, directly affecting safety and quality of life.

The roadway has no sidewalks, sits very close to drainage ditches, lacks guardrails, and has visibly sinking edges. It cannot be widened without encroaching on private property. Residents are forced to share the narrow travel lane with commercial vehicles. This condition already presents a serious safety hazard and will worsen under suburban-density development.

3. Binding Development Plan Limitation

A binding development plan may be amended in the future. The zoning change itself is permanent. Once rural zoning is removed, long-term land-use control is effectively lost and the risk is borne by existing residents.

4. Stormwater System Inadequacy and Unequal Treatment of Existing Residents

The stormwater and drainage system is already inadequate and has worsened since the approval of the Island Forest Preserve subdivision. Flood duration and severity have increased. During the October 26–27, 2025 storm, properties remained flooded for more than a week, with water approaching residential structures. This flooding is the downstream result of development-approved runoff redirection. Residents were never asked to consent to becoming the receiving basin for subdivision runoff. Additional development will increase impervious surface and worsen this condition without proven mitigation.

In addition, many long-time residents in this area have been denied permission to bring in even small amounts of fill for modest improvements such as barns or freestanding workshops, due to stormwater and drainage restrictions. Yet large-scale developers are permitted to import massive volumes of fill, clear land, pave entire subdivisions, and construct dense residential developments that dramatically alter drainage patterns and increase downstream flooding.

This unequal treatment is difficult to justify. Existing residents have invested in their properties, planted roots here, and complied with County requirements, only to be told they cannot make minor improvements for agricultural or personal use, while large developers are granted approvals that fundamentally change the landscape and impose measurable harm on surrounding properties.

5. Roadway Condition and Construction Traffic Damage

The roadway contains over fifty patched excavation locations, visible settlement, uneven surfaces, and cracking and buckling during storms. During the October 26–27, 2025 flooding event, while the road surface was submerged for multiple days, a continuous stream of air bubbles was visibly rising from several locations in the pavement. This is consistent with subsurface voids, soil washout, failed or poorly compacted backfill, and/or leaking or compromised underground utility joints. This is not normal roadway behavior and indicates structural failure beneath the pavement surface.

After “Local Traffic Only” restrictions were posted, construction traffic servicing Maronda Homes job sites within the Island Forest Preserve subdivision continued without interruption. There was no visible instruction from Maronda Homes to its contractors to suspend operations or hold deliveries, and no effective enforcement by the County to prevent commercial construction vehicles from using the roadway during this period of flooding and roadway submersion.

As a result, fully loaded construction trucks, material deliveries, moving trucks, and heavy equipment repeatedly traversed a saturated roadway, often at unsafe speeds, accelerating pavement failure and

subgrade degradation and displacing standing stormwater into adjacent private properties, including yards and driveways, that had not flooded from rainfall alone.

The roadway is now unsafe and unreliable as the sole access route. Rezoning would introduce years of additional construction traffic and permanently higher daily volumes on compromised infrastructure.

6. Emergency Access Risk

E. Crisafulli Road is the only access route. Any failure or flood closure would trap residents and prevent emergency services from reaching the area.

7. Required Independent Evaluations and Immediate Infrastructure Action

Before any rezoning is considered, and before any development activity is approved or permitted on this property under any zoning classification, the County should require the following evaluations to be performed by qualified independent third-party firms that are not selected by, affiliated with, or under contract to the developer (including Maronda Homes or Strada Development), and not affiliated with any member of the County Commission or County staff. These studies should be fully funded by the proposed developer, Strada Development, and subject to County technical review:

- A site-specific traffic impact study for E. Crisafulli Road itself, including segments east of Judson Road, and including construction traffic volumes, heavy-vehicle loading, and emergency access modeling. A traffic study limited to State Road 3 or other nearby arterials is not acceptable as a substitute.
- A cumulative stormwater and downstream flooding analysis showing projected impacts to existing properties and water surface elevations.
- A pavement and subgrade structural evaluation of E. Crisafulli Road by a licensed professional engineer.
- A geotechnical investigation for subsurface voids, soil instability, and underground utility integrity.
- A formal emergency access and evacuation assessment for this single-access community.
- A binding construction traffic management plan with enforceable restrictions and financial accountability for roadway damage.


In addition, any existing roadway deficiencies identified through these evaluations should be addressed promptly and fully prior to approval of any rezoning, site plan, or development order. Allowing further development activity on infrastructure already showing signs of structural failure and safety risk would be irresponsible and contrary to public safety obligations.

Approving suburban zoning or allowing further development to proceed without these independent evaluations and corrective actions would knowingly ignore documented safety and infrastructure risks already affecting this community.

Conclusion

This rezoning would permanently alter the character of E. Crisafulli Road and impose increased traffic, flooding risk, safety hazards, infrastructure burden, and inequitable treatment of long-standing residents on an existing rural community. I respectfully request that Rezoning Case No. 25Z00039 be denied or deferred until these evaluations are completed, roadway deficiencies corrected, and the results publicly reviewed.

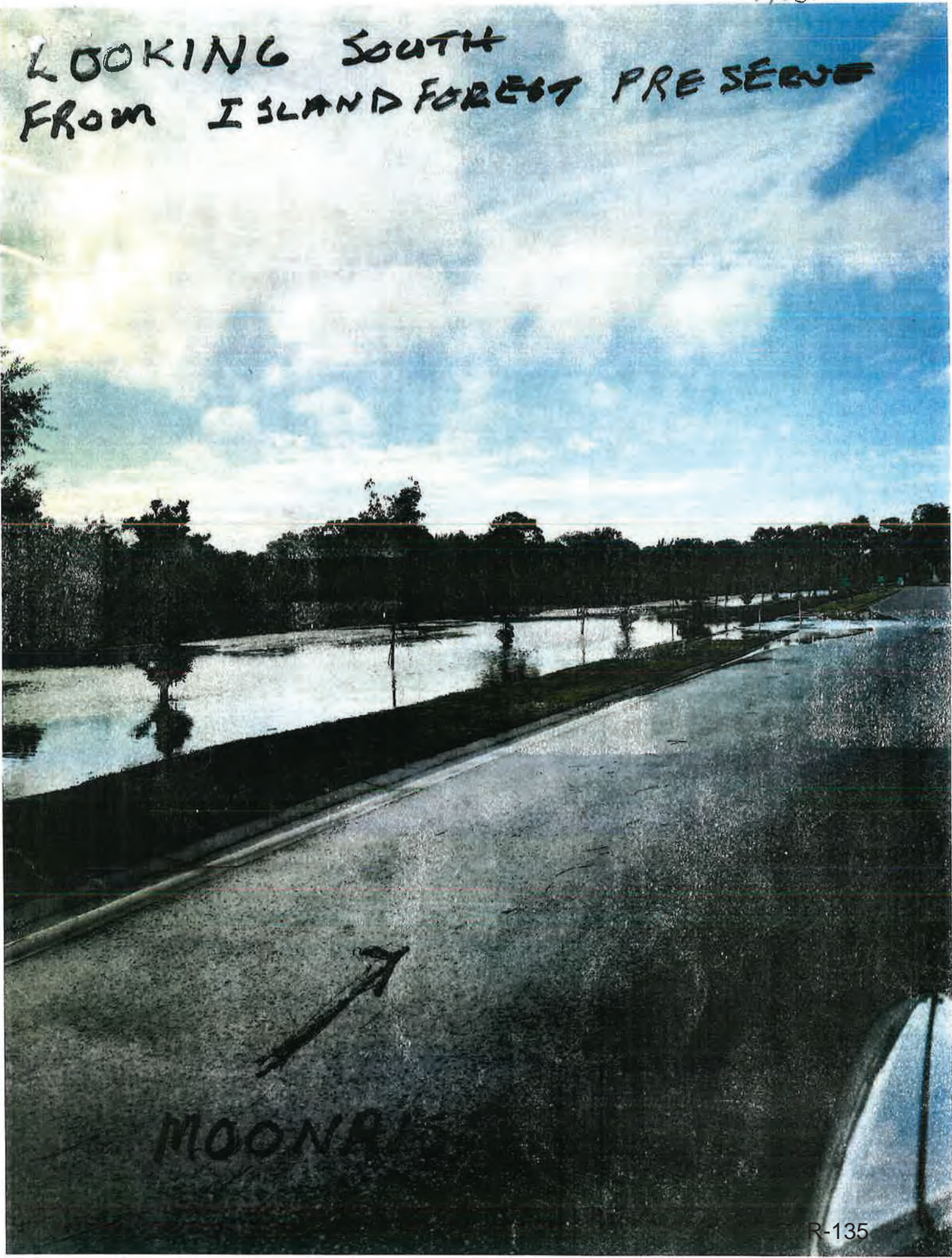
Respectfully submitted,



Matt McFadden
E. Crisafulli Road
Brevard County, Florida

14-3

LOOKING SOUTH
FROM ISLAND FOREST PRESERVE



L-00-

SO END OF MOONRISE
BEFORE CRISAFULL?



WEST AFTER TURN RIGHT
ISLAND FOREST PRESERVE

①



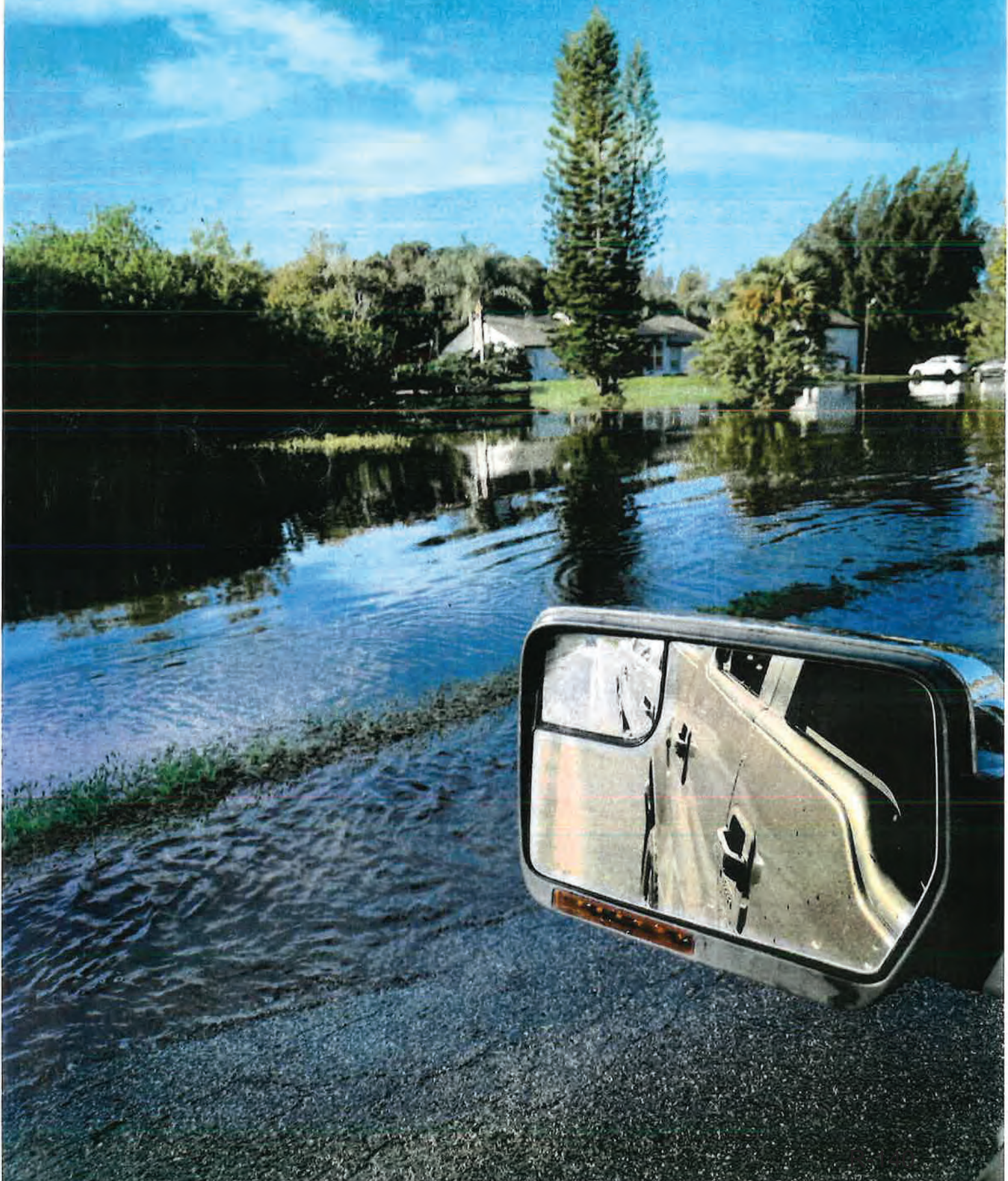
23



3

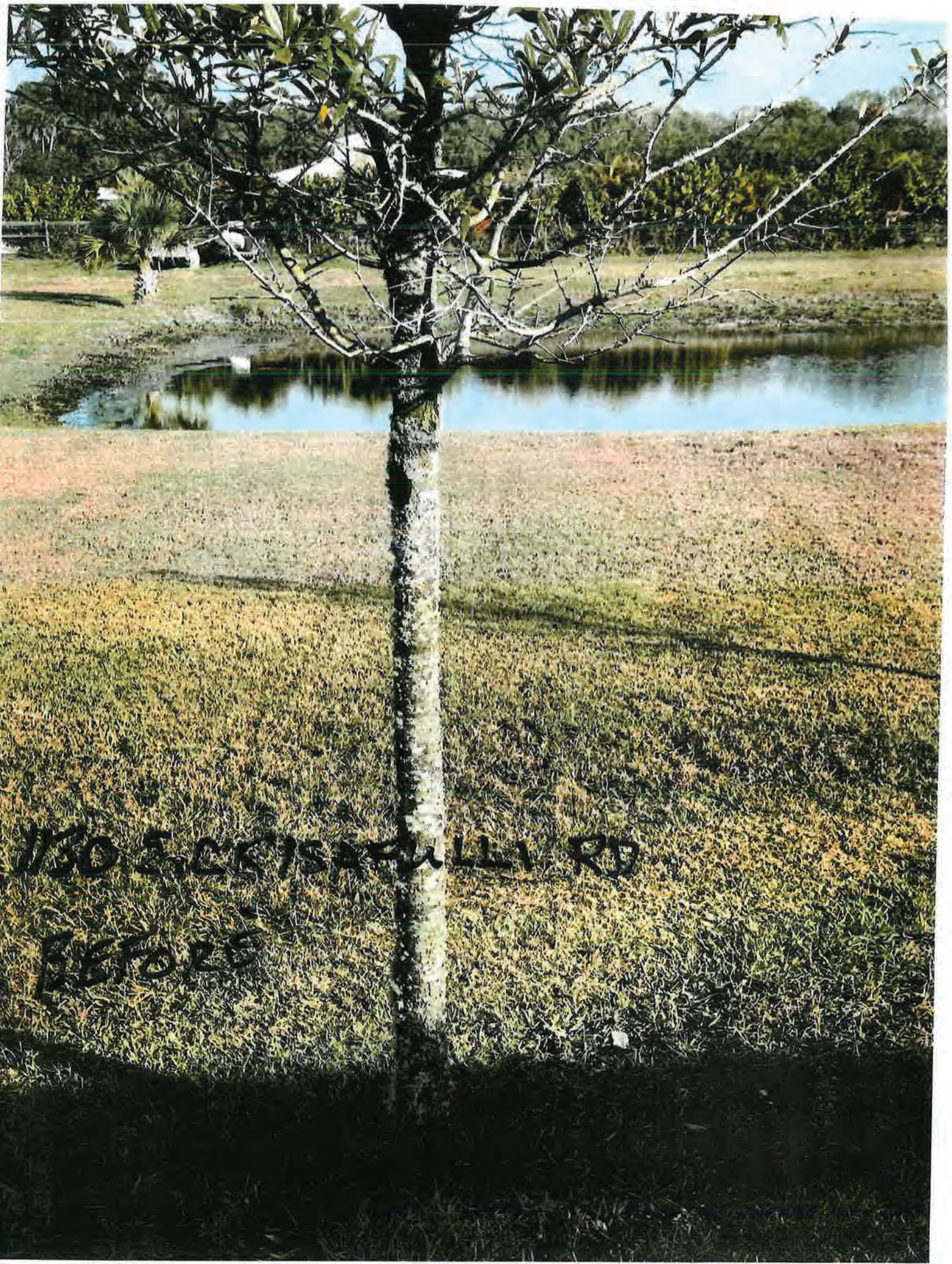


4



5





150 S. CRISAPULLI RD
MEMPHIS



AFTER

YACONDA
DEV.

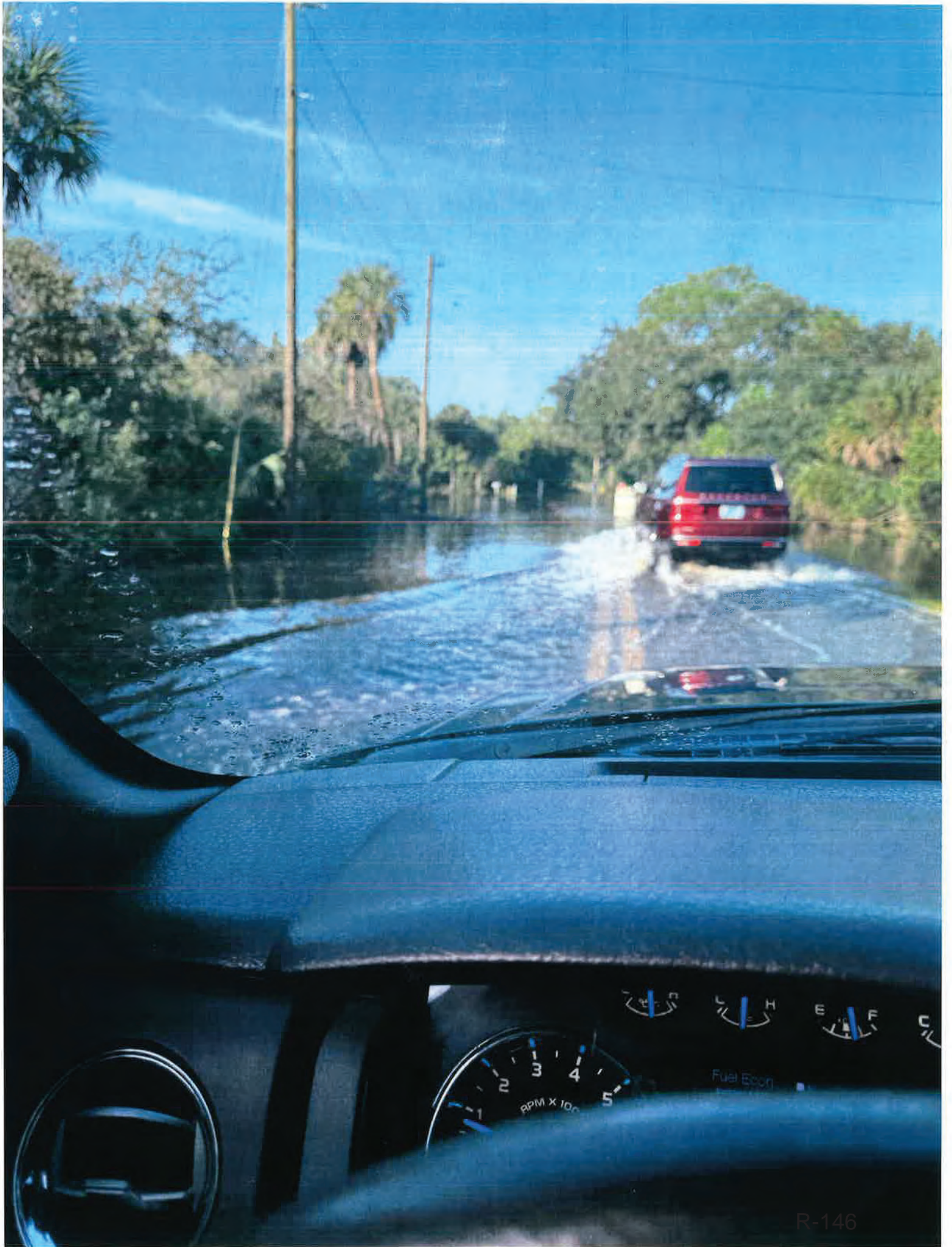


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JOSEPH CT
|

SPEED
LIMIT
20

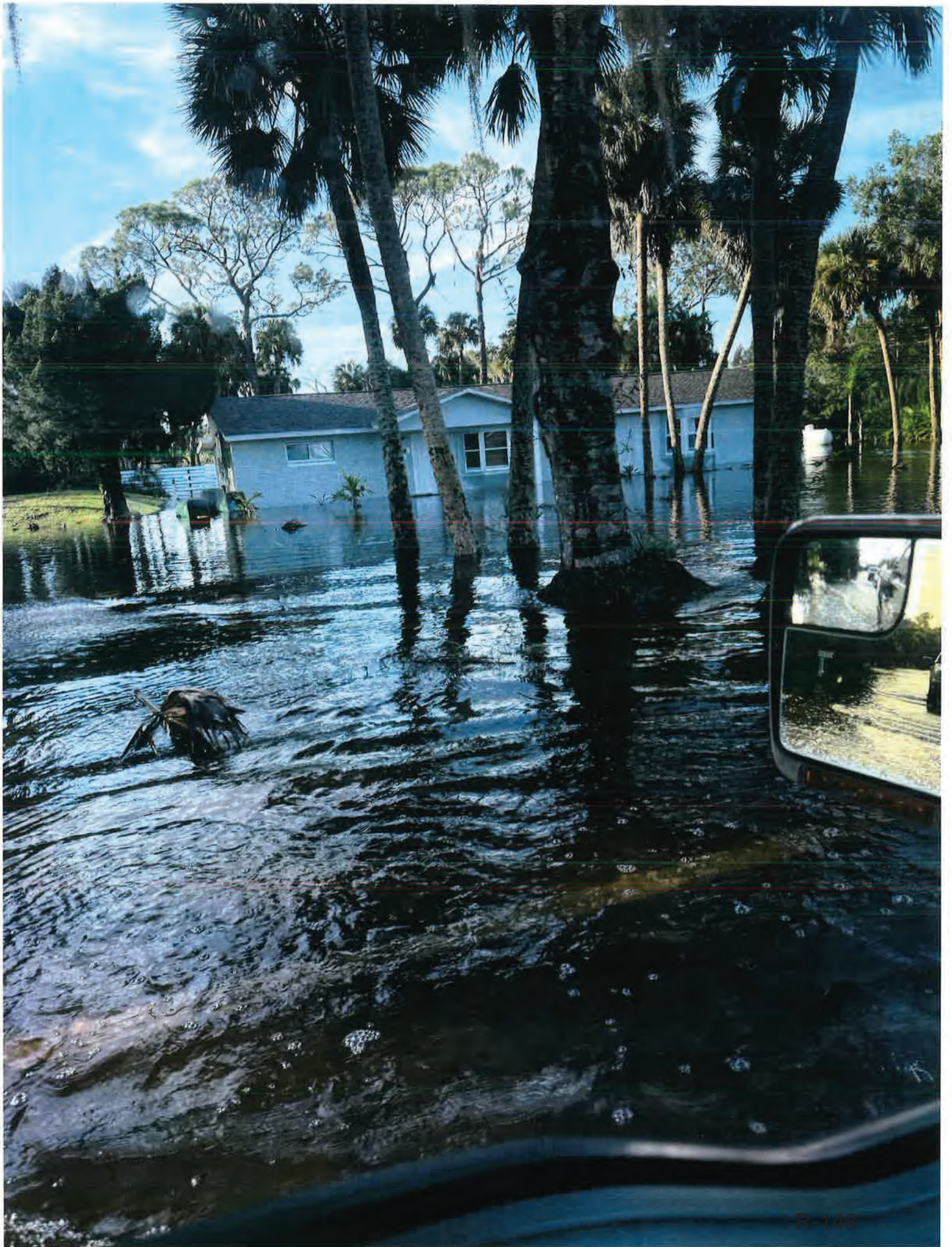
15

← CRISAFULLI →





R-147





From: [River Breeze Ranch](#)
To: [Commissioner, D2; AdministrativeServices; Commissioner, D1; Commissioner, D3; Commissioner, D4; Commissioner, D5](#)
Subject: Opposition to Rezoning of Agricultural Land on East Crisafulli Road(Maronda Homes/Strada Development)
Date: Monday, February 2, 2026 9:16:09 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear County Commissioners,

We are writing to formally express our strong opposition to the proposed rezoning of agricultural land on East Crisafulli Road for residential subdivision development.

Our community is already experiencing increasingly frequent and catastrophic flooding events. This area of North Merritt Island sits in a natural low-lying “bowl,” meaning there is no meaningful outlet for excess stormwater. Any additional impervious surfaces created by residential development will inevitably displace water onto surrounding properties, neighboring homes, and active farmland. In this location, there is simply nowhere for that water to go.

We have firsthand experience with these impacts. Our pastures have been flooded multiple times with standing water exceeding 18 inches in depth. As a result of prolonged saturation, we have lost livestock, experienced the complete failure of pasture grasses, and suffered long-term damage to the agricultural viability of the land. Continued development in this area will only exacerbate these conditions and place additional residents and farmers at risk.

East Crisafulli Road is a rural roadway that was never designed to accommodate sustained construction traffic or a significant increase in daily residential vehicle use. Increased traffic will pose safety concerns, accelerate road deterioration, and fundamentally change the rural character of the area.

Beyond the immediate flooding and infrastructure concerns, rezoning agricultural land for residential development has far-reaching environmental consequences in Florida. Agricultural lands serve as critical buffers for stormwater absorption, wildlife corridors, and groundwater recharge. Converting these lands to dense residential use contributes to habitat loss, disrupts native ecosystems, increases nutrient runoff into surrounding waterways, and undermines Florida’s already fragile environmental balance. Once agricultural land is lost, it cannot be restored.

Florida’s agricultural areas are not vacant or unused spaces — they are working landscapes that support food production, protect natural resources, and provide resilience against flooding and climate-driven weather extremes. Rezoning this land sets a dangerous precedent that prioritizes short-term development over long-term sustainability and public safety.

Given the documented flooding history, the geographic limitations of this area, the risks to existing residents and farms, and the irreversible environmental impacts, we strongly object to this rezoning request. We urge the county to deny the proposed rezoning and to protect this agricultural land for the benefit of the community, the environment, and future generations.

Thank you for your time and consideration of this matter.

Sincerely,
Jeff & Diana Scarincio
River Breeze Ranch
321-961-2424

From: [Elijah Egger](#)
To: [Commissioner, D4](#)
Subject: No on rezoning 142 Acres on East Crisafulli Rd.
Date: Monday, February 2, 2026 8:45:17 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Rob Feltner,

I live on North Merritt Island and strongly oppose the rezoning of the 142 acres off East Crisafulli Road. We have had flooding, traffic challenges, and this area lacks infrastructure to support higher density development. Rezoning agricultural land to suburban residential will negatively impact existing residents and create long-term safety and environmental issues.

I respectfully ask you to vote NO on this rezoning request.

Kindest regards,
Elijah Egger

From: [Matt McFadden](#)
To: [Commissioner, D2](#); [Commissioner, D1](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Concerns Regarding Rezoning Case 25Z00039 – E. Crisafulli Road
Date: Saturday, January 31, 2026 10:47:13 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Commissioners,

My name is Matt McFadden, and I am a resident of E. Crisafulli Road. I am writing to share my concerns regarding Rezoning Case No. 25Z00039, which proposes changing property along E. Crisafulli Road from Agricultural Residential (AU) and Rural Residential (RR-1) to Suburban Residential (SR) with a binding development plan.

I am directly impacted by this request and respectfully ask that you carefully consider the real, existing conditions on this roadway and in our community before approving any zoning change.

E. Crisafulli Road is a rural roadway and has functioned as a rural community by design and long-standing use. Residents chose to live here specifically because of low-density land use, limited traffic, agricultural and equestrian activity, pedestrian and bicycle use, golf-cart travel, and quiet residential conditions. Many neighbors own horses, and horseback riding along the road was common for years but has steadily declined due to increased traffic volumes, speeding, and unsafe driving behavior. Golf-cart users are now regularly forced off the roadway by speeding vehicles, creating an ongoing and serious safety concern.

The County itself acknowledges this rural character through the placement of multiple “Horse Area” warning signs along E. Crisafulli Road, including one located approximately 250 feet from the proposed development entrance. Rezoning this corridor to Suburban Residential represents a fundamental change in land-use intensity that is incompatible with the existing roadway design and community character.

E. Crisafulli Road is a narrow, winding, two-lane road with no shoulders and no sidewalks, and it serves as the sole means of access for residents. Traffic safety issues already exist, including excessive speeding, aggressive driving, unsafe passing, and vehicles forcing pedestrians, cyclists, equestrians, and golf-cart users out of the travel lane. Additional development would increase traffic volumes, slow emergency response times, reduce evacuation efficiency during flooding, and further degrade safety on a roadway that cannot realistically be widened without encroaching on private property.

Stormwater management is another serious concern. Flooding has already worsened following the approval of nearby subdivisions. During the October 26–27, 2025 storm, properties along E. Crisafulli Road remained flooded for more than a week, with water approaching residential structures. This flooding is the downstream result of development-approved runoff redirection. Existing residents were never asked to consent to becoming the receiving basin for subdivision runoff, and additional development will increase impervious surface area and worsen these conditions without proven mitigation.

At the same time, many long-time residents in this area have been denied permission to bring in even small amounts of fill for modest improvements such as barns or workshops due to stormwater restrictions. In contrast, large-scale developers are permitted to import massive volumes of fill, clear land, pave subdivisions, and significantly alter drainage patterns. This unequal treatment is difficult to justify and places a disproportionate burden on existing residents.

Roadway condition is also a growing concern. E. Crisafulli Road contains numerous patched excavation locations, visible settlement, cracking, and buckling. During the October flooding event, the road surface was submerged for multiple days, and air bubbles were visibly rising from several locations in the

pavement — behavior consistent with subsurface voids, soil washout, or compromised underground utilities. Despite “Local Traffic Only” restrictions, heavy construction traffic servicing nearby developments continued to use the roadway, accelerating pavement and subgrade deterioration and displacing floodwater into adjacent private properties.

Because E. Crisafulli Road is a single-access roadway, any failure or flood closure presents a serious risk to residents and emergency responders. Introducing additional development and years of construction traffic onto already compromised infrastructure only increases that risk.

Before any rezoning or development approval is considered, I respectfully request that the County require independent, third-party evaluations — funded by the developer but not affiliated with them — including a site-specific traffic impact study for E. Crisafulli Road, a cumulative stormwater and downstream flooding analysis, a pavement and subgrade structural evaluation, a geotechnical investigation, and a formal emergency access and evacuation assessment. Any deficiencies identified should be corrected prior to any zoning or development approvals.

Approving suburban zoning without addressing these documented safety, flooding, and infrastructure concerns would permanently alter the character of E. Crisafulli Road and place long-standing residents at increased and unnecessary risk. I respectfully request that Rezoning Case No. 25Z00039 be denied or, at minimum, deferred until these issues are fully evaluated and addressed.

Thank you for your time and for your service to our community. I appreciate your careful consideration of the concerns of residents who live with the consequences of these decisions every day.

Respectfully,

Matt McFadden
E. Crisafulli Road
Brevard County, Florida

From: [Glenn Egger](#)
To: [Commissioner, D4](#)
Subject: Please vote No on rezoning 142 Acres on East Crisafulli Rd
Date: Sunday, February 1, 2026 5:43:06 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Rob Feltner,

I live on North Merritt Island and strongly oppose the rezoning of the 142 acres off East Crisafulli Road. We have had flooding, traffic challenges, and this area lacks infrastructure to support higher density development. Rezoning agricultural land to suburban residential will negatively impact existing residents and create long-term safety and environmental issues.

I respectfully ask you to vote NO on this rezoning request.

Kindest regards,
Glenn Egger

From: [Sara Belichki](#)
To: [Commissioner, D4](#)
Subject: Rezoning Case No. 25Z00039
Date: Monday, February 2, 2026 12:19:10 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Commissioner Feltner,

I am a resident of Broad Acres Street and have lived here for the past 10 years. I would like to voice my concern on Strada Development, LLC (Kim Rezanka) request to have a zoning classification change from AU and RR-1 to SR with a BDP. This rezoning directly impacts myself and many of my neighbors living on Broad Acres and East Crisafulli Street. The addition of more residential homes to this property is not feasible due to the lack of infrastructure that this area currently has. East Crisafulli is a rural single lane street with no shoulder that cannot accommodate the additional traffic. East Crisafulli is also the only way in and out to many peoples' homes here. We have no alternative routes to get to Courtenay Parkway. The recent development of the Island Forest Preserve neighborhood has already caused a lot of damage to East Crisafulli road littering the road with potholes and shoddy patch work. I have also witnessed cases of road rage as a result. The bad state of this road is destroying residents' vehicles faster and this problem will only get worse with further construction and people moving in. The additional traffic also brings safety concerns as first responder vehicles will take longer to reach residents at the end of Crisafulli such as myself and my family. Simply put, East Crisafulli Street cannot take in additional residents with this zoning change without negatively impacting current residents and property values.

Furthermore, the property that is currently zoned agricultural helps the flooding issues that North Merritt Island has to deal with. Developing this land with concrete and roads will only worsen flooding issues for current residents. Raising home pads pushes water onto neighboring properties. We recently had flooding in late October 2025 that affected many of my neighbors' homes and flooded major portions of East Crisafulli. What used to take me 5 minutes to drive to Courtenay Parkway, became a 15 minute ordeal of slowly driving through floodwater. It was a nerve wracking experience to ensure that my vehicle does not run into an unseen ditch. Joseph Ct, which comes off of East Crisafulli received the worst flooding I have ever seen in my 10 years of living here. The floodwater there took many days to recede with many people stuck in their homes. This issue needs to be resolved before we can even think about adding more homes to this area. If flooding worsens, impacts to the personal safety and well being of my neighbors will continue as once again, first responders cannot reach us due to our only road into the neighborhood becoming badly flooded. Any future hurricanes impacting this area with this new development in place will bring significant flood damage to homeowners.

The developers will move on leaving us, the residents, with the consequences. I am strongly against this rezoning request and know that many in my community feel the same way. I implore you to please listen to our community. I am very proud of the beautiful area that I live in and want to see my community grow in a healthy, well-planned manner. Infrastructure and

flood management must come first. This zoning change does not adhere to that. Please keep the zoning agricultural.

Thank you.

Regards,
Sara Belichki

From: [chris.smith](#)
To: [Commissioner_D4](#)
Subject: Rezoning Case No. 25Z00039
Date: Monday, February 2, 2026 10:23:04 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Commissioner Feltner,

I am a resident of Broad Acres Street and have lived here for the past 10 years.

I am writing to express my serious concern regarding the request by Strada Development, LLC (Kim Rezanka) to rezone the property from AU and RR-1 to SR with a BDP. This proposed change would directly affect me and many of my neighbors on Broad Acres Street and East Crisafulli Street.

Adding more residential homes to this property is not feasible given the severe lack of supporting infrastructure in the area. East Crisafulli is a narrow, rural single-lane road with no shoulder, and it cannot safely handle additional traffic. This road is the only access route in and out for many residents, with no alternative paths to reach Courtenay Parkway. The recent development of the Island Forest Preserve neighborhood has already caused significant damage to East Crisafulli, leaving it riddled with potholes and poor patchwork repairs. I have personally witnessed road rage incidents stemming from these conditions. The deteriorating road is accelerating wear and damage to residents' vehicles, and further construction and new residents would only worsen this situation.

Increased traffic also raises serious safety concerns. First responder vehicles would face longer response times to reach residents at the end of Crisafulli, including my family and me. In short, East Crisafulli Street cannot absorb additional residents from this zoning change without severely impacting current residents and property values.

Furthermore, the property's current agricultural zoning helps mitigate flooding issues that already plague North Merritt Island. Replacing permeable agricultural land with concrete, roads, and raised home pads would push water onto neighboring properties and significantly worsen flooding for existing residents.

We experienced severe flooding in late October 2025 that affected many homes in our area and inundated large sections of East Crisafulli. What is normally a 5-minute drive to Courtenay Parkway turned into a stressful 15-minute ordeal of navigating through deep floodwater, with the constant risk of hitting unseen ditches or hazards. Joseph Court, which branches off East Crisafulli, suffered the worst flooding I have seen in my 10 years here; the water took days to recede, leaving many residents trapped in their homes.

These flooding problems must be addressed before any additional homes are considered for this area. If flooding worsens due to this development, the personal safety and well-being of my neighbors will be further jeopardized, as our only access road could once again become impassable. Future hurricanes would bring even greater flood damage to homeowners under

these conditions.

Developers will eventually move on, leaving residents to bear the long-term consequences. I am strongly opposed to this rezoning request, and I know many others in our community share this view.

I respectfully implore you to listen to our community. I am proud of the beautiful area in which I live and want to see it grow in a healthy, well-planned way. Infrastructure improvements and effective flood management must come first. This proposed zoning change does not meet that standard.

Please deny the request and retain the current agricultural zoning.

Thank you for your time and consideration.

Regards,
Christopher Smith

From: [Judy Durette](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Proposed Rezoning of 142 Acres off East Crisafulli Road
Date: Tuesday, February 3, 2026 2:57:41 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Commissioners:

I respectfully ask you to vote NO on this rezoning request.

I have lived on East Crisafulli Road for over 45 years and my property borders the above acreage. I have already experienced flooding and traffic challenges in the last several years due to the development of the property at the end of East Crisafulli Road. This road was not constructed for the volume of traffic it is now experiencing. It is a one way in and one way out road.

Rezoning agricultural land to suburban residential will negatively impact current residents and create additional safety and environmental issues.

Thank you for your consideration.

Judy Durette
1000 E. Crisafulli Rd.

From: [Judy Durette](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Proposed Rezoning of 142 Acres off East Crisafulli Road
Date: Tuesday, February 3, 2026 2:57:41 PM

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Commissioners:

I respectfully ask you to vote NO on this rezoning request.

I have lived on East Crisafulli Road for over 45 years and my property borders the above acreage. I have already experienced flooding and traffic challenges in the last several years due to the development of the property at the end of East Crisafulli Road. This road was not constructed for the volume of traffic it is now experiencing. It is a one way in and one way out road.

Rezoning agricultural land to suburban residential will negatively impact current residents and create additional safety and environmental issues.

Thank you for your consideration.

Judy Durette
1000 E. Crisafulli Rd.

Dear Commissioner,

I am writing to formally express my strong opposition to the proposed rezoning of the 142-acre parcel currently under consideration.

This area has a well-documented history of severe flooding, which has caused significant damage to nearby homes, roadways, and properties. Residents in the surrounding community have already experienced the consequences of development outpacing infrastructure, and approving additional rezoning without substantial improvements would only exacerbate these ongoing problems.

At present, the necessary infrastructure to support development of this scale simply does not exist. Stormwater management systems, drainage capacity, roadways, and emergency access are already strained. Rezoning this land before comprehensive infrastructure upgrades are completed places existing residents at risk and creates long-term liabilities for the county.

Development should be responsible, sustainable, and supported by adequate planning. Approving rezoning in an area with known flooding issues—without guaranteed infrastructure solutions in place—would be a disservice to current residents and future occupants alike.

I respectfully urge the Commission to deny or postpone this rezoning request until:

- Proper stormwater and flood mitigation systems are fully designed and funded
- Infrastructure improvements are completed and proven effective
- A thorough and transparent impact study is conducted with community input

Protecting public safety, property, and environmental stability must come before increased density or development pressure. I ask that you prioritize the long-term wellbeing of the community and block this rezoning request.

Thank you for your time, consideration, and service to our community.

Sincerely,

Michelle Kennedy

Jason Kennedy

From: [Judy Durette](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Proposed Rezoning of 142 Acres off East Crisafulli Road
Date: Tuesday, February 3, 2026 2:57:40 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Commissioners:

I respectfully ask you to vote NO on this rezoning request.

I have lived on East Crisafulli Road for over 45 years and my property borders the above acreage. I have already experienced flooding and traffic challenges in the last several years due to the development of the property at the end of East Crisafulli Road. This road was not constructed for the volume of traffic it is now experiencing. It is a one way in and one way out road.

Rezoning agricultural land to suburban residential will negatively impact current residents and create additional safety and environmental issues.

Thank you for your consideration.

Judy Durette
1000 E. Crisafulli Rd.

From: [chris.smith](#)
To: [Commissioner_D2](#)
Subject: Rezoning Case No. 25Z00039
Date: Monday, February 2, 2026 9:45:52 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Commissioner Goodson,

I am a resident of Broad Acres Street and have lived here for the past 10 years.

I am writing to express my serious concern regarding the request by Strada Development, LLC (Kim Rezanka) to rezone the property from AU and RR-1 to SR with a BDP. This proposed change would directly affect me and many of my neighbors on Broad Acres Street and East Crisafulli Street.

Adding more residential homes to this property is not feasible given the severe lack of supporting infrastructure in the area. East Crisafulli is a narrow, rural single-lane road with no shoulder, and it cannot safely handle additional traffic. This road is the only access route in and out for many residents, with no alternative paths to reach Courtenay Parkway. The recent development of the Island Forest Preserve neighborhood has already caused significant damage to East Crisafulli, leaving it riddled with potholes and poor patchwork repairs. I have personally witnessed road rage incidents stemming from these conditions. The deteriorating road is accelerating wear and damage to residents' vehicles, and further construction and new residents would only worsen this situation.

Increased traffic also raises serious safety concerns. First responder vehicles would face longer response times to reach residents at the end of Crisafulli, including my family and me. In short, East Crisafulli Street cannot absorb additional residents from this zoning change without severely impacting current residents and property values.

Furthermore, the property's current agricultural zoning helps mitigate flooding issues that already plague North Merritt Island. Replacing permeable agricultural land with concrete, roads, and raised home pads would push water onto neighboring properties and significantly worsen flooding for existing residents.

We experienced severe flooding in late October 2025 that affected many homes in our area and inundated large sections of East Crisafulli. What is normally a 5-minute drive to Courtenay Parkway turned into a stressful 15-minute ordeal of navigating through deep floodwater, with the constant risk of hitting unseen ditches or hazards. Joseph Court, which branches off East Crisafulli, suffered the worst flooding I have seen in my 10 years here; the water took days to recede, leaving many residents trapped in their homes.

These flooding problems must be addressed before any additional homes are considered for this area. If flooding worsens due to this development, the personal safety and well-being of my neighbors will be further jeopardized, as our only access road could once again become impassable. Future hurricanes would bring even greater flood damage to homeowners under

these conditions.

Developers will eventually move on, leaving residents to bear the long-term consequences. I am strongly opposed to this rezoning request, and I know many others in our community share this view.

I respectfully implore you to listen to our community. I am proud of the beautiful area in which I live and want to see it grow in a healthy, well-planned way. Infrastructure improvements and effective flood management must come first. This proposed zoning change does not meet that standard.

Please deny the request and retain the current agricultural zoning.

Thank you for your time and consideration.

Regards,
Christopher Smith

From: [River Breeze Ranch](#)
To: [Commissioner, D2; AdministrativeServices; Commissioner, D1; Commissioner, D3; Commissioner, D4; Commissioner, D5](#)
Subject: Opposition to Rezoning of Agricultural Land on East Crisafulli Road(Maronda Homes/Strada Development)
Date: Monday, February 2, 2026 9:16:10 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear County Commissioners,

We are writing to formally express our strong opposition to the proposed rezoning of agricultural land on East Crisafulli Road for residential subdivision development.

Our community is already experiencing increasingly frequent and catastrophic flooding events. This area of North Merritt Island sits in a natural low-lying “bowl,” meaning there is no meaningful outlet for excess stormwater. Any additional impervious surfaces created by residential development will inevitably displace water onto surrounding properties, neighboring homes, and active farmland. In this location, there is simply nowhere for that water to go.

We have firsthand experience with these impacts. Our pastures have been flooded multiple times with standing water exceeding 18 inches in depth. As a result of prolonged saturation, we have lost livestock, experienced the complete failure of pasture grasses, and suffered long-term damage to the agricultural viability of the land. Continued development in this area will only exacerbate these conditions and place additional residents and farmers at risk.

East Crisafulli Road is a rural roadway that was never designed to accommodate sustained construction traffic or a significant increase in daily residential vehicle use. Increased traffic will pose safety concerns, accelerate road deterioration, and fundamentally change the rural character of the area.

Beyond the immediate flooding and infrastructure concerns, rezoning agricultural land for residential development has far-reaching environmental consequences in Florida. Agricultural lands serve as critical buffers for stormwater absorption, wildlife corridors, and groundwater recharge. Converting these lands to dense residential use contributes to habitat loss, disrupts native ecosystems, increases nutrient runoff into surrounding waterways, and undermines Florida’s already fragile environmental balance. Once agricultural land is lost, it cannot be restored.

Florida’s agricultural areas are not vacant or unused spaces — they are working landscapes that support food production, protect natural resources, and provide resilience against flooding and climate-driven weather extremes. Rezoning this land sets a dangerous precedent that prioritizes short-term development over long-term sustainability and public safety.

Given the documented flooding history, the geographic limitations of this area, the risks to existing residents and farms, and the irreversible environmental impacts, we strongly object to this rezoning request. We urge the county to deny the proposed rezoning and to protect this agricultural land for the benefit of the community, the environment, and future generations.

Thank you for your time and consideration of this matter.

Sincerely,
Jeff & Diana Scarincio
River Breeze Ranch
321-961-2424

From: [Glenn Egger](#)
To: [Commissioner, D2](#)
Subject: Please vote No on rezoning 142 Acres on Crisafulli Rd.
Date: Sunday, February 1, 2026 5:39:56 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Tom Goodson,

I live on North Merritt Island and strongly oppose the rezoning of the 142 acres off East Crisafulli Road. We have had flooding, traffic challenges, and this area lacks infrastructure to support higher density development. Rezoning agricultural land to suburban residential will negatively impact existing residents and create long-term safety and environmental issues.

I respectfully ask you to vote NO on this rezoning request.

Kindest regards,
Glenn Egger

From: [Matt McFadden](#)
To: [Commissioner, D2](#); [Commissioner, D1](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Concerns Regarding Rezoning Case 25Z00039 – E. Crisafulli Road
Date: Saturday, January 31, 2026 10:47:15 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Commissioners,

My name is Matt McFadden, and I am a resident of E. Crisafulli Road. I am writing to share my concerns regarding Rezoning Case No. 25Z00039, which proposes changing property along E. Crisafulli Road from Agricultural Residential (AU) and Rural Residential (RR-1) to Suburban Residential (SR) with a binding development plan.

I am directly impacted by this request and respectfully ask that you carefully consider the real, existing conditions on this roadway and in our community before approving any zoning change.

E. Crisafulli Road is a rural roadway and has functioned as a rural community by design and long-standing use. Residents chose to live here specifically because of low-density land use, limited traffic, agricultural and equestrian activity, pedestrian and bicycle use, golf-cart travel, and quiet residential conditions. Many neighbors own horses, and horseback riding along the road was common for years but has steadily declined due to increased traffic volumes, speeding, and unsafe driving behavior. Golf-cart users are now regularly forced off the roadway by speeding vehicles, creating an ongoing and serious safety concern.

The County itself acknowledges this rural character through the placement of multiple “Horse Area” warning signs along E. Crisafulli Road, including one located approximately 250 feet from the proposed development entrance. Rezoning this corridor to Suburban Residential represents a fundamental change in land-use intensity that is incompatible with the existing roadway design and community character.

E. Crisafulli Road is a narrow, winding, two-lane road with no shoulders and no sidewalks, and it serves as the sole means of access for residents. Traffic safety issues already exist, including excessive speeding, aggressive driving, unsafe passing, and vehicles forcing pedestrians, cyclists, equestrians, and golf-cart users out of the travel lane. Additional development would increase traffic volumes, slow emergency response times, reduce evacuation efficiency during flooding, and further degrade safety on a roadway that cannot realistically be widened without encroaching on private property.

Stormwater management is another serious concern. Flooding has already worsened following the approval of nearby subdivisions. During the October 26–27, 2025 storm, properties along E. Crisafulli Road remained flooded for more than a week, with water approaching residential structures. This flooding is the downstream result of development-approved runoff redirection. Existing residents were never asked to consent to becoming the receiving basin for subdivision runoff, and additional development will increase impervious surface area and worsen these conditions without proven mitigation.

At the same time, many long-time residents in this area have been denied permission to bring in even small amounts of fill for modest improvements such as barns or workshops due to stormwater restrictions. In contrast, large-scale developers are permitted to import massive volumes of fill, clear land, pave subdivisions, and significantly alter drainage patterns. This unequal treatment is difficult to justify and places a disproportionate burden on existing residents.

Roadway condition is also a growing concern. E. Crisafulli Road contains numerous patched excavation locations, visible settlement, cracking, and buckling. During the October flooding event, the road surface was submerged for multiple days, and air bubbles were visibly rising from several locations in the

pavement — behavior consistent with subsurface voids, soil washout, or compromised underground utilities. Despite “Local Traffic Only” restrictions, heavy construction traffic servicing nearby developments continued to use the roadway, accelerating pavement and subgrade deterioration and displacing floodwater into adjacent private properties.

Because E. Crisafulli Road is a single-access roadway, any failure or flood closure presents a serious risk to residents and emergency responders. Introducing additional development and years of construction traffic onto already compromised infrastructure only increases that risk.

Before any rezoning or development approval is considered, I respectfully request that the County require independent, third-party evaluations — funded by the developer but not affiliated with them — including a site-specific traffic impact study for E. Crisafulli Road, a cumulative stormwater and downstream flooding analysis, a pavement and subgrade structural evaluation, a geotechnical investigation, and a formal emergency access and evacuation assessment. Any deficiencies identified should be corrected prior to any zoning or development approvals.

Approving suburban zoning without addressing these documented safety, flooding, and infrastructure concerns would permanently alter the character of E. Crisafulli Road and place long-standing residents at increased and unnecessary risk. I respectfully request that Rezoning Case No. 25Z00039 be denied or, at minimum, deferred until these issues are fully evaluated and addressed.

Thank you for your time and for your service to our community. I appreciate your careful consideration of the concerns of residents who live with the consequences of these decisions every day.

Respectfully,

Matt McFadden
E. Crisafulli Road
Brevard County, Florida

From: [AmyBrooke Muir](#)
To: [Commissioner, D2](#)
Subject: Deny rezoning 142 acres off E Crisafulli
Date: Friday, January 30, 2026 9:08:16 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Mr. Goodson,

I am writing to you as a resident of North Merritt Island and as someone who deeply cares about the place my family calls home.

I respectfully ask that you **vote NO on the proposed rezoning of the 142 acres off East Crisafulli Road**. This request is not about being anti-growth — it is about protecting an area that simply is not equipped to handle higher-density development.

Those of us who live here already experience significant flooding. We have watched roads become impassable after storms and worry every rainy season about water levels rising higher and staying longer. Increasing density on agricultural land means more pavement, more runoff, and more displaced water — and that water has to go somewhere. Once flooding patterns change, they cannot be undone.

Traffic and safety are also real concerns. East Crisafulli Road is narrow, rural, and was never designed to support suburban-level traffic. Additional daily traffic and construction vehicles will make the road less safe for residents, children, and emergency responders.

Most importantly, this land has long been designated as agricultural. Rezoning it to higher-density residential development fundamentally changes the character of our community and sets a precedent that cannot be reversed. Once the land is rezoned and developed, the rural nature of this area is gone forever.

Maronda's current design has a house 30 feet from my barn filled with pigs, goats, and chickens. I don't think 1/2 acre lots are compatible with being so close to farm animals.

I believe your role as a commissioner requires balancing development with the long-term well-being of existing residents. In this case, the risks — flooding, safety, infrastructure strain, and loss of rural character — outweigh the benefits.

Thank you for taking the time to listen to those of us who live here and will bear the consequences of this decision for decades to come. I respectfully urge you to stand with our community and please **vote NO on this rezoning**.

Sincerely,

Amy Muir

1100 E Crisafulli Road

Merritt Island

From: [Michelle Kennedy](#)
To: [Commissioner, D2](#)
Subject: E Crisafulli Rezoning
Date: Wednesday, February 4, 2026 8:46:34 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Commissioner,

I am writing to formally express my strong opposition to the proposed rezoning of the 142-acre parcel currently under consideration.

This area has a well-documented history of severe flooding, which has caused significant damage to nearby homes, roadways, and properties. Residents in the surrounding community have already experienced the consequences of development outpacing infrastructure, and approving additional rezoning without substantial improvements would only exacerbate these ongoing problems.

At present, the necessary infrastructure to support development of this scale simply does not exist. Stormwater management systems, drainage capacity, roadways, and emergency access are already strained. Rezoning this land before comprehensive infrastructure upgrades are completed places existing residents at risk and creates long-term liabilities for the county.

Development should be responsible, sustainable, and supported by adequate planning. Approving rezoning in an area with known flooding issues—without guaranteed infrastructure solutions in place—would be a disservice to current residents and future occupants alike.

I respectfully urge the Commission to deny or postpone this rezoning request until:

- Proper stormwater and flood mitigation systems are fully designed and funded
- Infrastructure improvements are completed and proven effective
- A thorough and transparent impact study is conducted with community input

Protecting public safety, property, and environmental stability must come before increased density or development pressure. I ask that you prioritize the long-term wellbeing of the

community and block this rezoning request.

Thank you for your time, consideration, and service to our community.

Sincerely,

Michelle Kennedy

Jason Kennedy

Good Morning Commissioner Delaney,

Tomorrow you will be hearing from Kim Rezanka representing Strada Development and Maronda Homes. They are trying to rezone 142 acres off of E Crisafulli to SR. The majority of this property is currently AU and has been used for cattle for years.

I live at 1100 E Crisafulli and I share about 1200 feet of fence line with the 142 acres. We have a barn filled with animals (goats, pigs, chickens). This area is filled with small family farms who love the country lifestyle. Maronda wants to put 1/2 acre lots 30 feet from us. I fear the issues that will arise from having such small lots next to a barn will be extensive. Goats are noisy. With the current zoning, we have never had an issue with cows. Making such a big change with zoning will be detrimental.

The end of October it rained on a Sunday. It was not a hurricane or a named storm, just rain. It caused terrible damage. There was so much flooding that E Crisafulli Road shut down for a week. We were trapped in our house for days. Ponds overflowed, the canals were full, and water was everywhere. This area already has a significant problem with flooding and adding additional homes with raised foundations will only make matters worse for all the existing homes. I have attached a few pictures from the flooding damage from October.

Please do not approve this rezoning. The community cannot handle this change! From the bottom of my heart, thank you for your consideration.

Kindly,

Amy Muir
1100 E Crisafulli Road







Hello,

Regarding the proposed zone change by Maronda Homes on Crisafulli on North Merritt Island, I'd like to point out the following:

During Hurricane Irma in 2017, Merritt Island got 13 inches of rain. We'd had heavy rainfall before that, and the ground was saturated already. Crisafulli flooded in places, but not badly.

On October 26-27, 2025 we got 11 inches of rain—two inches less than during Irma. It had been fairly dry before that so the ground was not already saturated.

Despite that, Crisafulli was flooded along most of its length, six inches deep or more, and it took a week for the water to go down. It left the road crumbling in multiple places.

The difference between those two events was that Irma was before the new Maronda development was built, and the flooding in October 2025 was after.

Every time new homes are built and raised up, the rest of the street, with their older and lower houses, suffers. You may not see a lot of attendance at the meeting tomorrow. I can't go because I take care of my mom. A lot of my neighbors are elderly and don't drive at night. Some don't drive at all anymore.

They don't deserve to spend their declining years worrying about losing their homes to completely preventable flooding.

Please help us. We're counting on you.

Thank you for your time and attention,
Alexandra Gelatt

25Z00039

My name is Olga Wirtzberger and I have been a resident of North Merritt Island off of East Crisafulli Road for over thirty years. I strongly oppose the rezoning of the 142 acres as we have had at least six episodes of flooding in that time and adding more houses and paved roads will make matters worse. East Crisafulli Road is in bad condition after the construction for Island Forest Preserve and cannot take the added car and truck traffic this development will bring.

I respectfully ask you to vote no on this rezoning request.

Good Morning Ms. Delaney,

I am writing to you as a resident of North Merritt Island and as someone who deeply cares about the place my family calls home.

I respectfully ask that you vote NO on the proposed rezoning of the 142 acres off East Crisafulli Road. This request is not about being anti-growth — it is about protecting an area that simply is not equipped to handle higher-density development.

Those of us who live here already experience significant flooding. We have watched roads become impassable after storms and worry every rainy season about water levels rising higher and staying longer. Increasing density on agricultural land means more pavement, more runoff, and more displaced water — and that water has to go somewhere. Once flooding patterns change, they cannot be undone.

Traffic and safety are also real concerns. East Crisafulli Road is narrow, rural, and was never designed to support suburban-level traffic. Additional daily traffic and construction vehicles will make the road less safe for residents, children, and emergency responders.

Most importantly, this land has long been designated as agricultural. Rezoning it to higher-density residential development fundamentally changes the character of our community and sets a precedent that cannot be reversed. Once the land is rezoned and developed, the rural nature of this area is gone forever.

Maronda's current design has a house 30 feet from my barn filled with pigs, goats, and chickens. I don't think 1/2 acre lots are compatible with being so close to farm animals.

I believe your role as a commissioner requires balancing development with the long-term well-being of existing residents. In this case, the risks — flooding, safety, infrastructure strain, and loss of rural character — outweigh the benefits.

Thank you for taking the time to listen to those of us who live here and will bear the consequences of this decision for decades to come. I respectfully urge you to stand with our community and please vote NO on this rezoning.

Sincerely,

Amy Muir

1100 E Crisafulli Road

Merritt Island

Commissioners,

My name is Matt McFadden, and I am a resident of E. Crisafulli Road. I am writing to share my concerns regarding Rezoning Case No. 25Z00039, which proposes changing property along E. Crisafulli Road from Agricultural Residential (AU) and Rural Residential (RR-1) to Suburban Residential (SR) with a binding development plan.

I am directly impacted by this request and respectfully ask that you carefully consider the real, existing conditions on this roadway and in our community before approving any zoning change.

E. Crisafulli Road is a rural roadway and has functioned as a rural community by design and long-standing use. Residents chose to live here specifically because of low-density land use, limited traffic, agricultural and equestrian activity, pedestrian and bicycle use, golf-cart travel, and quiet residential conditions. Many neighbors own horses, and horseback riding along the road was common for years but has steadily declined due to increased traffic volumes, speeding, and unsafe driving behavior. Golf-cart users are now regularly forced off the roadway by speeding vehicles, creating an ongoing and serious safety concern.

The County itself acknowledges this rural character through the placement of multiple “Horse Area” warning signs along E. Crisafulli Road, including one located approximately 250 feet from the proposed development entrance. Rezoning this corridor to Suburban Residential represents a fundamental change in land-use intensity that is incompatible with the existing roadway design and community character.

E. Crisafulli Road is a narrow, winding, two-lane road with no shoulders and no sidewalks, and it serves as the sole means of access for residents. Traffic safety issues already exist, including excessive speeding, aggressive driving, unsafe passing, and vehicles forcing pedestrians, cyclists, equestrians, and golf-cart users out of the travel lane. Additional development would increase traffic volumes, slow emergency response times, reduce evacuation efficiency during flooding, and further degrade safety on a roadway that cannot realistically be widened without encroaching on private property.

Stormwater management is another serious concern. Flooding has already worsened following the approval of nearby subdivisions. During the October 26–27, 2025 storm, properties along E. Crisafulli Road remained flooded for more than a week, with water approaching residential structures. This flooding is the downstream result of development-approved runoff redirection. Existing residents were never asked to consent to becoming the receiving basin for subdivision runoff, and additional development will increase impervious surface area and worsen these conditions without proven mitigation.

At the same time, many long-time residents in this area have been denied permission to bring in even small amounts of fill for modest improvements such as barns or workshops due to stormwater restrictions. In contrast, large-scale developers are permitted to import massive volumes of fill, clear land, pave subdivisions, and significantly alter drainage patterns. This unequal treatment is difficult to justify and places a disproportionate burden on existing residents.

Roadway condition is also a growing concern. E. Crisafulli Road contains numerous patched excavation locations, visible settlement, cracking, and buckling. During the October flooding event, the road surface was submerged for multiple days, and air bubbles were visibly rising from several locations in the pavement — behavior consistent with subsurface voids, soil washout, or compromised underground utilities. Despite “Local Traffic Only” restrictions, heavy construction traffic servicing nearby developments continued to use the roadway, accelerating pavement and subgrade deterioration and displacing floodwater into adjacent private properties.

Because E. Crisafulli Road is a single-access roadway, any failure or flood closure presents a serious risk to residents and emergency responders. Introducing additional development and years of construction traffic onto already compromised infrastructure only increases that risk.

Before any rezoning or development approval is considered, I respectfully request that the County require independent, third-party evaluations — funded by the developer but not affiliated with them — including a site-specific traffic impact study for E. Crisafulli Road, a cumulative stormwater and downstream flooding analysis, a pavement and subgrade structural evaluation, a geotechnical investigation, and a formal emergency access and evacuation assessment. Any deficiencies identified should be corrected prior to any zoning or development approvals.

Approving suburban zoning without addressing these documented safety, flooding, and infrastructure concerns would permanently alter the character of E. Crisafulli Road and place long-standing residents at increased and unnecessary risk. I respectfully request that Rezoning Case No. 25Z00039 be denied or, at minimum, deferred until these issues are fully evaluated and addressed.

Thank you for your time and for your service to our community. I appreciate your careful consideration of the concerns of residents who live with the consequences of these decisions every day.

Respectfully,

Matt McFadden
E. Crisafulli Road
Brevard County, Florida

25Z00039

Dear Katie Delaney,

I live on North Merritt Island and strongly oppose the rezoning of the 142 acres off East Crisafulli Road. We have had flooding, lots of traffic. The street is low density and should not have higher density. Rezoning agricultural land to suburban residential will negatively impact existing residents and create long-term safety and environmental issues.

I respectfully ask you to vote NO on this rezoning request.

Kindest regards,
Glenn Egger

Commissioner Delaney,

I am a resident of Broad Acres Street and have lived here for the past 10 years.

I would like to voice my concern on Strada Development, LLC (Kim Rezanka) request to have a zoning classification change from AU and RR-1 to SR with a BDP. This rezoning directly impacts myself and many of my neighbors living on Broad Acres and East Crisafulli Street. The addition of more residential homes to this property is not feasible due to the lack of infrastructure that this area currently has. East Crisafulli is a rural single lane street with no shoulder that cannot accommodate the additional traffic. East Crisafulli is also the only way in and out to many peoples' homes here. We have no alternative routes to get to Courtenay Parkway. The recent development of the Island Forest Preserve neighborhood has already caused a lot of damage to East Crisafulli road littering the road with potholes and shoddy patch work. I have also witnessed cases of road rage as a result. The bad state of this road is destroying residents' vehicles faster and this problem will only get worse with further construction and people moving in. The additional traffic also brings safety concerns as first responder vehicles will take longer to reach residents at the end of Crisafulli such as myself and my family. Simply put, East Crisafulli Street cannot take in additional residents with this zoning change without negatively impacting current residents and property values.

Furthermore, the property that is currently zoned agricultural helps the flooding issues that North Merritt Island has to deal with. Developing this land with concrete and roads will only worsen flooding issues for current residents. Raising home pads pushes water onto neighboring properties. We recently had flooding in late October 2025 that affected many of my neighbors' homes and flooded major portions of East Crisafulli. What used to take me 5 minutes to drive to Courtenay Parkway, became a 15 minute ordeal of slowly driving through floodwater. It was a nerve wracking experience to ensure that my vehicle does not run into an unseen ditch. Joseph Ct, which comes off of East Crisafulli received the worst flooding I have ever seen in my 10 years of living here. The floodwater there took many days to recede with many people stuck in their homes. This issue needs to be resolved before we can even think about adding more homes to this area. If flooding worsens, impacts to the personal safety and well being of my neighbors will continue as once again, first responders cannot reach us due to our only road into the neighborhood becoming badly flooded. Any future hurricanes impacting this area with this new development in place will bring significant flood damage to homeowners.

The developers will move on leaving us, the residents, with the consequences. I am strongly against this rezoning request and know that many in my community feel the same way. I implore you to please listen to our community. I am very proud of the beautiful area that I live in and want to see my community grow in a healthy, well-planned manner. Infrastructure and flood management must come first. This zoning change does not adhere to that. Please keep the zoning agricultural.

Thank you.

Regards,

Sara Belichki

From: [Reina Dalton](#)
To: [Commissioner, D4](#)
Subject: No to rezoning Courtenay Parkway/Pioneer property
Date: Wednesday, February 4, 2026 6:43:15 PM

25Z00039

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Please vote NO on the proposal for rezoning a property on the east side of N. Courtenay Parkway to make it suitable for an apartment complex to go in.

I live at 2605 Raintree Lake Circle, and struggle with major flooding from large storms. The neighborhood behind us was built at least a half a foot higher than ours so we get their runoff already. If the proposed rezoning is allowed to take place, it's going to negatively affect my home. I can't imagine how devastating the impact will be for the residents of Raintree by the Lake.

PLEASE VOTE NO!

Thank you sincerely,
Reina Dalton
(321)745-0596
Sent from my iPhone

25Z00039

My name is Janet Sebastian and I live on E. Crisafulli Road. I am a resident of north Merritt Island and strongly oppose the rezoning of the 142 acres off East Crisafulli Road. This area already experiences flooding, traffic challenges, and lacks infrastructure to support higher density development. Rezoning agricultural land to suburban residential will negatively impact existing residents and create long term safety and environmental issues.

I respectfully ask you to vote NO on this rezoning request.

Thank you for your attention to this matter.



**Commissioner Rob Feltner
District 4**

2725 Judge Fran Jamieson Way
Suite: C-214
Viera, FL 32940
Phone: (321) 633-2044
D4.Commissioner@Brevardfl.gov

February 3, 2026

Re: Disclosure – 25Z00050, 25Z00054, 25Z00039

Concerning **25Z00050, 25Z00054 and 25Z00039** on the February 5, 2026, Brevard County Zoning meeting agenda; on February 3, 2026, Commissioner Feltner met with Kim Rezanka at the District 4 Commission Office. The meeting lasted approximately 45 minutes and included discussion related to the zoning applications referenced above.

Thank you.

Rob Feltner
Brevard County Commissioner
District 4



February 05, 2026

To: Alice Randall, Operations Support Specialist
From: Katie Delaney, Brevard County Commissioner, District 1
Re: Disclosure – Zoning Item H. 4, H.8, H.11 Tax Account:
2316605,2316606,2316607,2316617,2730890,2412106

Concerning (**Zoning Item H.4, H.8 and H.11**) on the 02/05/2026, Brevard County Zoning meeting agenda; on 02/05/2026, Commissioner Delaney met with Kim Rezanka and Robert Lee. The Commissioner listened to her concerning the above items. The meeting lasted approximately 31 minutes total.

Thank you.

Commissioner Katie Delaney
Brevard County
District 1



BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS
COMMISSIONER KIM ADKINSON, DISTRICT 3

1311 E. New Haven Ave.
Melbourne, FL 32901
www.Brevardfl.gov

Phone: (321) 633-2075
Fax: (321) 633-2196
D3.Commissioner@brevardfl.gov

01/30/2026

Commissioner Kim Adkinson met with Kim Rezanka on January 29, 2026 at the District 3 Commission Office. The meeting lasted approximately 1 hour and included discussion related to zoning applications 25Z00050, 25Z00054, and 25Z00039.

Respectfully,

Commissioner Kim Adkinson

District 3

District 3 Includes:

Palm Bay, Melbourne Beach, Melbourne, Malabar, Grant-Valkaria, West Melbourne, Micco

CHAPTER X
COASTAL MANAGEMENT ELEMENT

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GOAL, OBJECTIVES AND POLICIES

GOAL

ESTABLISH GROWTH MANAGEMENT STRATEGIES THAT WILL ALLOW GROWTH TO CONTINUE WITHIN THE COASTAL ZONE WHICH DOES NOT DAMAGE OR DESTROY THE FUNCTION OF COASTAL RESOURCES, PROTECTS HUMAN LIFE AND LIMITS PUBLIC EXPENDITURES IN AREAS SUBJECT TO DESTRUCTION BY NATURAL DISASTERS.

Estuarine Pollution

Objective 1

Improve areas within the Indian River Lagoon basin with fair or poor water quality as measured by the State of Florida Department of Environmental Protection using the trophic state index, and maintain areas with good water quality.

Policy 1.1

The Brevard County Natural Resources Management Department shall coordinate with the Florida Department of Environmental Protection to develop and implement Basin Management Action Plans to comply with National Pollutant Discharge Elimination System Permits and meet the Total Maximum Daily Loads established for local surface waters.

Policy 1.2

Brevard County shall maintain within the land development code regulations that implement standards consistent with National Pollutant Discharge Elimination System Permits and Total Maximum Daily Loads.

Policy 1.3

Brevard County shall continue to cooperate with other agencies and municipalities that perform fisheries studies and submerged aquatic vegetation mapping and use this data to assist in establishing priority areas for surface water improvement efforts. In addition, Brevard County shall coordinate the manatee protection plan with municipalities and appropriate agencies.

Policy 1.4

The Brevard County Natural Resources Management Office shall review and comment, as necessary, on dredge-and-fill applications and/or Environmental Resource Permits from the Florida Department of Environmental Protection, St. Johns River Water Management District (SJRWMD), the U.S. Army Corps of Engineers, or other appropriate agencies.

Policy 1.5

Brevard County shall continue to consider recommendations of Marine Resources Council and other appropriate groups in the development of estuarine studies.

Policy 1.6

Brevard County shall coordinate surface water management and protection efforts with the Indian River National Estuary Program (IRNEP), FDEP, SJRWMD and other appropriate agencies.

Policy 1.7

Brevard County supports coordinated regional fisheries management plans developed by the Atlantic States Marine Fisheries Commission.

Water Quality/Seagrasses

Objective 2

Improve existing water quality to enhance seagrass and other submerged aquatic vegetation quantity, health, diversity, and distribution within the Indian River Lagoon.

Policy 2.1

Brevard County shall support the St. Johns River Water Management District’s (SJRWMD) mapping of submerged aquatic vegetation within the Indian River Lagoon system. Evaluation results shall be made available to municipalities and other agencies or programs. Areas that show decline should be targeted for increased watershed management, including non-point source pollution, and restoration. Management strategies shall be coordinated with the municipalities and other agencies.

Policy 2.2

Brevard County shall continue to participate in the Indian River Lagoon Advisory Committee and its associated advisory groups.

Policy 2.3

Brevard County shall continue to protect Submerged Aquatic Vegetation (SAV) from the impacts of local land development by implementing the Surface Water Protection Ordinance. At a minimum, the following criteria shall be addressed:

Criteria:

- A. Maintain upland vegetation within required setbacks to reduce runoff.
- B. Require proper use of turbidity screens during construction activities.

- C. Control discharge rates to promote on-site settlement of sediment loads and meet minimum retention requirements for runoff from storm events.
- D. Coordinate with FDEP Aquatic Preserve staff when development is within or adjacent to an aquatic preserve.

Policy 2.4

Brevard County shall address modification of existing development which does not meet stormwater management standards.

Policy 2.5

Brevard County supports the goals of the National Estuary Program's Comprehensive Conservation and Management Plan (CCMP) for recovery of the Lagoon. This support is reflected in the strategies identified in the County's Action Plan Implementation Status Report for the CCMP.

Policy 2.6

Where possible, local stormwater, as well as state and federal surface water programs should reduce or eliminate freshwater inputs to the Indian River Lagoon via interbasin diversions.

Fisheries

Objective 3

Maintain fisheries in and adjacent to Brevard County through habitat production, maintenance and restoration.

Policy 3.1

Brevard County shall encourage habitat evaluation and fisheries studies. These studies should be coordinated with federal and state programs and funded through a combination of the proceeds from a saltwater fishing license and state and federal grants.

Policy 3.2

Mosquito impoundments should be reconnected to the Indian River Lagoon where benefits can be demonstrated to increase habitat value of the impoundments and benefits to the Lagoon.

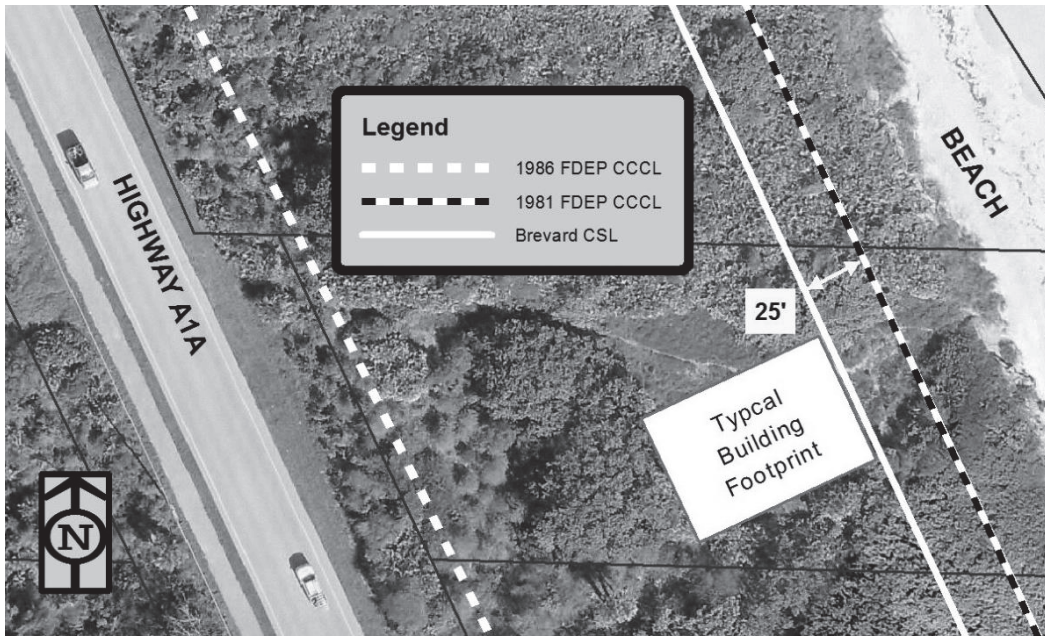


Figure 1

Note: Figure 1 is intended for illustrative purposes only. Actual delineations shall be determined by survey.

Beaches and Dunes

Objective 4

Brevard County shall implement and improve as necessary a comprehensive beach and dune management program which protects, enhances and restores a naturally functioning beach system as funding is available.

Policy 4.1

The Land Development Regulations shall maintain regulations governing the location, construction and maintenance of development adjacent to the Atlantic shoreline. Development seaward of the Florida Department of Environmental Protection (FDEP) 1981 Coastal Construction Control Line (CCCL), which coincides with the Brevard County Coastal Construction Line (CCL), shall be governed by the following conditions, at a minimum:

Criteria:

- A. The 1981 FDEP CCCL coincides with the Brevard County CCL, as adopted by Brevard County in Ordinance 85-17. The Brevard County Coastal Setback Line (CSL) is described as a line which is twenty five (25) feet west

of the 1981 FDEP CCCL by perpendicular measurement. Figure 1 schematically depicts the spatial relationship of these reference lines. Actual delineations shall be determined by survey.

- B. Oceanfront development shall be required to maintain at least 50% of the native dune vegetation on site. Native dune vegetation seaward of the FDEP 1981 Coastal Construction Control Line (CCCL) shall not be removed unless necessary for approved emergency vehicle access or coastal protection needs.
- C. In order to maintain the freshwater lens of the surficial aquifer and reduce saltwater intrusion, post-development groundwater recharge volume and rate shall equal pre-development recharge volume and rate.
- D. No new shoreline hardening structures shall be permitted in unincorporated Brevard County south of Patrick Air Force Base (PAFB) property or within the Archie Carr National Wildlife Refuge, with exception of emergency provisions as provided for in Florida Statutes Chapter 163.3187(1)(a) "Amendment of Adopted Comprehensive Plan".
- E. North of the PAFB, no new shoreline hardening structures should be permitted.
- F. Pursuant to Criteria C and D of this policy, if a shoreline hardening structure is deemed necessary, the following criteria shall apply:
 - 1. Vertical wood or concrete structures and rock revetments shall only be approved when less structural alternatives, such as beach renourishment, dune restoration and sandbag systems have been determined not to be feasible.
 - 2. All shoreline protection measures shall be designed to minimize adverse impacts to the naturally functioning beach and dune system and adjacent properties.
 - 3. The County may require dune restoration and revegetation as a component of the shoreline hardening approval both landward and seaward of the proposed structure.
 - 4. All shoreline protection shall be designed and constructed so as to not impede public access to or along the shore.
- G. Setbacks or other non-structural methods of shoreline protection shall be given the highest priority. Reducing setbacks from A1A will be

considered where it is necessary to maintain and maximize setback requirements from the ocean.

- H. Reconstruction of existing hard erosion control structures which are more than fifty (50) percent destroyed should be considered new construction and should be regulated as such, except for the maintenance of existing public navigational projects, such as Port Canaveral and Sebastian Inlet.
- I. Underground storage tanks or the storage of hazardous materials are not permitted.
- J. Septic tank or septic tank drainfields shall not be permitted seaward of the Brevard County Coastal Setback Line (CSL). Septic tanks shall be located landward of the most seaward portion of the habitable structure.
- K. All activities seaward of the 1986 FDEP Coastal Construction Control Line (CCCL) shall be subject to FDEP permitting requirements.

Policy 4.2

Brevard County shall enforce development restrictions associated with the Brevard Coastal Setback Line (CSL), and the Brevard County Coastal Construction Line (CCL) and re-evaluate the effectiveness of these lines from time to time as coastline changes dictate. The County shall provide FDEP with their findings and request a review of the FDEP Coastal Construction Control Line, if deemed appropriate.

Policy 4.3

Brevard County shall continue to adopt and enforce standards for maintenance or re-establishment of dune areas. These standards shall include, at a minimum, the following provisions:

Criteria:

- A. Native dune vegetation shall be maintained on site unless removal or alteration is permitted by both Brevard County and the Florida Department of Environmental Protection, or other appropriate regulatory agency.
- B. Public and private beach access shall be allowed only at designated cross-over structures or historical access sites.
- C. Erosion control strategies will be utilized at unimproved public access sites until these can be improved or alternate access provided.

- D. Dune cross-overs, boardwalks, walkways and other permissible structures seaward of the Brevard County Coastal Setback Line shall be elevated above dune vegetation and shall be designed to allow adequate light penetration.
- E. Shore-parallel boardwalks shall be prohibited seaward of the Coastal Setback Line, except as required for handicap access.
- F. Publicly owned dunes, especially those identified for beach access sites, which have been denuded or damaged by vehicular or pedestrian traffic shall be prioritized for dune renourishment and revegetation. Improvements or erosion controls shall be implemented at the time of renourishment to prevent further site degradation.
- G. Private property owners should be encouraged to re-establish dune vegetation which has been destroyed by non-designated access activities or storm damage.
- H. Structures and impacts that are necessary for public safety or meet the best public interest shall be permitted if approved by the Board of County Commissioners.

Policy 4.4

Brevard County's beach and dune restoration program shall include an analysis of environmental, financial and social criteria.

Criteria:

- A. The first priority for beach renourishment shall be given to the protection of life and property.
- B. Priority shall also be given to environmental considerations.
- C. Public areas which are heavily utilized for recreation, including surfing, fishing or swimming, shall be considered for beach or dune renourishment or restoration, as applicable. Long-term management of these areas shall be included with all site improvements.
- D. A feasibility or benefit/costs analysis should be performed for any renourishment project. Such analyses shall include, as appropriate, present and future benefits for property protection, recreation and tourism over the life of the project.

Policy 4.5

The County shall continue to utilize the information and materials available from the State regarding dune maintenance and revegetation and supplement these materials, as necessary.

Policy 4.6

Brevard County shall maintain an ongoing program to initiate and monitor data collection projects related to beach dynamics, sand transport and coastal processes. This program should include data generated by the Florida Department of Environmental Protection, the U.S. Army Corps of Engineers, the Florida Sea Grant College, universities and other appropriate agencies.

Policy 4.7

Brevard County shall develop an inter-local agreement with adjacent municipalities and the State of Florida for funding of beach maintenance and restoration programs.

Policy 4.8

Brevard County shall prohibit motorized vehicles on the dune and beach system except for governmental vehicles (police and sheriff), fire trucks, ambulances or vehicles necessary to repair utilities, or vehicles utilized during approved renourishment programs or approved scientific investigations. Pedestrian traffic within the vegetated dune areas shall be limited to emergency operations, scientific research, maintenance, cleaning or improvements as authorized by the Natural Resources Management Department and consistent with FDEP regulations.

Policy 4.9

Brevard County shall continue to collect and make available to the public information related to sea level changes.

Policy 4.10

Outer Continental Shelf (OCS) activities such as oil and gas exploration or mining adjacent to Brevard County are discouraged for several reasons. The County's beaches are the most heavily nested beaches by sea turtles in the western Atlantic. Impacts to water quality, beach quality and fisheries could negatively impact the threatened and endangered species that nest here. Brevard County should review and comment on all Outer Continental Shelf (OCS) and off shore drilling leases proposed for waters adjacent to the county. This policy does not discourage OCS sand and gravel mining conducted as part of Brevard County's shore protection and restoration strategy.

Water-Dependent Land Uses

Objective 5

By 2010, Brevard County shall develop and adopt guidelines which direct the location and management of water-dependent, water-related and water-enhanced facilities, giving highest priority to water-dependent uses along the Indian River Lagoon System in order to provide for the increased demand for these facilities.

Policy 5.1

Brevard County shall continue to implement performance standards for marinas and marine-related facilities within the coastal zone which include at a minimum: setbacks, height limitations, parcel size, architectural guidelines, seagrass protection, and the protection of water quality including the maintenance and containment of stormwater runoff and wash-down water for dry storage areas. Marina performance standards shall include the following minimum criteria:

Criteria:

- A. Existing marina facilities should be allowed to continue their operation provided these facilities meet the County's adopted operational standards.
- B. While the expansion of existing facilities is preferred over construction of new facilities, the development of new marinas must remain a viable alternative as many existing marinas will not be capable of meeting adopted operational and environmental standards.
- C. Policies and incentives should encourage new and expanded marina facilities to utilize dry storage to the fullest extent possible.
- D. New marina facilities shall retain all work area runoff in a separate retention area. In addition, the first inch of stormwater runoff from a 10-year 24-hour storm shall be retained on site.
- E. Prior to operation of any new marina fueling facility, a fuel management/spill contingency plan will be developed and provided to the Natural Resources Management Department for review. The plan shall describe methods to be used in dispensing fuel and all the procedures, methods, and materials to be used in the event of a fuel spill and shall meet Brevard County Fire Prevention Codes and Rules of the State Fire Marshall's office.

Policy 5.2

Brevard County should continue to develop and implement regulations governing live-aboards within the coastal zone. The regulations shall include the following criteria at a minimum:

Criteria:

- A. Floating structures shall be considered within live-aboard regulations. Floating structures shall be defined as: A vessel with no means of operative propulsion which is inhabited for thirty (30) consecutive days or more.
- B. Motorized live-aboard vessels shall be defined as vessels which are occupied for more than seven (7) consecutive days within Brevard County. These shall not include floating structures (as defined in Criterion A).
- C. The County shall investigate designating certain areas of the Indian River Lagoon for mooring of motorized live-aboard vessels which are not docked within marinas. Live-aboard vessels moored outside of marinas shall be required to utilize pump-out facilities or a municipal sewer facility if they are moored for over three (3) days.
- D. The County shall coordinate with the Marine Patrol to eliminate live-aboards permanently anchored outside of a marina or area specially designated for live-aboards.
- E. Floating structures shall be required to moor within marinas or to privately owned riparian property, and shall be connected to pump-out facilities or a municipal sewer facility.
- F. Live-aboards shall be considered as part of the community and will be considered as residential units when assessing impacts of such development on community facilities and services.

Policy 5.3

Retrofitting or modification of existing marina facilities within the coastal zone shall be required to meet the following minimum criteria:

Criteria:

- A. Stormwater retention/detention requirements established in the Stormwater Management Criteria Ordinance as adopted on August 23, 1993.

- B. Substantially expanded marina facilities shall retain all work area runoff. For those projects with combined detention areas of five (5) acres or greater, the work area runoff shall be retained in a separate retention area. In addition, the first inch of stormwater runoff from a 10-year, 24 hour storm event shall be retained on site or shall meet the water quality standards as required by the state, whichever is more restrictive. For projects with a combined detention area of less than five (5) acres, stormwater and work area runoff may be retained in a single retention/detention area.
- C. When ten (10) slips or ten (10) percent or more of the total number of slips, whichever is greater, are added, pumpout facilities shall be required, as recommended by the Marine Sanitation Study (1990), sufficient to accommodate the pump-out requirements concurrent with the total number of slips.
- D. Prior to operation of any new marina fueling facility or expansion due to an existing facility, a fuel management/spill contingency plan will be developed and provided to the Natural Resources Management Department for review. The plan shall describe methods to be used in dispensing fuel and all the procedures, methods, and materials to be used in the event of a fuel spill.

Policy 5.4

Brevard County shall continue to implement standards for marina siting within the coastal zone which shall address the following criteria at a minimum:

Criteria:

- A. All proposed marina siting projects in unincorporated areas of Brevard County shall come before the Board of County Commissioners for their review. Marina development may be considered within any appropriate zoning classification, if it is consistent with the performance standards developed by the County. Uplands at the marina site shall be greater than or equal to one acre. Residential marinas shall be allowed as a permitted use, subject to the boat facility siting criteria established in section B below and in the policies under Objectives 3 and 9 of the Conservation Element, in all of the current conditional use zoning classifications for residential/recreational marinas, except Recreational Vehicle Park (RVP) and Government Managed Lands (GML).
- B. At the beginning of the zoning process, all marina development proposals must submit a conceptual plan to be reviewed by the Natural Resources Management Department for compliance with the following boat facility

siting criteria:

PRELIMINARY ASSESSMENT CRITERIA

The following listed criteria are recommended as the preliminary test of suitability for boat facility siting.

1. Water Depth
 - a. Water depth at the proposed mooring area of the site shall be at least four (4) feet mean low water.
 - b. Water depth at the site must be adequate for the proposed vessel use such that there be a minimum of one foot clearance between the deepest draft of the vessel (including the engine) and the bottom at mean low water.
 - c. Proposed boat facilities in areas that contain seagrass shall not be approved unless water depth at the site's turning basin, access channel, and other such areas will accommodate the proposed vessel use to insure that a minimum of one (1) foot clearance is provided between the deepest draft of the vessel (including the engine) and the top of the resources at mean low water.
2. Seagrass
 - a. Marinas shall not be located in areas containing 10% or more seagrass.
 - b. Designated boat docking areas shall not be located over seagrasses.
 - c. Covered boat slips, covered walkways, or covered terminal platforms shall not be permitted in areas containing seagrass.
 - d. Boat docks using open mesh grating and pilings made from recycled materials (plastic/wood composites for example) are preferred to pressure treated wood. Any materials or permitted construction techniques proven to allow a minimum of 75% light transmittance may be exempt from design criteria e and f below in this subsection.
 - e. For Residential Marinas, main access docks and connecting or crosswalks shall not exceed six (6) feet in width.
 - f. Access piers should be located and designed to minimize their shadowing impact on seagrass.
 - g. Reasonable alteration to these criteria may be authorized to accommodate persons with disabilities.
3. Manatee Related Best Management Practices
 - a. Dock designs shall not entrap manatees or otherwise prevent them from accessing forage areas.
 - b. Docks with exposed reinforcement structures on floating docks shall be prohibited due to their potential to entrap or entangle manatees in the structure itself or in the marine debris that commonly occurs in these areas.

4. Water Quality
 - a. New seawalls or bulkheads should be prohibited along the Indian River Lagoon except as provided in Brevard County Code Section 62-3666 or when the project would improve the water quality by acting as a swale and reducing the amount of pollutants which would enter the Indian River Lagoon, where the placement of a seawall does not disturb existing native vegetation, prohibit the reestablishment of native vegetation, or where the reestablishment of native vegetation is not viable.
 - b. All facilities shall adhere to the provisions for surface water protection per the guidelines set forth in Brevard County Code Section 62-3666. The provisions for a shoreline protection buffer established in the Code and Conservation Element (CE) policies include the following:
 - Class I waters - 200 foot buffer – Conservation Element Policy 3.2 A
 - Class II waters - 50 foot buffer - Conservation Element Policy 3.3 A
 - Class III waters - 25 foot buffer – Conservation Element Policy 3.4 A
 - On lots with unarmored shorelines the waterward extent of the buffer is the mean high water line. On bulkheaded lots, the waterward extension of the buffer is established by the bulkhead line. A maximum width of 25 feet or 20% (whichever is greater) may be cleared for access.
5. Powerboat-To-Shoreline Ratios
 - a. ***Boat Facility Siting Zone A:*** In Boat Facility Siting Zone A, powerboat siting ratios shall be limited to one powerboat slip per 100 feet of contiguous linear shoreline that is owned or legally controlled by the applicant, as applied to all new and expanding boating facilities. Boat facilities in Zone A may qualify for a variance under Section e, Variance Criteria. Also, the establishment of new boating research, design, development or manufacturing facilities whose operations include on-water testing of motorized watercraft, are prohibited from locating in uplands within Boat Facility Siting Zone A.
 - b. ***Boat Facility Siting Zone B (Barge Canal):*** In Boat Facility Siting Zone B along the Barge Canal (as defined), powerboat siting ratios shall be limited to a 1:100 powerboat-to-shoreline ratio (tied to a parcel's deed). Any boat facility, which desires to exceed the 1:100 powerboat-to-shoreline ratio, must acquire additional development rights from other properties, which have linear shoreline parallel to the Barge Canal and adjoin the Port Canaveral control easement. Any development rights transferred must be recorded on both the selling and receiving parcels deeds.
 - c. ***Boat Facility Siting Zone C (Port Canaveral Harbor):*** In Boat Facility Siting Zone C, there shall be no powerboat-to-shoreline restrictions

within the Canaveral Harbor provided current slow speed regulations remain in effect.

- d. **Boat Facility Siting Zone D:** The map features described in Table 1 below are to be applied in Boat Facility Siting Zone D. Manatee habitat feature points per Table 1 shall be determined using the map series and data update schedule identified in Appendix C of this Element and using current site surveys for seagrass. In Boat Facility Siting Zone D, Manatee habitat feature points from Table 1 shall be summed and the sum shall be used in Table 2 below to determine the applicable powerboat-to-shoreline ratio per 100 feet of contiguous owned or controlled linear shoreline.

Limiting Habitat Features	Criteria for Evaluation (each increases the number of habitat features by 1, unless otherwise specified)
Manatee Abundance	<p>1st level: 10 or more manatees observed/overflight within 5 mile radius (1 point)</p> <p>2nd level: 25 or more manatees observed/overflight within 5 mile radius (2 points)</p>
Manatee Mortality	<p>1st level: # of watercraft mortalities within a 5 mile radius/total number of watercraft mortalities in Brevard (≥ 0.05 is significant) (1 point)</p> <p>2nd level: # of watercraft-related deaths within a 5 mile radius in the last 5 years/total number of watercraft mortalities in Brevard in the last 5 years (> 0.10 is significant) (2 points)</p>
Seagrass Class II, OFW, or Aquatic Preserves	<p>5% or more present on the project site is significant</p> <p>Site is located in one of these designated areas</p>
Offsetting Features	Criteria for Evaluation (each decreases the number of habitat features by 1)
Speed Zones Within 3 miles of Sebastian inlet	<p>Site is located within a year-round "Slow Speed" or "Idle Speed" Zone</p> <p>Site is located within 3 mile radius of Sebastian Inlet</p>

Table 1

# Manatee Habitat Features	Existing Facility	New Facility
0	5:100	4:100
1	5:100	4:100
2	3:100	2:100
3	2:100	1:100
4	1:100	1:100
5	1:100	1:100
6	1:100	1:100

Table 2

- e. **Variance Criteria:** It is recommended that a variance may be given to the powerboat-to-shoreline ratio for those existing marina and boat launching facilities subject to the 1 powerboat slip to 100 feet of owned contiguous shoreline restriction (1:100), provided the facility meets all the variance criteria listed below and can demonstrate that it will not have an adverse impact on manatees. If an existing facility meets all of the variance criteria, it may be permitted to increase the powerboat-to-shoreline ratio by 1:100 if the waters in and adjacent to the channels leading to the facility are designated "slow speed" or "idle speed" year-round as authorized by the Florida Manatee Sanctuary Act Chapter 68C-22.003, F.A.C. or other federal regulations or local ordinances, or if the facility is within 3 miles of the Sebastian Inlet. The facility may be allowed to increase the powerboat-to-shoreline ratio by 2:100 if both are applicable. In no case shall the maximum total buildout of 3 powerboat slips per 100 feet of owned contiguous shoreline (3:100) be exceeded. However, adherence to these criteria does not automatically ensure the applicant's ability to exceed the allowable powerboat restrictions as defined above. The plan restrictions will remain in effect, if at the time of review, additional information about manatees or the proposed facility indicates threats not addressed by these criteria. Consideration can be given for additional site-specific factors or operating practices (e.g. seasonal operation, etc.) that may be proposed by either the applicant or the County that may result in improved conditions for manatees or manatee protection. Nothing in this section shall exempt any marina from obtaining the usual required permits and/or authority from all applicable reviewing agencies with proper jurisdictional authority.

Criteria:

- 1) The facility is not located within a 1st or 2nd level manatee aggregation area (using the Manatee Abundance Habitat Feature as defined in 5 d of this Policy and in the Table above), or other area where sensitive manatee activities occur.
 - 2) The facility must provide net benefit to manatees and/or their habitat. For example, facilities may include a manatee “refuge” space as part of the design, a conservation easement, restoration of adjacent wetlands such as mangrove or seagrass restoration to increase the net coverage of the nearby area, reduced nutrient input to receiving waters, requiring prop guards on any high traffic vessels such as water taxis or dive boats or rental boats, etc. The marina construction and subsequent uses will neither destroy nor negatively impact mangrove and benthic (seagrass, hard bottom, etc.) communities and the water quality.
 - 3) The facility must have sufficient water depth, as stated in B. 1. a. of this Policy, in the marina basin and in any access channel, and does not require any new dredging or filling that would degrade shallow water habitat (this may exclude maintenance dredging, or pile installation). Entrance/exit channels near marinas shall be adequately marked if marina repairs or expansion are proposed.
 - 4) The site shall contain appropriate signage (including vessel speed and manatee information signs), and provide educational material advising boaters of essential manatee habitats in the vicinity.
 - 5) Multi-family residential docking facilities will require that all vessels moored at the site be registered to individuals residing at the site.
 - 6) The marina has adequate water circulation, tidal flushing, and meets State of Florida and local water quality standards.
 - 7) Before expanding and exceeding the allowable powerboat slips defined above, an existing facility must demonstrate not less than 85% occupancy over the previous 2 years of operation. New facilities should be able to demonstrate the need for additional boat slips in the vicinity based on occupancy of existing marina slips within the boater sphere of influence. The boater’s sphere of influence shall be a five (5) mile radius.
6. Boat Ramps
In order to minimize adverse impacts to manatees, boat ramps are best located in areas with few natural resources, with relatively low manatee

abundance and relatively low watercraft-induced manatee mortalities, and with deep water access and marked navigation channels. Boat ramp siting or expansion in Brevard County shall be evaluated using the following criteria:

- a. All sites considered by Brevard County for new or expanded boat ramp facilities shall be evaluated for site suitability prior to acquisition and development.
- b. All proposed new boat ramps or the expansion of existing boat ramps in the unincorporated areas of Brevard County shall be brought before the Board of County Commissioners for their review.
- c. The siting of new or the expansion of existing boat ramp facilities shall be limited to areas that meet the Preliminary Assessment Criteria for water depth stated in section B. 1. a. of this Policy.
- d. The siting of new or the expansion of existing boat ramp facilities shall be prohibited in areas that meet or exceed the 2nd level of manatee abundance or the 2nd level of manatee mortality as shown in Table 1 above.
- e. The siting of new or expansion of existing boat ramp facilities shall be prohibited in areas with greater than 5% seagrass coverage including all ramps, docks, access walkways, finger piers, mooring areas, turning basins, and ingress and egress pathways.
- f. The siting of new or the expansion of existing boat ramp facilities shall be required to meet the criteria included in Policy 3.3 E of the Conservation Element and Section B. of this Policy with the exception of Seagrass (5.4 B. 2.), Manatee Related Best Management Practices (5.4 B. 3.), and Water Quality (5.4 B. 4.).
- g. All sites considered for the siting of new or the expansion of existing boat ramp facilities shall be evaluated for the number of habitat features present using the Boat Ramp Feature Assessment table below and using the manatee mortality and abundance criteria as defined under Manatee Habitat Features in the glossary.
- h. Boat Facility Siting Zone A is not considered preferable for additional boat ramp siting due to the high number of habitat features present. In Boat Facility Siting Zone A, a site that has less than 2 habitat features based on the criteria in the Boat Facility Feature Assessment may be considered for a new or expanded boat ramp with up to a maximum of 15 parking spaces.
- i. In Boat Facility Siting Zone B (Barge Canal), the establishment of a new public or private boat ramp for public use shall be the same requirements as for the development of a new or expanded marina as described in Boat Facility Siting Zone B (5.4 B. 5.). For the purposes of boat ramps, one boat-trailer parking space shall be considered the

equivalent of one powerboat slip. New or expanded boat ramps on the Barge Canal which are associated with a marina and which are to be used solely by the tenants of that marina for the launching of boats stored at that marina shall not be limited in the number of parking spaces.

- j. In Boat Facility Siting Zone C (Port Canaveral Harbor), the siting of new or expansion of existing boat ramps shall be unrestricted.

<p>LIMITING HABITAT FEATURES</p> <p>Manatee Abundance</p> <p>Manatee Mortality</p> <p>Class II, OFW, or Aquatic Preserves</p>	<p>Criteria for Evaluation (each increases number of habitat features by 1, unless otherwise specified)</p> <p>1st level: 10 or more manatees observed/overflight within 5 mile radius (1 point)</p> <p>2nd level: 25 or more manatees observed/overflight within 5 mile radius (2 points)</p> <p>1st level: # of watercraft mortalities within a 5 mile radius/total number of watercraft mortalities in Brevard (≥ 0.05 is significant) (1 point)</p> <p>2nd level: # of watercraft-related deaths within a 5 mile radius in the last 5 years/total number of watercraft mortalities in Brevard in the last 5 years (> 0.10 is significant) (2 points)</p> <p>Site is located in one of these designated areas</p>
<p>Offsetting Features</p> <p>Speed Zones Within 3 miles of an inlet</p>	<p>Criteria for Evaluation (each decreases the number of habitat features by 1)</p> <p>Site is located within a year-round “Slow Speed” or “Idle Speed” Zone</p> <p>Site is located within 3 mile radius of Sebastian Inlet</p>

**Table 3
Boat Ramp Feature Assessment**

- k. In Boat Facility Siting Zone D, a site with no more than 2 habitat features shall be considered suitable for siting of a new boat ramp or the expansion of an existing boat ramp. Sites with 0 or 1 habitat feature shall be eligible for a boat ramp with up to a maximum of 40 boat trailer parking spaces. Sites with 2 habitat features shall be eligible for a boat ramp with up to a maximum of 15 boat trailer parking spaces.
- l. Boat Ramp Variance Criteria: The ability to secure additional parking slots at public ramps could be reconsidered by the FWC if additional law enforcement, additional preservation, or impact reduction along the lagoon is demonstrated.
- m. The following specific sites are identified individually to address existing boat ramp deficiencies in Brevard County and are exempted from the boat ramp siting criteria above:

- 1) It is recommended that Brevard County's relocation of the Pineda Landing facility include 36 parking spaces.
 - 2) It is recommended that Brevard County provide 50 additional parking spaces by expanding existing public ramp facilities or by developing a new location in the south mainland area. The expansion of an existing facility or the siting of a new facility, as provided for above shall minimize impacts to manatees and natural resources and should be evaluated by the Boat Ramp Manatee Habitat Feature Assessment as defined above. It is recommended that the evaluation result in a score of no greater than two habitat features. The County will screen sites to select the most appropriate and coordinate with FWC staff on the site selection.
- C. Commercial/industrial and commercial/recreational marina development within commercial, heavy and light industrial and planned industrial park land use designations shall require a Conditional Use Permit. Residential/recreational marinas shall be a permitted use in these land use designations.
- D. Residential/recreational marinas may be considered within residential land use designations with a Conditional Use Permit and a Binding Development Plan.
- E. No fueling or repair facilities are permitted within residential zoning classifications.
- F. When locating new marinas or expanding existing marinas, biologically productive habitats shall be preserved to the fullest extent possible. Mitigation is the last resort for habitat destruction, and shall be of a two-to-one or greater ratio of in-kind replacement.
- G. Marina facilities shall be located where maximum physical advantage for flushing and circulation exists, where the least dredging and maintenance are required, and where marine and estuarine resources will not be significantly affected.
- H. Marina basins shall be sited where there is an existing basin and access channel with an average water depth of three (3) feet below mean low water, except at the shoreline.
- I. Marinas and docking facilities should be approved which require minimal or no dredging or filling to provide access by canal, channel or road.

Preference shall be given to marina sites with existing channels. In the event that dredging is required, the mooring areas and the navigation access channels shall not be dredged to depths greater than eight (8) feet. Any required dredging operations shall utilize appropriate construction techniques and materials to comply with state water quality standards, such as turbidity screens, hydraulic dredges, properly sized and isolated spoil deposition area to control spoil dewatering. All dredging activities must be done with effective turbidity controls. Where turbidity screens or similar devices are used, they should be secured and regularly monitored to avoid manatee entrapment.

- J. Marinas shall be located in areas with good flushing and circulation. New marina or substantially expanded facilities shall be designed to take advantage of existing water circulation and shall not adversely affect existing circulation patterns. Improvement of circulation shall be a consideration when expanding or upgrading existing facilities. However, any buffer zone established by the Florida Department of Environmental Protection Shellfish Environmental Assessment Section (FDEP-SEAS) shall be maintained.
- K. The proposed site shall be compatible with existing land use designations. Marinas shall demonstrate that they have sufficient upland areas to accommodate all needed support facilities. These standards include, but should not be limited to, adequate parking, work areas and retention areas for stormwater and work area runoff, and shoreline protection buffers.
- L. Marina facilities shall not degrade water quality below existing Florida Department of Environmental Protection water classification standards.
- M. Marinas shall not be located in approved or conditionally approved shellfish harvesting waters or Class II waters, or other environmental areas designated by the County so as to substantially and materially have a negative impact on these waters.
- N. Commercial/recreational and commercial/industrial marinas shall not be located in Aquatic Preserves, or Outstanding Florida Waters, or other environmental areas designated by the County so as to substantially and materially have a negative impact on these waters.
- O. Construction of multi-slip docking facilities and boat ramps shall be directed to locations where there is quick access to deep, open water at least eight (8) feet in depth (dredgeable), where the multi-slip docking

facilities take the place of several single-slip docks and allow public access to the water, and where the associated increase in boat traffic will be outside of known manatee aggregation areas, and where seagrass beds or other wetlands supporting manatee habitat will not be disturbed.

- P. All marina facilities shall comply with manatee protection measures established in Conservation Element Policy 9.9.

Policy 5.5

Brevard County shall require hurricane plans to be submitted to the Florida Division of Emergency Management in conjunction with marina site plans for review.

Policy 5.6

Marinas within the coastal zone shall be inspected annually by Brevard County and results of these inspections shall be coordinated with other agencies. Inspections shall be coordinated with existing programs and duplication with existing inspection programs shall be avoided. It is recommended that inspection of commercial marinas occur as part of the business license renewal procedure. Items to be inspected and reviewed may include the following.

Criteria:

- A. Pumpout facilities/marine sanitation devices, if required.
- B. Compliance with power/sailboat mix, if required.
- C. Spill prevention, control, containment and cleanup plans.
- D. Waste collection and disposal methods.
- E. Fire fighting equipment, if required.
- F. Monitoring of marina basin water quality for bacteriological levels to insure compliance with state and federal standards. Live-aboards at marinas shall be inspected to ensure that marine sanitation devices (MSDs) are present and operational. If a water monitoring program is required, water-dependent uses shall be assessed an annual fee adequate to fund a water quality monitoring program.

Policy 5.7

Brevard County shall investigate the utilization of tourist taxes or boating improvement funds to develop public boat launching facilities and related amenities.

Policy 5.8

Brevard County should consider the acquisition of property for boat ramps in their recreational purchasing program.

Policy 5.9

All new boat ramps should have parking areas constructed utilizing permeable pavement where appropriate and have the proper stormwater management system in place.

Policy 5.10

Brevard County shall review shore-line development within the coastal zone in order to maximize opportunities for water-dependent land uses. The following criteria, at a minimum, shall be utilized.

Criteria:

- A. Water-related uses shall be built on uplands.
- B. Development which is feasible only through creation of land by dredging and filling of areas below the mean high water line shall not be approved. Exceptions may be considered where overriding benefit to the natural resource can be demonstrated.
- C. Water-dependent commercial and industrial uses may be considered for siting adjacent to the Indian River Lagoon.
- D. Water-related commercial and industrial uses may be considered for siting only adjacent to Class III waters of the Indian River Lagoon.

Policy 5.11

The Brevard County Land Development Regulations shall include a provision for water-enhanced commercial development within the coastal zone. Such uses shall be permitted as Conditional Uses within the BU-1 zoning category.

Policy 5.12

Brevard County should develop and implement a water and sediment quality monitoring program for water-dependent users, man-made canals and other selected areas with significant upland runoff within the coastal zone.

Criteria:

- A. Brevard County shall establish a classification program for the various water dependent uses.
- B. Brevard County shall establish a water quality monitoring program for each of the designated classes of water dependent uses.

- C. Water-dependent uses shall be assessed an annual fee adequate to fund the required water quality monitoring program.
- D. The County shall require the activity to cease if adopted water quality standards are not maintained.
- E. Continued operation resulting in degradation of the water quality below accepted standards shall result in a fine, as established by Brevard County.
- F. Waiver provisions should be included for operations below an established threshold.
- G. This program shall be in coordination with the Florida Department of Environmental Protection and other appropriate agencies.

Policy 5.13

Brevard County shall support environmentally and economically sound development of Port Canaveral and related facilities, which is consistent with this Comprehensive Plan (Policy 5.4 of the Transportation Element).

Policy 5.14

Brevard County should continue to monitor boating activity and boat facility demand.

Policy 5.15

During rezoning and other development order approval reviews, Brevard County should give immediate shoreline use priorities (in descending order of priority) to:

Criteria:

- A. Water-dependent uses such as fish, shellfish and wildlife production, recreation, water dependent industry and utilities, marinas and navigation;
- B. Water-related uses such as certain utilities, commerce and industrial uses;
- C. Water-enhanced uses such as some recreation uses;
- D. Non-water dependent or related activities such as residential; and

- E. Of lowest priority are those uses which are non-water_dependent, non-water enhanced and which result in an irretrievable commitment of coastal resources.

Policy 5.16

Brevard County should encourage the construction of marine sanitation device (MSD) pumpout facilities.

Policy 5.17

Brevard County shall utilize available management plans in developing standards for marina siting and other water-dependent uses. These management plans include, but are not limited to, Aquatic Preserve Management Plans, the Surface Water Improvement Management (SWIM) Plan and the IRLCCMP.

Coastal High Hazard Areas

Objective 6

Limit future public expenditures for infrastructure and service facilities which subsidize growth within the coastal high hazard areas of Brevard County. Expenditures for public land acquisition or enhancement of natural resources shall be encouraged.

Policy 6.1

Brevard County shall designate coastal high hazard areas to be those areas below the elevation of the Category 1 storm surge elevation as established by a Sea, Lake and Overland Surges from Hurricanes (SLOSH) computerized storm surge model, as defined in Chapter 163, Florida Statute (see Maps 3a, 3b, and 3c).

Policy 6.2

Brevard County shall not support or finance new local transportation corridors which lie within the coastal high hazard area or areas zoned as Environmental Area, except where there are no other cost-feasible alternatives. Corresponding improvements may only be considered when the facilitation of such improvements is needed to support the densities programmed on the Future Land Use Map (FLUM) series of the Comprehensive Plan.

Policy 6.3

Brevard County should not locate sewer and water transmission lines within the coastal high hazard area, except where there is no practical and cost-feasible alternative due to engineering, safety and cost considerations, lack of alternative existing rights-of-way, or for septic to sewer conversion projects selected specifically to improve ground and surface water quality.

Policy 6.4

If County utility lines are relocated for any purpose, they should be located outside of the coastal high hazard area, except where there is no cost-feasible alternative.

Policy 6.5

Public facilities, except for recreational facilities, shall not be located by Brevard County within the coastal high hazard area, except where there are no other cost-feasible alternatives. Corresponding improvements may only be considered when the facilitation of such improvements is needed to support the densities programmed on the Future Land Use Map (FLUM) series of the Comprehensive Plan.

Policy 6.6

Brevard County shall continue to implement the Transfer of Development Rights program which has been established to transfer density from transfer districts within the coastal high hazard area to receiving districts outside of the coastal high hazard area.

Policy 6.7

Brevard County shall review federal and state development proposals which are to be located within the coastal high hazard areas, and shall support those projects which are consistent with this Plan.

Policy 6.8

The existence of sewer, water, roadways or other public infrastructure shall not be considered adequate rationale for an increase in zoning density or intensity within the coastal high hazard area.

Policy 6.9

Once public acquisition of recreation and/or conservation lands occurs within coastal high hazard areas, the Future Land Use Map shall be amended to designate the same as Recreation or Conservation lands. Such redesignation shall not serve as a basis for increasing established residential density designations in said coastal high hazard area.

Coastal Residential Densities

Objective 7

Limit densities within the coastal high hazard area and direct development outside of this area.

Policy 7.1

Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet.

Policy 7.2

Brevard County shall continue its program of land acquisition and management for recreation and preservation, contingent upon availability of funding.

Policy 7.3

Brevard County shall maintain the Brevard County Comprehensive Emergency Management Plan (BrevCEMP). This plan shall be consistent with this Comprehensive Plan, and shall be coordinated with the municipalities, the appropriate state and federal agencies, and be approved by the appropriate state agency(s).

Policy 7.4

Public facilities, such as hospitals, wastewater treatment plants or fire stations, shall not be located on causeways.

Hurricane Evacuation

Objective 8

Reduce excessive evacuation times where they currently exist, and maintain all other evacuation times within the acceptable standard. Acceptable evacuation standards will be reviewed and updated as necessary but shall not exceed the times indicated in the current Brevard County Comprehensive Emergency Management Plan

Policy 8.1

Brevard County shall maintain acceptable hurricane evacuation times based upon the following:

Criteria:

- A. The most current behavioral response scenario.
- B. The requirement to evacuate prior to sustained tropical storm force (40 mph) winds.

Policy 8.2

Brevard County shall coordinate with the municipalities and appropriate state agencies to develop Evacuation Zone Management Plans to reduce evacuation times above the current optimum behavioral response time. The following shall be considered, at a minimum:

Criteria:

- A. Roadway and other infrastructure improvements and funding mechanisms.
- B. Programs designed to improve the behavioral response to hurricane evacuation orders.
- C. Land use strategies.

Policy 8.3

Brevard County Emergency Management shall continue to coordinate with NASA to allow evacuation of North Merritt Island through Kennedy Space Center, if necessary.

Policy 8.4

Brevard County shall identify roadway and operational improvements to the hurricane evacuation network based upon the number of people who cannot be evacuated within an optimum evacuation time limit.

Criteria:

- A. Priority shall be given to improvements serving the zone with the highest number of people remaining after the current optimum evacuation time.
- B. The remaining improvements shall be given priority in descending order according to the number of people remaining after the optimum evacuation time.
- C. Brevard County, in cooperation with the Florida Department of Transportation, shall identify key hurricane evacuation routes that are vulnerable to flooding, erosion and critical points of congestion during the established evacuation time.
- D. Brevard County shall present recommended roadway, operational and maintenance improvements to the appropriate implementing and funding agencies.

Policy 8.5

In those areas where citizens cannot be evacuated within the evacuation standards in the Brevard County Emergency Management Plan adopted January 1, 2008, development orders may be deferred until such time as adequate evacuation capacity has been programmed.

Policy 8.6

Brevard County shall consider hurricane evacuation times, as well as other factors, in determining the timing and priority of roadway improvements which are programmed by the Board of County Commissioners.

Policy 8.7

Brevard County shall cooperate with the Red Cross and other agencies to develop an on-going public education program to notify the public as to the necessity to evacuate as quickly as possible in order to reduce or eliminate evacuation times in excess of the optimum behavioral response time.

Policy 8.8

Brevard County's Comprehensive Emergency Management Plan (BrevCEMP) shall be consistent with the state comprehensive emergency management plans.

Policy 8.9

Based upon hurricane vulnerability concerns and excessive evacuation times, new mobile home development or recreational vehicle parks shall not be permitted on the barrier island, to the extent permitted by law. Expansions to an existing mobile home development may be permitted if such development results in a decrease in land use intensity and an overall reduction in programmed residential densities and is consistent with the character of the surrounding area.

Policy 8.10

Brevard County shall require a hurricane management plan which reduces excessive hurricane evacuation time for existing recreational vehicle park development within the south beaches.

Policy 8.11

Brevard County shall encourage the State of Florida to identify a dedicated funding source for the improvement of primary hurricane evacuation routes, such as US 192, SR 528, SR 520 and Interstate 95. The funding source should be in addition to state and federal funds already received by Brevard County for urban area roadway improvements.

Hurricane Shelters

Objective 9

Provide adequate, safe hurricane shelter space to meet the needs of the at risk and special needs population (“shelter space” shall be considered to include both private and public shelters).

Policy 9.1

Brevard County shall continue to cooperate with the Red Cross and State Emergency Management to provide an emergency shelter manager training course and encourage interested citizens of Brevard County to become shelter managers.

Policy 9.2

Brevard County Office of Emergency Management shall continue to cooperate with the Red Cross to develop a public education program on hurricane preparedness, including the locations of hurricane evacuation shelters and the need for emergency shelter managers.

Policy 9.3

Brevard County shall cooperate with the Red Cross in designating appropriate public and private structures as hurricane shelters.

Policy 9.4

Brevard County shall utilize the Housing and Human Services Department to provide appropriate facilities and adequate staffing for the special needs shelters.

Policy 9.5

Brevard County shall support the School Board in their efforts to utilize enhanced hurricane shelter protection standards for all reconstruction and new development in accordance with FS 235.26.

Policy 9.6

Public buildings within Brevard County should be reviewed to determine if qualified to be utilized as hurricane sheltering. Beginning in the year 2000, all newly constructed public buildings shall meet the criteria established for enhanced shelter protection in the State Requirements for Educational Facilities (SREF).

Policy 9.7

Brevard County shall study the feasibility of increasing residential construction standards to reduce hurricane shelter deficits and ensure the delivery of safe housing for citizens of Brevard County.

Policy 9.8

Brevard County shall develop a hazard mitigation strategy in its land development regulations which prohibits the development of new recreational, mobile or manufactured housing and the expansion of existing recreational, mobile or manufactured housing unless the developer/owner has provided emergency sheltering sufficient to house a minimum of 50% of the residents of that development.

Policy 9.9

Brevard County will encourage all existing recreational, mobile or manufactured housing communities to have emergency shelters and a hurricane management plan that will result in faster evacuation times for their residents.

Post-Disaster Redevelopment

Objective 10

Expedite post-disaster recovery and reduce or eliminate the future risk to human life, and public and private property from natural hazards via recovery and re-development strategies adopted in the BrevCEMP.

Policy 10.1

Brevard County shall review all non-emergency and long-term redevelopment proposals utilizing the following:

Criteria:

- A. If utility lines, including but not limited to sewer, water, gas, electric and cable TV, must be relocated after a storm event, they should be permanently located landward (west) of the 1986 FDEP Coastal Construction Control Line and underground, except for feed lines servicing individual parcels. Repair of these lines on a temporary basis to protect health and safety shall be permitted in their existing locations.
- B. Underground storage tanks which are located seaward of the Brevard County Coastal Setback Line (CSL) shall be relocated landward (west) of the 1986 FDEP Coastal Construction Control Line.
- C. Water-dependent commercial uses seaward of the 1981 FDEP Coastal Construction Control Line which are damaged by more than 50% of their assessed value or fair market value as determined by an MAI appraisal supplied by the property owner may be reconstructed seaward (east) of the 1981 FDEP CCCL consistent with the coastal zone construction requirements.

- D. Water-related commercial uses seaward (east) of the 1981 FDEP Coastal Construction Control Line which are damaged by more than 50% of their assessed value or fair market value as determined by an MAI appraisal supplied by the property owner should be relocated landward (west) of the 1981 FDEP CCCL unless the project has no feasible alternative and is found to be in the public interest.
- E. Water-enhanced commercial uses seaward (east) of the 1981 FDEP Coastal Construction Control Line which are damaged by more than 50% of their assessed value or fair market value as determined by an MAI appraisal supplied by the property owner should be relocated landward (west) of the 1981 FDEP CCCL.
- F. If non-habitable minor structures which are damaged by more than fifty (50) percent of their assessed value or fair market value as determined by an MAI appraisal supplied by the property owner are reconstructed, they shall be relocated and constructed in compliance with coastal zone construction requirements.
- G. Brevard County should develop a program for the possible relocation of residential housing, if required after a natural disaster.

Policy 10.2

The replacement of infrastructure shall be constructed in conjunction with existing development or as part of an integral network of infrastructure.

Policy 10.3

Brevard County should analyze those public structures within the coastal zone which are most likely to be damaged or destroyed during a hurricane. The analysis shall be coordinated by the Planning and Development Department and shall consider the following, at a minimum:

Criteria:

- A. The cost effectiveness of relocation versus repair shall be analyzed.
- B. Alternatives shall be considered in the light of mitigative impacts, growth management consistency, impacts to the public, timeliness, legal issues, environmental impacts and cost.
- C. The following alternatives, at a minimum, shall be analyzed:
 - 1. Repair of the structure to the pre-disaster conditions.
 - 2. Repair of the structure to the pre-disaster conditions with physical protective structures, as may be legally permissible, such as

- seawalls or revetments when consistent with policy 5 of this element.
3. Vertical relocation of the structure, e.g. elevating roadways with bridges.
 4. Relocation further inland.
- D. Reconstruction or relocation of SR A1A and other roadway segments within the coastal high hazard area shall be included within this study.
- E. Analysis of County service center and other facilities shall be in conjunction with the County's Space/Needs Assessment.
- F. Those structures within the high risk vulnerability zone to be included are the Central Brevard Service Complex, District II Commission Office, District II Road and Bridge, County Sign Shop, public libraries and County fire stations.
- G. The study shall be consistent with the East Central Florida Regional Planning Council studies. The hurricane scenarios and loss estimates shall be consistent with the Hurricane Loss Study and shall be coordinated with other appropriate agencies.
- H. The impact of sea level rise and the projected 30-year erosion line shall also be analyzed.

Policy 10.4

In the event of a disaster, all infrastructure and other County owned improvements, which were not included within the above outlined study, shall be analyzed to determine the cost effectiveness of relocation versus repair.

Policy 10.5

The Brevard County shall provide copies of building permits which have been issued for storm damage repair to the County Hazard Mitigation Team for their evaluation for identification of areas susceptible to repeated damage by hurricane erosion and flooding.

Policy 10.6

Brevard County shall continue to conduct disaster related exercises at regular intervals, as determined by the Emergency Management Office, or in conjunction with the East Central Florida Regional Planning Council, Local Emergency Planning Committee and other state or federal agencies.

Policy 10.7

As identified in the BrevCEMP, Emergency Support Function 18 (ESF 18) shall be the primary lead to conduct a post-disaster evaluation to assess property damages necessary for disaster relief and post-disaster redevelopment funds. The ESF 18 should have available a listing of property values coordinated with land use maps to facilitate such property assessment procedures. County staff, such as the Planning and Development Department, will be utilized as manpower.

Policy 10.8

The BrevCEMP shall be coordinated with other local, regional and state entities. As additional interagency hazard mitigation reports are received, they shall be reviewed and incorporated into the BrevCEMP.

Policy 10.9

Brevard County should require that when utility lines, including, but not limited to sewer, water, gas, electric and TV cable, are relocated for any purpose, they shall be placed underground.

Coastal Access

Objective 11

Provide adequate public access to the beach, estuarine and river shorelines consistent with public needs and the shoreline's natural resource requirements.

Policy 11.1

Brevard County shall acquire new beach access sites, improve existing sites or provide alternative access to non-designated beach access points. The following minimum criteria shall apply:

Criteria:

- A. Acquisition and site improvements of those areas of the beach identified as most deficient for beach access shall be given the highest priority. Efforts shall be undertaken to provide public access to all of Brevard County's beaches consistent with the FDEP's criteria for state cost-share funding for beach management.
- B. Site improvements, parking facilities and drainage shall be secondary to improvements to the naturally functioning dune system.
- C. Access shall be consistent with the standards included in the Recreation and Open Space Element of this Plan.

- D. Priority shall be given to those sites which are heavily utilized for beach recreation.
- E. Brevard County shall make efforts to balance the demand for beach access with the protection of the beach and dune habitat and species.

Policy 11.2

Brevard County shall complete the Beach and Riverfront Acquisition Program, contingent upon availability of funding, with priority being given to the acquisition of land to fulfill the Identified Needs, as adopted by the Brevard County Board of County Commissioners.

Policy 11.3

Brevard County shall prioritize future improvements to those oceanfront properties, contingent upon availability of funding, which have been purchased and are identified for additional beach access development.

Policy 11.4

Brevard County shall continue to coordinate with all beachfront municipalities the continued development and implementation of the Brevard County Beach Management Program. The Beach Erosion Advisory Committee, established by Chapter 70-603, Laws of Florida, should continue to function as a mechanism to communicate with the beachfront municipalities on beach-related issues and as the primary technical advisory committee to the Board of County Commissioners on the beach program.

Policy 11.5

Brevard County shall continue to pursue funds for dune revegetation to be used when constructing dune crossovers as replacements for unimproved dune access.

Policy 11.6

Brevard County shall coordinate with the Florida Department of Transportation in providing waterfront access on causeways and bridges.

Policy 11.7

Brevard County shall require private property owners to allow public use of beaches which are renourished with public funds. Access can be accomplished through publicly owned access points or improved dune crossovers located on easements.

Policy 11.8

Brevard County shall review beachfront development to ensure that it does not interfere with public access in those instances where the public has established ocean

access-ways through private lands by prescription, prescriptive easement or other legal means. The developer may improve, consolidate, or relocate such public access provided it is consistent with this Plan.

Policy 11.9

Brevard County shall investigate the feasibility of acquiring narrow strips of land along the Indian River Lagoon, where such areas could provide visual access or provide parking for passive recreation within the Lagoon.

Port Canaveral

Objective 12

Brevard County will continue to identify provisions of the Port Master Plan which it considers inconsistent with the Coastal Management Element of the County Comprehensive Plan and will continue to offer to coordinate with Port Canaveral in resolving any inconsistencies. Brevard County shall continue to request copies of proposed plan amendments submitted for transmittal to the Department of Economic Opportunity and shall continue to review and comment on such amendments to the Port Master Plan consistent with the County's procedure for reviewing plans of other jurisdictions and Chapter 163.3177 (6) (g).

Policy 12.1

Brevard County shall continue to cooperate with the Port Canaveral Authority and the Florida Inland Navigation District in the identification of suitable spoil disposal sites within unincorporated Brevard County.

Recreational and Commercial Working Waterfronts

In 2005 and 2006, the Legislature recognized that there is an important state interest in facilitating boating and other recreational access to the state's navigable waters. This access is vital to recreational users and the marine industry in the state, to maintaining or enhancing the \$57 billion economic impact of tourism and the \$14 billion economic impact of boating in the state annually, and to ensuring continued access to all residents and visitors to the navigable waters of the state. The Legislature recognizes that there is an important state interest in maintaining viable water-dependent support facilities, such as public lodging establishments, boat hauling and repairing and commercial fishing facilities, and in maintaining the availability of public access to the navigable waters of the state. The Legislature further recognizes that the waterways of the state are important for engaging in commerce and the transportation of goods and people upon such waterways and that such commerce and transportation is not feasible

unless there is access to and from the navigable waters of the state through recreational and commercial working waterfronts.

The purpose of the Brevard County Working Waterfront Objective is to implement the relevant and mandated provisions of Chapter 2005-157, and Chapter 2006-220 of the Laws of Florida. The Legislature requires that local governments, through their comprehensive plans, address development activities that diminish access to the state's navigable waters. The recreation and open space element of all local comprehensive plans now must include waterways. (F.S. § 163.3177(6)(e)) In addition, all coastal counties and municipalities in Florida now have a legislatively-mandated duty to include, in the coastal management element of their Comprehensive Plan, strategies that will be used to preserve recreational and working waterfronts. (F. S. § 163.3178(2)(g)) Further, coastal counties must amend the future land use element of their comprehensive plan to create "regulatory incentives and criteria" that encourage the preservation of recreational and commercial working waterfronts. More specifically, the purpose is to protect and promote Brevard County as a recreational and commercial working waterfront community; protect and improve public access to the shorelines and waters of Brevard County; preserve and protect the cultural heritage and physical character of the area as a working waterfront community; and enhance the aesthetic character of the area by directing development in a manner that maintains the working waterfront identity of the County.

Objective 13

To establish a comprehensive program to promote and protect public access to the marine and coastal waters of the County, and to ensure the economic viability of recreational and commercial working waterfronts.

Policy 13.1

The County shall identify, inventory and characterize all existing publicly-accessible recreational and commercial working waterfronts in Brevard County on a parcel-by-parcel basis, including but not limited to parking facilities for beach and shoreline access, coastal roads, facilities providing scenic overlooks, public lodging establishments, docks, wharfs, lifts, wet and dry marinas, boat ramps, boat hauling and repair facilities, commercial fishing facilities, boat construction facilities, and other support structures over the water and shall continue to maintain this inventory.

Policy 13.2

The County shall identify, inventory and characterize all private facilities that would otherwise qualify as recreational or commercial working waterfronts because they provide access to the marine and coastal waters of the County and shall continue to maintain this inventory.

Policy 13.3

The County should identify, inventory and characterize all parcels suitable for future development as publicly-accessible recreational and commercial working waterfronts in Brevard County. Suitable for future development includes vacant parcels and developed parcels not currently being used for water dependent activities which, because of their proximity, biophysical nature or other factors, could become recreational and commercial working waterfronts through a change in land use.

Policy 13.4

The County should identify, inventory and characterize existing right-of-ways, easements and other public property interests adjacent to or capable of providing public access or enhancing public access to the shorelines and waters of Brevard County.

Policy 13.5

The County should assess the future demand for public water access to the shorelines and waters of Brevard and shall establish activity-based levels of service standards for public water access.

Policy 13.6

The Brevard Marine Advisory Council shall continue to review and make recommendations to the Board concerning recreational and commercial working waterfronts in Brevard County.

Policy 13.7

The County shall continue to develop strategies to ensure continued public access to navigable waters through the identification and implementation of regulatory incentives and criteria.

Policy 13.8

The County shall prioritize recreational and commercial working waterfronts in existing or new land acquisition programs to purchase suitable parcels or the non-water dependent development rights to suitable parcels as determined by the inventory created under the Coastal Management Element of the comprehensive plan. Current funding strategies can include tourist taxes, or boating improvement funds to develop public launching facilities and related amenities.

Criteria:

- A. Funding may come from fees, bonds, community redevelopment district financing, or other sources as approved by Board, and may be supplemented through revenue sharing with appropriate state and federal programs.

- B. The County's share of revenue collected from boating registration fees shall be spent on boating infrastructure projects pursuant to Chapter 328.72(15), F.S.

Policy 13.9

The County shall not vacate, diminish, or otherwise impair publicly-owned pathways, sidewalks, roads, parking areas, docks or boat launching facilities, and other access points that are currently used, or susceptible to use, by the public to access the shorelines unless specific findings are made demonstrating that the action is necessary and suitable mitigation measures are or will be in place and only after a public hearing and decision by a super majority of the Board of Commissioners. (currently in Board Policy)

Policy 13.10

The County shall continue to inventory the waters of Brevard County to determine appropriate sites for one or more managed anchorages and/or mooring fields that shall be available to the boating public on a first come, first served basis. If one or more suitable sites are found, the County may establish a publically accessible-managed anchorage and mooring field(s), taking into account environmental protection requirements and the concerns of shore side residents.

Policy 13.11

The County should develop incentives for encouraging private waterfront property owners to make their properties available for public use for purposes that are consistent with the uses permitted in recreational and commercial working waterfronts.

Coastal Development and Redevelopment

Objective 14

Create procedures to allow consideration of the changing dynamics of flooding, sea level rise, and storm surge in growth management decisions within the unincorporated areas of Brevard County over short, mid, and long-term planning horizons.

Policy 14.1

The County should utilize a range of sea level rise projections as recommended in the adopted East Central Florida Regional Resilience Action Plan (RRAP), as amended, for planning purposes based upon vulnerability, risk, project service life of a facility or growth management.

Policy 14.2

The County should consider designating Adaptation Action Areas (AAAs), as allowed by Florida Statute, as a mechanism to prioritize resilient planning, infrastructure investments, and strategies to address current and future flood impacts in areas identified as vulnerable to coastal flooding, storm surge, and sea level rise.

Policy 14.3

Using best available data, the County should consider identifying areas vulnerable to current and future flooding impacts which may benefit from nature-based design standards and/or Low Impact Development projects that reduce run-off; mitigate flood impacts; provide for the on-site absorption, capture, and reuse of stormwater; and preserve and restore natural drainage characteristics.

Policy 14.4

The County should consider the results of the Vulnerability Analysis when planning for development, redevelopment, and improvements to critical facilities and infrastructure.

Policy 14.5

The County should consider initiatives within the Brevard County Emergency Operations Local Mitigation Strategy (LMS) and ECFRPC RRAP that focus on solutions for flood impacts; and develop methodologies for prioritizing public project expenditures based on a cost-benefit analysis, feasibility, and short- versus long-term benefits.

Policy 14.6

The County must develop mechanisms to evaluate and recommend new design and development standards for public and private infrastructure projects that consider future climate conditions, and amend Land Development Regulations to reduce obstacles that hinder nature-based design standards and/or Low Impact Development unless it can be clearly demonstrated that:

- a. Strict application will be contrary to the public interest;
- b. The public values being protected are insignificant and strict application will result in an excessive hardship to the project;
- c. Strict application will place an excessive hardship on the project, and an alternative action is available which is equal to or superior than the original requirements in reaching the policy's objective, or
- d. The activity is not financially feasible for the local government.

Policy 14.7

The County should identify development and redevelopment performance standards designed to minimize or withstand permanent and/or temporary inundation

from flooding, sea level rise, and storm surge. These standards may include increased freeboard elevations, the consideration of future tailwater elevations for stormwater infrastructure, and/or multi-use temporary flood storage areas.

Policy 14.8

The County should continually identify strategies and engineering solutions that minimize the loss of flood storage capacity in all floodplains and areas vulnerable to natural hazards such as flooding, storm surge, and sea level rise, and consider incorporating them into the Land Development Regulations.

Policy 14.9

Based on the 2021 Resilient Brevard Community Survey, completed by the ECFRPC, the County must encourage nature-based design standards and/or Low Impact Development design for development and redevelopment within areas vulnerable to current and future flooding impacts unless it can be clearly demonstrated that:

- a. Strict application will be contrary to the public interest;
- b. The public values being protected are insignificant and strict application will result in an excessive hardship to the project;
- c. Strict application will place an excessive hardship on the project, and an alternative action is available which is equal to or superior than the original requirements in reaching the policy’s objective, or
- d. The activity is not financially feasible for the local government.

Such adaptation strategies may include:

- a. Multi-use stormwater parks,
- b. Bioswales as stormwater management techniques,
- c. Green streets,
- d. Reduced impervious areas,
- e. Florida-friendly landscaping/xeriscaping, and
- f. Ecological asset preservation (e.g., tree canopy, natural areas, mangroves, wetlands, dunes, aquifer recharge areas).

Policy 14.10

The County should educate the community about flood mitigation principles, strategies, and engineering solutions that can be implemented to protect property and reduce insurance losses.

Policy 14.11

The County should pursue private and public funding sources for the implementation of flood resiliency strategies – including, but not limited to, avoidance, protection, accommodation, strategic relocation - within areas identified as vulnerable to current and future flooding impacts. As funding opportunities arise, the County should consider removing real property structures from coastal FEMA flood zones through acquisition of repetitive loss properties, for use as green space or stormwater management.

Policy 14.12

The County should continue to implement policies within the Comprehensive Plan, including but not limited to the Conservation Element, to ensure avoidance and minimization of impacts to natural coastal ecosystems, including wetlands, floodplains, aquifer recharge areas, and dunes.

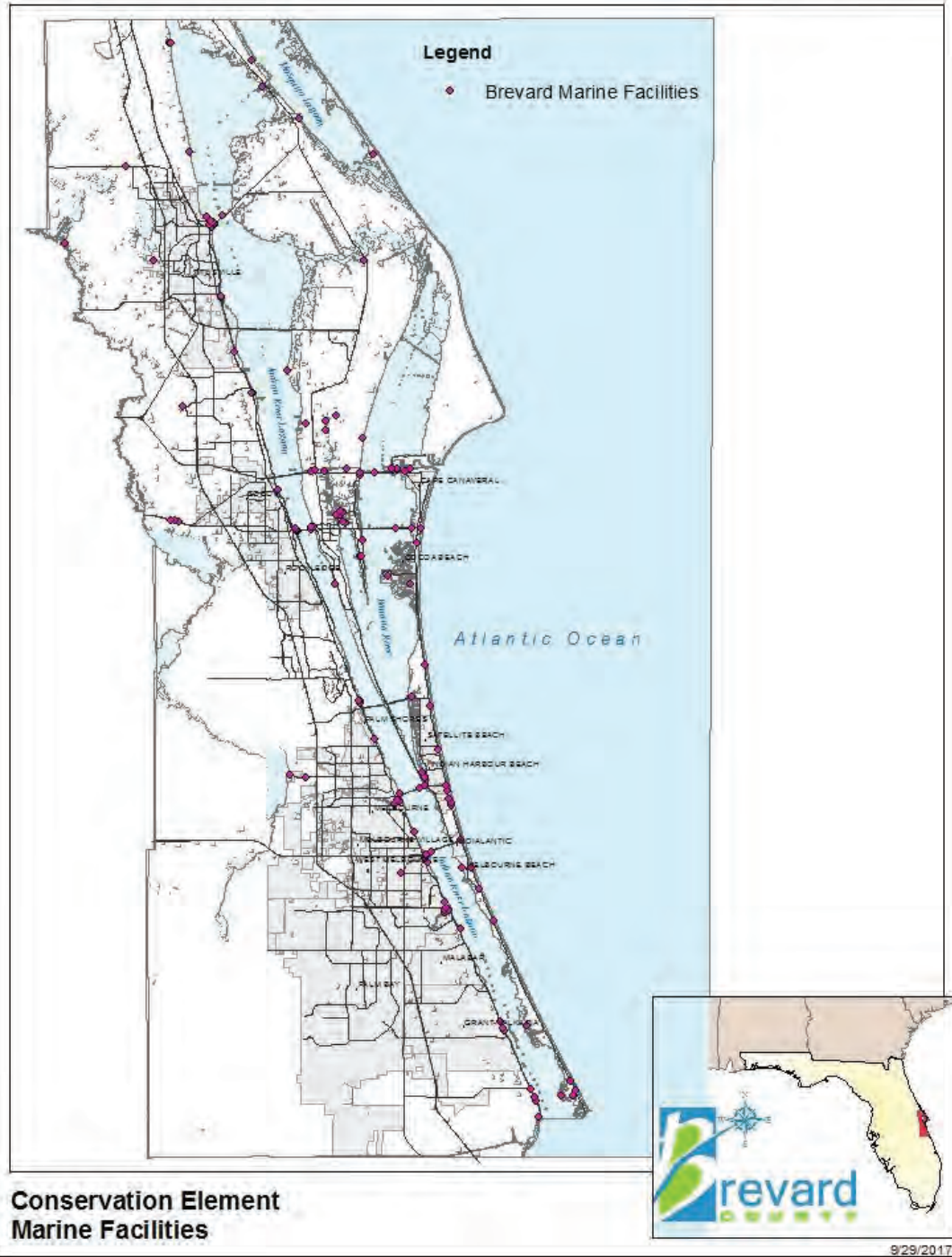
Policy 14.13

The County should continue to analyze best available data to maintain or update relevant and current coastal hazard vulnerability projections and update maps, as applicable. The County should continue to identify and understand the risks, vulnerabilities, and opportunities for strategies within short, mid, and long-term planning horizons as established in the RRAP Formal Recommendation, as amended.

APPENDIX A

LIST OF MAPS

Map	Title
1	Marine Facilities
2	Evacuation Routes
3a, 3b, 3c	Coastal High Hazard Areas



Map 1
Marine Facilities

Map 1 Legend
(Webpage Note: Reverse Side of Map - Enlarged for Display Online)

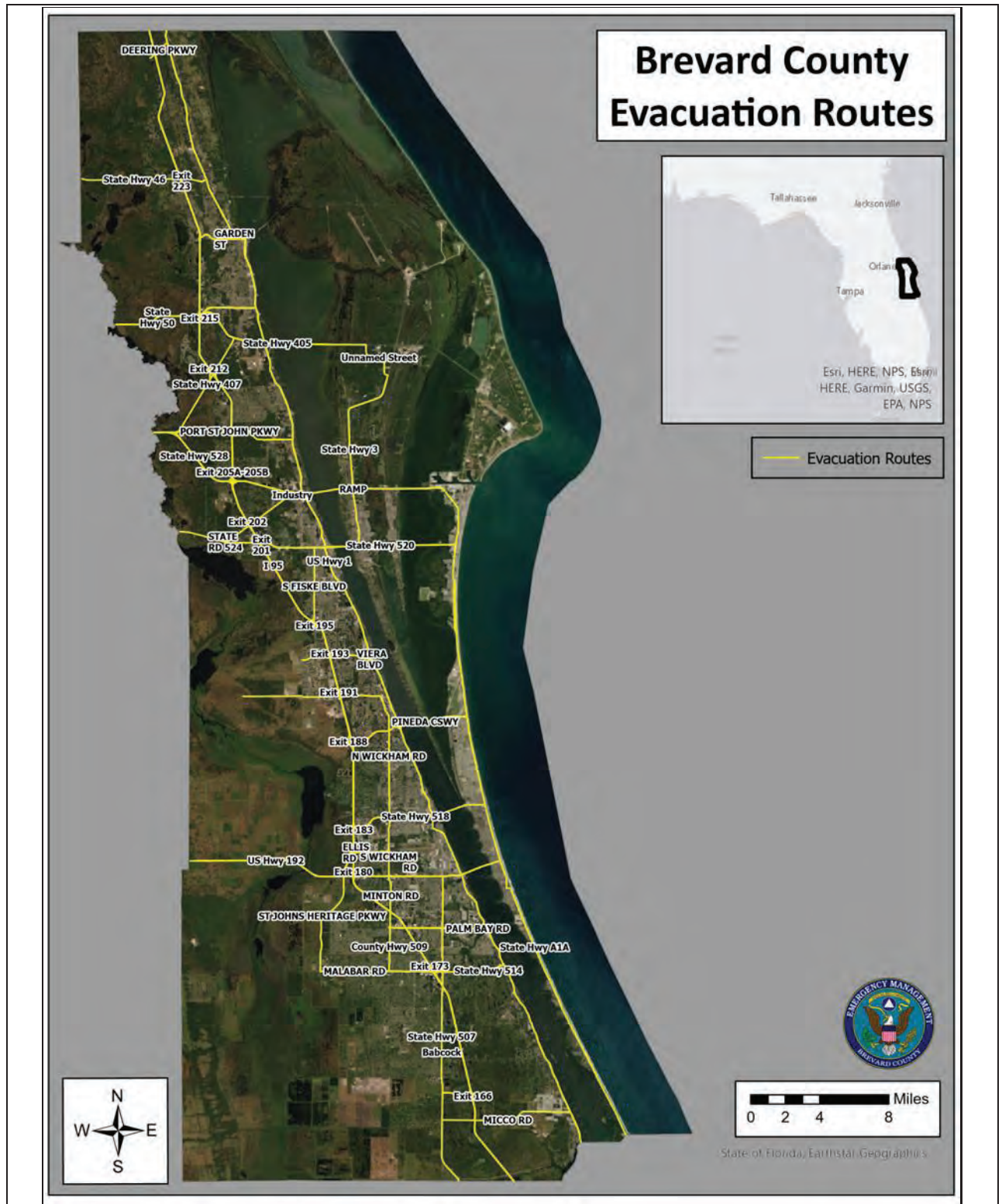
MAP REF #	STREET	CITY	WATERBODY
1	2000 Jones Av.	Mims	Indian River
2	801 Marina Road	Titusville	Indian River
3	451 Marina Road	Titusville	Indian River
4	419 N. Washington Ave.	Titusville	Indian River
5	41 N. Broad Street	Titusville	Indian River
6	S. Washington Ave. North of SR 50	Titusville	Indian River
7	4749 S. Washington Ave.	Titusville	Indian River
8	River Moorings Drive	N. Merritt Island	Indian River
9	1300 E. Hall Rd.	Merritt Island	Banana River
10	505 Glen Cheek Dr.	Port Canaveral	Port Canaveral
11	520 Glen Cheek Drive	Port Canaveral	Port Canaveral
12	628 Glen Cheek Drive	Port Canaveral	Port Canaveral
13	960 Mullet Road	Port Canaveral	Port Canaveral
14	350 SeaRay Dr.	Merritt Island	Barge Canal
15	2700 Harbortown Drive	Merritt Island	Barge Canal
16	800 Scallop Dr.	Port Canaveral	Port Canaveral
17	910 Mullet Road	Port Canaveral	Port Canaveral
18	290 Marine Harbor Drive	Merritt Island	Barge Canal
19	2750 Tingley Drive	Merritt Island	Barge Canal
20	6701 N. Atlantic Ave.	Cape Canaveral	Banana River
21	6815 N. Atlantic Ave.	Cape Canaveral	Banana River
22	Winar Drive	Merritt Island	Sykes Creek
23	20 Myrtice Ave.	Merritt Island	Indian River
24	14 Myrtice Ave.	Merritt Island	Indian River
25	P.O. Box 1886	Cocoa	Indian River
26	12 Marina Isles Blvd.	Indian Harbor Beach	Banana River
27	96 Willard St. Unit 101	Cocoa	Indian River
28	410 E. Cocoa Beach Cswy.	Cocoa Beach	Banana River
29	1872 E. 520 Cswy.	Merritt Island	Banana River
30	1872 E. 520 Cswy.	Merritt Island	Banana River
31	96 Willard St. Unit 101	Cocoa	Indian River
32	480 Cocoa Beach Cswy.	Cocoa Beach	Banana River
33	100-104 Riverside Dr.	Rockledge	Indian River
34	582 S. Banana River Dr	Merritt Island	Banana River

COASTAL MANAGEMENT ELEMENT

35	1025 Riveredge Drive	Rockledge	Indian River
36	200 S. Banana River Drive	Merritt Island	Banana River
37	1360 S. Banana River Dr.	Merritt Island	Banana River
38	1825 Minuteman Cswy.	Cocoa Beach	Banana River
39	1611 Minuteman Cswy.	Cocoa Beach	Banana River
40	1525 Minuteman Cswy.	Cocoa Beach	Banana River
41	2705 S. Tropical Trail	Merritt Island	Indian River
42	760 S. Brevard Ave.	Cocoa Beach	Banana River
43	2290 S. Hwy A1A	Cocoa Beach	Banana River
44	3360 S. Atlantic Ave.	Cocoa Beach	Banana River
45	5695 U.S. Highway 1	Viera	Indian River
46	199 Utopia Circle	Merritt Island	Indian River
47	1629 Atlas Ave.	PAFB	Banana River
48	Tequesta Harbor	Merritt Island	Indian River
49	6155 N. U.S. Hwy 1	Melbourne	Indian River
50	6175 N. Harbor City Blvd.	Melbourne	Indian River
51	5435 N. U.S. Highway 1	Melbourne	Indian River
52	4399 N. Harbor City Blvd.	Melbourne	Indian River
53	876 Marina Road	PAFB	Banana River
54	10 Palmer Road	Indian Harbor Beach	Banana River
55	1399 Banana River Drive	Indian Harbor Beach	Banana River
56	100 Datura Drive	Indian Harbor Beach	Banana River
57	96 E. Eau Gallie Cswy.	Melbourne	Indian River
58	587 Young Street	Melbourne	Eau Gallie River
59	1135 U.S. Highway 1	Melbourne	Eau Gallie River
60	911 N. Harbor City Blvd.	Melbourne	Eau Gallie River
61	729 N. Harbor City Blvd.	Melbourne	Indian River
62	705 S. Harbor City Blvd.	Melbourne	Indian River
63	2210 S. Front Street.	Melbourne	Crane Creek
64	1202 E. River Drive	Melbourne	Crane Creek
65	1208 E. River Drive	Melbourne	Crane Creek
66	1308 E. River Drive	Melbourne	Crane Creek
67	Riverside Drive	Melbourne Beach	Indian River
68	160 Versailles Drive	South Beaches	Indian River
69	Landings Road off A1A	South Beaches	Indian River
70	Solway Drive off A1A	South Beaches	Indian River
71	Ocean Way off A1A	South Beaches	Indian River
72	4220 Dixie Hwy NE	Palm Bay	Turkey Creek

COASTAL MANAGEMENT ELEMENT

73	4350 Dixie Hwy NE	Palm Bay	Indian River
74	5001 Dixie Hwy NE	Palm Bay	Indian River
75	3800 U.S. Highway 1	Valkaria	Indian River
76	750 Mullet Creek Rd.	South Beaches	Indian River
77	240 Hammock Shore Dr.	South Beaches	Mullet Creek
78	4660 U.S. Highway 1	Grant	Indian River
79	5185 U.S. Highway 1	Grant	Indian River
80	6075 U.S. Highway 1	Grant	Indian River
81	8525 U.S. Highway 1	Micco	Indian River
82	9502 S. A1A	South Beaches	Indian River
83	8685 N. U.S. Highway 1	Micco	Indian River
84	4015 Main Street	Micco	Sebastian River
85	6485 S. U.S. Highway 1	Rockledge	Indian River
86	6533 S. U.S. Highway 1	Melbourne	Indian River
87	4263 N. U.S. Highway 1	Melbourne	Indian River
88	2459 Pineapple Ave.	Melbourne	Indian River
89	1477 Pineapple Ave.	Melbourne	Indian River



Map 2
Evacuation Routes

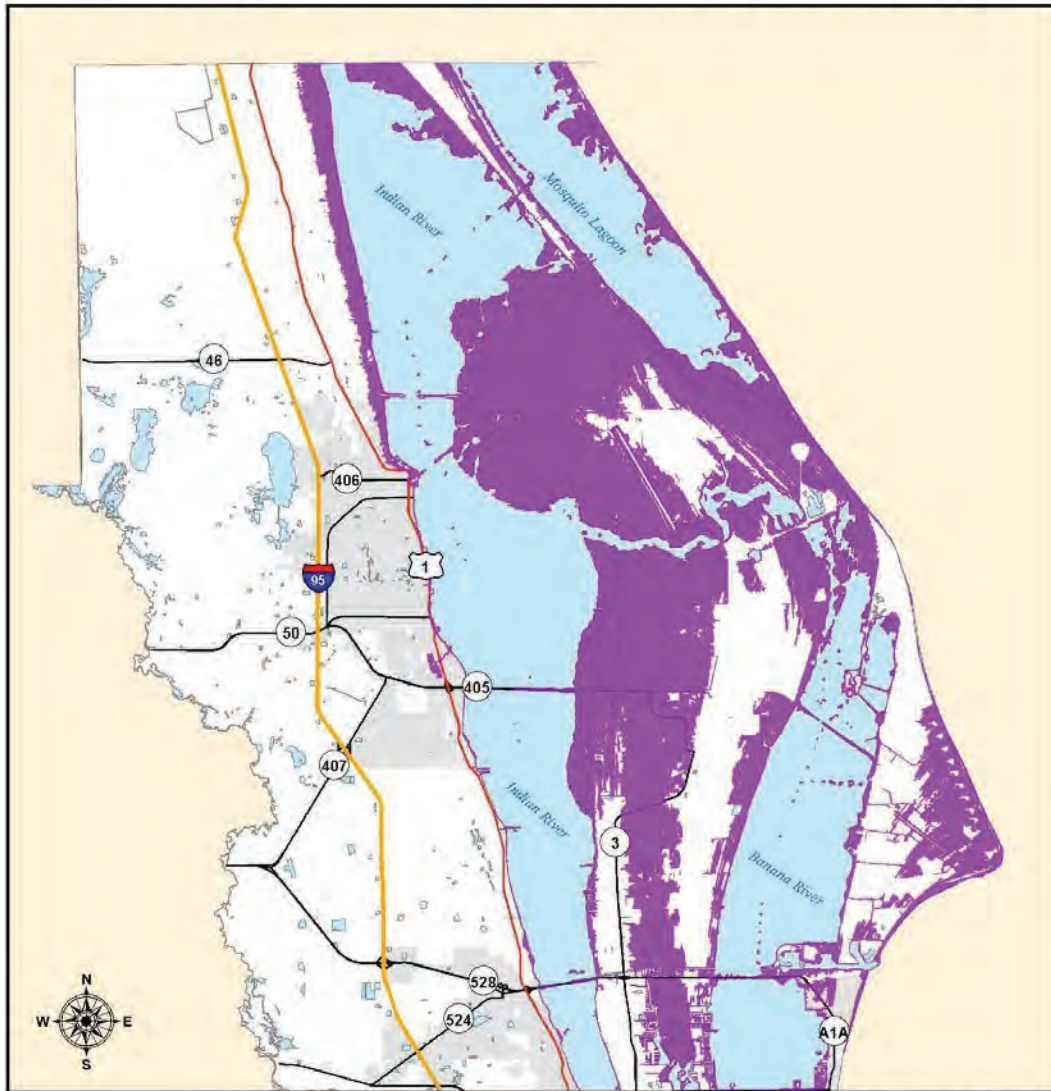
COASTAL MANAGEMENT ELEMENT

September 2024

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R-240

Brevard Coastal High Hazard Area Map



Category 1

Coastal High Hazard Area

Source: East Central Florida Regional Planning Council
Regional Evacuation Study Program - Storm Tide Atlas



Map generated by best available data on 4/29/2022. Map subject to change, please contact Brevard County for map confirmation.

Disclaimer: This map displays general County Information and was created from best data available. It is not suitable for site-specific uses. The Brevard County Board of Commissioners expressly disclaims all responsibility for errors or omissions thereof.

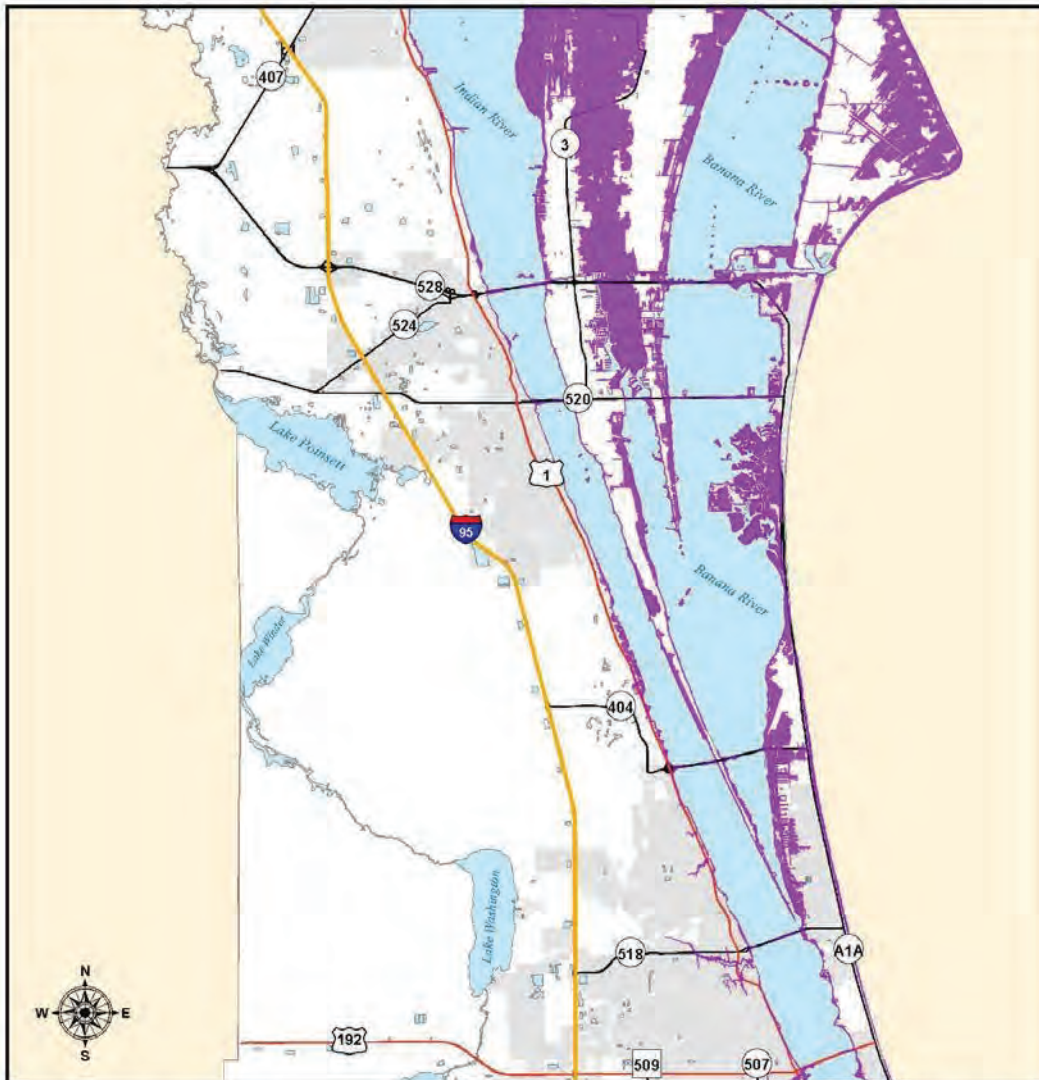
North Brevard CHHA Region Display



Map 3a
Coastal High Hazard Area (north Brevard region)


COASTAL MANAGEMENT ELEMENT

Brevard Coastal High Hazard Area Map



Central Brevard CHHA Region Display

Category 1

 Coastal High Hazard Area

Source: East Central Florida Regional Planning Council
Regional Evacuation Study Program - Storm Tide Atlas



Map generated by best available data on 4/29/2022. Map subject to change, please contact Brevard County for map confirmation.

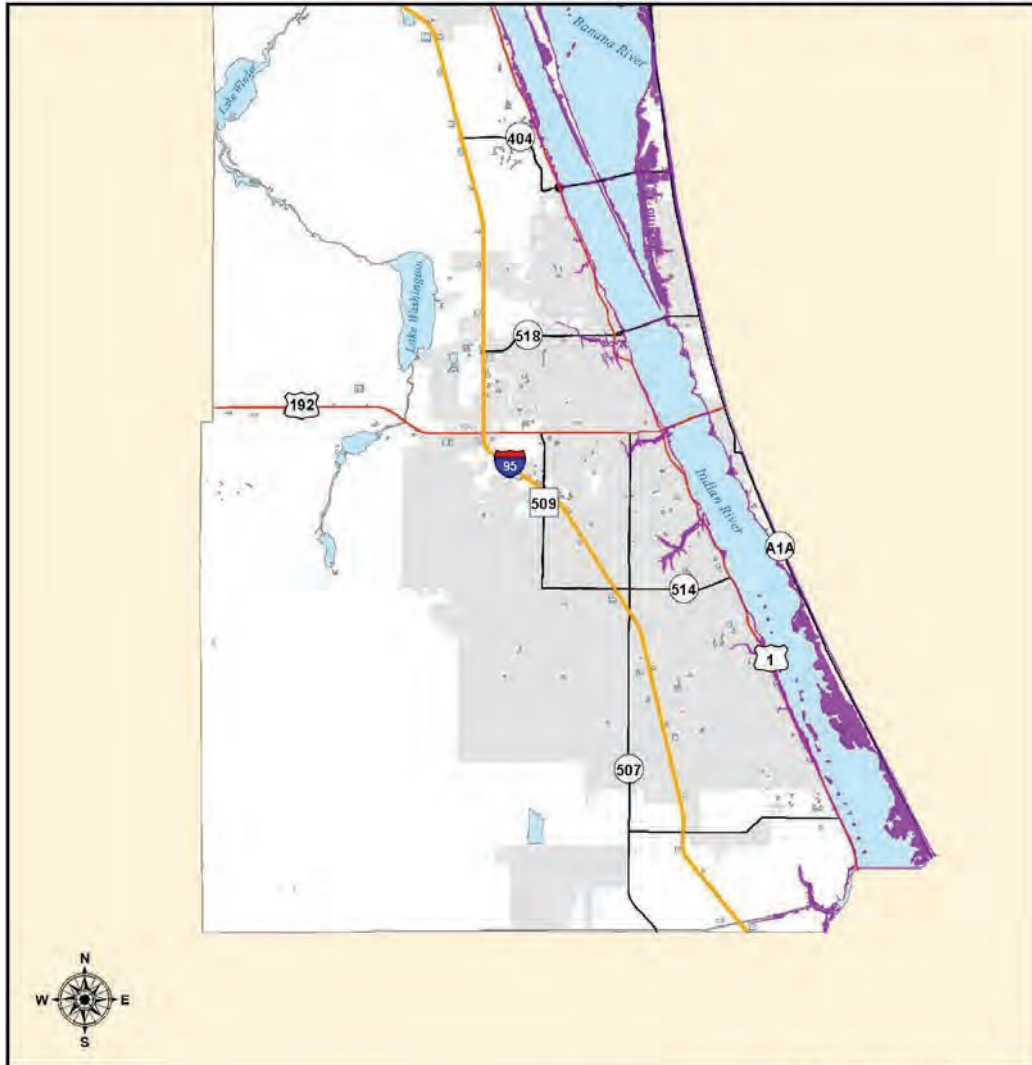
Disclaimer: This map displays general County Information and was created from best data available. It is not suitable for site-specific uses. The Brevard County Board of Commissioners expressly disclaims all responsibility for errors or omissions thereof.



Map 3b
Coastal High Hazard Areas (central Brevard region)

COASTAL MANAGEMENT ELEMENT

Brevard Coastal High Hazard Area Map



Category 1

 Coastal High Hazard Area

Source: East Central Florida Regional Planning Council
Regional Evacuation Study Program - Storm Tide Atlas



Map generated by best available data on 4/29/2022. Map subject to change, please contact Brevard County for map confirmation.

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South Brevard CHHA Region Display



Map 3c
Coastal High Hazard Area (south Brevard region)

APPENDIX

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1	Diagram Reflecting the Spatial Relationship between the FDEP 1981 Coastal Construction Control Line (CCCL) and the Brevard County Coastal Setback Line (CSL)	6

MANATEE HABITAT FEATURE MAP SERIES AND UPDATE SCHEDULE

MAPS:

1. **Submerged Aquatic Vegetation (SAV)** - 1994 coverage supplied with the draft MPP.

Source:

St. Johns River Water Management District
(904) 329-4500

Update Schedule: As available

2. **Manatee Abundance (Aerial Surveys)** - September 1997-September 1999 map supplied with the draft MPP.

Source:

Florida Fish and Wildlife Conservation Commission
Bureau of Protected Species Management
(904) 922-4330

Update Schedule: As available

3. **Manatee Mortality** - Watercraft-related or Total Manatee Mortality (all causes) from 1974-2001 supplied with the draft MPP.

Source:

Florida Fish and Wildlife Conservation Commission
Bureau of Protected Species Management
(904) 922-4330

Update Schedule: As available

4. **Manatee Protection Boat Speed Zones** - October 2000 as provided with the draft MPP, or more recent data.

Source:

Florida Fish and Wildlife Conservation Commission
Bureau of Protected Species Management
(904) 922-4330

Update Schedule: As needed

5. **Manatee Freshwater Sources Map** - March 1994 as provided with the MPP.

Source:

Brevard County
Natural Resources Management Department
(321) 633-2016

Update Schedule: As available

6. **Class II Waterbody, Outstanding Florida Waterway (OFW), or Aquatic Preserve - 2001** as provided in the MPP.

Source:

Florida Department of Environmental Protection
Division of Surface Water Quality
(850) 245-8427

Update Schedule: As available

CHAPTER I
CONSERVATION ELEMENT

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GOALS, OBJECTIVES AND POLICIES

GOAL

Protect, conserve, enhance, maintain and appropriately use natural resources and environmental systems, maintaining their quality and contribution to the quality of life and economic well being of Brevard County.

Air Quality

Objective 1

Air quality within Brevard County shall meet or exceed the minimum air quality as adopted by the Florida Department of Environmental Protection.

Policy 1.1

Brevard County shall cooperate with the Florida Department of Environmental Protection (FDEP) in monitoring ambient air quality within the county.

Policy 1.2

Developments of Regional Impact, major transportation projects and power generation projects shall be evaluated for their impacts on air quality. Buffer areas adjacent to industrial uses, power generation projects or other stationary air pollution sources shall be utilized as required to maintain air quality within accepted standards.

Policy 1.3

The County shall reduce the potential for mobile source emissions by the following means:

Criteria:

- A. Promote appropriate Planned Unit Development and multi-use developments or use centers.
- B. Vegetative strips along major transportation corridors to buffer residential land uses.
- C. Promote alternative transportation methods such as car pooling, van pooling and mass transit.
- D. Promote bicycle and pedestrian traffic by constructing and maintaining additional bike and pedestrian paths.
- E. Roadways with adopted Levels of Service should be evaluated in order to maintain acceptable air quality after the development is completed.

Policy 1.4

Brevard County shall continue to enforce the noise regulations in the land development code.

Policy 1.5

Brevard County shall continue to enforce regulations within the land development code that address the location of facilities that potentially generate noxious emissions.

Policy 1.6

Alternate energy resources that do not degrade air quality should be given preference over resources which do degrade air quality. In addition, Brevard County ordinances or programs concerning clean-up and disposal of hazardous materials, mass burn facilities, and solid waste disposal shall not result in the degradation of air quality or endangerment of human health.

Policy 1.7

Conversion of power plant to coal should not cause degradation of air quality below minimum standards. Best available technology should be utilized for all new power plants.

Policy 1.8

Land use should also be compatible with the maintenance of good air quality. Development should be designed in such a way as to minimize traffic congestion. Urban land uses should be buffered from stationary and linear pollution sources (roadways). Vegetation should be utilized whenever possible to buffer air pollution sources and maintain air quality. Multi-use developments, such as Planned Unit Development, or other innovative land uses should be utilized to reduce the need to travel. Facilities that house the elderly, very young or sick should be located away from emission sources or areas of poor air quality.

Energy**Objective 2**

Reduce per capita energy consumption within Brevard County.

Policy 2.1

Brevard County shall address various energy saving methods including:

Criteria:

- A. Encouraging appropriate Planned Unit Development and multi-use

developments;

- B. Regulating subdivisions to address bicycle and pedestrian pathways; and
- C. Regulating land clearing and landscaping regulations to augment passive cooling by trees.

Policy 2.2

Brevard County shall continue to implement the Florida Building Code, Energy Conservation for new construction and substantially rehabilitated structures.

Policy 2.3

Brevard County should continue to implement waste reduction, reuse, recycling and conversion of waste to energy as part of its waste management strategies.

Policy 2.4

Brevard County shall consider energy conservation in the development and implementation of County ordinances.

Policy 2.5

Brevard County should pursue transportation options that would decrease per capita energy consumption.

Policy 2.6

Brevard County should coordinate with the East Central Florida Regional Planning Council, the Economic Development Commission of Florida's Space Coast, and the State to encourage development and use of energy efficient and renewable technologies to enhance economic development while conserving energy.

Surface Water

Objective 3

Improve the quality of surface waters within Brevard County and protect and enhance the natural functions of these waters.

Policy 3.1

Brevard County shall cooperate with the Florida Department of Environmental Protection (FDEP) to require small package treatment plants adjacent to surface waters to comply with existing federal, state, or regional rules and regulations, and to ensure that the necessary renovations to achieve compliance are completed in a timely manner.

Policy 3.2

Brevard County shall continue to prevent negative impacts of development in and adjacent to Class I waters by implementing and revising, as necessary, the Surface Water Protection Ordinance including the following minimum criteria:

Criteria:

- A. Maintain a two hundred (200) foot surface water protection buffer from the ordinary high water line or mean high water line as determined or approved by the FDEP Bureau of Survey and Mapping. In lieu of an approved ordinary high water line, mean high water line, or safe upland line, an alternative buffer establishment line that approximates the land-water interface may be approved administratively as defined in ordinance. The use of the alternative buffer establishment line shall only be applied to shorelines with a clearly defined land-water interface.
- B. Acceptable uses within the surface water protection buffer are passive recreation, hunting, fish and wildlife management, open space and nature trails, and similar uses.
- C. Require discharges of any substances into Class I waters to meet or exceed applicable receiving water quality standards.
- D. Prohibit dredging and filling, except for permitted utility crossings, publicly owned recreational projects which do not degrade water quality, and necessary maintenance of existing projects.
- E. Regulate development and mining operations within the hydrologic basin of Class I waters. Prohibit mining operations within the 10-year floodplain of Class I waters.
- F. Prohibit alteration within the surface water protection buffer unless it is in the public interest and does not adversely impact water quality and natural habitat.

Policy 3.3

Brevard County shall continue to make efforts to prevent negative impacts of development in and adjacent to the Indian River Lagoon and its tributaries designated as Class II waters, Aquatic Preserves and Outstanding Florida Waters by implementing and revising as necessary, the Surface Water Protection Ordinance, including the following minimum criteria:

Criteria:

- A. Maintain a fifty (50) foot surface water protection buffer from the ordinary high water line, mean high water line, or safe upland line as determined or

approved by the FDEP Bureau of Survey and Mapping. In lieu of an approved ordinary high water line, mean high water line, or safe upland line, an alternative buffer establishment line that approximates the land-water interface may be approved administratively as defined in ordinance. The use of the alternative buffer establishment line shall only be applied to shorelines with a clearly defined land-water interface.

- B. Except as allowable under Policies 3.3.C and 3.3.D, primary structures shall not be permitted within the surface water protection buffer. The County shall establish allowable uses within the surface water protection buffer. Stormwater management for all alterations associated with allowable uses shall be required to protect water quality of the receiving water body. Provisions for the alteration and/or removal of non-native invasive plants, mitigation projects, and the planting of native species shall be established by the County.
- C. For residential lots platted or established by deed on the official record books of Brevard County prior to September 8, 1988, an alternative to the fifty (50) foot surface water protection buffer described above shall be available for those lots which have insufficient lot depth to construct a primary structure. In the case where there is insufficient lot depth to construct a primary structure, this alternative shall allow the surface water protection buffer to be reduced to twenty five (25) feet if additional measures are taken to preserve water quality and natural habitat within the adjacent surface water body. These additional measures shall, at a minimum, prevent the first inch of stormwater runoff from entering surface waters; and may include, but not be limited to, a stormwater retention system or native shoreline revegetation. Where applicable, stormwater management measures shall be consistent with DEP 62-25, as amended and FS 373, as amended.
- D. For residential lots located along areas of the Indian River Lagoon and its tributaries added to the State's designation of Class II Waters as of February 17, 2016, and platted or established by deed on the official record books of Brevard County prior to that date, an alternative to the fifty (50) foot surface water protection buffer described above shall be available for those lots which have insufficient lot depth to construct a primary structure. In the case where there is insufficient lot depth to construct a primary structure, this alternative shall allow the surface water protection buffer to be reduced to twenty five (25) feet if additional measures are taken to preserve water quality and natural habitat within the adjacent surface water body. These additional measures shall, at a minimum, prevent the first inch of

stormwater runoff from entering surface waters; and may include, but not be limited to, a stormwater retention system or native shoreline revegetation. Avoidance and minimization of buffer impacts shall be required. Where applicable, stormwater management measures shall be consistent with DEP 62-25, as amended and FS 373, as amended. Lots located along areas of Aquatic Preserves and Outstanding Florida Waters shall maintain a fifty (50) foot surface water protection buffer in accordance with Policy 3.3.A, B, and C.

- E. Within the surface water protection buffer the maximum amount of impervious surface is thirty (30) percent.
- F. Prohibit shoreline alteration other than that allowed by ordinance, unless the alteration is in the public interest and does not adversely impact water quality, natural habitat, and adjacent shoreline uses.
- G. Prohibit channelization, dredging and filling, and impoundment of natural waters of the State unless the activity is clearly in the public interest and does not adversely impact water quality, natural habitat, and adjacent shoreline uses. Dredging shall not be permitted in or connected to Class II Waters, Outstanding Florida Waters (OFWs), Aquatic Preserves, areas that contain ten percent (10%) seagrass or more, and conditionally approved shellfish harvesting waters unless the activity is a federal navigation project, in the public interest, such as approved maintenance dredging of existing public or private navigational channels, or where dredging may improve water quality by removing accumulated silt or improving circulation, or for maintenance of existing structures and utility structures and utility crossings, or for shoreline hardening as allowed by this element.
- H. Prohibit discharges of any substances below ambient water quality standards.

Policy 3.4

Brevard County shall continue to prevent negative impacts of development in and adjacent to Class III waters (except Outstanding Florida Waters and Aquatic Preserves) along the St. Johns River and Indian River Lagoon and its tributaries by implementing and revising as necessary, the Surface Water Protection Ordinance including the following minimum criteria:

Criteria:

- A. A twenty five (25) foot surface water protection buffer from the ordinary high water line, mean high water line, or the safe upland line as determined or approved by the FDEP Bureau of Survey and Mapping shall be

established. In lieu of an approved ordinary high water line, mean high water line, or safe upland line, an alternative buffer establishment line that approximates the land-water interface may be approved by the director. The use of the alternative buffer establishment line shall only be applied to shorelines with a clearly defined land-water interface.

- B. Except as allowable under Policies 3.4.C and 3.4.D, primary structures shall not be permitted within the surface water protection buffer. The County shall establish allowable uses within the surface water protection buffer. Stormwater management for all alterations associated with allowable uses shall be required to protect water quality of the receiving water body. Provisions for the alteration and/or removal of non-native invasive plants, mitigation projects, and the planting of native species shall be established by the County.
- C. For residential lots platted or established by deed on the official record books of Brevard County prior to September 8, 1988, an alternative to the twenty five (25) foot surface water protection buffer described above along Class III waters shall be available for those lots which have insufficient lot depth to construct a primary structure. In the case where there is insufficient lot depth to construct a primary structure, this alternative shall allow the surface water protection buffer to be reduced to fifteen (15) feet if additional measures are taken to preserve water quality and natural habitat within the adjacent surface water body. These additional measures shall, at a minimum, prevent the first inch of stormwater runoff from entering surface waters; and may include, but not be limited to, a stormwater retention system or native shoreline revegetation. Where applicable, stormwater management measures shall be consistent with DEP 62-25, as amended and FS 373, as amended.
- D. Prohibit shoreline alteration other than that allowed by ordinance, unless it is in the public interest or prevents or repairs erosion; and does not adversely impact water quality, natural habitat and adjacent shoreline uses.
- E. Except for properties on existing residential manmade canals, the maximum amount of impervious surface within the surface water protection buffer is thirty (30) percent.
- F. Prohibit discharges of any substances below ambient water quality standards.

CONSERVATION ELEMENT

Flood Plain Areas

Objective 4

Reduce loss of flood storage capacity and reduce risk to life and property by continuing to apply regulations which minimize the impact of development within flood hazard areas.

Policy 4.1

Brevard County shall continue to protect the riverine floodplain in order to protect infrastructure and human life, conserve flood storage capacities, and to improve, where feasible, the quality of water within the watershed. The preferred land use, density and fill footprint of the riverine floodplain is in the predevelopment natural state and Brevard County supports the use of fee simple acquisition, less than fee acquisition, transfer of development rights, appropriate development standards, and other innovative measures to preserve and restore the predevelopment riverine floodplain. At a minimum, the following criteria shall be the basis for the protection of the riverine floodplain:

Criteria:

- A. Within the 100-year riverine floodplain (that is the area that is below the 100-year flood elevation but above the 25-year flood elevation):
 - 1. Residential density shall be limited to no more than two dwelling units per acre.
 - 2. Commercial, institutional, and industrial land uses shall be limited to a filled footprint of no more than 15,000 square feet per acre, except for redevelopment as specified in Policy 4.3.
 - 3. Development shall not adversely impact the drainage of adjoining properties. There shall be no net loss of flood storage capacity of the 100-year riverine floodplain, except undeveloped parcels created prior to the effective date of this policy may fill up to 1/3 acre filled footprint for development without providing compensatory storage.
 - 4. The following uses are not compatible with the resource requirements of the 100-year riverine floodplain and shall not be permitted. These include, but are not limited to:
 - a. Placing, depositing or dumping of solid waste except for treated municipal solid sludge.

- b. Processing and storing of threshold amounts of hazardous materials.
 - c. Disposal of hazardous materials.
- B. Within the 25-year riverine floodplain (that is the area that is at or below the 25-year flood elevation but above the 10-year flood elevation):
 - 1. Residential density shall be limited to not more than one dwelling unit per two and one-half acres.
 - 2. Commercial land uses shall be limited to a filled footprint of no more than 3,000 square feet per acre and commercial uses shall be no greater than one acre, except for redevelopment as specified in Policy 4.3.
 - 3. Industrial land uses shall be prohibited, unless the activity is in the best public interest, or except for mining where it does not increase the filled footprint within the 25-year floodplain.
 - 4. Development shall not adversely impact the drainage of adjoining properties. There shall be no net loss of flood storage capacity of the 25-year riverine floodplain.
- C. Within the 10-year riverine floodplain (that is the area that is at or below the 10-year flood elevation but above the mean annual flood elevation):
 - 1. The 10-year riverine floodplain should be maintained in its natural state unless a project has a special reason or need to be located there. These special reasons and needs are further defined in the land development regulations. These needs may include but are not limited to agriculture and passive recreation.
 - 2. Residential density shall be limited to not more than one dwelling unit per ten acres; and
 - 3. Commercial, institutional, and industrial land uses shall be prohibited unless they are in the public interest and the location of the use is integral to its operation.
 - 4. Development shall not adversely impact the drainage of adjoining

CONSERVATION ELEMENT

properties. There shall be no net loss of flood storage capacity of the 10-year riverine floodplain.

- D. Within the mean annual riverine floodplain (that is the area that is at or below the annual flood elevation) residential, commercial, institutional, and industrial land uses shall be prohibited unless the project has a special reason or need to locate within the annual floodplain and it is in the best public interest. The annual riverine floodplains within Brevard County should be left in their natural state, and re-established where feasible.
- E. The best available data shall be utilized to determine appropriate floodplain elevations.

Policy 4.2

The following criteria shall apply to all riverine floodplains:

Criteria:

- A. There shall be no net change in the rate and volume of floodwater discharged from the pre-development 100-year, 25-year, 10-year, or mean annual riverine floodplain.
- B. Practices shall be encouraged in development of property within the riverine floodplain in order to minimize total imperviousness and runoff within the floodplain and preserve the flood storage capacity in order to minimize cost to life and property. Practices may include clustering of developed area, provisions for open space, low impact design features, and flood proofing.
- C. The County shall provide incentives for transfer of densities and filled footprints within the riverine floodplain to reduce risk.
- D. Brevard County will coordinate with the SJRWMD or other appropriate agencies in determining the appropriate first floor building elevation within the 25- to 100-year floodplain and shall ensure that habitable structures are constructed above base flood elevation.

Policy 4.3

To facilitate redevelopment of commercial and industrial land uses, the filled footprint restrictions may be modified if compensatory storage is provided. Noncontiguous compensatory storage, hydrologically connected to the impacted floodplain may be considered. Redevelopment means the renovation of a previously

developed obsolete commercial or industrial parcel of land or building site which suffers from structural vacancy due to the expiration of its former use and requires intervention to achieve a subsequent useful function and come into compliance with all other current environmental and land development regulations.

Policy 4.4

New dikes, levees or other such structures should not be permitted below the 100-year riverine flood elevation except for temporary earthen structures that have a maximum height of less than the 10-year flood elevation and which will not restrict the flow of the 100-year storm floodwaters. The only potential exceptions to this provision are such structures which are shown to have over-riding public benefit. Replacement or repair of dikes, levees and other such structures are permitted as long as such replacement or repair does not change the status of the floodplain and will maintain the existing ability to utilize the property. Non-structural methods of floodplain management are given priority over structural methods.

Policy 4.5

Brevard County shall continue to protect the estuarine floodplains by implementing the following minimum criteria:

Criteria:

- A. Development within the one-hundred year estuarine floodplain shall not adversely impact the drainage of adjacent properties or the quality of the receiving surface water body.
- B. The following specific uses are not compatible with the resource requirements of the one-hundred year estuarine floodplain and shall not be permitted. These include, but are not limited to:
 - 1. Placing, depositing, or dumping of solid wastes.
 - 2. Processing and storing of threshold amounts of hazardous materials.
 - 3. Disposal of hazardous materials.
- C. The annual estuarine floodplains within Brevard County should be left in their natural state, and re-established where feasible.

Policy 4.6

Brevard County shall continue to ensure that alterations of isolated one-hundred year floodplains do not adversely impact the drainage of adjacent properties or public

drainage facilities.

Policy 4.7

Brevard County shall continue to protect the coastal floodplain through the implementation of the following minimum criteria:

Criteria:

- A. Prohibit development within the annual coastal floodplain.
- B. Limit development water-ward of the Brevard County Coastal Construction Setback Line to those structures necessary to protect the natural dune system and to provide beach access.
- C. Brevard County shall continue to maintain construction standards for all development within the one-hundred year storm surge zone as established by the Florida Department of Environmental Protection, the U.S. Southern Building Code, or other applicable regulations.

Policy 4.8

Brevard County shall identify structural controls within the floodplain which degrade natural systems and make recommendations for alternatives to re-establish the natural floodplain, where feasible.

Policy 4.9

Brevard County shall continue to participate in the National Flood Insurance Program (NFIP) administered by the Federal Emergency Management Agency (FEMA). Amendments to the County's flood ordinance shall be adopted as necessitated by changes in FEMA regulations.

Policy 4.10

Public facilities should not be located within the 100-year riverine or estuarine floodplain unless the following apply:

Criteria:

- A. The facilities are water-dependent, such as mosquito control facilities; or,

- B. The facilities are water-related, such as boat ramps, docks or surface water management facilities; or,
- C. The facilities are not adversely affected by periodic flooding or standing water, such as highway bridges and some recreational facilities; or,
- D. The building structures are flood-proofed and located above the 100-year flood elevation, or removed from the floodplain by appropriately constructed dikes or levees; or,
- E. The facilities are found to be in the public interest and there is no feasible alternative.

Wetlands

Objective 5

Preserve, protect, restore, and replace wetlands to achieve no net loss of functional wetlands in Brevard County after September, 1990. The County shall ensure the protection of wetlands and wetland functional values by prioritizing protective activities with avoidance of impacts as the first priority, minimization of impacts as the second priority, and mitigation for impacts as the third priority.

Policy 5.1

Brevard County shall utilize the same methodology, soil types, hydrological requirements and vegetation types as the FDEP and the SJRWMD in delineating wetlands.

Policy 5.2

Brevard County shall adopt regulations which promote no net loss of functional wetlands. At a minimum, the following criteria shall be included in the land development regulations:

Criteria:

- A. The basis for no net loss shall be established in ordinance.
- B. Wetlands shall be considered functional unless the applicant demonstrates that the water regime has been permanently altered, either artificially or naturally, in a manner to preclude the area from maintaining surface water or hydroperiodicity necessary to sustain wetland functions.

- C. If an activity is undertaken which degrades or destroys a functional wetland, the person performing such an activity shall be responsible for repairing and maintaining the wetland. If it is not feasible or desirable for the responsible person to perform the repair and maintenance of the wetland, then the responsible person shall mitigate for the wetland loss. Mitigation can include, but not be limited to: wetland restoration, wetland replacement, wetland enhancement, monetary compensation or wetland preservation.
- D. Wetland activity conducted by a public agency may not be utilized for wetland mitigation credit by private persons unless approved by Brevard County.
- E. The following land use and density restrictions within wetlands are established as a maximum density or most intense land use that may be considered only if the other criteria established in Conservation Element Policy 5.2 are met:
 - 1. Residential land uses within wetlands, that are a part of a formal subdivision or site plan, on properties containing wetlands shall be limited to the following:
 - a. 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. 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 Policy 5.2.E (7), for subdivisions and multi-family parcels greater than five acres in area, New Town Overlays, PUDs, and if applicable, mixed-use land development activities as specified in Policy 5.2.E (6).
 - b. For development activities on property greater than five (5) acres, density may be transferred to an upland portion of the site if consistent with all county land development regulations and compatible with adjacent uses.
 - c. Except as allowable in Policy 5.2.E(1)a, subdivided lots and multi-family parcels shall contain sufficient uplands for the

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intended use and for any buffering necessary to maintain the function of the wetland(s), and shall be compatible with adjacent uses.

2. Residential land uses within wetlands and created by metes and bounds, which are not part of a formal subdivision, on properties containing wetlands shall be limited to the following:
 - a. 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 would render a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. The preceding limitation of one dwelling unit per five (5) acres within wetlands may be applied as a maximum percentage limiting wetland impacts as described in Policy 5.2.E (1)a above. Application of the one-unit-per-five-acres limitation shall limit impacts to wetlands for single family residential development on a cumulative basis, to not more than 1.8% of the total property as defined in Policy 5.2.E (7).
 - b. Except as allowable in Policy 5.2.E (2)a, properties shall contain sufficient uplands for the intended use and for any buffering necessary to maintain the function of the wetland(s), and shall be compatible with adjacent uses.
 - c. In addition to impacts allowable in Policy 5.2.E (2)a, on properties where sufficient uplands for the intended use and for any buffering necessary to maintain the function of the wetland(s) exist except for access, wetland impacts may be permitted for single access to the uplands.
3. Commercial and industrial land development activities shall be prohibited in wetlands contained in properties designated on the Future Land Use Map as commercial or industrial, and in surrounding upland buffers for such wetlands, except as provided below for I-95 interchanges, mitigation qualified roadways, abutting properties, and access to uplands. In no instance shall a proposed land development activity result in increased flooding on adjacent properties. Where the State does not require a buffer, wetland buffers specifications shall be established in land development regulations and be based on peer-reviewed

publications to include, but not be limited to, Buffer Zones for Water, Wetlands, and Wildlife in the East Central Florida Region, (1990, Brown, M.T., Schaefer, and K. Brandt, published by the Center for Wetlands, University of Florida). Where impacts are permitted, the applicant is encouraged to propose innovative wetland preservation alternatives.

- a. Impacts to wetlands are permissible for commercial or industrial land development activities on a property that is designated as commercial or industrial on the Future Land Use map, and is located within one-half mile of the intersection of the off-ramp of the I-95 interchange with the connecting roadway. The one-half mile radius shall extend from the end of the limited access boundary of I-95. This shall not include those interchanges where I-95 intersects a limited access highway as defined by Florida Statute. Where the State does not require mitigation for any wetland impact, mitigation shall be provided to meet the County's no net loss policy as defined in Objective 5.
- b. In mitigation qualified roadways, commercial or industrial land development activities may be permitted in wetlands contained in properties designated for commercial or industrial land uses on the Future Land Use Map. Mitigation qualified roadways are depicted and identified in a table on Map 8.

An amendment to the Comprehensive Plan shall be required to add a mitigation qualified roadway to Map 8 and the associated table. Impacts to high functioning and landscape level wetlands shall be prohibited unless the proposed impacts are found to be in the public interest, or overriding public benefit. Where the State does not require mitigation for any wetland impact, mitigation shall be provided to meet the County's no net loss policy as defined in Objective 5.

- c. Commercial or industrial land development activities may be permitted in wetlands contained in properties designated for commercial or industrial land uses on the Future Land Use Map prior to February 23, 1996, if the property abuts land(s) developed as commercial or industrial as of December 31, 2010, and has sufficient infrastructure available to serve the

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commercial or industrial use. This shall not apply to properties that are addressed under Policies 5.2.E.3.a, b, and d. Impacts to high functioning and landscape level wetlands shall be prohibited unless the proposed impacts are found to be in the public interest, or overriding public benefit. Where the State does not require mitigation for any wetland impact, mitigation shall be provided to meet the County's no net loss policy as defined in Objective 5.

- d. Impacts to wetlands for commercial or industrial land development activities limited solely to providing access to uplands, and for no other purpose than providing access as required by Brevard County land development regulations may be permitted in wetlands contained in properties designated on the Future Land Use Map as commercial or industrial of February 23, 1996, only if all of the following criteria are met:
 - (i) Sufficient uplands exist for the intended use except for access to uplands.
 - (ii) The property was not subdivided from a larger property after December 31, 2010. This shall not preclude a single shared access through wetlands for properties subdivided after December 31, 2010.
 - (iii) Where the State does not require mitigation for any wetland impact, mitigation shall be provided to meet the County's no net loss policy as defined in Objective 5.
4. Institutional and Residential Professional development activities within wetlands shall be limited to the following:
- a. Institutional or Residential Professional land development on properties which contain wetlands and which are designated on the Future Land Use Map as Neighborhood Commercial or Community Commercial shall be considered commercial as set forth in Policy 5.2.E.3. The property shall have sufficient infrastructure available to serve the use.
 - b. Institutional or Residential Professional land development on properties which contain wetlands and which are designated

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on the Future Land Use Map as residential shall be limited to properties of at least 5 acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than 5 acres, as unbuildable.

5. In the event that the denial of commercial or industrial development activities in wetlands results in an inordinate burden under the Bert Harris Property Rights Act or a taking under state or federal law, an affected property owner may appeal such denial to the Board of County Commissioners in the manner provided in Section 62-507(b)(2), Code of Ordinances of Brevard County, Florida.
6. Beginning on January 1, 2010, mixed-use land development activities may be permitted in wetlands only if all of the following are met:
 - a. The land development activities that impact wetlands must be part of a mixed use development that includes a minimum of three of the following land uses: residential, commercial (retail services and/or office), recreation/open space and institutional uses. Industrial land uses shall be prohibited in mixed use land development activities within wetlands. For purposes of this policy mixed use land development activities shall be consistent with the following criteria:
 - (i) The mixed use land development activity includes a variety of densities, intensities and types designed to promote walking between uses and utilizes a variety of transportation modes such as bicycles, transit and automobiles; and
 - (ii) The residential component of the land development activity is an integrated part of the project and comprises not less than 30% of the gross square footage of land uses within the development as shown on a site plan or a Sketch Plan complying with the standards set forth in Chapter 11, Objective 9.
 - (iii) The development is in conformance with an integrated site plan or commercial subdivision which includes both vertical and horizontal mix of uses within a defined area.

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- b. Impacts to wetlands from mixed-use development activities (including without limitation impacts resulting from associated improvements such as sidewalks, parking areas and driveways) do not exceed the limitation set forth in Policy 5.2 E(7); and
 - c. To the extent direct impacts to wetlands are caused by a particular building or buildings within a mixed-use development, not less than 30% of the gross square footage of such building or buildings must be for residential use; or such building or buildings shall be physically attached to a building having not less than 30% of its gross square footage permitted for residential use.
7. Impacts to wetlands from residential and mixed-use land development activities, on a cumulative basis, shall not exceed 1.8% of the non-commercial and non-industrial acreage of a DRI, PUD, parcel acreage or, if the project is within a New Town Overlay (as defined in Chapter 11, Objective 9), 1.8% of the non-commercial and non-industrial acreage within the applicable New Town Overlay.
8. Allowable wetland impacts shall be kept to a minimum and related to structural building area requirements, on-site disposal system requirements, the 100 year flood elevation requirement for first floor elevations, required stormwater management and parking, and required access to the on site structures. Minimization shall include application for available land development regulation waivers that would result in reduced wetland impacts.
9. Dumping of solid or liquid wastes shall be prohibited.
10. Applying or storing pesticides and herbicides should be prohibited unless such application is required for protection of the public health or removal of invasive, exotic, or nuisance plant species for management and mitigation or conservation purposes approved by Brevard County or removal of invasive, exotic, or nuisance plant species for management and mitigation or conservation purposes approved by Brevard County.

11. The County shall develop incentives to minimize impacts to highly functional wetlands.

F. Agricultural Activities

1. An exemption for agricultural pursuits, utilizing best management practices which do not result in permanent degradation or destruction of wetlands, shall be included within the land development regulation.
2. Wetland impacts for activities listed in agricultural zoning classifications as permitted, permitted with conditions, or approved by the Board of County Commissioners as a Conditional Use on properties designated as bona fide agricultural lands per F.S. 193.461 and 823.14, may be allowed subject to the following criteria:
 - a. The property shall be classified as bona fide agricultural per F.S. 193.461 and 823.14 for not less than ten consecutive years as of the date of the proposed impact;
 - b. The property shall have Agriculture Future Land Use designation or DRI Future Land Use designation and the proposed use is consistent with the defined agricultural uses under an approved DRI Development Order.
 - c. Upon approval of the impact, no less than 50 percent of the property area shall retain bona fide agricultural use pursuant to F.2.a above;
 - d. Impacts to high functioning or landscape level wetlands shall be prohibited unless the proposed impacts are found to be in the public interest, or overriding public benefit; and
 - e. The property shall have an agricultural zoning classification or be zoned PUD and the proposed use is consistent with the defined agricultural uses in the PUD zoning resolution or approved Preliminary Development Plan.

Where the allowable use is residential, residential policies shall apply. Sufficient buffer setbacks of the activity from incompatible land uses shall be provided. Buffer setbacks shall be established through the land development regulations. The property shall meet all other State

regulatory criteria.

Policy 5.3

Wetland regulations adopted by Brevard County should avoid duplication of wetland regulation unless regulated activities will result in the destruction and/or degradation of functional wetlands. Where the wetland degradation or destruction has been permitted by FDEP or SJRWMD based on FDEP and SJRWMD professional staff application of criteria and evaluation the County shall apply the land use and density requirements of Policy 5.2 and the avoidance, minimization of impacts, and mitigation priorities established by Objective 5. Any permitted wetland degradation or destruction shall provide for mitigation as designated in the Conservation Element.

Policy 5.4

Wetlands artificially created for wastewater treatment or disposal or for wetland stock nurseries shall not be subject to these regulations and shall not be used to fulfill the requirements of this objective (Objective 5).

Policy 5.5

Natural, isolated wetlands should be incorporated into water management systems where practical and appropriate, as an alternative to destruction of wetlands. Whenever wetlands are utilized within water management systems, quality of the water discharged to the wetlands, hydroperiods and stage elevations should be designed to maintain or enhance the wetland.

Policy 5.6

Wetlands policy should provide allowances to promote redevelopment, and urban and industrial infill.

Minerals

Objective 6

Brevard County shall continue to implement regulations regarding mining, borrow operations and private lakes which protect environmental systems and permit appropriate utilization of the mineral resources.

Policy 6.1

Mining regulations shall continue to include, at a minimum, the following provisions to prevent adverse effects on water quality and quantity.

Criteria:

- A. Mining operations are not permitted within Type 1 aquifer recharge areas, as defined by this Comprehensive Plan.

- B. Mining operations are not permitted within Type 2 aquifer recharge areas which are being used for a drinking water supply or where there is potential for private drinking water supply systems.
- C. Mining operations are not permitted within the 10-year floodplain of the St. Johns River or freshwater tributaries of the Indian River Lagoon or wetlands as protected within this Plan.
- D. Mining operations located within the watersheds of Class I surface waters shall not have adverse impacts on water quality and quantity of potable surface water sources.

Policy 6.2

The County's mining regulations shall continue to include, at a minimum, the following provisions to minimize adverse impacts to environmental resources.

Criteria:

- A. Mining operations should not adversely impact protected wetlands or other water dependent systems, and shall be set back a minimum of 100 feet from such wetlands, except as allowable per Policy 5.2.F.
- B. Mining operations shall not cause salt water intrusion. Monitoring by the mining operator shall be required to insure this requirement.

Policy 6.3

The County's mining regulations shall continue to include, at a minimum, the following provisions.

Criteria:

- A. Mining operations within any zoning classification shall require a Conditional Use Permit.
- B. Reclaimed mines shall have a minimum five (5) feet horizontally to one (1) foot vertically (5:1) side slopes to a normal water depth of at least five (5) feet below the water surface; subaqueous side slopes deeper than five (5) feet shall be no steeper than 2:1, and a littoral zone.
- C. When the borrow pit (lake) is to be utilized in conjunction with residential development, stormwater shall not be released directly into lakes with depths greater than eight (8) feet. Pretreatment of stormwater, for example via swales, shall be required.

Policy 6.4

A reclamation plan and proof of financial responsibility must be submitted and approved prior to the commencement of the mining operation. The reclamation plan shall address the following concerns, at a minimum.

Criteria:

- A. Average depth;
- B. Bottom contours and littoral zones;
- C. Revegetation plan, showing plant materials;
- D. Control of stormwater runoff and drainage;
- E. Recreational amenities, if any;
- F. Stocking with fish, if any; and
- G. Maintenance plan.

Policy 6.5

A concept plan to bind the operational scope and other physical features of the operation shall be submitted and approved prior to the commencement of the mining operation. The concept plan shall address the following criteria, at a minimum.

Criteria:

- A. Size and location of operation;
- B. Location of equipment and equipment storage;
- C. Extent of buffering and setbacks;
- D. Side slopes;
- E. Points of ingress and egress; and
- F. A vicinity map depicting removal routes that trucks and other vehicles will use to haul to sites or areas external to the borrow site.
- G. The required reclamation plan shall also be included.

Policy 6.6

Brevard County shall continue to implement regulations for land excavation operations in addition to those for commercial borrow operations. These regulations shall

include, at a minimum, the following:

Criteria:

- A. Definition of regulated land excavation operations. The construction of a private lake will not be used or constructed as a commercial borrow operation by virtue of its intended use, and maximum size.
- B. Exemptions, including the construction of swimming pools, and water retention areas required in conjunction with an approved site plan or subdivision plat.
- C. The minimum size to be regulated.
- D. Setbacks shall continue to be established in the private lake regulations from property lines and rights-of-way lines of a publicly owned road, street, highway, drainage, or public or private utility easements, and cable TV easements.
- E. Regulated excavations shall not be permitted within:
 - 1. Type 1 aquifer recharge areas as identified within this Plan or within;
 - 2. Type 2 aquifer recharge areas being utilized as sources for public drinking water supplies.
 - 3. Below the ten-year floodplain of freshwater tributaries of the Indian River Lagoon or the St. Johns River.
- F. Limitations shall be adopted on length of time that excavations may occur and hours of operation.
- G. Requirements for side slopes of the completed excavation.
- H. Maximum permitted depths.
- I. Reclamation requirements.

Soil Erosion

Objective 7

Eliminate inappropriate land use practices causing soil erosion and reduce sediment accumulation in the Indian River Lagoon, St. Johns River and other large surface water

bodies.

Policy 7.1

Brevard County shall continue to implement its adopted land clearing, tree protection, and landscaping ordinances to address revegetation and premature land clearing.

Criteria:

- A. Require permitting prior to land clearing unless exempt by ordinance.
- B. Require phased clearing in conjunction with phased construction.
- C. Require permits for the removal of trees or vegetation in conjunction with land surveying unless exempt by ordinance.
- D. Require areas cleared of vegetation to be revegetated with biologically appropriate vegetation, to prevent wind or water erosion, within ninety (90) days of initial land clearing activity where no approved landscape plan exists or no active development order has been issued. Native vegetation should be utilized to the maximum extent possible.
- E. Exempt single-family residential lots of two and one-half (2 1/2) acres or less in size from the requirement of written notification to clear land, if the activity complies with ordinance, after the issuance of a Certificate of Occupancy for the single-family residential lot.
- F. Exempt land clearing in conjunction with agricultural purposes or normal silviculture conducted in accordance with F.S. 193.461, as amended.

Policy 7.2

Where localized soil erosion is noted by Code Enforcement, the Natural Resources Management Department, or other County agency, the Land Conservation Assistance Program (LANDCAN) will be contacted and their recommendations shall be incorporated into a program instituted to assist the landowner to renourish and stabilize such areas.

Policy 7.3

In those cases where soil erosion is of concern, especially properties along the Atlantic Ridge, Brevard County shall request review by the LANDCAN. Brevard County shall consider their recommendations in the design, review and development of projects. Projects should minimize impervious surfaces by using pervious surfaces where ever feasible, such as for overflow parking.

Policy 7.4

Brevard County will participate with the LANDCAN to educate the public about the causes of soil erosion, as well as methods for preventing or repairing such erosion.

Policy 7.5

Brevard County should employ Best Management Practices for control of erosion and sedimentation for road construction and other County projects.

Policy 7.6

Brevard County shall utilize techniques in the installation of new facilities or improvement of existing facilities to minimize sediment accumulation within surface water bodies and wetlands.

Criteria:

- A. Turbidity screens shall be utilized for all projects which have the potential to release sediments.
- B. All runoff shall be detained prior to release to allow pollutants, soil, particulates and organic materials to settle out.
- C. Phased projects should be cleared in conjunction with construction of each phase.
- D. Areas cleared of vegetation should be revegetated with appropriate vegetation, to prevent wind or water erosion, within ninety (90) days of initial land clearing activity where no approved landscape plan exists or no active development order has been issued.

Vegetation

Objective 8

Conserve, appropriately use and protect native vegetative communities, including forests as appropriate, by regulating land clearing and landscaping practices within Brevard County.

Policy 8.1

Brevard County shall continue to implement and improve the land clearing and tree protection ordinance, and the landscaping ordinance, as amended.

Policy 8.2

Brevard County shall continue to utilize information from the East Central Florida Regional Planning Council and other agencies in undertaking a program to

inventory and identify vegetative communities within the County, and to determine loss rates and rarity of such communities.

Policy 8.3

Brevard County shall continue to review all development plans for compliance with vegetative protection regulations developed by ordinance and adopted in Chapter 62, Article XIII, Division 2 of the Land Development Regulations that meet the objectives of F.S. 163.3177 and F.S. 163.3178. Brevard County shall continue to encourage the use of community green space and clustering developments through the open space ordinance, and shall coordinate with the Building and Construction Advisory Committee, the Brevard County Home Builders Association and other appropriate groups to continuously improve environmental design incentive program.

Policy 8.4

Brevard County should continue to utilize scientific advisory groups to investigate preservation of vegetation, particularly of upland communities. These groups are ad hoc based upon the Board direction. The Environmentally Endangered Lands Program, Selection and Management Committee (SMC) may also be used to support these investigations when consistent with policy.

Policy 8.5

Brevard County shall conserve, appropriately use and protect vegetative communities, including forests, from inappropriate development through the continued implementation of the Landscaping, Land Clearing and Tree Protection ordinance: using the following minimum criteria:

Criteria:

- A. Heat Island Mitigation.
- B. Vegetative Buffering.
- C. Vegetative Loss Replacement.

Policy 8.6

Brevard County should continue to develop programs for county-wide acquisition of unique vegetative communities which have been identified for protection. This acquisition shall be voluntary, and shall not include the use of eminent domain.

Policy 8.7

Brevard County should contact the municipalities within the county and pursue developing a county-wide vegetation protection ordinance to standardize existing landscaping ordinances.

Policy 8.8 Reserved

Policy 8.9

Brevard County shall continue to incentivize continued use of agricultural and silvicultural lands which are unique to Brevard County. These programs should include, but not be limited to, regulatory incentives and assistance for agriculture landowners, voluntary agricultural or silvicultural districts, time-certain dedications, purchase or transfer of development rights, and voluntary fee simple purchase of agricultural or silvicultural lands.

Policy 8.10

Brevard County shall develop a county-wide program for invasive exotic removal on public lands and shall educate private property owners on reasons to remove invasive exotics from private lands. This program should emphasize replacement of invasive exotics with native vegetation where feasible.

Wildlife

Objective 9

Protect endangered and threatened wildlife species and species of special concern from adverse impacts due to loss of crucial habitat.

Policy 9.1

Brevard County shall continue to obtain and utilize information from the U.S. Fish and Wildlife Service, Florida Fish and Wildlife Conservation Commission, Florida Department of Environmental Protection, Florida Natural Areas Inventory, East Central Florida Regional Planning Council and other agencies to inventory and identify crucial habitat for endangered or threatened wildlife species and species of special concern within the County, and to determine loss rates and rarity of such habitat.

Policy 9.2

Brevard County shall continue to make available state and federal maps at the pre-application stage of all projects requiring site-plan or subdivision approval to guide future development away from crucial habitats.

Policy 9.3

Brevard County should coordinate a scientific advisory group to investigate preservation of wildlife habitat, particularly of upland communities.

Policy 9.4

Brevard County shall continue the Environmentally Endangered Lands Program

(EEL), as authorized by the voter-approved public referendums in September 1990 and 2004. This program shall remain committed to acquiring, protecting, and maintaining environmentally endangered lands and making improvements as appropriate for passive recreation and environmental education.

Policy 9.5

Development of Brevard County owned conservation areas shall be in accordance with the intent of the original acquisition.

Policy 9.6

Prior to development of any county-owned property, an environmental assessment should be completed which would analyze the impact of the proposed development on the natural resources and wildlife habitat of the property.

Policy 9.7

Brevard County shall continue to rely upon the Environmentally Endangered Lands (EEL) Program, Selection and Management Committee (SMC) land acquisition analysis and the Florida Fish and Wildlife Conservation Commission (FWCC) adopted in 1994, revised in 2006, wildlife corridor studies to determine the appropriateness of wildlife corridors, how extensive they should be, and the location of potential corridors. Brevard County should explore what fiscal resources, including the EELs program, are available for implementation and possible economic incentives for property owners to voluntarily participate in formation of a wildlife corridor program.

Policy 9.8

Brevard County shall delineate and protect linkages between natural systems and the open space systems.

Policy 9.9

On February 7, 2003, the Florida Fish and Wildlife Conservation Commission approved the Brevard County Manatee Protection Plan (MPP). The MPP includes the following major components: habitat protection, education, boat facility siting, State of Florida manatee protection boat speed zones, manatee mortality, law enforcement, and boating safety. In addition to the criteria established in the MPP and incorporated into the Coastal Element, the following criteria shall also apply:

Criteria:

- A. All existing and new marinas shall erect manatee education and awareness signs, which will be posted and maintained in a prominent location. Each marina operator shall establish and maintain a permanent manatee educational display at a prominent location at their marina. Brevard County shall establish and maintain a display at public boat launch facilities and license tag agencies.

- B. Those involved in the sale of boats and motors should provide manatee information to the buyer at the time of delivery of boats or motors.
- C. Brevard County shall maintain well-marked speed limit signs, in accordance with the uniform waterway marker program, for manatee protection and boating safety speed zones established by local ordinance only.
- D. Brevard County, or other appropriate agencies, shall develop standardized information packet containing information regarding manatees and regulations protecting manatees for distribution by the U.S. Fish and Wildlife Service, Florida Department of Environmental Protection, Brevard Marine Association, and other agencies or groups as appropriate. This will include information concerning the existing manatee slow speed or idle zones, and any additional zones which may be deemed necessary within areas frequented by manatees.
- E. Brevard County shall continue to monitor manatee protection measures to determine their effectiveness.
- F. Brevard County shall identify areas containing significant manatee habitat features. Marinas with powerboat slips should not be sited within these areas.

Policy 9.10

Brevard County should continue to enforce its sea turtle protection ordinance in order to protect sea turtles along the County's beaches. Efforts shall be made to make beachfront lighting ordinances within the County uniform. This may be accomplished through interlocal agreements.

Policy 9.11

Beach renourishment and dune restoration plans shall continue to be designed and implemented so that sea turtle nesting is not disrupted.

Policy 9.12

Brevard County Natural Resources Management Department shall continue to comply with the county-wide scrub-jay Habitat Conservation Plan as approved by the US Fish and Wildlife Service. Management plans shall be developed for other species, as deemed necessary.

Policy 9.13

The Brevard County Natural Resources Management Department shall make available to the development community, State prepared model management plans for other endangered and threatened species and species of special concern dependent upon habitat rarity and loss rates as described in Policies 9.2, 9.7, and 9.12, in this element.

Policy 9.14

Brevard County shall continue to assist in the application of, and compliance with, all state and federal regulations which pertain to endangered, or threatened species and species of special concern.

Policy 9.15

The County shall continue to implement education programs to promote the preservation of endangered and threatened species and species of special concern as well as their habitat, with the assistance of the Florida Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission, and the U.S. Fish and Wildlife Service, and other agencies or groups as appropriate. Brevard County encourages the development of post-development wildlife management plans which would enhance the wildlife potential of existing developments.

Policy 9.16

Brevard County supports the use of Turtle Excluder Devices (TEDs) or other devices to protect wildlife from shrimp and other fishing nets.

Aquifer Protection

Objective 10

Maintain the surficial and Floridan aquifer systems for reasonable and beneficial uses.

Policy 10.1

Brevard County shall continue to implement the aquifer protection ordinance.

Policy 10.2

At a minimum, the following criteria shall be incorporated into the land development regulations to protect the aquifer.

Criteria:

- A. In Type 1, 2, and 3 aquifer recharge areas, post-development groundwater recharge volume shall equal pre-development recharge volume. The maximum allowable impervious surfaces in these areas shall be: Type 1 - 25%; Type 2 - 35%; and Type 3 - 45% unless the developer can demonstrate that post-development recharge volume shall equal pre-development recharge volume and dependent upon additional regulations and local

conditions. Citrus, improved pasture, row crop agricultural operations, and normal silvicultural operations using Best Management Practices shall be exempt.

- B. For water quality purposes, stormwater run-off in Type 1, 2, and 3 aquifer recharge areas should be directed through a vegetated stormwater management system which at a minimum has a soil depth of at least two feet above the seasonal high water table. Citrus, improved pasture, row crop agricultural operations, and normal silvicultural operations using Best Management Practices shall be exempt. If alternative methods can be shown to meet an equal or greater degree of stormwater treatment these methods may be considered.
- C. Within Type 1 aquifer recharge areas, the following are prohibited:
 - 1. New septic tanks.
 - 2. New underground storage tanks.
 - 3. Storage of threshold amounts of hazardous materials.
 - 4. Disposal of hazardous materials.
- D. Within Type 2 aquifer recharge areas, the following are prohibited:
 - 1. Storage of threshold amounts of hazardous materials.
 - 2. Disposal of hazardous materials.
- E. Within Type 3 aquifer recharge areas, the disposal of hazardous materials is prohibited.
- F. Groundwater withdrawals shall be managed to prevent salt water intrusion and adverse affects to existing wells. Anyone proposing a new public water supply well must own or control all areas within 500 feet of the proposed well.
- G. An applicant can show that the area does not function as a recharge area by providing additional information about hydrogeologic conditions on site which may include vertical permeability as found in the Aquifer Protection ordinance.

Policy 10.3

Brevard County shall support the City of Titusville's efforts to obtain G-1 sole source aquifer designation.

Policy 10.4

Brevard County shall continue cooperation with the City of Titusville through Ordinance No. 99-010E and pre-annexation agreements for properties within the City's Area of Critical Concern in order to carry out Titusville's aquifer protection policies and the provision of potable water.

Policy 10.5

Brevard County shall develop a public education program concerning the importance and methods of protecting the County's surficial and Floridan aquifers.

Policy 10.6

Brevard County shall continue to regulate land uses which involve the storage, production, use and disposal of threshold amounts of regulated substances identified as priority pollutants by the Environmental Protection Agency in 40 CFR 401.15, as amended within Type 1, Type 2, and Type 3 aquifer recharge areas. These regulations shall meet the state criteria for protecting wellfields.

Policy 10.7

Brevard County should include LID and GSI design principles in public capital projects and prioritize stormwater retention projects that seek to recharge the aquifer where feasible and fiscally prudent.

Policy 10.8

Brevard County shall review its public facilities infrastructure and operations for potable water conservation opportunities.

Energy Conservation**Objective 11**

Brevard County shall develop strategies through transportation decisions and planning to address the reduction of greenhouse gas emissions, energy conservation and energy efficient design.

Policy 11.1

Sites for new public facilities serving large numbers of people shall be close to or within population centers to minimize automobile use.

Policy 11.2

The County shall promote car pooling opportunities for commuters with the same destination.

Policy 11.3

The County shall encourage the use of transit opportunities and other alternate modes of transportation throughout the County.

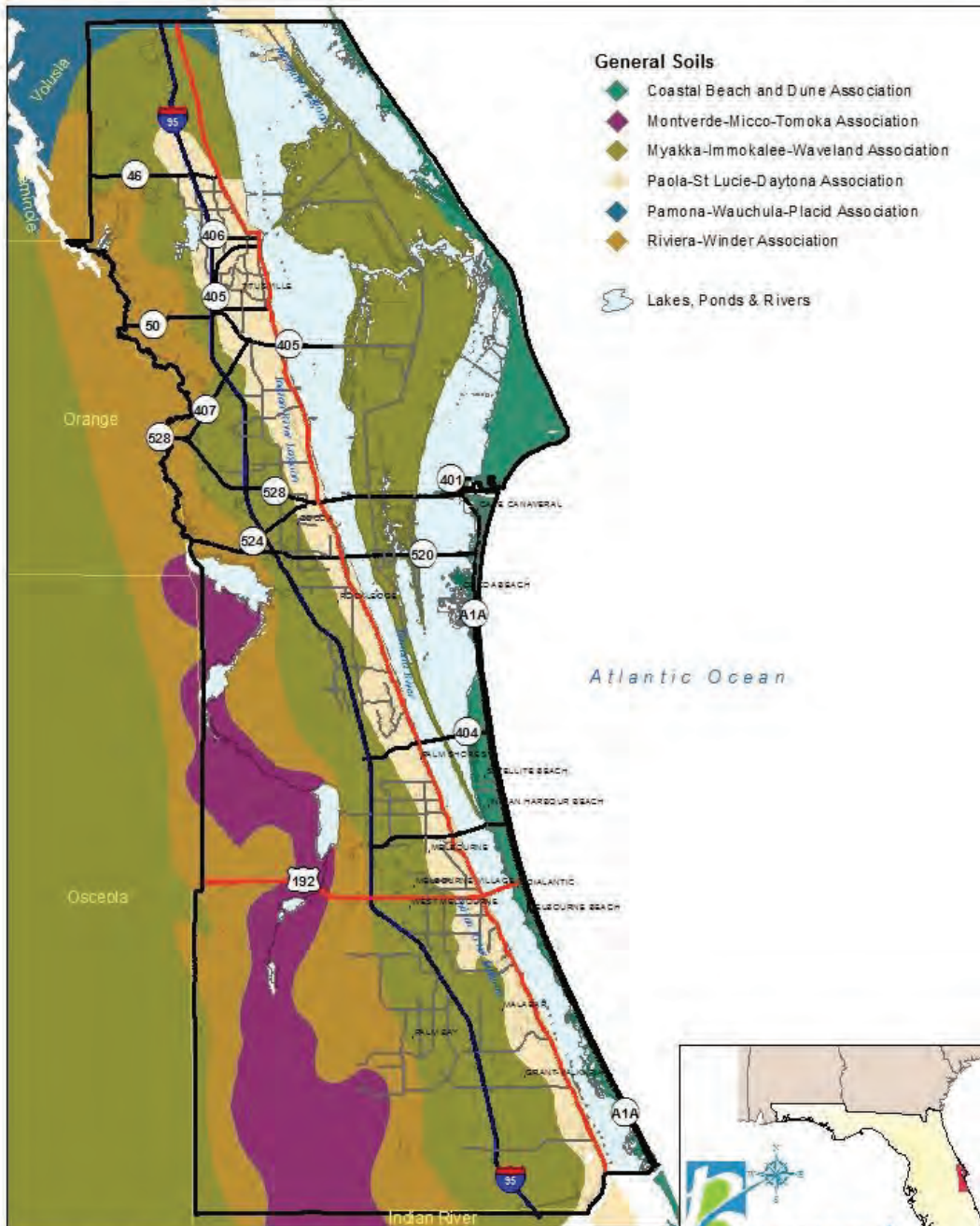
Policy 11.4

The County shall continue its education program to promote bicycle, pedestrian and other non-motorized transportation options to reduce vehicle miles traveled.

APPENDIX

LIST OF MAPS

Map	Title
1	General Soils
2	Vegetation
3	Floodplains
4	Surface Water - Classification
5	Wetlands
6	Mitigation Qualified Roadways
7	Landscape Level Polygon



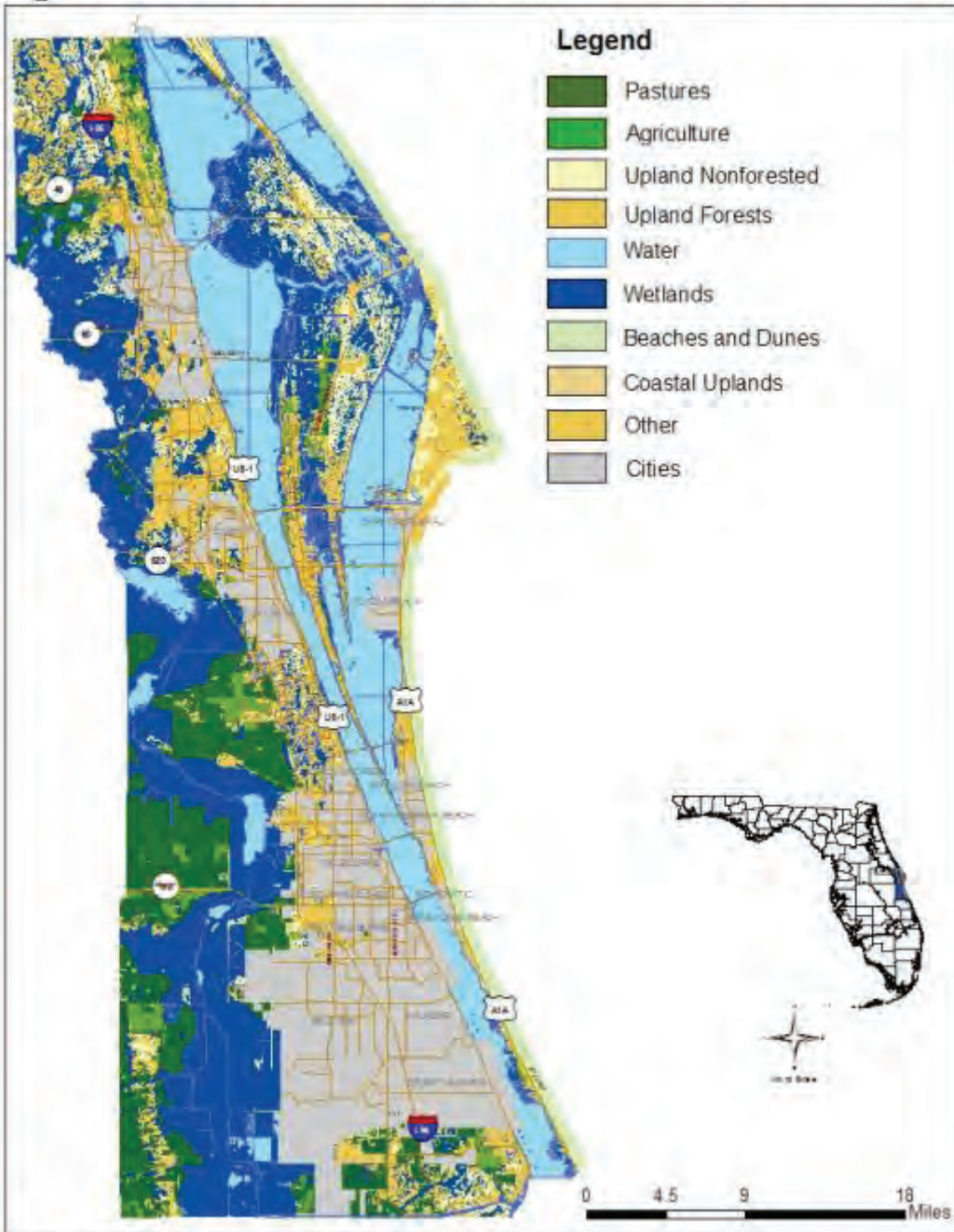
Conservation Element
General Soils Map



10/4/2017

Map 1
Soils

CONSERVATION ELEMENT

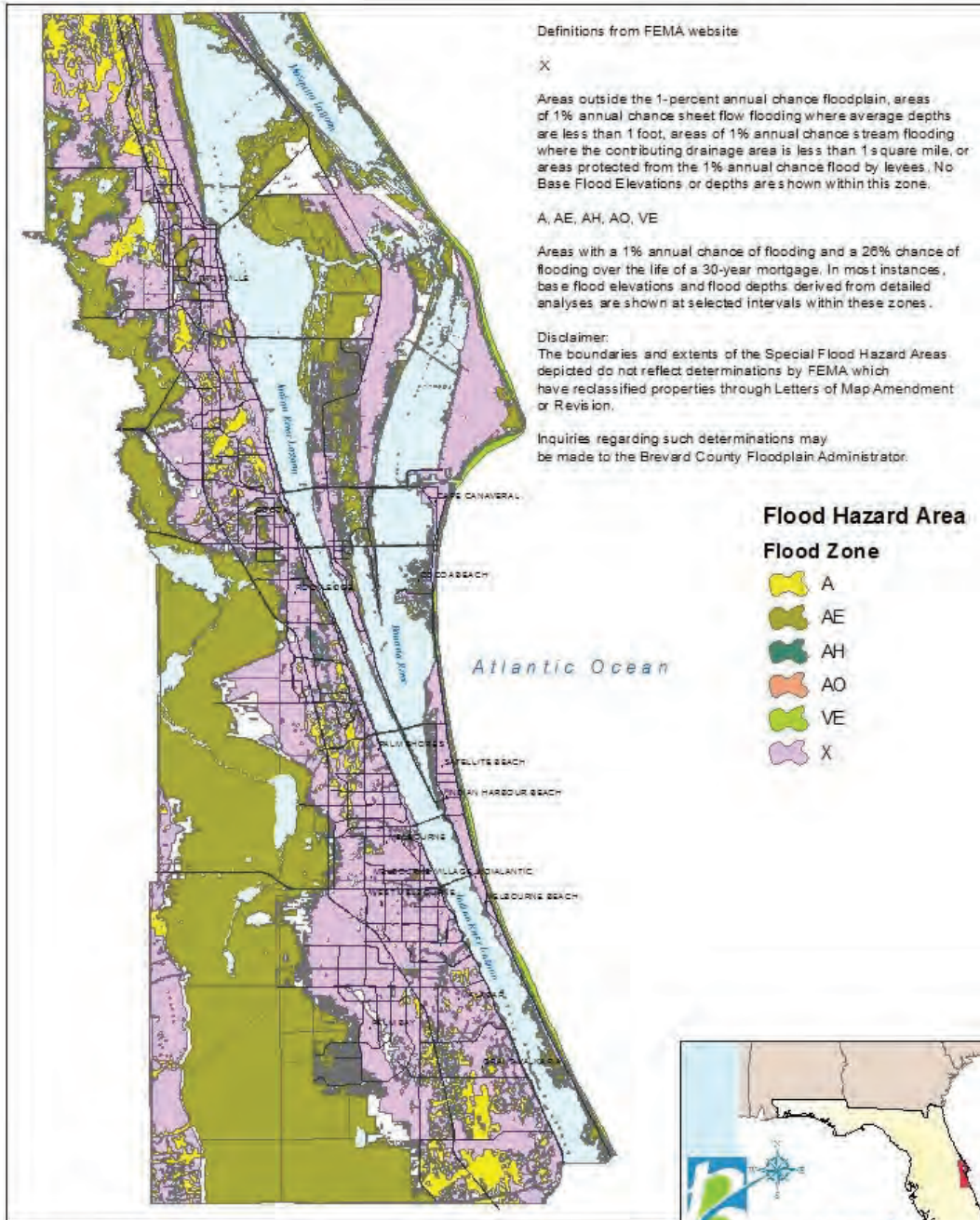


**Conservation Element
Vegetation**

Prepared by: Brevard County Natural Resources Management Office
Notes: State Plane 1984, Florida East
Vegetation by SJRWMD based on aerial photography, FLUCFCS codes.
General soil map produced by mapping soil series by their order classifications

**Map 2
Vegetation**

CONSERVATION ELEMENT



Definitions from FEMA website

X

Areas outside the 1-percent annual chance floodplain, areas of 1% annual chance sheet flow flooding where average depths are less than 1 foot, areas of 1% annual chance stream flooding where the contributing drainage area is less than 1 square mile, or areas protected from the 1% annual chance flood by levees. No Base Flood Elevations or depths are shown within this zone.

A, AE, AH, AO, VE

Areas with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30-year mortgage. In most instances, base flood elevations and flood depths derived from detailed analyses are shown at selected intervals within these zones.

Disclaimer:

The boundaries and extents of the Special Flood Hazard Areas depicted do not reflect determinations by FEMA which have reclassified properties through Letters of Map Amendment or Revision.

Inquiries regarding such determinations may be made to the Brevard County Floodplain Administrator.

**Flood Hazard Area
Flood Zone**

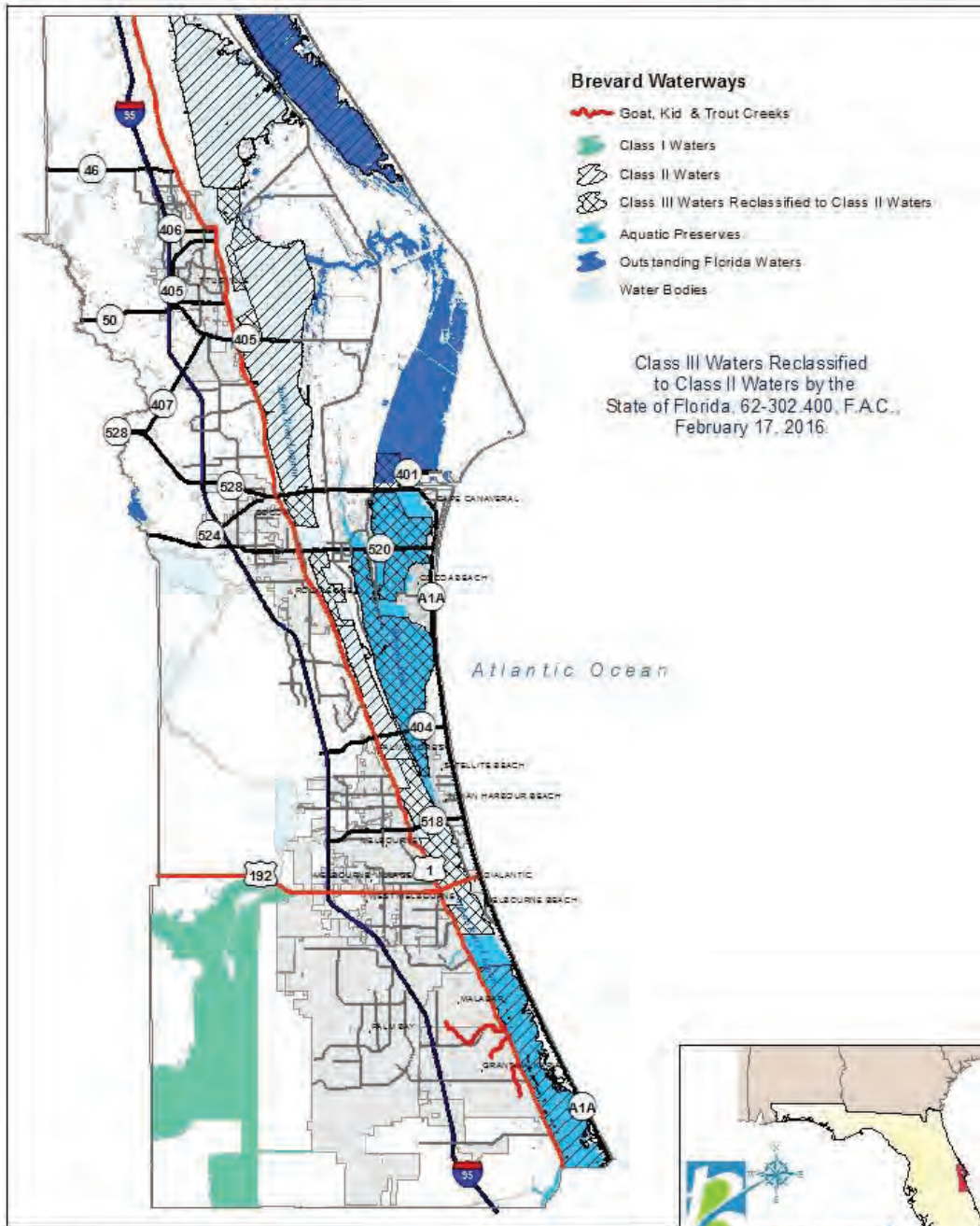
-  A
-  AE
-  AH
-  AO
-  VE
-  X

**Conservation Element
Flood Zones**



9/28/2017

**Map 3
Floodplains**



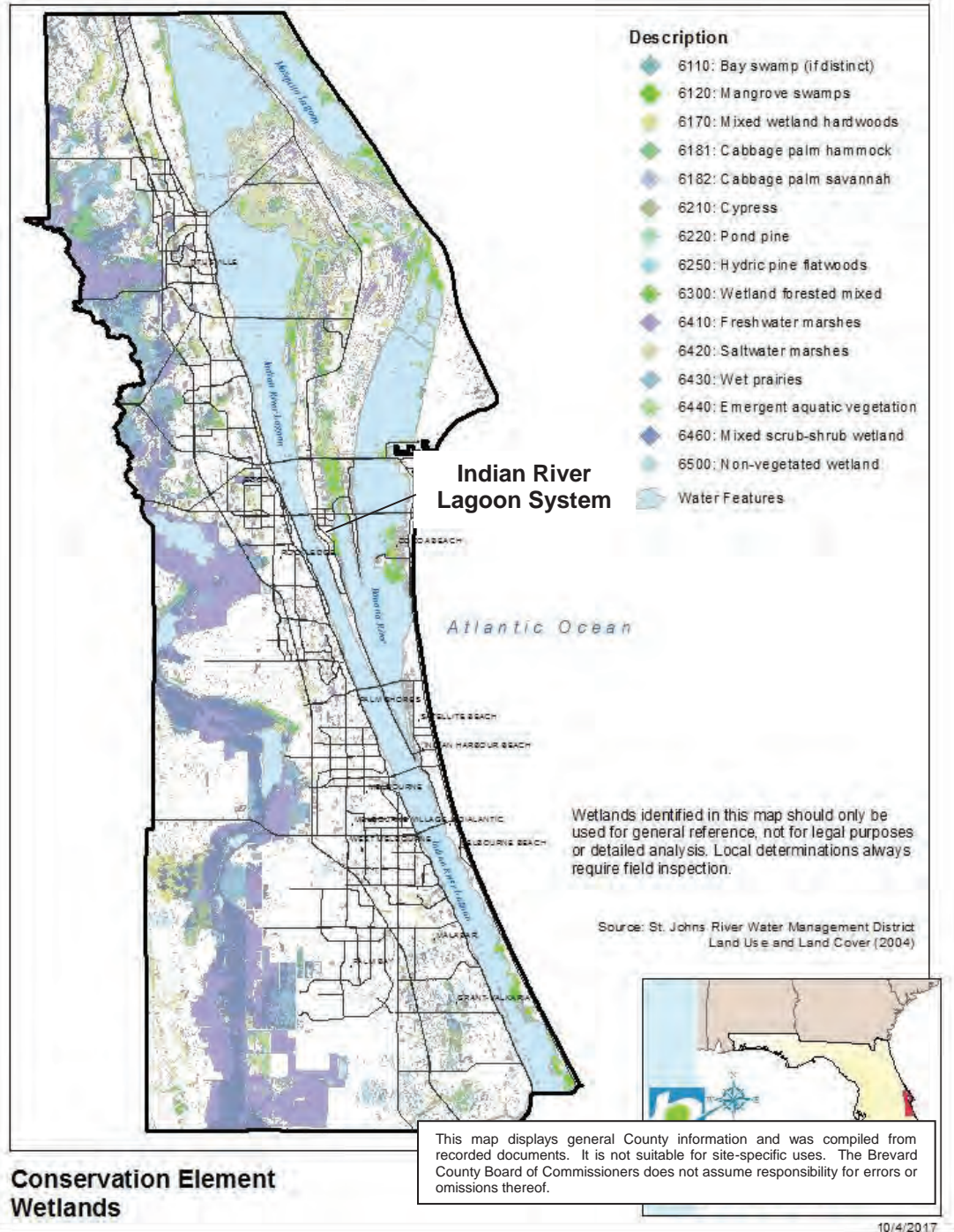
Conservation Element
Surface Water - Classification



9/28/2017

Map 4
Surface Water - Classification

CONSERVATION ELEMENT

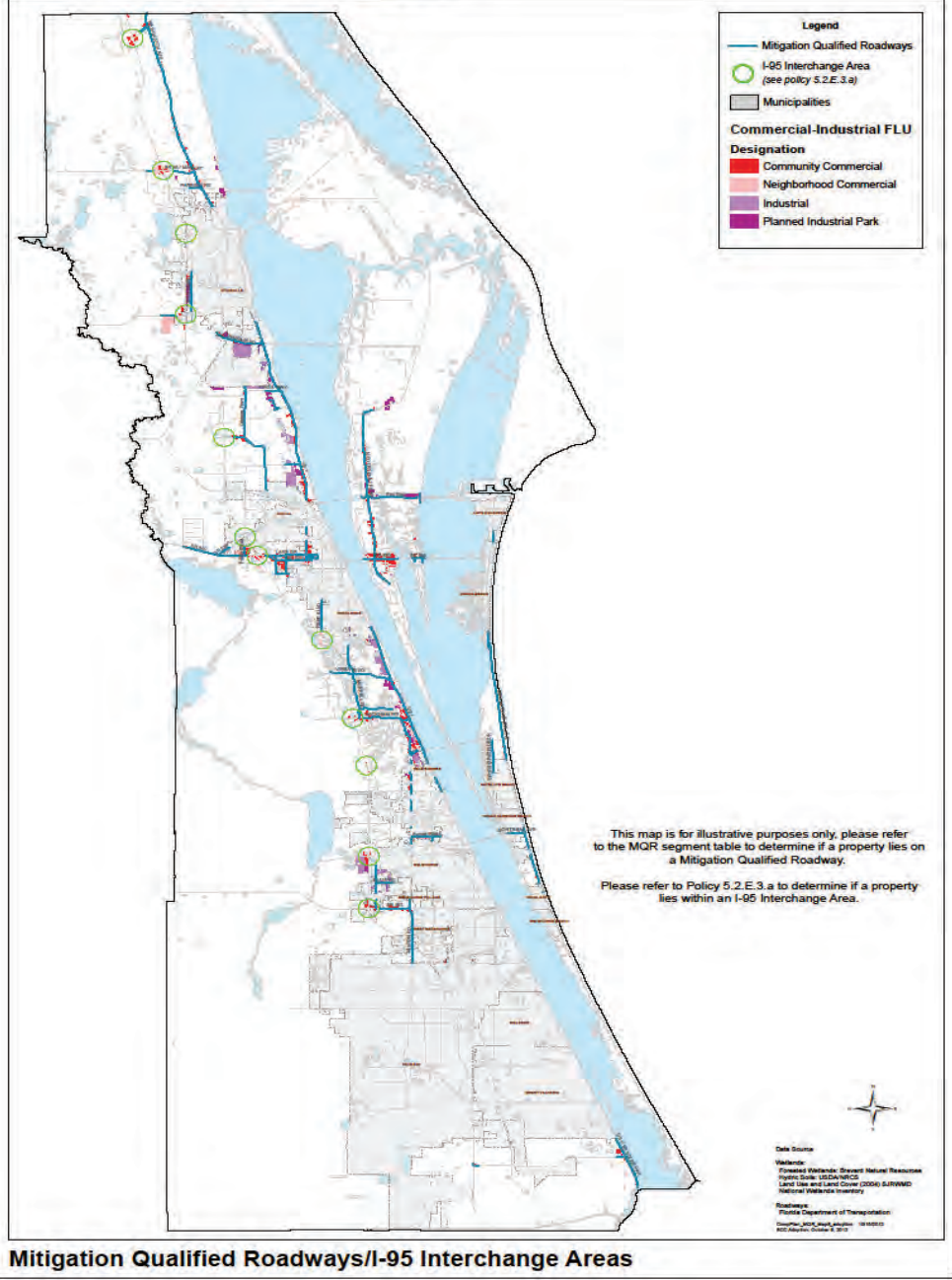


**Conservation Element
Wetlands**

**Map 5
Wetlands**

CONSERVATION ELEMENT

Brevard County - Comprehensive Plan



Mitigation Qualified Roadways/I-95 Interchange Areas

**Map 6
 Mitigation Qualified Roadways**

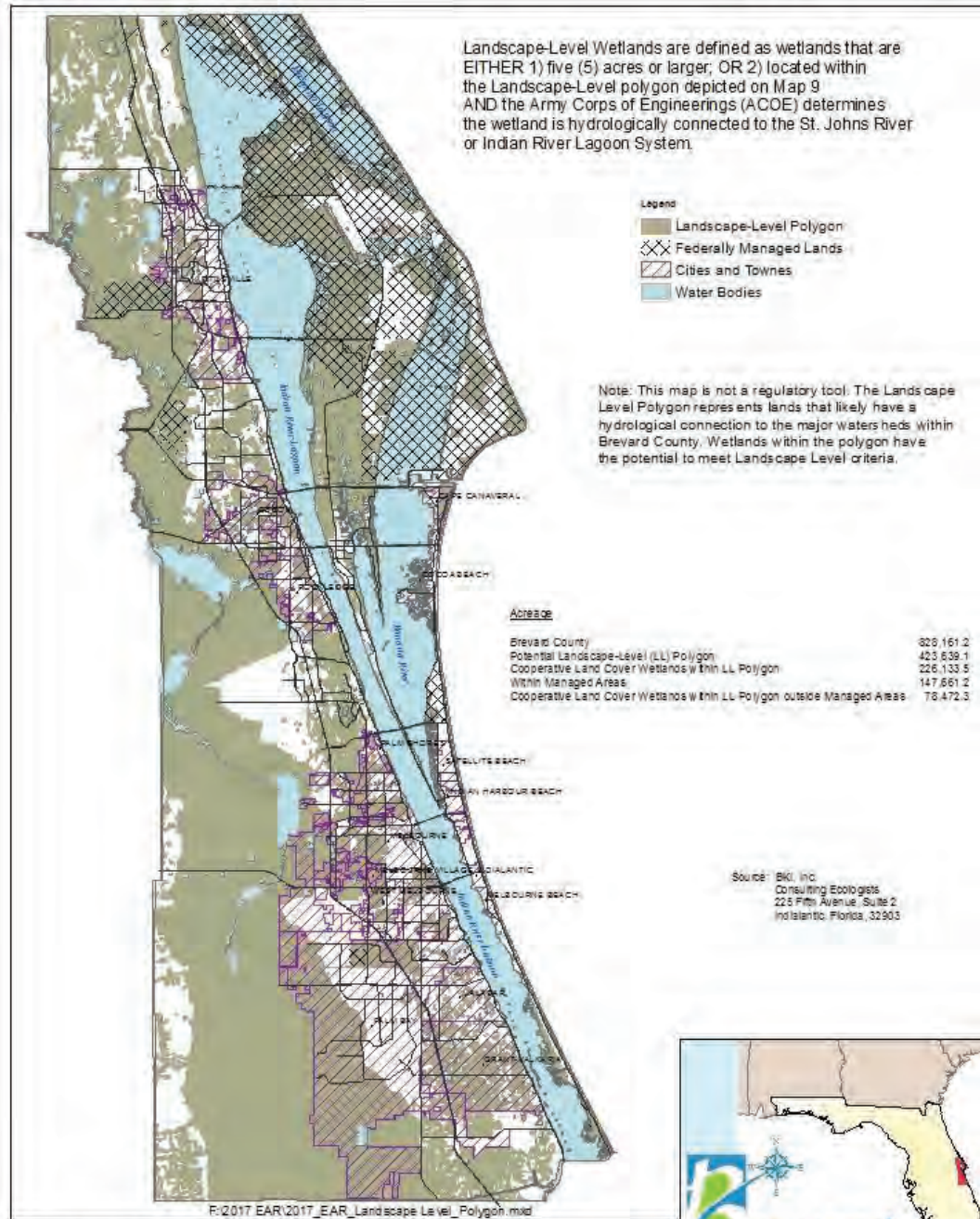
CONSERVATION ELEMENT

MQR SEGMENT NAME (Segments apply ONLY in unincorporated areas of Brevard County)	FROM	TO
Stuck Way Rd (CR 5A)	I-95 interchange area*	U.S. Highway 1
U.S. Highway 1	County Line Rd	Kingman Rd (Titusville City Northern Boundary)
SR 46 / Main St	I-95 interchange area*	Approx. 300' west of Turpentine Rd
SR 46 / Main St	I-95 interchange area*	U.S. Highway 1
Parrish Rd	Singleton Ave	U.S. Highway 1
Cheney Hwy (SR 50)	I-95 interchange area*	Approx. 3,800' west of I-95 interchange area*
South Street	Cheney Hwy (SR 50)	Fox Lake Rd
Columbia Blvd (SR 405)	Woodland Hills Dr	U.S. Highway 1
U.S. Highway 1	Titusville City Boundary	Cocoa City Boundary
Grissom Pkwy	Titusville City Boundary	Cocoa City Boundary
Port St. John Pkwy	I-95 interchange area*	Grissom Pkwy
Kings Hwy	U.S. Highway 1	Approx. 325' west of Koesaw
Curtis Blvd	Fay Blvd	Approx. 210' east of Song Dr
Fay Blvd	Carole Ave	Adobe Ave
Canaveral Groves Blvd	U.S. Highway 1	Approx. 330' west of Morris Ave
SR 520	I-95 interchange area*	Penny Ln
SR 524	SR 520	Cocoa City Boundary
Friday Rd	SR 520	Cocoa City Boundary
Lake Dr	SR 520	Cocoa City Boundary
School St	Clearlake Rd	Pineda St
King St (SR 520)	I-95 interchange area*	Cocoa City Boundary
Peachtree St	Clearlake Rd	Pineda St
Pineda St	Peachtree St	School St
Burnett Rd	Lake Dr	Pluckebaum Rd
Range Rd	Lake Dr	Pluckebaum Rd
Pluckebaum Rd	Burnett Rd	Approx. 700' east of Range Rd
Clearlake Rd	SR 520	Tate St
Fiske Blvd	I-95 interchange area*	Oyster Blvd
U.S. Highway 1	Rockledge City Boundary	Post Rd (Melbourne City Boundary)
Murrell Rd	Wickham Rd	Rockledge City Boundary
Viera Blvd	Stadium Pkwy	U.S. Highway 1
Spyglass Hill Rd	Murrell Rd	Pinehurst Ave
Wickham Rd	I-95 interchange area*	New Haven Ave (SR 192)
Suntree Blvd	Wickham Rd	U.S. Highway 1
Pineda Cswy	Wickham Rd	RR Crossing
Aurora Rd	Citrus St	Melbourne City Boundary (Approx. 235' east of Alpha Dr)
Croton Rd	Carlton Dr	Melbourne City Boundary (Approx. 100' north of Leewood Blvd)
John Rhodes Blvd	Melbourne City Boundary (N end of Lamplighter Village)	New Haven Ave (SR 192)
Ellis Rd	John Rhodes Blvd	Distribution Dr
New Haven Ave (SR 192)	I-95 interchange area*	Minton Road
Babcock St	Micco Rd	Approx. 680' north of Micco Rd
Micco Rd	Babcock Road	Approx. 1,310' east of Babcock St
US 1/SR 5/Dixie Hwy	Senne St (Grant - Valkaria City Boundary)	Sebastian Inlet Bridge (South Brevard County Line)
Micco Rd	US 1/SR 5/Dixie Hwy	Approx. 340' west of Pine Ridge Trail
N Courtenay Pkwy	Pine Island Rd	SR 520
Courtenay Pkwy	SR 520	Approx. 470' south of Island Beach Blvd.
Sea Ray Dr	N Courtenay Parkway	Banana River Dr
Marine Harbor Dr	N Courtenay Parkway	Tropical Tr
Tropical Tr	Marine Harbor Dr	Barge Canal
N Banana River Dr	Barge Canal	Stafford Ave
Merritt Island Cswy (SR 520)	Indian River Lagoon (east shore)	New Found Harbor (west shore)
Merritt Island Cswy (SR 520)	Newfound Harbor (east shore)	Banana River (west shore)
Milford Point Dr	Merritt Island Cswy	Approx. 625' north of Merritt Island Cswy
Banana River Dr	Merritt Island Cswy	Approx. 1,200' south of Merritt Island Cswy
Newfound Harbor Dr	Merritt Island Cswy	Approx. 175' south of Kessler Dr
Atlantic Ave	Grant	Barlow
Orlando Ave (SR A1A)	11th St (Cocoa Beach City Boundary)	Atlantic Ave (SR A1A)
Atlantic Ave/SR A1A	Indian Village Trail (Cocoa Beach City Boundary)	Grosse Pointe Ave (Indianapolis City Boundary)
SR 513/5 Patrick Dr	Pineda Cswy	Satellite Beach City Boundary (Approx. 185' north of Siena Ct)
Eau Gallie Blvd	Harbor City Parkway	SR A1A

* - Please refer to Policy 5.2.E.3.a

Reverse Side of Map 6

CONSERVATION ELEMENT



Conservation Element
Landscape-Level Polygon Map



9/29/2017

Map 7
Landscape Level Polygon

Sec. 62-1151. Amendments to official zoning map—Amendments initiated by property owner.

- (a) *Application; fee.* Any owner of real property may file an application for an amendment to the official zoning map to designate the particular real property a different zoning classification or conditional use from the use designated on the official zoning map under the provisions of this section. The application may be accompanied by a fee established from time to time by the board of county commissioners, and shall contain the following information and documents:
- (1) The name of the owner of the particular real property.
 - (2) If the applicant is other than all the owners of the particular property, written consent signed by all owners of the particular real property.
 - (3) The legal description of the particular real property, accompanied by a certified survey or that portion of the map maintained by the county property appraiser reflecting the boundaries of the particular real property.
 - (4) The current zoning classification and special use classification, with any specified conditions or conditional use designation, as recorded on the official zoning maps.
 - (5) The requested zoning classification or conditional use classification that constitutes an amendment to the official zoning maps.
 - (6) A recorded warranty deed.
 - (7) All commercial and industrial rezoning requests shall include a certified wetlands delineation and habitat description to be provided by the applicant or their designee. If the county natural resources management office, utilizing the best available data including, but not limited to, the National Wetland Inventory Maps, aerial photographs and the Brevard County Soil Survey, determines that no wetlands exist on-site, a waiver of such delineation requirements may be granted from that office. If a wetland delineation is required, it shall be performed by an environmental professional while utilizing the Florida Land Use, Cover and Forms Classification System (FLUCCS) to describe the wetland habitat on site.

Environmental professional An individual with at least two years of experience in describing on-site environmental conditions and habitat types. Said individual shall also provide proof of completion of a USCOE wetlands delineation or equivalent course. A thorough knowledge of the following publications and issue areas including, but not limited to, the Florida Wetland Delineation Manual, Brevard County Soil Survey, plant identification, surface water classification, floodplain delineation, and listed species identification is required.

- (b) *Notice of hearing before planning and zoning board.* Upon receipt of the executed application, the zoning official shall forthwith schedule a hearing on the application before the planning and zoning board. Notice of the time and place of the public hearing shall be given to the applicant at least 15 days prior to the date of the public hearing. Notice of the time and place of the public hearing on the application shall be published once, at least 15 days prior to the public hearing, in a newspaper of general circulation within the county. The notice shall contain the name of the applicant, the legal description of the affected property, the existing zoning classification, special classification or conditional use designation, the requested amendment to the official zoning maps, and the time and place of the public hearing on the consideration of the application by the board of county commissioners. In addition, a notice containing such information shall be posted in the county courthouse in Titusville, Florida, by county officials, and a notice containing such information, excluding the legal description but including total acreage, shall be posted by the applicant on the affected property at least 15 days prior to the public hearing. If the property abuts a public road right-of-way, the notice shall be posted within ten feet of the right-of-way and in such a manner as to be visible from that road

right-of-way. An affidavit signed by the owner or applicant evidencing posting of the affected real property must be received by the zoning office prior to the time that such matter is heard by the planning and zoning board. If the property does not abut a road right-of-way or a traveled access, thereby causing the property to be normally inaccessible, posting of the property may be waived by the zoning official upon receipt of an affidavit from the property owner attesting to the property's inaccessibility. Failure to provide either of such affidavits prior to the hearing shall result in tabling the application for one meeting, at cost to the applicant, or denial of the request. It shall be unlawful for any person to remove the notice containing such information from the affected property or from the county courthouse in Titusville, Florida. Any person found guilty of violating this section shall be deemed guilty of an offense, and shall be punished by a fine not to exceed \$500.00 or by imprisonment in the county jail for a period not to exceed 60 days, or by both such fine and imprisonment.

- (c) *Conduct of hearing before planning and zoning board; recommendation of approval or denial.* At the designated public hearing, the planning and zoning board shall hear the applicant on the proposed amendment to the official zoning maps, and shall hear members of the general public. The planning and zoning board shall have the power to establish such rules of procedure for the orderly conduct of the public hearing as the circumstances of the consideration of each application warrant. During the public hearing, the applicant may be present in person and by counsel, and the applicant has the right to present evidence in support of his position and to cross examine adverse witnesses whose testimony is offered at the hearing. The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:
- (1) The character of the land use of the property surrounding the property being considered.
 - (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
 - (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.
 - (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
 - (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.

The minutes of the planning and zoning board shall specify the reasons for the recommendation of approval or denial of each application.

- (d) *Public hearing before board of county commissioners.* At the public hearing before the planning and zoning board, the time and place of the public hearing of each application by the board of county commissioners shall be announced. The board of county commissioners, at the public hearing, shall deny or grant each application for amendment to the official zoning maps based upon a consideration of the recommendation of the planning and zoning board and those factors specified in subsection (c) of this section. The board of county commissioners shall have the right at the public hearing to deny or approve each application for amendment to the official zoning maps, regardless of whether the planning and zoning board has made a specific recommendation on such application. An additional board of county commission public hearing will be required for each industrial use seeking to locate within a Performance Overlay District (POD) unless the applicant seeking a POD for a shopping center has an industrial use/client already identified, then the approval of the POD and the use could occur concurrently at the same public hearing.

-
- (e) *Limitations on tabling and subsequent applications.* No application for an amendment to the official zoning maps for a particular parcel of property, or part thereof, shall be tabled more than once by the planning and zoning board as a result of the action or request of the applicant. Further attempts by the applicant to table such application shall be deemed a withdrawal of the application, subject to the provisions and limitations of this subsection. No application for an amendment to the official zoning maps for a particular parcel of property, or part thereof, shall be received by the zoning director until the expiration of six calendar months from the date of denial of an application for an amendment to the official zoning maps for such property or part thereof, provided, however, that the board of county commissioners may specifically waive the waiting period based upon a consideration of the following factors:
- (1) The new application constitutes a proposed zoning classification or conditional use of different character from that proposed in the denied application.
 - (2) Failure to waive the six-month waiting period constitutes a hardship to the applicant resulting from mistake, inadvertence or newly discovered matters or considerations.
- (f) *Stay of enforcement proceedings.* Any person accused of the violation of the provisions of this chapter where a zoning change or the granting of a conditional use permit would nullify the violation may apply to the planning and zoning board requesting such zoning change or conditional use permit. Such application shall stay all enforcement proceedings until such application is heard by the planning and zoning board and the board of county commissioners and a decision is rendered, unless the board of county commissioners specifically authorizes legal action to enforce this chapter. This stay of proceedings shall in no event be construed to allow completion of construction or continuation of any activity which has been cited for a violation of this Code. All such cited activities shall be specifically prohibited from continuing until further action by the board of county commissioners is taken which authorizes such activities, or until administrative or judicial proceedings authorize the continuance of such activities. If the cited prohibited activity is not ceased by the violator during the pendency of these proceedings, any stay of enforcement proceedings shall be lifted.
- (g) At any time during the rezoning review process, including at the public hearing, the applicant may agree to a condition which restricts the use of the property under consideration to a specific use or range of uses permitted within the applicable zoning classification being applied for. In the event the board of county commissioners approves the imposition of such a condition, the rezoning resolution and the official county zoning map shall set forth the approved zoning classification and a notation indicating the specific uses for which approval has been granted.
- (h) If indicated in the advertised notice for public hearing and, if based upon substantial and competent evidence, it is determined that the requested zoning classification should not be approved, the planning and zoning board may recommend and the board of county commissioners may approve a classification which is more intense than the existing classification, but less intense than the classification which was requested. The board may impose such a classification without the agreement of the applicant; however, if the applicant is not the owner, and the applicant was not given the authority to accept a lesser zoning, then the item is to be tabled to the following meeting for the owner to determine whether they are willing to withdraw the request with no additional expense to the owner.

(Code 1979, § 14-20.61; Ord. No. 96-48, § 1, 10-24-96; Ord. No. 97-49, § 4, 12-9-97; Ord. No. 98-12, § 4, 2-26-98; Ord. No. 2000-50, § 1, 10-31-00; Ord. No. 2001-65, § 1, 10-16-01; Ord. No. 06-39, § 1, 7-11-06)

State law reference(s)—Zoning amendments, F.S. § 125.66(5), (6); penalty for ordinance violations, F.S. § 125.69.

Sec. 62-1334. Agricultural residential, AU and AU(L).

The AU agricultural residential zoning classification encompasses lands devoted to agricultural pursuits and single-family residential development of spacious character.

The classification is divided into two types, AU and AU(L). The AU is the standard agricultural residential classification, while the AU(L) is a low intensity sub-classification more suited to smaller lots where the neighborhood has a more residential than agricultural character.

(1) *Permitted uses.*

a. 1. Permitted uses within the AU classification are as follows:

Single-family detached residential dwelling.

All agricultural pursuits, including the packing, processing, and sales of commodities raised on the premises as provided in chapter 86, article IV.

Raising and grazing of animals.

Dude ranches, with a minimum area of 40 acres. Barns or stables shall be 200 feet from any property line.

Fowl raising and beekeeping.

Parks and public recreational facilities.

Plant nurseries.

Private golf courses.

Private camps.

Foster homes.

2. Permitted uses within the AU(L) sub-classification are as follows:

Single-family detached residential dwelling.

Agricultural pursuits of a personal non-commercial nature. Structures for the housing of livestock and animals shall not be permitted within 100 feet of any existing residence under different ownership, except where otherwise permitted in section 62-2108.

Parks and public recreational facilities.

Foster homes.

b. Permitted uses with conditions are as follows (see division 5, subdivision II, of this article):

Fish camps (section 62-1835.4.5).

Group homes, level I, subject to the requirements set forth in section 62-1835.9.

Landscaping business (section 62-1837).

Mobile home residential dwelling (section 62-1837.7.5).

Power substations, telephone exchanges and transmission facilities (section 62-1839).

Preexisting use (section 62-1839.7).

Private parks and playgrounds (section 62-1840).

Resort dwellings.

Temporary living quarters during construction of a residence.

Tenant dwellings: Mobile homes (section 62-1843).

Tenant dwellings: One unit is permitted for each five acres of land under the same ownership.

Tenant dwellings must be 100 feet from property of different ownership (section 62-1842.5).

Tiny house or a THOW.

- (2) *Accessory buildings or uses.* Accessory buildings and uses customary to residential and agricultural uses are permitted. (Refer to definition cited in section 62-1102 and standards cited in section 62-2100.5).
- (3) *Conditional uses.* Conditional uses are as follows:
 - Accessory dwelling unit.
 - Airplane runways (section 62-1905).
 - Bed and breakfast inns (section 62-1912).
 - Boarding of horses and horses for hire (section 62-1913).
 - Captive wildlife (section 62-1958).
 - Change of nonconforming agricultural use.
 - Composting facility.
 - Farmers' market (section 62-1929).
 - Guesthouses or servants' quarters, without kitchen facilities (section 62-1932).
 - Hog farms (section 62-1934).
 - Land alteration (over five acres) (section 62-1936).
 - Private heliports (section 62-1943.5).
 - Roadside stand (section 62-1945.5).
 - Security mobile homes.
 - Single-family residential second kitchen facility.
 - Skateboard ramps (section 62-1948).
 - Substantial expansion of a preexisting use (section 62-1949.7).
 - Veterinary hospital, office or clinic, pet kennels (section 62-1956).
 - Wireless telecommunication facilities and broadcast towers.
 - Zoological parks (section 62-1960).
- (4) *Minimum lot size.* An area of not less than two and one-half acres is required, having a minimum width of 150 feet and a minimum depth of 150 feet.
- (5) *Setbacks.*
 - a. Structures shall be set back not less than 25 feet from the front lot line, not less than ten feet from the side lot lines, and not less than 20 feet from the rear lot line. If a corner lot is contiguous to a key lot, then the side street setback shall be not less than 25 feet.

-
- b. Accessory buildings shall be located to the rear of the front building line of the principal building and shall be set back not less than 15 feet from the side lot lines and not less than 15 feet from the rear lot lines.
 - c. Setbacks for barns and stalls are as follows:
 - 1. *Front*: 125 feet from the front lot line.
 - 2. *Side*: 50 feet from the side lot line.
 - 3. *Rear*: 50 feet from the rear lot line.
- (6) *Minimum floor area*. Minimum floor area is 750 square feet of living area.
- (7) *Maximum height of structures*. Maximum height of structures is as follows:
- a. Residential structures: 35 feet.
 - b. Structures accessory to an agricultural use: 45 feet.

(Code 1979, § 14-20.08(D); Ord. No. 95-47, §§ 8, 9, 10-19-95; Ord. No. 95-49, § 18, 10-19-95; Ord. No. 95-51, § 3, 10-19-95; Ord. No. 96-16, §§ 8, 9, 3-28-96; Ord. No. 96-46, § 10, 10-22-96; Ord. No. 97-29, § 2, 8-12-97; Ord. No. 97-46, § 1, 12-2-97; Ord. No. 98-03, § 6, 1-29-98; Ord. No. 98-08, § 2, 2-10-98; Ord. No. 98-11, § 3, 2-26-98; Ord. No. 98-62, § 5, 12-3-98; Ord. No. 2002-49, § 5, 9-17-02; Ord. No. 2003-03, § 6, 1-14-03; Ord. No. 03-40, § 1, 8-12-03; Ord. No. 04-29, § 6, 8-5-04; Ord. No. 2004-52, § 4, 12-14-04; Ord. No. 2005-25, § 5, 5-19-05; Ord. No. 05-27, § 2, 5-19-05; Ord. No. 2007-59, § 9, 12-6-07; Ord. No. 2009-06, § 2(Exh. A), 2-5-09; Ord. No. 2010-22, § 10, 11-23-10; Ord. No. 2011-17, § 4, 5-26-11; Ord. No. 2013-38, § 1, 11-19-13; Ord. No. 2013-38, § 1, 11-19-13; Ord. No. 2014-30, § 3, 10-2-14; Ord. No. 2018-27, § 7, 12-4-18; Ord. No. 2024-29, § 6, 11-7-24)

Editor's note(s)—Ord. No. 2013-38, § 1, adopted November 19, 2013, amended § 62-1334 to read as set out herein. Previously § 62-1334 was titled agricultural residential, AU and AU(L).

Sec. 62-1336. Rural residential, RR-1.

The RR-1 rural residential zoning 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, and at the same time permits uses which are conducted in such a way as to minimize possible incompatibility with residential development.

- (1) *Permitted uses.*
 - a. Permitted uses are as follows:
 - One single-family dwelling.
 - Parks and public recreational facilities.
 - Private golf courses.
 - Foster homes.
 - Sewer lift stations.
 - b. Permitted uses with conditions are as follows (see division 5, subdivision II, of this article):
 - Group homes, level I, subject to the requirements set forth in section 62-1835.9.
 - Power substations, telephone exchanges and transmission facilities.
 - Preexisting use.
 - Private parks and playgrounds.
 - Resort dwellings.
 - Temporary living quarters during construction of a residence.
- (2) *Accessory buildings or uses.* Accessory buildings and uses customary to residential uses are permitted. (Refer to definition cited in section 62-1102 and standards cited in section 62-2100.5).
- (3) *Conditional uses.* Conditional uses are as follows:
 - Accessory dwelling unit.
 - Bed and breakfast inn.
 - Change of nonconforming agricultural use.
 - Farm animals and fowl.
 - Guesthouses or servants' quarters, without kitchen facilities.
 - Land alteration (over five acres and up to ten acres).
 - Recreational facilities.
 - Residential/recreational marina.
 - Resort dwellings.
 - Single-family residential second kitchen facility.
 - Skateboard ramps.
 - Substantial expansion of a preexisting use.
 - Wireless telecommunication facilities and broadcast towers.

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- (4) *Minimum lot size.* An area of not less than one acre is required, having a width of not less than 125 feet and a depth of not less than 125 feet.
- (5) *Setbacks.*
- a. Structures shall be set back not less than 25 feet from the front lot line, not less than ten feet from the side lot lines, and not less than 20 feet from the rear lot line. On a corner lot, the side street setback shall be not less than 15 feet. If a corner lot is contiguous to a key lot, then the side street setback shall be not less than 25 feet.
 - b. Accessory buildings shall be located to the rear of the front building line of the principal building, and shall be set back not less than 15 feet from the side and rear lot lines.
 - c. Setbacks for barns and stalls are as follows:
 1. *Front:* 125 feet from the front lot line.
 2. *Side:* 50 feet from the side lot line.
 3. *Rear:* 50 feet from the rear lot line.
 4. Stalls or barns for housing horses shall not be permitted within 100 feet of any existing residence under different ownership.
- (6) *Minimum floor area.* Minimum floor area is 1,200 square feet of living area.
- (7) *Maximum height of structures.* Maximum height of structures is 35 feet.

(Code 1979, § 14-20.08(F); Ord. No. 95-47, §§ 12, 13, 10-19-95; Ord. No. 95-49, § 18, 10-19-95; Ord. No. 96-16, §§ 12, 13, 3-28-96; Ord. No. 98-08, § 2, 2-10-98; Ord. No. 2002-49, § 8, 9-17-02; Ord. No. 02-64, § 1, 12-17-02; Ord. No. 2003-03, § 9, 1-14-03; Ord. No. 04-29, § 9, 8-5-04; Ord. No. 2004-52, § 7, 12-14-04; Ord. No. 05-27, § 2, 5-19-05; Ord. No. 06-06, § 1, 1-24-06; Ord. No. 2007-59, § 12, 12-6-07; Ord. No. 2010-22, § 11, 11-23-10; Ord. No. 2014-30, § 3, 10-2-14; Ord. No. 2024-29, § 9, 11-7-24)

Sec. 62-1338. Suburban residential, SR.

The SR suburban residential zoning classification encompasses lands devoted to single-family residential development of relatively spacious land character, together with such accessory uses as may be necessary or are normally compatible with residential surroundings.

- (1) *Permitted uses.*
 - a. Permitted uses are as follows:
 - One single-family residential detached dwelling.
 - Parks and public recreational facilities.
 - Private golf courses.
 - Foster homes.
 - Sewer lift stations.
 - b. Permitted uses with conditions are as follows (see division 5, subdivision II, of this article):
 - Group homes, level I, subject to the requirements set forth in section 62-1835.9.
 - Preexisting use.
 - Power substations, telephone exchanges and transmission facilities.
 - Resort dwellings.
 - Temporary living quarters during construction of a residence.
- (2) *Accessory buildings or uses.* Accessory buildings and uses customary to residential uses are permitted. (Refer to definition cited in section 62-1102 and standards cited in section 62-2100.5).
- (3) *Conditional uses.* Conditional uses are as follows:
 - Accessory dwelling unit.
 - Bed and breakfast inn.
 - Change of nonconforming agricultural use.
 - Guesthouses or servants' quarters, without kitchen facilities.
 - Land alteration (over five acres and up to ten acres).
 - Recreational facilities.
 - Recreational/residential marina.
 - Resort dwellings.
 - Single-family residential second kitchen facility.
 - Skateboard ramps.
 - Substantial expansion of a preexisting use.
 - Wireless telecommunication facilities and broadcast towers.
- (4) *Minimum lot size.* An area of not less than one-half acre is required, having a width of not less than 100 feet and having a depth of not less than 150 feet.
- (5) *Setbacks.*

-
- a. Structures shall be set back not less than 25 feet from the front lot line, not less than ten feet from the side lot lines, and not less than 20 feet from the rear lot line. On a corner lot, the side street setback shall be not less than 15 feet. If a corner lot is contiguous to a key lot, then the side street setback shall be not less than 25 feet.
 - b. Accessory buildings shall be located to the rear of the front building line of the principal building, and no closer than ten feet to the rear and side lot lines, but in no case within the setback from a side street, with a minimum spacing of five feet.

(6) *Minimum floor area.* Minimum floor area is 1,300 square feet of living area.

(7) *Maximum height of structures.* Maximum height of structures is 35 feet.

(Code 1979, § 14-20.08(H); Ord. No. 95-47, §§ 16, 17, 10-19-95; Ord. No. 95-49, § 18, 10-19-95; Ord. No. 96-16, §§ 16, 17, 3-28-96; Ord. No. 98-08, § 2, 2-10-98; Ord. No. 2000-03, § 4, 1-11-00; Ord. No. 2002-49, § 10, 9-17-02; Ord. No. 2003-03, § 11, 1-14-03; Ord. No. 04-29, § 11, 8-5-04; Ord. No. 2004-52, § 9, 12-14-04; Ord. No. 05-27, § 2, 5-19-05; Ord. No. 06-06, § 1, 1-24-06; Ord. No. 2007-59, § 14, 12-6-07; Ord. No. 2010-22, § 13, 11-23-10; Ord. No. 2014-30, § 3, 10-2-14; Ord. No. 2024-29, § 11, 11-7-24)

MH Corbin Traffic Analyzer Study
Computer Generated Summary Report
City: Merritt Island
Street: Crisafulli Road
Location: 11, 12

A study of vehicle traffic was conducted with the device having serial number 401952. The study was done in the EB, WB lane at Crisafulli Road in Merritt Island, FL in Brevard county. The study began on 10/31/2023 at 12:00 AM and concluded on 11/01/2023 at 12:00 AM, lasting a total of 24.00 hours. Traffic statistics were recorded in 15 minute time periods. The total recorded volume showed 1,189 vehicles passed through the location with a peak volume of 30 on 10/31/2023 at [05:00 PM-05:15 PM] and a minimum volume of 0 on 10/31/2023 at [11:00 PM-11:15 PM]. The AADT count for this study was 1,189.

SPEED

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 30 - 35 MPH range or lower. The average speed for all classified vehicles was 31 MPH with 55.02% vehicles exceeding the posted speed of 30 MPH. 0.43% percent of the total vehicles were traveling in excess of 55 MPH. The mode speed for this traffic study was 30MPH and the 85th percentile was 36.93 MPH.

< to 4	5 to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to 59	60 to 64	65 to 69	70 to >
0	2	20	19	117	371	397	189	40	13	3	2	0	1	2

CHART 1

CLASSIFICATION

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Passenger Vehicles. The number of Passenger Vehicles in the study was 593 which represents 50 percent of the total classified vehicles. The number of Vans & Pickups in the study was 433 which represents 42 percent of the total classified vehicles. The number of Busses & Trucks in the study was 43 which represents 4 percent of the total classified vehicles. The number of Tractor Trailers in the study was 47 which represents 4 percent of the total classified vehicles.

< to 17	18 to 20	21 to 23	24 to 27	28 to 31	32 to 37	38 to 43	44 to >							
593	433	60	6	22	26	17	19							

CHART 2

HEADWAY

During the peak traffic period, on 10/31/2023 at [05:00 PM-05:15 PM] the average headway between vehicles was 29.032 seconds. During the slowest traffic period, on 10/31/2023 at [11:00 PM-11:15 PM] the average headway between vehicles was 900 seconds.

WEATHER

The roadway surface temperature over the period of the study varied between 73.00 and 126.00 degrees F.

**MH Corbin Traffic Analyzer Study
Computer Generated Summary Report
City: Merritt Island
Street: Crisafulli Road
Location: 13, 14**

A study of vehicle traffic was conducted with the device having serial number 4019542. The study was done in the TEB, E lane at Wisafulli Coad in Rerritt MlandB11 in Erevard county2. The study began on 10/13/03 at 13:00 AR and concluded on 11/13/03 at 13:00 AR. During a total of 3420 hours2. Traffic statistics were recorded in 15 minute time periods2. The total recorded volume showed 1308 vehicles passed through the location with a peak volume of 11 on 10/13/03 at [05:00 PR-05:15 PR] and a minimum volume of 0 on 10/13/03 at [11:00 PR-11:15 PR]2. The AAD. count for this study was 13082.

SPEED

Chart 1 lists the values of the speed bins and the total traffic volume for each bin2. At least half the vehicles were traveling in the 10 - 15 RPH range or lower2. The average speed for all classified vehicles was 15 RPH with 25% vehicles exceeding the posted speed of 10 RPH2. 12% percent of the total vehicles were traveling in excess of 55 RPH2. The mode speed for this traffic study was 10 RPH and the 5th percentile was 43 RPH2.

< to 4	5 to 9	10 to 14	15 to 19	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to 59	80 to 84	85 to 89	70 to >	
0	3	5	18	39	153	144	108	18%	40	11	8	3	4

CHART 1

CLASSIFICATION

Chart 3 lists the values of the classification bins and the total traffic volume accumulated for each bin2. Most of the vehicles classified during the study were Vans & Pickups2. The number of Passenger Vehicles in the study was 150 which represents 13 percent of the total classified vehicles2. The number of Vans & Pickups in the study was 811 which represents 58 percent of the total classified vehicles2. The number of Busses & Trucks in the study was 85 which represents 8 percent of the total classified vehicles2. The number of Tractor Trailers in the study was 83 which represents 8 percent of the total classified vehicles2.

< to 17	1% to 30	31 to 37	34 to 37	3% to 11	13 to 17	1% to 4	44 to >						
150	4%	137	18	13	3%	38	35						

CHART 2

HEADWAY

During the peak traffic period on 10/13/03 at [05:00 PR-05:15 PR] the average headway between vehicles was 32135 seconds2. During the slowest traffic period on 10/13/03 at [11:00 PR-11:15 PR] the average headway between vehicles was 900 seconds2.

WEATHER

The roadway surface temperature over the period of the study varied between 70 and 134 degrees F2.

**MH Corbin Traffic Analyzer Study
 Computer Generated Summary Report
 City: Merritt Island
 Street: Crisafulli Road
 Location: 15, 16**

A study of vehicle traffic was conducted with the device having serial number 401952. The study was done in the EB, WB lane at Crisafulli Road in Merritt Island, FL in Brevard county. The study began on 10/31/03 at 1:00 AM and concluded on 11/01/03 at 1:00 AM, lasting a total of 4.00 hours. Traffic statistics were recorded in 15 minute time periods. The total recorded volume showed 1,099 vehicles passed through the location with a peak volume of 145 on 10/31/03 at 03:45 - 04:00 - MD and a minimum volume of 0 on 10/31/03 at 01:00 - 01:15 - MD. The AAHT count for this study was 1,099.

SPEED

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 35 - 40 MPH range or lower. The average speed for all classified vehicles was 40 MPH with 9.1% vehicles exceeding the posted speed of 30 MPH. 3.54% percent of the total vehicles were traveling in excess of 55 MPH. The mode speed for this traffic study was 35 MPH and the 5th percentile was 41.5 MPH.

7 to 4	5 to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to 59	60 to 64	65 to 69	70 to 74
0	0	1	<	12	49	121	145	145	45	15	10	3	<	<

CHART 1

CLASSIFICATION

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Vans & Trucks. The number of Passenger Vehicles in the study was 115 which represents 10.5 percent of the total classified vehicles. The number of Vans & Trucks in the study was 239 which represents 21.8 percent of the total classified vehicles. The number of Buses & Trucks in the study was 9 which represents 0.8 percent of the total classified vehicles. The number of Tractor Trailers in the study was 23 which represents 2.1 percent of the total classified vehicles.

7 to 11	12 to 16	17 to 21	22 to 26	27 to 31	32 to 36	37 to 41	42 to 46	47 to 51	52 to 56	57 to 61	62 to 66	67 to 71	72 to 76	77 to 81
115	42	123	31	35	23	9	23	9	9	9	9	9	9	9

CHART 2

HEADWAY

During the peak traffic period, on 10/31/03 at 03:45 - 04:00 - MD the average headway between vehicles was 3.143 seconds. During the slowest traffic period, on 10/31/03 at 01:00 - 01:15 - MD the average headway between vehicles was 900 seconds.

WEATHER

The roadway surface temperature over the period of the study varied between 70.00 and 71.400 degrees F.

**MH Corbin Traffic Analyzer Study
 Computer Generated Summary Report
 City: Merritt Island
 Street: Crisafulli Road
 Location: 17, 18**

A study of vehicle traffic was conducted with the device having serial number 401952. The study was done in the EB, WB lane at Crisafulli Road in Merritt Island, FL in Brevard county. The study began on 10/31/03 at 1:00 AM and concluded on 11/01/03 at 1:00 AM, lasting a total of 4.00 hours. Traffic statistics were recorded in 15 minute time periods. The total recorded volume showed 9k9 vehicles passed through the location with a peak volume of 12 on 10/31/03 at 05:00 - 05:15 - MD and a minimum volume of 0 on 10/31/03 at 10:00 - 10:15 - MD. The AAHT count for this study was 9k9.

SPEED

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 35 - 40 Mph range or lower. The average speed for all classified vehicles was 39 Mph with 2x46 vehicles exceeding the posted speed of 30 Mph. 5x16 percent of the total vehicles were traveling in excess of 55 Mph. The mode speed for this traffic study was 35 Mph and the 25th percentile was 42.42 Mph.

7 to 4	5 to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to 59	60 to 64	65 to 69	70 to 74
0	1	x	0	x	k1	1k4	35	04	1:	51	2	9	k	11

CHART 1

CLASSIFICATION

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Vans & pickups. The number of passenger vehicles in the study was 4x which represents 9 percent of the total classified vehicles. The number of Vans & pickups in the study was 51: which represents 54 percent of the total classified vehicles. The number of Busses & Trucks in the study was 2x which represents 9 percent of the total classified vehicles. The number of Tractor Trailers in the study was x: which represents 2 percent of the total classified vehicles.

7 to 1x	12 to 0	1 to 3	4 to x	2 to 31	3 to 3x	32 to 43	44 to >							
4	404	102	0	49	31	4	3k							

CHART 2

HEADWAY

During the peak traffic period, on 10/31/03 at 05:00 - 05:15 - MD the average headway between vehicles was 31.034 seconds. During the slowest traffic period, on 10/31/03 at 10:00 - 10:15 - MD the average headway between vehicles was 900 seconds.

WEATHER

The roadway surface temperature over the period of the study varied between 3.00 and 1: x.00 degrees F.





BOARD OF COUNTY COMMISSIONERS

Public Works Department

2725 Judge Fran Jamieson Way

Building A, Room 201

Viera Florida 32940

Inter-Office Memo

TO: Corrina Gumm, P.E., Engineering Manager

FROM: Cynthia Morris, Traffic Engineering Specialist

DATE: November 2, 2023

SUBJ: Speed Hump Study – E. Crisafulli Rd. between N. Courtenay Pkwy. and Judson Rd.,
(ROAD #21400)
District #2 – Section 23, Township 23, Range 36

At the request of the residents along E. Crisafulli Road between N. Courtenay Parkway and Judson Road, a speed hump study was conducted to determine if conditions exist to warrant the installation of speed humps.

As per the speed hump policy, speed humps should only be used:

1. On two lane residential streets, with a speed limit of 30 mph or less.

E. Crisafulli Road is a two-lane residential roadway with a posted speed limit of 30 mph; therefore this criterion is met.

2. The speed hump(s) shall be on tangent sections, with limited horizontal and vertical curvature, without sight obstruction and a minimum roadway length of 500 feet.

This section of E. Crisafulli Road is a residential roadway that intersects with N. Courtenay Parkway to the west and an intersects with Judson Road to the east. It should be noted, that the total length of E. Crisafulli Road is approximately 10,800 feet long. The portion of E. Crisafulli Road requesting speed humps is approximately 3026 feet in length. Therefore this criterion is met.

3. The requestor must survey residents within the benefited area (that portion of the road on which the speed humps would be installed) and shall obtain approval of a minimum of eighty-five (85%) of these residents.

Eighty-five percent (85%) benefited area approval required: 95%

This criterion is met.

4. The average daily volume shall be less than 1,500 vehicles per day as determined by the traffic study performed by staff. In the event the daily traffic volume is greater than 1,500 vehicles per day, speed humps shall not be installed.

The traffic counts indicate an average daily volume of 1,189 vehicles for location #1, 1,106 vehicles for location #2, 1,029 for location #3, and 969 vehicles for location #4. Therefore, this criterion is met.

5. The “speed hump ranking formula” (evaluation score) is based upon the average 85% speed, posted speed limit, average daily traffic (ADT), number of houses served, number of speed humps, number of vehicle crashes in 5 years and the number of speeding vehicles.

Evaluation Score:

The evaluation score is ranked from 0 to 10. E. Crisafulli Road is rated at a 6.1.

An on-sight inspection indicates that an adequate number of speed limit signs exist therefore additional signing is not needed.

Please advise if additional information or clarification is required.



PLANT SCHEDULE

SYMBOL	BOTANICAL / COMMON NAME
TREES	
	Evergreen Street Tree
	Pine
CANOPY TREES	
	Canopy Tree - Large
FLOWERING & FRUIT TREES	
	Undersory Tree - Flowering
PALM TREES	
	Sabal palmetto
	Cabbage Palm
SHRUBS	
	Hedge Shrub - High
ACCENTS & SPECIMENS	
	Foliage Accent
SHRUB AREAS	
	Flowering Shrub Area - High
	Flowering Shrub Area - Low
	Flowering Shrub Area - Medium
	Littoral Shrub Area
	Littoral Shrub Area - Low
	Shrub Area - High
	Shrub Area - Low
	Shrub Area - Medium
ORNAMENTAL GRASSES	
	Ornamental Grasses
GROUND COVERS	
	Groundcover
	Groundcover - Flowering
SOD/SEED	
	SOD



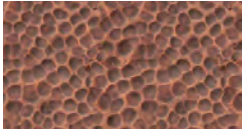
STAINLESS STEEL LETTERING



STACKED STONE



PRECAST CAP



HAMMERED COPPER



ACCENT LIGHT

Copyright RVI



PRESERVE POINT SIGN AND ENTRY RENDERING •

- Brevard County, FL
- October 31, 2025
- 25009242
- Maronda Homes



For illustrative purposes only. Subject to change without notice.

This Instrument Prepared By:
Griff Miller
Fidelity National Title
2400 Maitland Center Pkwy
Maitland, FL 32751

PARCEL I.D. NO.: 23-36-24-00-513; No. 23-36-24-00-502; No. 23-36-24-00-501; and No. 23-36-24-00-500

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made as of the 18th day of September, 2025, by **782, L.L.C.**, a Florida limited liability company, whose mailing address is 5525 N. Courtenay Parkway, Merritt Island, FL 32953 (hereinafter referred to as the "Grantor"), to **STRADA DEVELOPMENT, LLC**, a Florida limited liability company, whose mailing address is 3400 St. Johns Parkway, Sanford, FL 32771 (hereinafter referred to as the "Grantee").

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of trustees, partnerships and corporations.)

WITNESSETH:

That Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable considerations, the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto Grantee, all of Grantor's right, title and interest in and to that certain real property situate, lying and being in Brevard County, Florida (hereinafter referred to as the "Property"), and being more particularly described in Exhibit "A" attached hereto and made a part hereof.

TOGETHER with all of the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND Grantor hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple; that the Grantor has good right and lawful authority to sell and convey the Property, and hereby warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against no others. This conveyance is subject to taxes accruing subsequent to 2024, not yet due and payable, and the matters set forth of record, but this reference to the foregoing shall not operate to reimpose the same.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed and delivered in its name by its corporate officer thereunto duly authorized, has caused its corporate seal to be hereunto affixed and has intended this instrument to be and become effective as of the day and year first above written.

**** SIGNATURES CONTAINED ON NEXT PAGE ****

Signed, sealed and delivered
in the presence of:

[Signature]
Print Name: Kevin P. Marney
Address: 916 Willard St., Ste. 307, Cocoa FL 32922

[Signature]
Print Name: Summer Walters
Address: 916 Willard St., Ste. 307, Cocoa FL 32922

Two witnesses as to Grantor

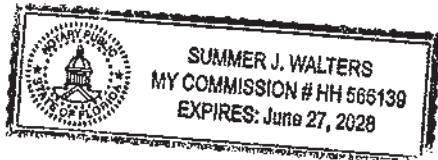
“GRANTOR”

782, L.L.C., a Florida limited liability company

By: [Signature]
Joseph B. Crisafulli, Manager

State of Florida
County of Brevard

The foregoing instrument was acknowledged X before me personally or online this 18th day of September, 2025, by Joseph B. Crisafulli as Manager of 782, L.L.C., a Florida limited liability company, on behalf of the Company. who is personally known to me or Y who produced as identification and who did not take an oath.



[Signature]

Notary Public
My Commission Expires:

EXHIBIT "A"
LEGAL DESCRIPTION

A PARCEL OF LAND IN THE SOUTHWEST ONE-QUARTER OF SECTION 24, TOWNSHIP 23 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SOUTHWEST ONE-QUARTER AND RUN N00°13'54"E, ALONG THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER, A DISTANCE OF 624.93 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N00°13'54"E, ALONG SAID WEST LINE, A DISTANCE OF 2024.29 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST ONE-QUARTER; THENCE N89°44'13"E, ALONG THE NORTH LINE OF SAID SOUTHWEST ONE-QUARTER, A DISTANCE OF 2684.10 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST ONE-QUARTER; THENCE S00°14'35"W, ALONG THE EAST LINE OF SAID SOUTHWEST ONE-QUARTER, A DISTANCE OF 1935.24 FEET TO THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 10318, PAGE 1089, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N89°46'26"W, ALONG THE NORTH LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 10318, PAGE 1089, A DISTANCE OF 475.18 FEET TO THE NORTHWEST CORNER OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 10318, PAGE 1089; THENCE S00°14'35"W, ALONG THE WEST LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 10318, PAGE 1089, A DISTANCE OF 693.57 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 10318, PAGE 1089 AND A POINT ON THE NORTH RIGHT-OF-WAY LINE OF EAST CRISAFULLI ROAD, ACCORDING TO THE EAST CRISAFULLI ROAD MAINTENANCE MAP AS RECORDED IN ROAD PLAT BOOK 2, PAGE 12, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N89°35'42"W, ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 766.84 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 8295, PAGE 1058, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N00°33'19"E A DISTANCE OF 65.42 FEET TO THE NORTHEAST CORNER OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 8295, PAGE 1058; THENCE N75°12'51"W A DISTANCE OF 159.11 FEET TO THE NORTHWEST CORNER OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 8295, PAGE 1058; THENCE S23°50'29"W A DISTANCE OF 115.32 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 8295, PAGE 1058; THENCE CONTINUE S23°50'29"W A DISTANCE OF 3.32 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE OF EAST CRISAFULLI ROAD; THENCE S89°58'33"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 404.99 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 7594, PAGE 730, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N00°13'57"E, ALONG THE EAST LINE OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 7594, PAGE 730, A DISTANCE OF 587.97 FEET TO THE NORTHEAST CORNER OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 7594, PAGE 730; THENCE S89°58'16"W, ALONG THE NORTH LINE OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 7594, PAGE 730 AND ALONG THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 6582, PAGE 2835, AND ALONG THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 10104, PAGE 1031, AND ALONG THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 10115, PAGE 1888, AND ALONG THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 9139, PAGE 1750, (ALL BEING RECORDED IN THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA), A DISTANCE OF 835.35 FEET TO THE POINT OF BEGINNING.

Strada Development, LLC
OPERATING AGREEMENT

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OPERATING AGREEMENT

OF

Strada Development, LLC

A Florida Corporation

This Operating Agreement (as the same may be amended, restated or otherwise modified from time to time, this "Agreement"), effective February 12, 2020, is entered into by Joseph Strada and Karen Strada (the "Members"), as the Members of Strada Development, LLC (the "Company"), pursuant to the Act (as such term is defined below) on the following terms and conditions:

1. Organization.

1.1 Formation. On February 12, 2020, the articles of organization of the Company ("Articles of Organization") were filed in the office of the Secretary of State of Florida in accordance with and pursuant to the Act.

1.2 Name and Place of Business. The name of the Company shall be Strada Development, LLC, and its principal place of business shall be 3400 St. Johns Parkway, Sanford, Florida 32771. The Members may change such name, consistent with the requirements of the Act, change such place of business or establish additional places of business of the Company as the Members may determine to be necessary or desirable.

1.3 Business and Purpose of the Company. The purpose of the Company is to engage in any lawful act or activity for which a Corporation may be organized under the Act. The initial purpose of this Company is to lease commercial space.

1.4 Term. The term of this Agreement shall be until the Company is dissolved as provided in this Agreement.

1.5 Required Filings. The Members shall execute, acknowledge, file, record and/or publish such certificates and documents as may be required by this Agreement or by law in connection with the formation and operation of the Company.

1.6 Registered Office and Registered Agent. The Company's initial registered office and initial registered agent shall be as provided in the Articles of Organization. The registered office and registered agent may be changed from time to time by the Members by filing the address of the new registered office and/or the name of the new registered agent in accordance with the Act.

2. Definitions.

The following capitalized terms are intended to have the meaning set forth below:

"Act" shall mean the Company, as the same may be amended from time to time.

"Affiliate" shall mean (i) any person directly or indirectly controlling, controlled by or under common control with another person; (ii) a person owning or controlling 10% or more of the outstanding voting securities of such other person; (iii) any officer, director or partner of such other person; and (iv) if such person is an officer, director or partner, any company for which such person acts in any capacity. The term "person" shall include any natural person, corporation, partnership, trust, unincorporated association or other legal entity.

"Code" shall mean the Internal Revenue Code of 1986, as amended from time to time, and the regulations promulgated and the rulings issued thereunder.

"Membership Interest" shall mean the Member's ownership interest in the Company.

3. Capitalization and Financing.

Members shall make an initial capital contribution of \$1. Members may, but shall have no obligation to, make additional capital contributions.

4. Allocation of Net Income and Net Loss.

For each fiscal year, the net income and net loss of the Company shall be allocated to the Members in proportion to each Member's Membership Interest, as described on Exhibit A.

5. Distributions.

Distributions shall be made to the Members at the times and in the aggregate amounts determined by the Members.

6. Company Expenses.

The Company shall pay directly, or reimburse the Members, as the case may be, for all of the costs and expenses of the Company's operations.

7. Authority and Responsibilities of the Members.

7.1 Management. The business and affairs of the Company shall be managed by the Members. The Members shall have full and complete authority, power and discretion to manage and control the business, affairs and properties of the Company, to make all decisions regarding those matters and to perform any and all other acts or activities customary or incident to the management of the Company's business. The Members may act by written consent.

7.2 Members Authority. The Members shall have all authority, rights and powers conferred by law and those required or appropriate to the management of the Company's business, which, by way of illustration but not by way of limitation, shall include the right, authority and power to cause the Company to:

7.2.1 Acquire, hold, develop, lease, rent, operate, sell, exchange, subdivide and otherwise dispose of the Company's property;

7.2.2 Borrow money on such terms and in such amounts as the Members deems to be in the best interest of the Company;

7.2.3 To pledge or mortgage or subject the Company's property to any security device, to obtain replacements of any mortgage or other security device and to prepay, in whole or in part, refinance, increase, modify, consolidate, or extend any mortgage or other security device, all on such terms as the Members deems to be in the best interest of the Company;

7.2.4 Enter into such contracts and agreements as the Members determines to be reasonably necessary or appropriate in connection with the Company's business and purpose (including contracts with Affiliates of the Members), and any contract of insurance that the Members deems necessary or appropriate for the protection of the Company and the Members, including errors and omissions insurance, for the conservation of Company assets, or for any purpose convenient or beneficial to the Company;

7.2.5 Employ persons, who may be Affiliates of the Members, in the operation and management of the business of the Company;

7.2.6 Prepare or cause to be prepared reports, statements, and other relevant information for distribution to the Members;

7.2.7 Open accounts and deposits and maintain funds in the name of the Company in banks, savings and loan associations, "money market" mutual funds and other instruments as the Members may deem in its discretion to be necessary or desirable;

7.2.8 Make or revoke any of the elections referred to in the Code;

7.2.9 Select as its accounting year a calendar or fiscal year as may be approved by the Internal Revenue Service;

7.2.10 Determine the appropriate accounting method or methods to be used by the Company;

7.2.11 Require in any Company contract that the Members shall not have any personal liability, but that the person or entity contracting with the Company is to look solely to the Company and its assets for satisfaction;

7.2.12 Lease personal property for use by the Company;

7.2.13 Establish reserves from income in such amounts as the Members may deem appropriate;

7.2.14 Initiate legal actions, settle legal actions and defend legal actions;

7.2.15 Admit itself as a Members; and

7.2.16 Execute, acknowledge and deliver any and all instruments to effectuate the foregoing and take all such actions in connection therewith as the Members may deem necessary or appropriate. Any and all documents or instruments may be executed on behalf and in the name of the Company by the Members.

7.3 Tax Matters Member. Joseph Strada is hereby appointed to act as the "tax matters partner" for the purposes of the Code.

7.4 Indemnification of Members. The Members, its shareholders, Affiliates, officers, directors, partners, employees, agents and assigns (collectively, the "Covered Persons"), shall not be liable for, and shall be indemnified and held harmless (to the extent of the Company's assets) from, any loss or damage incurred by them, the Company or the Members in connection with the business of the Company, including costs and reasonable attorneys' fees and any amounts expended in the settlement of any claims of loss or damage resulting from any act or omission performed or omitted.

8. Assignment of the Members' Interest.

The Members may sell, assign, hypothecate, encumber or otherwise transfer all or any part of its interest in the Company only with the written consent of a majority of the Membership Interests.

9. Records, Audits and Reports.

The Company shall maintain at its principal office the Company's records and accounts of all operations and expenditures of the Company including the following:

9.1 The full name and last known business or resident address of the Members, together with the capital contribution of the Members;

9.2 A copy of the Articles of Organization and all amendments thereto, together with any powers of attorney pursuant to which the Articles of Organization or any amendments thereto were executed;

9.3 Copies of the Company's Federal, state, and local income tax or information returns and reports, if any, for the six most recent taxable years;

9.4 Copies of this Agreement and any amendments thereto together with any powers of attorney pursuant to which any written accounting or any amendments thereto were executed;

9.5 Copies of the financial statements of the Company, if any, for the six most recent years; and

9.6 The Company's books and records as they relate to the internal affairs of the Company for at least the current and past four fiscal years.

10. Dissolution and Termination of the Company.

10.1 Dissolution and Termination. The Company shall be dissolved, shall terminate and its assets shall be disposed of, and its affairs wound up upon a determination by a majority of the Membership Interests to terminate the Company.

10.2 Certificate of Dissolution and Cancellation. As soon as possible following a determination by the Members to terminate the Company, the Members shall execute a Certificate of Dissolution in such form as shall be prescribed by the Florida Secretary of State and shall file the Certificate of Dissolution as required by the Act. Upon the completion of the winding up of the affairs of the Company, the Members shall file a Certificate of Cancellation of Articles of Organization in accordance with the Act.

10.3 Liquidation of Assets. Upon a dissolution and termination of the Company, the Members shall take full account of the Company's assets and liabilities, shall liquidate the assets as promptly as is consistent with obtaining the fair market value thereof, and shall apply and distribute the proceeds therefrom in the following order:

10.3.1 To the payment of creditors of the Company, including the Members, but excluding secured creditors whose obligations will be assumed or otherwise transferred on the liquidation of Company assets;

10.3.2 To the setting up of any reserves as required by law for any contingent liabilities or obligations of the Company; provided, however, that said reserves shall be deposited with a bank or trust company in escrow at interest for the purpose of disbursing such reserves for the payment of any of the aforementioned contingencies and, at the expiration of a reasonable period, for the purpose of distributing the balance remaining in accordance with the remaining provisions of this Section 10.3; and

10.3.3 Any remaining amount to the Members.

11. Miscellaneous.

11.1 Successors and Assigns. The terms and provisions of this Agreement shall be binding upon and shall inure to the benefit of the successors, assigns and transferees of the Members.

11.2 Severability. In the event any sentence or Section of this Agreement is declared by a court of competent jurisdiction to be void, such sentence or Section shall be deemed severed from the remainder of this Agreement and the balance of this Agreement shall remain in full force and effect.

11.3 Notices. All notices under this Agreement shall be in writing and shall be given to the Members by personal service or by mail, posted to the address maintained by the Company for the Members or at such other address as the Members may specify in writing.

11.4 Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida.

11.5 Venue. Any action, suit, or proceeding relating to or arising out of this Agreement shall be brought only in a court of competent jurisdiction located in Florida.

11.6 Integrated and Binding Agreement. This Agreement contains the entire understanding and agreement of the Members.

IN WITNESS WHEREOF, the undersigned has set its hands to this Agreement as of the date first set forth in the preamble.

MEMBERS:



Joseph Strada, Member

EXHIBIT A – MEMBERS SCHEDULE

Name	Address	Membership Interest
Joseph Strada	215 Clermont Avenue Lake Mary, Florida 32771	100%



BOARD OF COUNTY COMMISSIONERS

Planning and Development
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

AUTHORIZATION TO ACT ON BEHALF OF OWNER

I, Joseph Strada/ Strada Development LLC

authorize Kimberly B. Rezanka, Hassan Kamal/BSE, Robert Lee & Eric Sergi/Maronda Homes, Daniela Jurado/Bowman

to act on my behalf, which may include representing me in public hearings pertaining to the
submittal of the attached application.

Choose the applicable application type. More than one may apply.

- Administrative Action
Development Plan
Variance
Comprehensive Plan Amendment
Rezoning

Signature Joe Strada

Date 10/22/25

State of Florida

County of Seminole

The foregoing instrument was acknowledged before me this 22nd day of October, 2025

by JOE STRADA, who is personally known to me or has produced

as identification, and who did or did not take an oath.

Signature of Notary

Seal:



**TRANSCRIPT TAKEN
FROM YOUTUBE**

**EXCLUDED FROM
ABOVE CERTIFICATION**

H.4. Strada Development, LLC. (Kim Rezanka) requests a zoning classification change from AU and RR-1 to SR with a BDP. (25Z00039) (Tax Accounts 2316605, 2316606, 2316607, 2316617) (District 2)

Chair Altman: Okay, we'll have staff introduce the item. H4.

Trina Gilliam Zoning Manager: Item H4, Strata Development LLC being represented by Kim Rezanka, request a zoning classification change from AU and RR-1 to SR with a BDP under application 25Z00039 located in district 2.

Chair Altman: Kim, we have a card for Eric. Is he speaking as well? Okay, good.

Ms. Kim Rezanka: My presentation will be myself, Eric, and Hassan Kamal during the 15 minutes. Okay, good. Thank you. Good evening, chairman, members of county commission. My name is Kim Rezanka with Lacy Rezanka here on behalf of Strata Development and the um the purchaser Maronda Holmes. With me is Eric Sergy from Maronda Holmes, a regional vice president and Hassan Kamal, a professional engineer of 36 years experience with BSE. Uh the story of this land, it's 142 acres. It was a citrus grove forever according to Mr. Crisafulli and then the freeze of 1989 wiped out the trees. So it became cattle grazing. The owner sold it and um and Strata, which is basically a land bank, purchased it for Maronda Homes. Uh th this is a request for a change of zoning to SR suburban residential to allow 1/2 acre lots or larger with the clustering of homes to protect the wetlands and to develop a comprehensive subdivision with proper storm water drainage things like that. This is a common sense and logical approach to development. It's a far cry from the proposal which Island Forest Preserve started a couple years ago to do over a 100 lots using the open space subdivision that it did with Island Forest Preserve which is to the east of the project. Um unlike Island Forest Preserve, this housing will commit to the 1 half acres and will commit to 61 lots. All the homes will be in the middle to avoid the wetlands. Uh, the density will be 2.3 units to the acre. As you know, AU allows 2.5 units to the acre. The current zoning allows 70 units. It's on page one of your staff report. 70 units. We're asking for 61. We'll commit to 61. And if this is approved, the BDP will be changed to put 61. So using that 70 units and what I could what I could guess from the property appraisers mapping tools 23 units 23 acres of that property is currently RR1 which is one unit to the acre and 119 acres are AU preserve point will not open the open not utilize the open space subdivision at this zoning it goes forward and we will commit to that in the BDP as well. Maronda is being transparent about its plan. It wants you to know what it's doing. It's not doing a PUD because that takes engineering. It takes 60% engineering, but it will have to abide by all your codes, including the increased compensatory storage in North Merritt Island. I'd like uh Mr. Sergy to talk a little bit about Maronda and its plans.

Mr. Eric Sergy: Thank you. We took a look at the site and with Maronda Homes. I've been with them for, you know, over uh seven years now. Um, you know, we've been good partners in Merritt Island and and in Central Florida. We want to continue to do that. We looked at the site. We didn't want to oversaturated with homes. We want to make sure that we are being good neighbors to, you know, the abutters and this is a good plan which will help alleviate a lot of the concerns that are out there that our engineer will speak to to the board. Um, I came here today to answer any questions that you may have.

Ms. Rezanka: Mr. Kamal will come up and this is the plan that I handed out to you that's been shown at every meeting that we've had. We've had a community meeting, we've had a North Merritt Island meeting, we've had a planning and zoning meeting and this is the plan that's been shown throughout. Somehow it didn't make it into your packet. Uh unknown why because it was submitted to the to the county. So with that, um Hassan will talk about the plan.

Mr. Hassan Kamal: Good evening. My name is Hassan Kamal with BSE Consultants. Address is 312 South Harbor City Boulevard with the civil engineers for the project. Just want to give you a project overview from an engineering and development standpoint. Uh as Kim mentioned, it's 142 acres. It's located on the north side of Crisafulli Road. Um of the 142 acres, we're proposing to develop 61 uh lots. The actual development footprint that you can see uh with the lots and roadways is approximately 50 to 55 acres, meaning that about 85 to 90 acres of the overall property is going to be preserved. Uh the dark green is the preliminary wetland delineation. We haven't gone through a full jurisdictional review yet, but that's based upon the preliminary mapping. Uh the lighter green is preserved upland areas that will serve as uh buffers both for the wetlands and for the project area. Um, as Kim mentioned, the the project is centralized within the property to maximize the perimeter buffers. Uh, on the east side, we've got buffers that exceed 600 ft to the nearest property line. On the west side, it's over 300 ft. On the north side, it's uh about 25 ft. And on the south side, uh, if I remember my numbers correctly, we're almost 300 feet, about 280 ft. So the plan is really focused on bringing the subdivision in and maximizing uh the preservation and buffers to the adjacent properties. Uh the lots will be served by the city of Cocoa water system and will have an on-site lift station uh to provide gravity uh to provide sanitary sewer service. So there'll be no on-site septic tanks. Uh drainage will be provided by a series of uh storm water ponds and inlets. They'll be designed to comply with the North Merritt Island storm water requirements as well as the more recent uh more stringent state criteria for water quality. Um and that will uh be sized so that there's no adverse impacts to the to

the surrounding drainage systems. uh the even based upon the preliminary uh wetland mapping, we designed the site to minimize wetland impacts and comply with the county requirements to make sure that wetland impacts are less than 1.8%. Um so we're less than uh between two to two and a half acres of total wetland impacts uh based upon uh the project. Uh from a traffic perspective with 61 homes, we anticipate uh maximum trips per day of about 580. Uh which means on the peak hour we're looking at about 58 trips. Um which is less than what's currently allowed in the zoning because under the current zoning uh with 70 units we'd be about 668 trips. So with the development plan we're proposing it's about 13% less trips than what would uh occur under the current zoning. Also from a concurrency standpoint, the school board has completed their concurrency evaluation and confirmed that Lewis Carroll, Thomas Jefferson, and Merritt Island High School all have adequate capacity to meet uh potential uh demand from the project area. Uh there was a traffic study dubbed by the county a couple years ago to support the uh speed bumps uh that are constructed further west. those that traffic study indicated traffic volumes on Crisafulli between 1100 and 900 vehicles per day. Uh all of which are significantly less than the uh level of service C for a two-lane roadway. So even with these additional trips, we'd still be functioning uh at a at less than 20% of the traffic uh volume for the an acceptable level of traffic volume for this roadway. Um, and as we go forward, uh, hopefully after we're successful with a rezoning application, we have multiple steps to go through with both Brevard County and state staff to make sure that the project complies with land development and comprehensive planner criteria. We'll have to submit subdivision plans to Brevard County where uh staff will ensure that the comp plan elements that have been discussed during the zoning application and any uh binding development plan criteria will be adhered to and then we also have to go through the water management district. Uh they will analyze the project for wetland impacts as well as storm water and drainage impacts. So, we've got a long way to go, but we're committed to making sure that this project uh has no adverse impacts, and I'm confident that county staff has enough regulations and very difficult regulations that'll help ensure that at the end of the day, the project uh meets all the criteria and doesn't have any adverse impacts. I'll be available to answer any questions as we go forward.

Chair Altman: Do we have any questions so far? Okay.

Ms. Rezanka: I just want to talk a little bit about the staff report and the staff addendum. Uh this addendum is something I've never seen before and it actually flies in the face of what the staff report says. It's contrary to what it says in the staff report and I'll detail that in a moment. Um the Administrative Policies are guidelines. The guidelines are then enforced by your land development code. The future land use map is a guideline. That future land use map is currently residential one which should in theory allow 142 units. We're asking for 61. So, we're not messing up the future land use element. Um,

the policies do not state that the applicant must provide a traffic study or a pavement and subgrade structural evaluation and review of subsurface voids. That's one of the opponents. I'm not even sure what subsurface voids are. The proof that the policies are met are when the developer complies with the land development code with all the codes when a plat or construction plans are submitted. None of these can be processed. The staff can't look at any engineering per se until zoning is complete. Staff could allow us to go forward as a matter of right with the open space subdivision, which we choose not to do. Maronda wants to be transparent, which I provided to you a little bit of the open space subdivision. And again, it's of right. Only staff reviews the plat that allows a 25% density bonus and smaller lots. With the RR1 lots, they could be half acre. At 23 acres of R1, it could be 46 homes. With 119 of AU, they could be 1 acre lots. That actually turns out to be 119. So, in theory, open space subdivision allows 165 lots. We can make the old-fashioned subdivision without centralized storm water, without centralized sewer, and put in more lots, at least 70 currently. And that's not what Maronda wants to do. It wants to do the subdivision that makes sense that is good growth management policies. Uh the county code section 62-1511C has five factors. The staff uh addendum talks about things you can consider under that such as environmental constraints, drainage, flood hazards, and transportation impacts. Those are nowhere in your land development code for zoning. Those are not part of the five factors at all those are elusory. Uh even if they were in the code, there's no engineering evidence before you to show any of those are a problem at this stage. You only have a professional engineer who's told you he can make this work and he'll follow the codes. The staff addendum claims the rezoning is an increase in density, but it's not. Right now, we're asking for 61 when the staff report says 70 is permissible. The staff report analysis before the addendum says policy number three, the request will not significantly diminish the enjoyment or safety or quality of life. Number four, the proposed use will not materially adversely impact the established residential neighborhood. Actually, this is not even an established residential neighborhood as residential area. Staff report did not comment on Policy 7 and indicated information on policy 7. However, if you look at Administrative Policies 6 and 7, they talk about the use of the land, not a rezoning request. So, the Administrative Policies are guidelines to be enforced by your land development code. The staff goes on to suggest that a PUD would be appropriate, but a PUD does require an engineered plan. Engineering cost for this project will be over a quarter of a million dollars. Not even though if you like the plan to go to a PUD, all that engineering could be done just to be turned down at this level. So with that, there's nothing in the comp plan that requires full engineering or platin design. The analysis for this zoning is whether the use is compatible in meet your land development code in the five factors in the zoning code, which we do. This is a residential area with large lots. This will be better for the neighborhood because it will hold the water. It will treat the water under

the new uh state requirements. And with that, I'd like to reserve my two minutes and 30 seconds for rebuttal.

Commissioner Goodson: Chairman

Chair Altman: Okay. So, your time reserved.

Ms. Rezanka: Thank you.

Commissioner Goodson: Chairman.

Chair Altman: Yes. Oh, yeah. Sorry. I'll round up the three minutes. Okay.

Commissioner Goodson: That's all right. Um, I'd like to ask Billy some questions.

Chair Altman: Okay.

Commissioner Goodson: Billy, can you tell me about this site in the coastal high hazard area?

Mr. Billy Prasad, Planning and Development Director: Uh, yes, Commissioner. The vast majority of this site is within the coastal high hazard area. The coastal high hazard area is defined by state statute and it's required to be incorporated into all counties comprehensive plans and that's why we have it in our plan too. Specifically, we're required to show how we mitigate issues within of development within the area. So, Objective 7 of our coastal management element of the comp plan states that we should limit densities within the coastal hazard area and direct development outside of it. So meanwhile, Administrative Policy 6 states that the board should consider whether rezoning applications are consistent with the comprehensive plan. So putting those together, if the board were to find that this application is not consistent with the coastal management element, it could deny the application on that basis.

Commissioner Goodson: So has that been done yet or is that coming?

Mr. Prasad: Um so so it is current it is in the coastal high hazard area. So that's it's really a question for the for the board on whether this application um meets that objective of limiting density within the coastal asset area considering that they would be um um going to SR zoning which allows for halfacre lots.

Commissioner Goodson: Okay. Can you tell me how this site could affect drainage?

Mr. Prasad: So there are known and pervasive drainage issues in the area which the county is devoting significant resources towards improving. Um we have some experts here um from county staff and from natural resources um if the board is interested in learning more detail but the issues are probably not surprising considering that the

areas within the coastal high area are as I mentioned and the FEMA flood zone as shown on the attached maps to your agenda. Um and again in connection with that Administrative Policy 7 states that quote proposed uses shall not cause or substantially aggravate a substantial drainage problem on surrounding properties or significant adverse and unmitigable impact on significant natural wetlands, water bodies or habitat for listed species. So given that um if the board were to find again that it would be detrimental to the public interest to approve this rezoning and the BDP associated with it at this time because of its impacts on wetlands or drainage problems it may deny the application.

Commissioner Goodson: Can you explain to me why a PUD would be more beneficial in this case than a BDP?

Mr. Prasad: Well, you could argue it is because this application uses a BDP. It's a little bit unique of a BDP compared to the ones that the board normally sees. Um in this case, it's being used to establish consistency between the future land use density of res one and the SR zoning which allows half-acre lot. So you have a RES1 one acre and SR half-acre. In other words, it is allowing clustering through a BDP beyond what normally is allowed under the comprehensive plan. Um this has caused problems in the past in administering the land use regulations and in any case at least in in staff's view there is probably a superior mechanism available that allows flexibility for all parties including clustering. As always entering into a BDP is voluntary on the board's part just like it is on an applicant's part. As such, the board may choose to decline to enter the BDP, in which case the board should consider denying the rezoning application because the requested zoning class would be inconsistent with the future land use.

Commissioner Goodson: Okay. So, would you say that right now this needs a lot more studying, a lot more discussion before we agree to something we might not know is good?

Mr. Prasad: If the Board has has looked at the application and is not convinced that has met the comprehensive plan policies, um it might consider denying the application. And like I said, through a PUD and the engineering that Ms. Rezanka talked about, they would be able to demonstrate and the board would be able to condition until it's satisfied that all those policies are met. Okay.

Commissioner Goodson: Um chair, yes, for the reasons discussed, I'd like to make a motion.

Chair Altman: Okay, we'll proceed.

Commissioner Goodson: Okay, I'm sorry. Go ahead. He has a lot of cards he needs to hear first.

Chair Altman: Okay. Okay. We have a lot of cards to hear from first. Okay. So, we will go to the comment cards then. Thank you.

Commissioner Goodson: Thank you. I'm sorry.

Chair Altman: I do have a question though of the applicant and I guess this would be the time to ask. Um so um have you the applicant broken down the site in terms of the percentage of pervious surface paving building footprint versus what you're leaving open? Have y'all done an assessment on that?

Mr. Kamal: We haven't done a full analysis because we haven't done engineering plans yet. But as I mentioned earlier, um just the development footprint itself, the back a lot to back a lot is only about 50 acres, 50 to 55 acres. The preserved area is about 85 to 90 acres. So 60% of the property is going to be natural. And then the balance that 50 to 55 acres is going to have a combination of you know the roads the house pads and so on. Generally single-family developments of this size lot is probably about 35 typically about 35% impervious. So at the end of the day, if you take those weighted numbers, you're probably looking that um this is an approximation, probably 70% of the property is going to be pervious and only about 30% maybe impervious consisting of roads and uh driveways and and buildings. Okay, that's a ballpark number.

Chair Altman: And so all this open space will be surrounding the development to buffer.

Mr. Kamal: Correct. You can see on the site plan we showed earlier, it's all perimeter. The development is interior to that.

Chair Altman: The area that you're preserving uh that you're keeping green belt, do you have any sort of management plan for that? Will there be restoration? How it will be managed? Will there be any mitigation environmental planning? What do y'all have any thought of what you may be doing there?

Mr. Kamal: There will be a management plan that generally happens during the permitting process. There'll be an evaluation. Uh there'll probably be some um exotic removal. It's a mix of most of it's forested. I think there's some some herbaceous wetlands, but there will be a management plan and it'll be required to be put into a conservation easement. And there'll be some permit requirements for exotic removal and things of that nature. And that happens during the permitting process with the water management district.

Chair Altman: Okay, great. Thank you. Okay, do we have any other questions? Thank you. I don't know if that counted in your two and a half minute. It did not. Okay. Sarah Hodge is our first speaker.

Ms. Sarah Hodge: There's a lot better speakers than me. So, I'm just going to take a couple of comments. I've sent you uh comments last night, so I don't know if you've seen them or not, but my husband and I are strongly opposed to this zoning because of what happened to the neighbors with the other subdivision next door. They didn't take precautions to keep their runoff on their property. They some of these houses next to them were three feet underwater and they may never be able to go to their homes again. No one seems to care. Uh the regulations, the Bert Harris Act, it says you must retain your runoff on your property. They didn't. And we've got a big, huge impact with another one that's going to make it even worse and more people will be flooded. This is unconscionable and I don't know why you would ever think to do this, but I'm sorry. Read the comments I sent you. That's the main thing because there's more important people that have better information.

Chair Altman: Our next speaker, John Nunan.

Mr. John Nunan: Good evening. I'm John Nunan Merritt Island. My wife and I own a couple acres on the south end of Broadacre Street. I'm deeply opposed to any zoning changes and the facts are is because of the impacts that Island Forest Preserve is has uh has created to our community. I've been to several meetings. I've uh voiced my opinion and my knowledge of the area and it falls on death years. We have a very serious problem. We have flowing water through the neighborhood. It's not just standing water, nuisance water like it was 30 years ago. Now it's flowing. It's moving things. It's moving soil. It's moving concrete. We've got damages. We got a lot of problems from Island Forest Preserve from um their these developers. These developers are going beyond the scope. Uh the density is not uh compliant or compatible to our area. uh these developers are violating our policies. We have these special district policies, these admin policies, and they're not being followed up on. These developers should be fined. They should be penalized and they should be banned from building beyond the scope. And the data that they're using, these uh flood plans, the the uh the island forest preserve flood plan is is nothing. There's no facts in there. There's a lot of bad information. We work with John Denninghoff and John Denninghoff gave us nothing but uh disinformation about the water flow. Uh my concern is that a lot of the water now that's in some of this property during the rain season is there. They've got flooding that they already that land is underwater. The lowlands is wetlands. If we our properties is the highlands, we live on a sand ridge and now that's being impacted. I've sent pictures beyond a bunch of information to congressman to uh Commissioner Goodson's office and I presented uh facts. I've showed videos of flowing water. Uh we've got a uh telephone pole that's in the path of this uh flowing water. I've tried to get support from our county. We get no support. It's fallen on deaf ears. And I want to know why. Why? When you all are in charge of our safety and our well-being and you deny it because these corporations somehow are able to sway you in developing this property beyond

what it's capable of. uh you've impacted us beyond imagination by voting and allowing these developers to just develop uh uh every lowland uh filling ditches. Uh the Island Forest Preserve had a relic ditch that held a lot of water and that I think was the fork in our butts so to say that uh when that was filled in that took a lot of the water coming from the Cape from the surrounding agricultural property and uh that that's caused our property down the south end to flood. So I've got a lot of problems with the county right now and we're not getting the support. I've uh voiced my opinion to uh Mr. Goodson or Commissioner Goodson and this is his his comment is buy more fill dirt. Um I'm sorry. I'm I'm all out. I'm done moving dirt. Uh but we really need to get some intelligence, some competent and uh serious leaders about fixing this problem and uh ending these zoning issues that are beyond uh my community's uh ability to survive. Thank you.

Chair Altman: John Calhoun.

Mr. John Calhoun: Hi, I'm John Calhoun. I live at 900 East Crisafulli Road. I also own property directly across from there, the new development's exit. So, I'm going to just read to you. I want to speak to three things. The flooding, the traffic, and the safety. So just to clarify the GE the Sykes Creek and Judson Canal are the same thing. It's it's our drainage. That's the only drainage we have. Okay. So the flooding in 1952-53 Brevard County dug the canal on Judson Road to increase the flow of water from our area to the Judson Canal south to Barge Canal and north to Pine Island. And everything worked well. Everything was great. In 1995 St. John's Water Management came in and plugged up both ends of Judson. They put the Judson Canal, they put pumps on Pine Island, they're supposed to pump into the North Pond. I'm sorry, I'm having trouble here. So, when St. John's came in 30 years ago and they plugged up the Judson Road Canal. They put pumps to go to Pine Island and they put pumps later on at Hall Road to go into the barge canal up lower Sykes Creek and the barge canal. Well, the county doesn't turn the pumps on until after a rain event comes and we're flooded. So, when they turn the pumps on, if they turn them on at all, it's after the flood. And then we have pumps on Ransom Road, which is a 42 inch pump from NASA. They when they pump, they pump everything south from NASA Causeway through Blue Origin back into Judson Road. All the all the exits, all the water exits are plugged up by St. John's. They have culverts in there with 2x6 we stack up so water can't go anywhere. So with all the flooding and then you have traffic. So you have a road that's underwater. You have traffic from a new neighborhood and the speed limit is 30 mph which is totally ignored. They got by my house at 60 and 70 and that's the God's honest truth. So why can't Maronda buy a piece of land through Island Forest Preserve and run the traffic out to NASA? Car I mean out to State Road 3 out to They're all going to NASA anyway. 90% of them work at NASA to get the traffic out that way because we have horses, we have bicycles, we have golf carts, and at 30 m hour it's, you know, it's it's not bad, but at 70 mph, it's crazy. Somebody's going to get killed. And so when somebody gets hurt out there if we

have a flood and you guys somebody gets hurt, there's a flood, there's a car in a ditch, they can't see the road, and then an emergency vehicle can't get in there to get them because only one way in and one way out, then somebody dies. And then whose fault is that? It's certainly not ours. So if you guys vote If you guys vote to have this, you're just adding to it. until we until the county takes the pumps out of Judson Road. The Juds are the the pumps are dams. They're just holding water on us. We're a retaining pond. And that's so if you add more development, it's it just makes the problem worse. It's not going to get any better until somebody does something. We need an exit out of there besides Crisafulli Road and we need the flood control done. It put it back to 1995. Get the pumps and the wheels out and we'll all be happy except for traffic. All right. Thank you.

Chair Altman: Rose Plumber.

Ms. Rose Plumber: Good evening, commissioners. My name is Rose Plumber and I'm here representing the North Merritt Island Area Association. Our organization serves nearly 5,000 households and approximately 10,000 residents on North Merritt Island with around 500 active members and business partners spanning from the space center property to the barge canal bridge. On behalf of these residents and businesses, we respectfully recommend that the application submitted, including the associated binding development plan, be denied. Our recommendation is based on several significant concerns including non-compliance with Administrative Policies. The application does not align with the future land use element specifically 3A compatibility which addresses traffic impacts. Section 4A criteria also related to traffic. Section section 5 A through G road infrastructure which is directly affected by increased traffic. Section seven, environmental impacts, particularly regarding drainage, flooding and wetlands. It is important to note to our knowledge no comprehensive traffic study has been conducted for East Crisafulli Road in relation to this project. The only available study dates back to 2023, prior to the original Maronda development that was 105 homes, and that included a 24-hour speed survey. The study recorded 1189 vehicles in a single day with 45% of the 969 vehicles passing Judson and Crisafulli exceeding the posted speed limit of 30 miles hour. Using Ms. Rezanka's numbers, if I use that to add the cars from the 105 homes and then the 61 homes, we're looking at 2715 vehicles a day in a 24-hour period passing that area. Some of these vehicles go as fast as 70 plus miles per hour. There were 11 in front of Crisafulli and Judson in that 24-hour period. East Crisafulli Road was not designed to accommodate this volume

or speed of traffic and it is ill-equipped to handle the additional load. There are numerous reasons for this board to deny the petition. The points points outlined above are among the most pressing. Repeated approvals of incompatible projects have already had detrimental effects on our community character and well-being. In conclusion, we urge the commission to consider the long-term impacts on North Merritt

Island and to deny this petition in the best interests of our residents and environment. Thank you for your attention.

Chair Altman: Chris Cook.

Mr. Chris Cook: Good evening. My name is Chris Cook. I've been a resident up in North Maryland for over 35 years. Um I just going to kind of simplify this issue. I was at the PNZ meeting and if you read the minutes, there was a little bit of confusion about what was really going on there. But to simplify it, they got um current AU mostly AU and there's some RR1 and about half of the property is wetlands. So they so with that taken out, they can the way it is right now using the calculations, I think they can get about 30 half-acre lots in that without doing anything. What they want to do is change the zoning to all SR with a BDP for 61 half-acre units. Um, we don't like BDPS in general because they're only binding until they aren't. Um, it's much better to change the zoning and it's u it's a it's it's harder to change a zoning than a BDP. Um, you're going to hear a lot of stories about existing flooding in the road conditions. So, I won't harp on that. But, I just want to know that all these recent developments, they all come in and say, "We're going to put a new development in and it's going to help you." And you know what? It hasn't. Uh, it gets worse. I'm sure this guy's a great engineer, but we we've heard that story before. Um, one thing that we would like to see is on these new developments is if the if the board could require a performance bond to repair the road after they bring in thousands of cubic yards of fill and destroy the road that's already in bad shape and make it back uh to to fix it up a little bit. Um but I think they the comprehensive plan the Comprehensive Coastal Management Plan Objective 7 says move development away from these areas. It's also in the uh special flood FEMA special flood hazard area. So why are we increasing density there? It makes no sense. Uh the other part is the rural character. No one's talked about that to be rural in character. It is a rural character area. You have to have at least 1 acre lots to pursue rural activities. Um, so we like to see 1 acre lots and also the Northland Homeowners Association, the North Island Special Advisory Board, and your own P&Z board all voted to deny this. Um, I haven't heard one person except for people on the applicant staff speak for it. So, we think you like to do the right thing and deny this application. Thank you.

Chair Altman: Hassan Kimmel. Did I say that right? H A S S N K E M E L. Oh, that's the applicant. Sorry, I missed that. Okay. William Bell.

Mr. William Bell: Good evening. My name is William Bell. I live on East Chris of Holy Road. Uh I'm here to also uh against the uh uh the new development. Uh Maronda Holmes recently built a uh uh community at the end of the road and after the storm of October the uh there was a river coming out of there and was contributing to most of the uh flooding on Crisafulli. The flooding has deteriorated the road. The road is in dire uh need of repair. It's full of potholes that were repaired. uh the eastbound lane headed up

due to the heavy traffic and the truck going trucks going back and forth have the road is down like 12 inches. It's just sinking away to nothing. And uh now after all that they want to take and put in uh 65 more homes surrounded by wetlands and raise the elevation four to 5 ft. Add an additional 150 cars and another several years of construction vehicles causing more damage. find it hard to believe that they won't further impact our community. And if I may, I just have some pictures here.

Chair Altman: Absolutely.

Ms. Rezanka: When were those pictures taken?

Mr. Bell: Pardon me?

Ms. Rezanka: When were those pictures taken?

Mr. Bell: The day after the storm.

Ms. Rezanka: October of this year or last year?

Mr. Bell: Last year. October.

Ms. Rezanka: No, I said it. Thank you. No, thank you.

Chair Altman: Emily Robinson.

Ms. Emily Robinson: Hello. Good evening. Thank you for the opportunity to give my comment. Um, I just want to say that I do recommend that you guys vote no currently on the zoning. Um, to give a little bit of a different perspective, I actually live in Island Forest. So I do greatly sympathize with all of the um neighbors on East Crisafulli because um during the big storm of October um my backyard actually experienced 6 inces of flash flooding in the matter of just an hour. So the next morning to emerge and see all of their homes completely underwater um really was awful. So for me to see that it makes me wonder where was the original engineering and planning then. So my other reasons for to strongly advise against no on the zoning is the lack of infrastructure improvements on East Crisafulli. Um the electricity power lines have not been improved in a long time from what I understand. And then lastly, um, to not, you know, be a broken record up here, really, the road improvement. In terms of having another access road, I would strongly urge that there be no more development until we have another road. Strictly from a safety perspective. During after the storm, had my family not had an SUV, you honestly probably couldn't have passed through safely down the road. It was um that deep. And I know several other people that could not leave the neighborhood because they did not have an adequate vehicle. Now, I know that that is their responsibility to take care of themselves, but we should all be good neighbors and not um not approve things just because we can, just because they did follow all the

regulations. Um I think this plan needs a little bit more time to cook. And so I really strongly um urge you guys to reconsider and have them do more engineering and um follow more guidelines. So thank you for your time tonight.

Chair Altman: Thank you. Um Mary Watkins.

Ms. Mary Watkins: Good evening and thank you for the opportunity to speak to you. I am Mary Watkins and I own two pieces of property in the Broadacres subdivision which was actually platted in the 1950s on Sand Ridge at the east end of Crisafulli Road. When you're driving out Crisafulli Road, you are going uphill to that sand ridge. Island Preserve is very close to that sand ridge but at the time of the development the highest elevation was 2.56 feet whereas my low lot the elevation is six 5.97 ft. So you can imagine the amount of field that has already come in. This other development that Maronda is talking about building is downhill from Island Preserve. It is down a natural hill. So to bring in a lot of field dirt, that water's got to go somewhere. With all due respect to engineers, I can go back to a civil engineer that told my father to dig the channel deeper under the Pineda Causeway so that the water level would go down so he could get his sailboat under the bridge. I had a commissioner's representative come out and look at my house at one point. While the house was not flooded, the property was, and I had to walk through flood water to get to my house. His answer was, "Build a deck around your house." Really, guys? Come on. Also, something that has not been brought up about the traffic. I was working for the county and had an opportunity to do some overtime on a Saturday. Unfortunately, the Friday night, two young individuals new to the neighborhood had killed themselves in an auto accident on East Crisafulli Road. The coroner was taking his sweet time getting there. So, I had to use a private access to get off of the property and to get off of Crisafulli Road. There are several hundred people that do not have access to that private property in order to get off. What's going to happen when something like that occurs again? And it will with the speeds and the curves in that road. Thirdly, when it comes to flooding, when you break through a hard pan, a geological term, water is not going to go down unless you pump it down. It's naturally going to come up. So, I don't care how deep they dig the holes as retention ponds. The water will not go anywhere except the path of least resistance, which is downhill. Please be considerate of that and please turn this down. Thank you.

Chair Altman: Thank you. Uh Terry White didn't give you time to sit down. I know. I was trying to catch you before.

Mr. Terry White: Thanks for letting us speak this evening. So my name is Terry White. I live at 5595 Joseph Court. A resident of Merritt Island since 1965. There's a couple things that's been stated here already that I would uh like to talk to a little bit, but uh I just wonder how many sitting up here in front of me have been out to East Crisafulli Road since October one. No, I've been there. Okay. All right. But and seen the condition

of that road. It was stated earlier that it's a typical two-lane road. Nothing's typical about it. If you look at Hall Road, Chase Hammock, Pine Island, and North Tropical Trail, they are far better roads than East Crisafulli is. Okay. The current road cannot handle the traffic. It cannot handle the increase in the traffic. And the survey that they mentioned about the speed hump area, that didn't take into consideration people like me and a lot of other people sitting back here that don't drive East Crisafulli all the way out. We go north or south along Judson to get out of our neighborhood. It's a dirt road. My truck's dirty all the time, but um that doesn't even consider the additional traffic right there. Now, another thing they talked about is this is a wetlands, but 40 years ago it was an orange grove just like part of my property. I used to own the oldest orange grove on North Merritt Island and the citrus died off in that. But old-time citrus growers did not plant in wetlands. Period. Yeah. So, something has changed over the last 40 years that turned those high pieces of ground that raised citrus into wetlands. If in my in my case where my property is, there's two developments that have been put in south of me and one that's been put in east of me. And ever since they went in, I flood. The county tells me it's because I live in a bowl. where the bowl didn't always exist there. Like I said, mine used to be citrus. So all those other ones and just like Mary mentioned is once they raise that water table and they put in these ponds and that that water table's up. So now when it rains, my south pasture floods and it doesn't go away right away. It takes days and days and days before that water finally goes away. Uh, and this new development says that they will not put any more water off of their property than there was in the past. We didn't see a lot of water flowing off of that property in the past, but they did say that once they develop it and it raises above the water the water level in their ponds, it will discharge onto East Crisafulli. So, they're not going to retain all of their water, which is which is sad. And uh there are many unanswered questions to their plans. In the previous meetings we've gone to about it, they said, "Well, they don't have all the site development. They don't have the engineering for this and that." My recommendation is until they come up with a clear set of plans of exactly what they're going to do that you should disapprove this zoning change. All right. Thank you.

Chair Altman: Thank you. Uh Stephen Mir Mir.

Stephen Mir: Good evening, folks. Thanks for your time today. Um I do have a photo that shows some of the flooding that we dealt with last October that I was just going to share with y'all. So, I think, you know, many of these fine folks have pretty much talked about what is what is troubling most of us. Um, the flooding has been really bad. It's continued to get worse over time. Um, in addition, as as the canals have effectively saturated, the swales that that most of us have, you know, from from our individual properties to the canal have have flooded out every single time. Um, and I think more and more of us are seeing areas that are continually saturated with water that didn't used to be. Um, I think when when that event happened, I was almost living on an

island at that point. Uh, which was shocking. And and my home on East Crisafulli is actually just east of where this uh this proposed development is is going to be and we were in about half a foot of water. Um, everybody's also talked about the the road condition and you know, I I think we can talk about fixing the road condition eventually and making it better, but the the concern that that I see when I look at at this is the property at the very end of the neighborhood added about a 100 homes. And I think East Crisafulli has maybe 150 160 homes in total before this happened. And this new proposed development is looking to add another 60. So I think what we're looking at over the course of a couple years is is Maronda is effectively doubling the h the homes that are in this neighborhood. And you know this this road is not made for that. Um the as we've talked about the the water just can has nowhere to go. And even if we go fix some of those things, even if their engineering is 100% correct, it's just not going to change the fact that we are just shoving tons and tons and tons of people into this area that is just not meant from an infrastructure standpoint to be able to handle this many people. I think everybody that lives in this area can attest to that. Thanks for your time, sir.

Commissioner Feltner: Sir, I'm Is that our copy for the for the clerk? Okay, we're going to give that to the clerk. Okay. Yep.

Chair Altman: Christopher Wishmire. Close.

Mr. Christopher Wishmire: Hello board. My name is Christopher Wishmire. I live at 730 East Crisafulli. Um it's right before on the way in the S-bend. Uh, so I'm few houses down from the proposed neighborhood. Uh, I would recommend you guys deny rezoning. Uh, now I could talk about how the flooding has impacted me and my property was underwater house, but that has been said before by many other speakers. Um, also somebody noted that the traffic study that they did was before many of the people moved uh, you know, their family members, their grandmas, everybody else in on the other Maronda homes that they have built down the street. Uh, but besides that with the traffic, in Kim's own words, East Crisafulli is a windy, curvy, squirly road. It's not a straight road like Hall. Um, my three little girls uh traffic stop for for school is right at that S-ben. When people try to make up speed because of the speed humps put in, they usually do it throughout the rest of the road. It's already a sketchy kind of deal right now. Adding more cars into the already sketchy deal, it doesn't look good for the future. Um, now there was also talk of uh, you know, an exotic removal, something with the wildlife on there. Uh, I I was kind of confused if that was towards plants or also, you know, the blue Florida scrub jay, the gopher tortoise, the osprey nest that might be out there since we are right next to a wildlife refuge. Um, the overall synopsis of the area from everybody in here is nobody wants it. I don't want it. And I know most of my neighbors, I'd say a good 99% of the people sitting here do not want it. If Kim wants the neighborhood built because that's her job. She's good at it. I wonder how she would feel

if it was right down the street from her house. Um, I just wanted to come up here because I showed up to the meeting and I wanted to, you know, be a speaker. I I I'm asking you guys to do what everybody here already wants you to do. That's it.

Commissioner Atkinson: Thank you. Our next speaker is Mary Hillberg.

Ms. Mary Hillberg: Good evening, commission. I'm Mary Hillberg. I live in North Merritt Island and uh I'm also on the North Merritt Island Special Advisory Board and we had a meeting um on this topic and um as you can imagine it was hours and uh a lot of um impassioned um um explanations as as it is tonight. And uh I would ask that um uh Commissioner Goodson's um um notice of the note of the um coastal high hazard area and the fact that it's a flood plane as well should um should uh help convince you that this is not a good idea for our area. Thank you. Thank you.

Commissioner Atkinson: Kim Tampa.

Ms. Kim Tampa: Hello. And um thanks for having me speak. I just want to say that um just like everyone else has before me, the flooding is horrendous and my house was flooded for 5 days and um the infrastructure needs to be done. People with the speed bumps, they light it up. As soon as they hit the last one, they they're speeding and someone's going to get hurt. Um the roads definitely need to be addressed. And um that's that's about it. Everyone else has said everything else that I need. Thank you.

Commissioner Feltner: Can I ask just real quick, ma'am? The pictures you gave us, is that for the clerk? Is that part of the record?

Ms. Tampa: Yes.

Commissioner Feltner: Okay. All right. Thank you.

Commissioner Atkinson: Denise Christopher.

Ms. Denise Christopher: Good evening. I'm Denise Christopher and I live off the North Tropical Trail, Merritt Island and um I've just been um on North Merritt Island since 1977 and I'm opposed to any changes to the current zoning of any property on North Merritt Island until something is done to improve the flooding and the traffic. One suggestion to um improve some of the flooding would be to grandfather in the existing vacant properties so that the building code regulations wouldn't apply as far as raising the road and filling all the property with dirt. Most of the complaints are about the truckloads of dirt that are required to raise the land. Therefore, the existing um adjacent properties end up being flooded on either side. The other issue is the traffic. When the addition of the cruise parking lots, and the space center traffic, the drawbridge, the traffic lights in 528, there are times that the residents on North Merritt Island can't even get out on the road on State Road 3. Recently, I uh witnessed an ambulance that was trying to get

through the traffic going south and the cars were at a standstill and it was near the barge canal and there was no way that the ambulance could get past at that point. And what if it was a member of your family getting um you know to have to get to the hospital was a matter of life and death. And uh it seems like we have a lot of other issues. And um the other part would be to maybe consider um and this is kind of do with the launches, the fact that our houses shake and we have cracks in our walls and stuff like that that the housing um should be changed the uh regulations to build the houses to adjust to what's happening with the rest of the property out there. And uh I appreciate your time. Plus, I just wanted to put a little plug in for Pioneer Day that's coming up on Saturday on North Merritt Island. So, I give you a little handout and also about the mob, which I don't know if y'all are familiar with the mob, but it's got to do with the museums of Boulevard. So, thank you.

Chair Altman: Great. Thank you. Robert Blevens.

Mr. Robert Blevens: Good evening, commissioners. Um, thank you for your time today. Um, I reside I'm Robert Blevens and, uh, I reside at 825 Wood Sage Lane. Um, I got a little over five acres. Um, my lot's a flag lot. It's right in the deep curb right where they plan on it's right after they they plan on doing this entrance a little bit after about few hundred yards after my uh entrance to my driveway. Um I can tell you just from I've only lived there for about four years. Um I I most of my community has already voiced their opinion about it. The flooding is ridiculous. I mean we had 18 and a half inches on in about six hours and uh that that area just couldn't handle it. And uh I I work at the space center. I I understand the growth that's going on out there. I got friends that are looking for homes and um are envious of me and my 12minute drive to work. I get it. It's it's lovely. Um but at the same point, it doesn't help the area. The flooding is out of control. Um I I can tell you my my my h my property has two exits. I can get off of Joseph Court or I can go off of Chris Foley. And I couldn't do it off of Joseph Court because of a there's a culbert broken right there that goes to my property. And I'm kind of glad it's broken because all that water off of Joseph Court would come onto my property because I'm I'm a real low low level property. Um I I there's not much I can do. I had 18 and a half inches in my garage. Lost nearly everything in there. Um, you know, nobody sees my house. I'm back in the woods. I'm behind 70 foot pines and and it's gorgeous. Uh, we my we just had a newborn son. My family's growing out there. There's a family that just built a home behind us. Same thing. Growing families. We don't want to be pushed away from our homes. I mean, I have to bring in sump pumps just to pump out underneath my house because the groundwater rises that quick. It It's It's serious out there. and to put an additional 61 homes on top of it is is is not is uncalled for. That's that's putting the dangers of everybody else in our community. And um that you know, I just want to voice my opinion as concerned neighbor and uh taxpayer for this county

and state and uh you know, hopefully you guys make the right decisions. Thank you for your time.

Chair Altman: Susan Rogers.

Ms. Susan Rogers: Good evening and thank you for your for your time. Uh I'm I'm not going to echo. We've all heard about the flooding. Uh I live off Chase Hammock Road which is to the south of the East Crisafulli Road, but as they say, we're all connected and we all live downstream and nature's a complex interconnected system. So, we need to be mindful of of this. It's just not sustainable all this additional development. You know, I I heard the lawyer, Mr. Rezanka, say this is a common sense solution. Well, it's not a common sense solution for the people who live there. and all the the the traffic issues have been discussed and and you know I have family members who ride their bicycles. They say it's gotten terrible. It's dangerous. They don't go down that road anymore. So like everyone here I say no to the rezoning this we it's not sustainable. this our North Merritt Island. Enough is enough and and we just need to do the right thing. Thank you.

Chair Altman: Uh Diana Scario, did I say. Oh, thank you.

Ms. Diana Scario: Hi, I'm the last person that would normally get up and speak in front of people, so you'll have to excuse me. Um, I am going to kind of reiterate what everyone said. The flooding is terrible. Uh, my husband and I own a farm. We're probably the only agriculture people that I've heard talk tonight and that's what we're here for. Um, the flooding event in October. Um, we're just south of the S turn. Uh, our pastures were underwater. Uh, we had to borrow a canoe from Terry so I could um bring hay out to our sheep that were stuck on a small patch of uh land that was above water. But what I'm getting at is it's to add in any more houses and to raise any land out there. Water goes to the lowest point. Period. It's not going to go anywhere else other than onto all the neighbors. You know how hard it is to see baby goats and baby sheep that can't get to dry land to have to and there's no place to bury them because it's all underwater. I mean chickens that drown and I'm sorry if there's kids in here and I'm not trying to be too graphic but it's it's awful for those of us who are actually still trying to use the land for agricultural purposes and to take a a large agricultural plat and turn that into anything other than agricultural land. You're never going to get that back. That land is meant to be green space. It's not meant for anything other than that. And also, I'd like to note, everyone's complaining about the road. I'm going to add a different spin on that because if you've ever tried to haul a livestock trailer down that road and you happen to pass one of those 18-wheelers that's bringing construction material down to the subdivision, you can't get through the road. It's not wide enough for two large vehicles. It's just not. So, I mean, at the end of the day, I think a lot of people have made um comments about the actual criteria that these people don't meet, but obviously we're

opposed to this rezoning, and hopefully you guys all do the right thing for the residents of Brevard County. I've lived here my whole life, so thank you.

Chair Altman: Thank you. You you said you'd be the last speaker and you actually are the last speaker. Okay. We bring this back to the Board.

Ms. Gilliam: Mr. Chair.

Chair Altman: Yes.

Ms. Gilliam: If I may, um I wanted to add something that should have been included in the addendum, which the addendum is to clarify and correct things that were um noted in the staff report. And so in the staff report, it's noted that they can get 70 units. They can actually get 34, not 70. I do have a breakdown of that calculation if you'd like me to explain how we got to 34.

Chair Altman: Yes, that'd be good.

Ms. Gilliam: Thank you.

Ms. Rezanka: Oh, so this evidence, this is out of out of order, out of line to bring it up at this point. Can you can you come to the mic? Yeah, this is this is unconscionable. This information should have been provided before now and the fact that it hasn't has hindered us. So I I haven't talked to my client, but we need to be able to analyze this because this is the first time I've ever heard this. Sorry, I was trying to drink some water before I got up here. So I object to this. If it's going to be heard, we need time to continue and to hear it.

Mr. Prasad: If I if I may, Mr. Chair, I can try to provide a little clarification. So the staff comments that Ms. Rezanka earlier referred to, she she stated 70 units. You'll notice there's an asterisk next to the potent the word potential. It says zoning potential for concurrency analysis purposes only, subject to applicable land development regulations. So that that um zoning potential that we put in every staff analysis is a simple formula. The zoning minimum lot size multiplied by the acreage. In cases like this, however, that the reason why that asterisk is there, it doesn't take into account the applicability of our land use regulations, land development regulations, sorry. So, in this case, that the numbers that Trina's come up with. They're estimates. That's all they are. And that's what we're we were asked to provide because at P&Z um and the reason they're estimates is because of the type of rezoning application there is. There's not engineering to know how much is going to be used for storm water ponds, roads. Um, and we also don't have the exact delineation of wetlands. So, Trina's come up with some estimates so the board can get an idea of how many units could be put on that uh

parcel today. But I will notice that that's all they are is estimates because that's all the information we have at this time.

Chair Altman: Okay. I want to hear from staff, but Morris, did you have any comments?

County Attorney Morris Richardson: You'll have an opportunity to rebut with staff. Staff can testify.

Ms. Rezanka: Yes, but we need to have time to expert testimony. We just got continued on another matter because of new evidence.

Mr. Richardson: Why don't you hear the testimony and you'll have an opportunity to rebut it?

Ms. Rezanka: No, we're not.

Mr. Richardson: You'll have an opportunity to respond to the testimony. The chair has asked to hear the testimony and he may hear the staff testimony.

Ms. Gilliam: Thank you.

Chair Altman: Okay, go ahead.

Ms. Gilliam: In the AU area, there's approximately 118.5 acres. There's approximately 80.5 acres of wetlands. And when we break that down, accounting for 25% of infrastructure in the 38 acres of the uplands, they would be able to get 11 units. That's accounting for 9.5 acres of infrastructure. On the 80 acres of the wetlands, they would only be today be able to develop it at one unit per five acres. Also, taking into account the infrastructure, we would minus out about 20 acres of that. That leaves them with 12 units. That's a total of 23. That is on the AU portion what they could do today. Again, an estimate in the RR-1 zoning, it's approximately 23 acres. It's approximately 8.7 acres of wetlands. 14.6 acres of uplands. Again, 8.7 of wetlands. In the wetlands, they can develop one unit per 5 acres. Taking out 25% for infrastructure. We would be minusing out about 3.65 acres. That leaves them with enough to do 10 units, for a grand total of the 34. Excuse me, 11 units and then take into account the um the wetlands would give them one unit in the RR1 portion. So it's 11 units give them a total of 34.

Chair Altman: Okay. Thank you. Any questions on that and comments?

Commissioner Atkinson: Two minutes. Two and a half minutes.

Chair Altman: Okay.

Mr. Richardson: Now, you have the ability to cross-examine her and and you have the ability to rebut her.

Ms. Rezanka: No, I need to ask for continuance because she's not an engineer and she doesn't design subdivisions. Subdivisions can accommodate wetlands and individual lots, can accommodate infrastructure in individual lots. This is a down and dirty calculation that is not accurate. It's not how any engineer would design it. So, at this point, I'm asking for a continuance.

Mr. Richardson: She may request a continuance. The board doesn't need to grant the continuance.

Ms. Rezanka: No, but we have new evidence. The board policy requires a continuance when new evidence is put forward. We just heard that earlier.

Chair Altman: I have a question. Um, from a planning perspective, and this is what we're doing here, this type of information is helpful in terms of planning policy and procedure and how we evaluate our comp plan. And that's why I wanted to hear it. I'm just curious of what what the development potential under the larger broader scheme of planning, not necessarily from a specific engineering point of view. Um, and from what the staff is telling us, this is under our planning documents, under their interpretation, what the land could be used for today. I just thought that would be helpful.

Ms. Rezanka: It's uh it may be helpful, but it is um in controvert to what they've already provided to us and it's new evidence. I don't know if it's accurate or not. This is the first I've heard of it. you would have thought we'd have been given it before now because I'm pretty sure they knew it was going to be presented tonight. So, um asking for an opportunity to review it.

Chair Altman: A question I have for you. Um under your interpretation, I'm sure you you've evaluated the land, you looked at it, you purchased it under the rules as they exist today, what do you feel you could develop the land for? What density do you feel like you could obtain without changing zoning?

Ms. Rezanka: Well, without changing zoning based upon the staff report, based upon the zoning and that's available now, it's 70 units. If we were to go as of right, open space subdivision and again working around the wetlands, putting wetlands in lots using whatever means method like Broad Acres, go back to the 1950s styles of plat road straight down the middle and put put lots on each side. So this is I didn't say this was a common sense solution. I said it was common sense development and it allows things to be clustered as your Code requests. So I still believe it's 70 under the zoning. Site planning hasn't been done. Engineering hasn't been done. And it's not usually required at the zoning stage.

Chair Altman: Okay. That missed a good point. Thank you. I understand. Yes sir.

Commissioner Goodson: I would like to make a motion that for these reasons just discussed, we make a motion to decline to enter into a BDP and therefore deny the application for rezoning and would be consistent with would be inconsistent with the comprehensive plan and I'd like for the direct the county attorney to draft findings of facts for the board consideration of a future meeting.

Commissioner Delaney: Second.

Ms. Rezanka: I haven't finished my rebuttal yet. I had asked for a continuance.

Chair Altman: You have two and a half minutes. just go ahead and finish the rebuttal and then we. Okay.

Ms. Rezanka: Again, I would begin by asking the board completely discount uh Ms. Gilliam, who I I do respect as a planner, but she's not an engineer. Um I respect fully request that you grant this rezoning because of the use of the land is no longer available. Um what you have heard is that people don't want change. It's been stated time and time again, they don't want change. They also have a speeding problem.

Chair Altman: Please allow her to give her time.

Ms. Rezanka: They have a speeding problem. They have a flooding problem. No one designs to the 500 year flood that happened in October. That's in no one's code. Raising the property don't help.

(audience): What about 2022?

Chair Altman: Okay, I'm going to add three minutes to her time because she's being interrupted. You need to give her an opportunity to present her client's case, but go ahead.

Ms. Rezanka: Thank you. So there are issues but no one has proven that there is evidence to support we don't meet the criteria. They cite Administrative Policies. They don't cite facts to go with them. They speculate on what might happen. They don't understand engineering principles. There's not been a single engineer who has testified. Um there has been statements from Mr. Prasad about the coastal hazard. Well the coastal hazard has said to limit density. We're not asking for more density than current zoning allows. Current zoning allows 70. If we can make it under land development regulations is another question. But this is zoning, not engineering, not site planning, not platting. Um, second, to find it would be detrimental. There's no facts. You cannot say with any facts that this is going to make the area worse. Your land development code prevents that. St. Johns prevents that. Florida law prevents that. If they're having

problems from Island Forest Preserve that Maronda did not build the infrastructure, they've done take down lots and build homes, then that's an Island Forest Preserve issue that should be taken into account by the county and something should be done about it. Code enforcement or a lawsuit. I don't I don't know, but it's not proof that this subdivision is going to do the same thing. Um, this area is in the new uh Code that requires development north of Merritt Island from Hall Road north to State Road 405 comply with the new modeling that was developed and adopted by this board in 2022. That did an entire basin study that knows everything about where the water flows and any storm water calculations have to go through that process. And that is new. Only one subdivision's gone through it before. Island Forest Preserve did not. Um the staff report uh again when I looked at the addendum it was clear that it was to refute everything that was said on the applicant's behalf. Um however we are not increasing density. We are directing development to the uplands which is what your code requests. Um a BDP is a zoning action. So yes, zoning can be changed as do BDPs can be changed. Uh that road there is not it is a unusual road but there are many of them. Tropical Trail, South Tropical Trail, um South Banana River Drive and these are roads that have been there. Land has uh the ability to be developed. There are private property rights that apply to this land. If this land does have 70 units now, uh then it should be entitled to try to do those 70 units. We are trying to be transparent and let you know exactly what is going to be built here. Uh no zoning code has required full engineering and it's not in your code. Now, your staff report initially said that this would have no adverse impacts, that this isn't a neighborhood, it's a neighborhood area and that it is compatible. Your staff report says that even the addendum doesn't say that. Uh uh there has been statements that once this is developed it will discharge. It cannot discharge more than it has discharged in the past. That's your law and that's how they design. That's how Mr. Kamal uh Mr. Hassan Kamal would design it. Um, as with the city point that came before you not that long ago, we are willing to uh per put into the BDP that the developer will reduce the volume of storm water discharge on the property to better control the runoff and allow no more water than currently comes from the property. This shall exceed the requirements of Brevard County Code and St. John's River Water Management District. And this shall be addressed at the site plan stage. That's what we did with City Point um in District 1 just in December of this year to require and and that that was a PUD, but this still applies. Uh the exotics are exotic plants that are removed when you work with wetlands. They're not removing any animals. Again, I point back to the to Administrative Policies and Administrative Policies require facts, but they're guidelines. The land development codes comply. Um, this is a logical development. It's predictable because you know what's going to be built. Uh, this is how the land development code usually works. We have asked for uh a binding development plan to limit the density which is appropriate under 62-1255. And again, we would agree to a performance bond and to

the enhanced storm water criteria that we've done for City Point and District 1. Thank you.

Chair Altman: Okay. Thank you.

Ms. Rezanka: And again, I'd still ask for the continuance. Okay. If you're relying upon that evidence.

Chair Altman: We note that there's been request for a continuance.

Mr. Richardson: BCC-97 allows an applicant to cross-examine a witness. When evidence is presented or to request a tabling for seven days to submit a rebuttal um to the evidence presented, it's limited just to rebutting that issue. It's not reopening the public hearing or anything like that. Both of those are within the board's discretion. Cross-examination must be allowed if it's requested. The tabling for additional rebuttal does not.

Chair Altman: Cross examination is required to be allowed if requested.

Mr. Richardson: If requested.

Chair Altman: Would that be at this particular meeting?

Mr. Richardson: Yes.

Chair Altman: Like so if you would like to cross-examine, you're entitled to do that.

Ms. Rezanka: If I can be given her numbers in 10 minutes for the engineer to look at it. Sure, we would do that.

Commissioner Feltner: How about a break?

Chair Altman: We're due for a break, so let's have a 10-minute break.

Ms. Rezanka: So, I need the number she read from. Okay. Thank you.

Chair Altman: Thank you. We will take a 10-minute break.

[10-minute recess]

Chair Altman: I think we'll hear from Morris Richardson first our legal counsel and then proceed from in the order that he recommends. Okay.

Mr. Richardson: Uh thank you Mr. Chair. So the applicant has offer uh has asked to offer rebuttal testimony to testimony presented by planning staff regarding an estimate

of the potential number of units that could be realized under the current zoning. And I believe uh Mr. Kamal, the engineer for the project, is ready to speak on that subject.

Chair Altman: Okay.

Mr. Kamal: Thank you again, Hassan Kamal with BSE Consultants. Um, I I'd like to start out by noting that uh the information that Miss Gillian provided uh came from a memo or an email that was dated uh January 14th. Um, today's February 5th. there was a an addendum to the staff report that was issued I think earlier this week. So, it's a little bit disappointing and frustrating on our end that we see this information for the first time today at the public hearing where if it was uh provided to us and discussed with the applicant earlier, we could have had a uh a much better chance to understand where they got their numbers from and discuss it and maybe reach some consensus on what those numbers really mean. So, uh, puts us in a little more of a difficult position, but, uh, again, we've just had a few minutes to take a look at this. And my concern would be I I don't know where the wetland numbers come from. I don't think the county staff has uh, and I'm an engineer, not an attorney. So, I'm going to pose these questions uh, in the format that I normally would. I don't know where these numbers came from. I don't think county staff has been on site if there or if they just used a a database inventory to generate those. Um the assumption for 25% infrastructure seems high based upon my experience. I've been doing uh subdivision land development design for over 30 years. Uh that number seems high and I don't know specific to this for this kind of development. Um the assumption that uh when you go through the units that um all the 2 and 1/2 acre all the residential development all has to be in upland I don't think is accurate. We've done lots of subdivisions where you can plat into the wetlands place them in a conservation easement and provide enough upland development footprint to construct your house pad yard and footprint. Um, at the end of the day, even with those numbers that were presented by staff, there's 46 units that in theory they could develop. We don't agree with those numbers, but that doesn't I'm sorry, 34. Uh, and that's assuming with with all their worst case scenarios, that doesn't really change the calculus. We still have uh the most stringent storm water criteria in Boulevard County that we've got to go through and I think the board has to trust their staff to enforce that criteria to make sure that this project whether it's 61 units, 40 units or whatever the number is doesn't adversely affect either upstream or downstream facilities. And you have those regulations already in place. We've documented with traffic counts that Boulevard County provided that this roadway has an acceptable level of service and its current rate and even with the addition of the project traffic, it's well below the acceptable level of service. So, uh I think as far as these numbers, we obviously got them 10 minutes ago. I don't agree with the basis for these calculations, but it doesn't change the request. We we meet the criteria. We are less than what's allowed under the current zoning when you take a look at the raw numbers. We meet concurrency. This

um school concurrency and roadway concurrency. So I I again disappointed that we just got this today but that's our response to these values.

Chair Altman: Okay. Okay, thank you. Uh, do we have any questions? I don't think we have any questions. Okay, let's bring it back to the Board. Any discussion? No questions. Any discussion? Any motions?

Commissioner Goodson: My motion? Okay. Okay. For the reasons just discussed and discussed throughout this whole meeting, I make a motion to sign to enter into a BDP and therefore deny the application for rezoning as it would be inconsistent with the comprehensive plan and I would like to direct the county attorney to draft findings of fact for the board's consideration at a future meeting on this matter. That is my motion.

Commissioner Delaney: Second.

Chair Altman: Okay, there's a motion uh second by Commissioner Delaney. Uh any discussion on the motion? Okay. Um, all those in favor of the motion signify by saying "aye."

Board: Aye.

Chair Altman: Motion carries. Okay. All right. Okay. Pardon me. Yes, it was a denial.

***Transcript taken from YouTube with updates based on meeting audio. Subject to typos and errors.**