

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, July 13, 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 (D2); John Hopengarten (D1); Ruth Amato (D1); Ron Bartcher (D2); Neal Johnson (D4); Ana Saunders (D5); Erika Orriss (D3); Jerrad Atkins (D1); Eric Michajlowicz (3); Greg Nicklas (D-3); Robert Brothers (D5) and Melissa Jackson (D5).

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

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

EXCERPT OF COMPLETE AGENDA

H.9. Sandman Outdoor Storage (Donald & Stacy Clark) requests a zoning classification change from BU-1 (General Retail Commercial) to BU-2 (Retail, Warehousing and Wholesale Commercial) (26Z00021) (Tax Account 2000350) (District 1)

Paul Body read item H.9 into the record.

Donald Clark spoke to the application. He owns three adjoining parcels and wants to discuss the one at 3850 US Hwy 1. He wants to change it from BU-1 to BU-2 so he can do outdoor storage of boats and RVs. He proceeded with discussion on his fence location and a code case. He also discussed the existing driveway and millings.

PUBLIC COMMENT

James Barger on discussed the millings on the driveway and whether a permit was required or obtained at the time the millings were laid. Brevard County provided a portion of the millings for use of the land to stabilize it so county trucks wouldn't sink.

Brent Fowler stated he is the adjacent landowner. He's not trying to cause anybody any problems. The millings are not a part of the request but since it has been mentioned the millings are of concern because the adjacent lot to this request is an agricultural lot. It is zoned AU. I don't want it changed from BU1 to BU2, because BU2 carries extremely wide uses.

END PUBLIC COMMENT

Ms. Orriss inquired on the status of the pending code enforcement case for land clearing of the property in 2020.

Mr. Clark stated Matt Smith from Tree Smith came out for a bunch of dead trees and said that he had a pine bore beetles. The recommendation was to have the trees removed. He was not aware he needed a permit to remove the trees. He also relocated some existing palm trees along the front of the road.

Mr. Bartcher asked the applicant if he'd be willing to accept a BDP.

Mr. Clark responded he'd be willing to do a BDP for boats and RVs only.

Ms. Amato asked if the applicant would be willing to include no Live Local. Because it would allow for 44 dwelling units.

Mr. Clark stated he has no intention of building any houses. He only wants to do boat and RV storage.

Ms. Gilliam stated that the staff report mentions that the natural resources code enforcement case is still active. It is pending. It's natural resources case.

Mr. Hopengarten inquired about the drainage situation of the property.

Mr. Clark stated he has a retention pond, in the back corner and everything drains perfectly. I also have a spot in the back where it drains right down. I've had no problem. We just had a massive downpour, and it all went right to that little spot and it's on that same property. I have plenty of drainage retention on both properties. And I have an asphalt driveway. It's packed. They graded it, packed it, rolled it. It's done. It is a parking lot and not back in the woods.

Mr. Michajlowicz wanted to clarify the difference between BU1 and BU2 is the impact of various commercial businesses. This man is using his property as boat storage and RV storage. So why is he looking for a B2?

Mr. Wadsworth stated that BU-1 does not allow for outdoor storage. BU-2 would be limited to boat and RV storage.

Mr. Body clarified that he's going to have to have BU-2 to do outdoor boat and RV storage. You can't do outdoor storage in BU-1.

Ms. Amato brought up her concerns about the flooding in the area and the Live Local Act for 44 dwelling units if this were BU-2.

Mr. Esseeesse stated that he can already do that in BU-1.

Mr. Hopengarten inquired if the County can restrict Live Local since it is a state mandate.

Mr. Esseeesse responded the county's position would be if it's voluntarily entered into by the property owner, then they can restrict themselves however they like to. Whether or not we end up in court over it, that's another question. A BDP is a voluntary agreement. They would be subjecting themselves to that regulation. That would be our position.

Motion to recommend approval of item H.9 with a BDP for all BU-1 uses plus the use of outdoor storage in the BU-2 zoning classification only and no live local, by Ron Bartcher, seconded by Ruth Amato. Motion passed unanimously. (Jerrad Atkins abstained from voting)

Meeting adjourned at 5:21 p.m.