



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

25Z00062

Dirschka Family Revocable Trust; Paul & Eric Dirschka

RU-1-11 (Single-Family Residential) & RU-2-10(5) (Medium-Density Multiple-Family Residential) to RU-2-15 (Medium-Density Multiple-Family Residential)

Tax Account Numbers: 2216190, 2216168, 2216154, 2216153, 2216155, 2216152, 2216156, 2216151, 2216157, 2216150, 2217403, 2218992, 3021864, 3038147, and 2217400

Parcel I.D.s: 22-35-28-01-81-24, 22-35-28-01-81-1, 22-35-28-01-80-15, 22-35-28-01-80-14, 22-35-28-01-80-16, 22-35-28-01-80-13, 22-35-28-01-80-17, 22-35-28-01-80-12, 22-35-28-01-80-18, 22-35-28-01-80-11, 22-35-33-00-256, 22-35-33-00-281, 22-35-33-00-284, 22-35-28-01-* -R.02, and 22-35-33-00-253

Location: Located on the east side of Columbia Blvd., approximately 257' south of Windover Way. (District 1)

Acreage: 18.07 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)*

	CURRENT	PROPOSED
Zoning	RU-1-11 & RU-2-10 w/ cap of 5 units per acre	RU-2-15
Potential*	10 single-family & 78 multi-family units	271 multi-family units
Can be Considered under the Future Land Use Map	YES RES 15	YES RES 15

* Zoning potential for concurrency analysis purposes only, subject to applicable land development regulations. Application of these regulations may reduce development

potential.

Background and Purpose of Request

The applicant is requesting a change of zoning classification from RU-1-11 (Single-Family Residential) and RU-2-10(5) (Medium-Density Multiple-Family Residential) with a density cap of 5 units per acre to RU-2-15 (Medium-Density Multiple-Family Residential) on 18.07 acres to allow a 270-unit multifamily residential development under the RU-2-15 zoning classification. According to the applicant, the existing single-family residences on the subject property will be removed.

A portion of the subject parcel contains mapped National Wetlands Inventory (NWI) and SJRWMD wetlands and hydric soils, indicating potential wetlands on the property. A state-approved wetland delineation will be required prior to site design, land clearing, or building permit submittal. The property is also located within the City of Titusville's Area of Critical Concern and is designated as a Type 1 Aquifer Recharge area, subject to Section 62-3635 and applicable aquifer protection regulations, including septic density limitations. Additionally, a portion of the parcel lies within FEMA Special Flood Hazard Area (SFHA) Zone A and is therefore subject to applicable floodplain development standards, including compensatory storage requirements.

RU-2-15 classification medium-density multiple-family residential zoning classifications encompass lands devoted to medium-density multifamily residential purposes, together with such accessory uses as may be necessary or are normally compatible with residential surroundings. RU-2-15 permits multiple-family residential uses or single-family residences at a density of up to 15 units per acre on 7,500 square foot lots. This request can be considered an introduction of RU-2-15 zoning into the area.

On April 27, 1967, zoning action **Z-2073** was approved, changing the zoning from GU to BU-1 on the southern portion of the subject property.

On June 1, 1972, zoning action **Z-2980** was approved, administratively rezoning the north portion of the subject property from RU-1 to RU-1-11.

On July 3, 1975, zoning action **AZ-19** was approved, administratively rezoning that south portion of the subject property from BU-1 to RU-2-10 with a density cap of 5 units per acre.

On September 15, 1997, zoning action **AA-1199** was administratively approved granting parcel 281 one access by easement.

On October 22, 2024, resolution 2024-120 was approved by the Board to vacate rights-of-ways for parcel R.02. The vacate was recorded in ORB 10195 Pages 1277-1281 of the public records of Brevard County, Florida.

The northern portions of the subject property were established as per Sun Valley Subdivision as recorded in Plat Book 11 Page 29.

The subject property is adjacent to Columbia Blvd., which is a City of Titusville maintained roadway.

There are currently no open Code Enforcement cases or violations noted on the property.

Surrounding Area

	Existing Land Use	Zoning	Future Land Use
North	Right of Way	RU-1-11	RES 15
South	Single-family residence	RR-1	RES 15
East	Vacant	RU-2-10 (5)/ RU-1-11	RES 15
West	Government Managed Lands/ Vacant	GML/ RU-1-11	PUB & PUB-CONS/ RES 15

The property to the north of the subject property is vacant right of way.

South across the street is a 2.98-acre parcel developed with a single-family home built in 2023. The parcel is zoned RR-1 and RES 15 FLU.

East of the subject property is a vacant 11.61-acre parcel zoned RU-2-10 with a density cap of five units per acre. At the northeast lie two (2) 0.19-acre vacant parcels zoned RU-1-1. All three parcels have RES 15 FLU.

Lying west of the subject property are four parcels: The first and second property are 1.39 and 2.58 acres with both being developed government managed lands. The third and fourth lots are both vacant 0.19 acre parcels zoned RU-1-11 and RES 15 FLU.

RU-1-11 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 minimum 7,500 square foot lots, with a minimum width and depth of 75 feet. The minimum house size is 1,100 square feet. RU-1-11 does not permit horses, barns or horticulture.

RU-2-10 classification medium-density multiple-family residential zoning classifications encompass lands devoted to medium-density multifamily residential purposes, together with such accessory uses as may be necessary or are normally compatible with residential surroundings. RU-2-10 permits multiple-family residential development or single-family residences at a density of up to 10 units per acre on minimum lot sizes of 7,500 square feet.

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 principle residence within the RR-1 zoning district.

The purpose of the GML government managed lands zoning classification is to recognize the presence of lands and facilities which are managed by federal, state and local government, special districts, nongovernmental organizations (NGOs) providing economic, environmental and/or quality of life benefits to the county, electric, natural gas, water and wastewater utilities that are either publicly owned or regulated by the Public Service Commission, and related entities.

Land Use

The subject property's RU-1-11 and RU-2-10(5) zoning classification is consistent with the 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 RU-2-15 zoning classification is consistent under the current FLUM designation.

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;

Current and future development would need to meet Brevard County's Performance Standards defined by Sections 62-2251 through 62-2272 for hours of operations, lighting, odor, noise levels, traffic, or site activity.

- 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 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;

There are five (5) FLUM designations within a half-mile radius of the subject property. They include Residential 15 (RES 15), Residential 4 (RES 4), Community Commercial (CC), Public Facilities (PUB) and Public Conservation (PUB CON). The subject property is surrounded by RES 15, which is the predominant FLU designation. Within the past three years, there have been no FLUM change within a half-mile radius.

There are 10 zoning designations within a half-mile radius of the subject property. They include GU, AU, RR-1, SR, RU-1-11, RU-2-10(5), BU-1, GML, and IN(L). The closest RU-2-15 designation is approximately 0.73 miles from the subject property. This request can be considered an introduction of RU-2-15 zoning into the area.

Existing commercial office and government office facilities are established primarily along Columbia Blvd.

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

Within a half-mile radius, staff analysis indicates there have been multiple single-family residential developments in the preceding three years.

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

There is one development approved but not yet constructed within the City of Titusville jurisdiction. The development is situated approximately 0.3 miles southeast from the subject property, on the south west side of Columbia Blvd. (S.R.405) and Challenger Memorial Pkwy. (S.R. 407) intersection. Per the City of Titusville website, this is a phased multi-family project consisting of 255 multi-family units in two buildings for Phase 1 and 233 multi-family units in two buildings for Phase 2.

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 of the Comprehensive Plan 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.

The existing surrounding area is predominantly single-family residential zoned properties varying in acreage from approximately 0.19 acres to 10 acres. There are multiple undeveloped properties in the area with commercial, planned industrial park, multi-family, or single-family zonings within the unincorporated Brevard County jurisdiction. Within a half mile of the subject property are multiple multi-family zoned, RU-2-10, properties. All of these properties have a cap of 5 units to the acre. The closest developed multi-family property is the two adjacent southern properties across Columbia Blvd. (S.R.405) approximately 0.1 miles, developed with a quadruplex on each property. In addition, there are two properties zoned government managed land. One is abutting the subject property developed with Brevard County Fire Rescue Station 24 and the other property abuts the west side of the fire station with a Sherriff's office. Columbia Blvd. (S.R. 405) is one of the main east-west thoroughfares in the area and is classified by the SCTPO as a principal arterial roadway. While the proposed development will have an impact on traffic in the area, it is not anticipated to cause a deficiency in level of service.

- 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 an established residential neighborhood. However, there are clearly established roads, open spaces and residential lot boundaries.

Approximately 0.5 miles north of the subject property is the Sun Valley subdivision. South west of the subject property, directly across S.R. 405 approximately 230 ft. is the East Hills subdivision. Redevelopment of the subject property will require site planning.

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 request is not for commercial 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.

The area is primarily a residential area with undeveloped commercially-zoned lands nearby.

Administrative Policy 7- Environmental Constraints

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.

A portion of the subject parcel contains mapped National Wetlands Inventory (NWI) and SJRWMD wetlands and hydric soils, indicating potential wetlands on the property. A state-approved wetland delineation will be required prior to site design, land clearing, or building permit submittal. The property is also located within the City of Titusville's Area of Critical Concern and is designated as a Type 1 Aquifer Recharge area, subject to Section 62-3635 and applicable aquifer protection regulations, including septic density limitations. Additionally, a portion of the parcel lies within FEMA Special Flood Hazard Area (SFHA) Zone A and is therefore subject to applicable floodplain development standards, including compensatory storage requirements.

Please refer to the complete report provided by the Natural Resource Management Department, infra.

Preliminary Concurrency

The closest concurrency management segment to the subject property is S.R. 405 located between S.R. 50 to Barna Ave., which has a Maximum Acceptable Volume (MAV) of 38,430 trips per day, a Level of Service (LOS) of D, and currently operates at 54.36% of capacity daily. The maximum development potential from the proposed rezoning has minimal change to the percentage of MAV, increase of 3.16%. The corridor is anticipated to operate at 57.52% of daily capacity. The proposal is not anticipated to create a deficiency in LOS.

The Brevard County School Board concurrency impact analysis indicates at this time, Imperial Estates Elementary School, Andrew Jackson Middle School, and Titusville

High School are projected to have enough capacity for the total projected and potential students from the proposed development.

The subject property is within the centralized potable water and sewer service area of the City of Titusville. For information regarding these services, please contact the City of Titusville Utilities.

Environmental Constraints

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Wetlands and Hydric Soils
- Aquifer Recharge Soils
- Floodplain Protection
- Protected and Specimen Trees
- Protected Species

Please refer to the complete report provided by the Natural Resource Management Department on the following page.

For Board Consideration

The Board may wish to consider whether the proposed request is consistent and compatible with the surrounding area. The Board may also wish to consider the impact of the more intense multifamily residential zoning, the uses permitted in the RU-2-15 zoning classification on neighboring properties, its compatibility with all policies of the Brevard County Comprehensive Plan, and whether it is an appropriate introduction of a new zoning class to the area.

**NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary**

Item No. 25Z00062

Applicant: Bruce Moia (Owner: Dirschka Family Revocable Trust)

Zoning Request: RU-2-10 and RU-1-11 to RU-2-15

Note: to develop 270 Multifamily Residential Units

Zoning Hearing: 04/13/2026; **BCC Hearing:** 05/07/2026

Tax ID No.(s): 2216190, 2216168, 2216154, 2216153, 2216155, 2216152, 2216156, 2216151, 2216157, 2216150, 2217403, 2218992, 3021864, 3038147, and 2217400

- 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
- Aquifer Recharge Soils
- Floodplain Protection
- Protected and Specimen Trees
- Protected Species

Land Use Comments:

Wetlands and Hydric Soils

A portion of the subject parcel contains mapped National Wetlands Inventory (NWI) and St. Johns River Water Management District (SJRWMD) wetlands and hydric soils (Anclote sand, frequently ponded, 0 to 1 percent slopes); indicators that wetlands may be present on the property. Per the Environmental Report by Atlantic Environmental,

dated August 18, 2025, the +18.06-acre project site supports +15.25 acres of uplands and +2.81 acres of wetlands. **A state-approved 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. **For subdivisions and multi-family parcels greater than five acres in area, 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 Section 65-3694(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.**

Aquifer Recharge Soils

This property contains St. Lucie fine sand, 5 to 12 percent slopes; Paola fine sand, 0 to 8 percent slopes; Pomello sand; and Orsino fine sand, classified as aquifer recharge soils. The property is mapped within the City of Titusville's Area of Critical Concern and is therefore designated as a Type 1 Aquifer Recharge area. Type 1 aquifer recharge areas are subject to regulations under Section 62-3635. Additionally, the property may be located within the Titusville Area IV Well Field. The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance, including a maximum septic tank density of one per acre.

Floodplain Protection

A portion of this property is located within an area mapped as FEMA Special Flood Hazard Area (SFHA) A, 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." **The applicant is encouraged to continue communication with NRM prior to any plan or permit submittal or performing any land clearing activities.**

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. **Applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.**

Protected Species

Federally and/or state protected species may be present on the property. Specifically, Gopher Tortoises can be found in areas of aquifer recharge soils. Per the Environmental Report by Atlantic Environmental, dated August 18, 2025, evidence of gopher tortoise presence (i.e., tortoise burrow) was observed during the site assessment. Prior to any plan, permit submittal, or development activity, including land clearing, the applicant is advised to call FWC at 561-882-5714 or email FWC at GTpermits@myfwc.com to obtain any necessary permits or clearance letters for Gopher Tortoises.

Additionally, there is a mapped FL scrub jay habitat/occupancy approximately 142 feet to the west of the site, as well as 200 feet to the north. However, a Scrub Jay Survey conducted by Atlantic Environmental found no scrub jays on site, and no further review is required by USFWS per correspondence provided by Atlantic Environmental with U.S. Fish and Wildlife Service dated October 30, 2025.