



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>

**STAFF COMMENTS  
 26Z00005**

**HQW, LLC. & HQW Homeowner’s Association, Inc.**

**EU-1 (Estate Use Residential) & AU (Agricultural Residential) with Binding Development Plan (BDP) to RVP (Recreational Vehicle Park) & AU with a CUP (Conditional Use Permit) and removal of the existing BDP**

Tax Account Number: 2408695, 2460010  
 Parcel I.D.: 24-35-34-00-2  
 24-35-34-00-47  
 Location: 5405 Highway 520, Cocoa, FL 32955. (District 1)  
 Acreage: 32.89 acres

Planning & Zoning Board: 04/13/2026  
 Board of County Commissioners: 05/07/2026

**Consistency with Land Use Regulations**

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

	<b>CURRENT</b>	<b>PROPOSED</b>
<b>Zoning</b>	EU-1 & AU	RVP & AU w/CUP
<b>Potential*</b>	50 Single-family residences**	240 RV Lots and 3 single-family residences ***
<b>Can be Considered under the Future Land Use Map</b>	YES RES 15	YES RES 15

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

\*\*Current BDP limits the development of the property to 50 residential units.

\*\*\* Applicant is proposing 36 RV lots & a barn for horses Background and Purpose of Request

The applicant is requesting to rezone a vacant property from EU-1 (Estate Use Residential) & AU (Agricultural Residential) to RVP (Recreational Vehicle Park) & AU with a CUP (Conditional Use Permit) and removal of existing BDP, as the applicant would like to have an equestrian-friendly RV park. The applicant is proposing to configure it as a 24.34-acre recreational vehicle

park and 8.24 acres with a barn for the boarding of horses, along with a horse-riding trail as an amenity to park patrons. The property is a combined total of 32.89 acres. The applicant provided a concept plan that depicts 36 RV lots or spaces. This concept plan is for illustrative purposes and is non-binding; it has not undergone review for land development regulation compliance.

The maximum potential of the site is 240 RV lots & 3 single-family residences. Per Section 62-1406(6)(b): For recreational vehicle park properties located outside of neighborhood commercial or community commercial land use designations on the Future Land Use Map, there shall be a maximum of ten recreational vehicle sites or lots per acre, or the maximum designated residential density, whichever is less.

The proposed (RVP) recreational vehicle park zoning classification encompasses lands devoted to recreation vehicle, tent, park trailer, and cabin uses together with such ancillary structures as allowed to promote a recreational type of atmosphere for both park owners and/or their guests. Minimum Park size shall be five acres. Recreational vehicle sites shall have a minimum area of 2,000 square feet and shall have a minimum width of 30 feet and a minimum depth of 60 feet.

As defined, spaces or lots may be used by a recreational vehicle or equivalent facilities constructed in or on automotive vehicles, tents, or other short-term housing devices. Cabins or park trailers used for short-term rentals may comprise no more than 20 percent of the permitted space or lots and shall not exceed a maximum of 1,000 square feet each in size.

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

The applicant is requesting the CUP for boarding of horses and horses for hire as they want the ability to have more than 32 horses. Without the CUP, only 32 horses would be permitted based on the acreage of 8 acres times 4 horses per acre, which equals 32 horses.

Pursuant to Section 62-1913, Brevard County Code of Ordinances, Boarding of horses and horses for hire requires a minimum lot area of five acres shall be required for boarding of horses and horses for hire, and all structures for the permanent or temporary housing of horses shall meet the setback requirements for such structures in the AU and AGR zoning classifications. A conditional use permit shall not be required where the number of horses does not exceed four per acre.

Within a 500-foot radius, the abutting three properties to the southwest of the subject property have agricultural exemptions per the Brevard County Property Appraiser Office (BCPAO). Those properties are used for grazing land. The abutting property to the west has an agricultural exemption for grazing land in association with the boarding of up to 8 horses, per the BCPAO. In addition, two properties to the south have an agricultural exemption for grazing

land. To receive the agricultural exemption, those properties were determined to be bona fide agricultural. As such, certain land development regulations are superseded by Florida Statute Section 570.86.

The subject parcel contains mapped St. Johns River Water Management District (SJRWMD) wetlands and hydric soils. A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal.

Section 62-3694(c)(3)(b), Brevard County Code of Ordinances, has allowances for wetland impacts for commercial uses along "Mitigation Qualified Roadways" (MQRs). Highway 520 is an MQR at this location.

Section 62-3694(c)(3)(b), Brevard County Code of Ordinances, further provides that for projects involving multiple properties, assembled under a single site plan, wetland impacts on parcels without direct frontage on a mitigation-qualified roadway may only be permitted if the parcels are combined such that the proposed wetland impacts occur on a parcel with direct frontage on the mitigation-qualified roadway. The assembled properties must also be deed-restricted for commercial or industrial use.

In accordance with the two references above from Section 62-3694 (c)(3)(b), the proposed development involves two properties, with only one having direct frontage on Highway 520. In order to impact wetlands on both properties, they would be required to be combine together and include a deed restriction for commercial and industrial use only.

### **Zoning History:**

- AU was the original zoning classification when the Brevard County Zoning Code was established on May 22, 1958.
- **Z-4249**: CUP for security trailer adopted June 16, 1977.
- **Z-8195**: CUP for boarding of horses and horses for hire adopted September 26, 1988.
- **Z-8405**: CUP for temporary security trailer with CUP for horses and horses for hire adopted May 22, 1989.
- **Z-9159**: Zoning change from AU to EU-1 adopted June 8, 1993 with a BDP subject to a maximum of 50 units.
- **Z-10800(44)**: Removed the CUP for the boarding of horses and horses for hire, approved May 1, 2003.

The subject property retains the original RES 15 FLU designation established by the 1988 Brevard County Comprehensive Plan.

The subject property is located on the south side of Highway 520, a state-maintained roadway between Highway 524 to the West and Lake Poinsett Rd. to the East.

There are no current code enforcement complaints on the subject property.

### **Surrounding Area**

	<b>Existing Land Use</b>	<b>Zoning</b>	<b>Future Land Use</b>
<b>North</b>	Undeveloped, water & sewer facility	AU, BU-1, BU-2	NC, CC
<b>South</b>	Single-family residence, grazing land	AU	RES 15
<b>East</b>	Warehouse, distribution & trucking terminal, single-family residence	BU-1, BU-2, AU	NC, CC, RES 15
<b>West</b>	Grazing land, undeveloped	AU	NC, RES 15

North of the subject property is six (6) total parcels. Two (2) parcels, 0.9 and 2.4 acres, undeveloped, with zoning classification AU and NC FLU designation. Additionally, there are two (2) parcels, 1.14 acres, with zoning classification BU-1 and BU-2, 1.12 acres with zoning classification BU-2, both parcels have CC FLU designation. The fifth parcel is 1.45 acres, developed in 1950 as a sewer and water facility for City of Cocoa with AU zoning classification and NC FLU designation. The last parcel is 1.93 acres, undeveloped with AU zoning classification and NC FLU designation.

South of the subject property is four (4) parcels. The first parcel is 5.23 acres, developed with a single-family residence with AU zoning classification and RES 15 FLU designation. Next is a 4.84-acre parcel, grazing land, with AU zoning classification and RES 15 FLU designation. The last two (2) parcels are 16.22 and 8.57 acres, grazing land, AU zoning classification with RES 15 FLU designation.

East of the subject property is three (3) parcels. The first parcel is 14.76 acres, developed with a warehouse, distribution and trucking terminal, BU-1, BU-2 & AU zoning classification with NC, CC & RES 15 FLU designations. The last two (2) parcels are 2.82 and 4.14 acres, developed with single-family residences, AU zoning classification with RES 15 FLU designation.

West of the subject property is two (2) parcels. One parcel is 18.61 acres, grazing land, with AU zoning classification and NC FLU designation. The second parcel is 5.11 acres, undeveloped, AU zoning classification with RES 15 FLU designation.

BU-1 classification allows retail commercial land uses on minimum 7,500 square foot lots. The BU-1 classification does not permit warehousing or wholesaling.

BU-2 zoning classification permits retail, wholesale and warehousing commercial land uses for a minimum of 7,500 square foot lots. Possible incompatibilities are due to the intensive nature of commercial activities permitted by the BU-2 classification and possible noise, light, traffic and other nuisance factors potentially associated with BU-2 activities.

AU zoning classification encompasses lands devoted to agricultural pursuits and single-family residential development of spacious character on 2.5-acre lots, with a minimum lot width and depth of 150 feet. The minimum house size in AU is 750 square feet. The AU classification

also permits the raising/grazing of animals, fowl, beekeeping, plant nurseries, and the packing and processing of commodities raised on site. Conditional uses in AU include hog farms, zoological parks, and land alteration.

**FLUE Policy 1.4** –The Residential 15 Future land use designation. The Residential 15 land use designation affords the second highest density allowance, permitting a maximum density of up to fifteen (15) units per acre, except as otherwise may be provided for within this element.

#### Future Land Use

The subject property's EU-1 and AU zoning classification can be considered consistent with the Residential 15 (RES 15) Future Land Use designation provided on the FLUM series contained within Chapter XI – Future Land Use Element of Brevard County's Comprehensive Plan. The proposed RVP and AU zoning classification can be considered consistent with the existing RES 15 FLUM designation.

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 intends to develop 36 RV sites with a barn for the boarding of horses. The proposed use may have hours of operation, lighting, odor, noise levels, traffic, or site activity that might affect the existing neighbor. The proposed rezoning will need to comply with Brevard County's Performance Standards defined by Sections 62-2251 through 62-2272.**

**The board should consider whether the proposed use is compatible within the area.**

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

**Only a certified MAI (Master Appraiser 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:

**The historical land use patterns in the surrounding area can be categorized as vacant land, agricultural pursuits, or single-family residences situated on parcels ranging from approximately 0.9 to 27 acres.**

**There are three FLU designations within the 0.5-mile search radius: Residential 15 (RES 15), Neighborhood Commercial (NC), and Community Commercial (CC). The prominent FLU is RES 15**

**There are eleven zoning classifications within a 0.5-mile radius of the subject parcel: RU-1-9, AU, BU-1, BU-2, TR-1, SR, RU-1-11, RU-2-10(4), RU-2-10(6), TRC-1 and PUD. The prominent zoning classification in the area is AU on the south side of Highway 520 and RU-1-9 on the north side of Highway 520.**

**There are multiple parcels with AU zoning classification located within a 0.5-mile radius of the subject property. There are approximately 12 parcels with AU zoning classification abutting the subject property on all sides.**

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

**There has been one single-family residence developed on an approximate 1.33-acre parcel within 0.6 miles southwest of the subject property over the preceding three years.**

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

**There has been no development approved within the past three years that has not been constructed within a 0.5 mile of the subject property.**

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

**No material violation of relevant policies has been identified.**

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

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

#### **Criteria:**

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

**Based on staff analysis, the proposed use will provide a recreational activity that is already present approximately 0.7 miles east of the subject property, within the area. The proposal is not anticipated to cause a decrease in LOS in the area.**

- B. In determining whether an established residential neighborhood exists, the following factors must be present:
1. The area must have clearly established boundaries, such as roads, open spaces, rivers, lakes, lagoons, or similar features.

**Staff analysis has determined that the area is not an established residential neighborhood. However, there are clearly established roads and residential lot boundaries.**

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

**The proposal will not preclude the existence of an existing residential neighborhood.**

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

**The area has sparse residential and commercial development with predominantly vacant land on the south side of Highway 520.**

## **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 St. Johns River Water Management District (SJRWMD) wetlands and hydric soils. A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal. Section 62-

3694(c)(3)(b) has allowances for wetland impacts for commercial uses along “Mitigation Qualified Roadways” (MQRs). Highway 520 is an MQR at this location.

Section 62-3694(c)(3)b also provides that for a project encompassing multiple properties assembled under one site plan development order, wetland impacts for those properties without direct frontage on the mitigation qualified roadway may be permitted only if the properties are combined so that any proposed wetland impact is contained within a property with direct frontage on the mitigation qualified roadway. The assemblage shall be deed restricted for commercial or industrial use.

### **Preliminary Concurrency**

The closest concurrency management segment to the subject property is S.R. 520 located between S.R. 524 to Friday Rd., which has a Maximum Acceptable Volume (MAV) of 38,430 trips per day, a Level of Service (LOS) of D, and currently operates at 42.41% of capacity daily. The maximum development potential from the proposed rezoning has minimal change to the percentage of MAV. The corridor is anticipated to operate at 42.51% of capacity daily. The proposal is not anticipated to create a deficiency in LOS.

Staff has preliminarily determined that if the property was developed at the maximum potential of 240 RV lots, the roadway would not be anticipated to have a decrease in LOS. With the roadway currently operating at 42.41% of capacity daily, the maximum potential would increase traffic by 250 trips, per ITE Trip Generation 12<sup>th</sup> Edition. The roadway would operate at 43.07% of daily capacity, an increase of 0.65%.

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

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

### **Environmental Constraints**

#### **Summary of Mapped Resources and Noteworthy Land Use Issues:**

- Wetlands and Hydric Soils
- Protected and Specimen Trees

## **For Board Consideration**

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

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

The Board may also consider whether a new Binding Development Plan (BDP) is advisable to limit the number of recreational vehicle (RV) lots or spaces to those depicted on the concept plan, or to another appropriate density, taking into consideration existing density limitations in the area and the applicant's request to remove the current BDP.

**NATURAL RESOURCES MANAGEMENT DEPARTMENT**  
**Zoning Review & Summary**  
**Item No. 26Z00005**

**Applicant:** John Holmquist (Owner: HQW LLC)  
**Zoning Request:** EU-1 and AU to RVP and AU with a CUP  
**Note:** to develop an equestrian-friendly RV park  
**Zoning Hearing:** 04/13/2026; **BCC Hearing:** 05/07/2026  
**Tax ID No.(s):** 2408695 & 2460010

- 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
- Protected and Specimen Trees

**Land Use Comments:**

**Wetlands and Hydric Soils**

The subject parcel contains mapped St. Johns River Water Management District (SJRWMD) wetlands and hydric soils (Malabar sand, 0 to 2 percent slopes; EauGallie sand; Anclote sand, frequently ponded, 0 to 1 percent slopes; and Holopaw sand, frequently ponded, 0 to 1 percent slopes); indicators that wetlands may be present on the property. **A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal.**

Section 62-3694(c)(3)(b) has allowances for wetland impacts for commercial uses along "Mitigation Qualified Roadways" (MQRs). Highway 520 is an MQR at this location. If wetlands are found, the applicant shall complete High Function and Landscape Level wetlands assessments prior to the allowance of any impacts. Board approval may be required for impacts. 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.

Section 62-3694(c)(3)b also provides that for a project encompassing multiple properties assembled under one site plan development order, wetland impacts for those properties

without direct frontage on the mitigation qualified roadway may be permitted only if the properties are combined so that any proposed wetland impact is contained within a property with direct frontage on the mitigation qualified roadway. The assemblage shall be deed restricted for commercial or industrial use.

### **Protected and Specimen Trees**

Protected and Specimen trees likely 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 and buffer requirements. **Applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.**