

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.7. Boyce W. Padgett and BT Rodes LLC (Kelly Delmonico) request a Small-Scale Comprehensive Plan Amendment (26S.06) to change the Future Land Use designation from RES-6 (Residential 6) to CC (Community Commercial) (26SS00006) (Tax Accounts 6800696 and 2800697) (District 5)

H.8. Boyce W. Padgett and BT Rodes LLC (Kelly Delmonico) request a zoning classification change from BU-1-A (Restricted Neighborhood Retail Commercial) and AU (Agricultural Residential) to BU-2 (Retail, Warehousing and Wholesale Commercial) (26Z00020) (Tax Accounts 6800696 and 2800697) (District 5)

Paul Body read item H.7 and H.8 into the record as they are companion applications.

Kelly Delmonico spoke to the applications. She stated she is a planning consultant on behalf of the property owners and the applicants. I'm here today with Jason Bartlett and John Turner. They are both with Building Management Systems (BMS). We are looking at two different things. It's a small-scale comprehensive plan amendment as well as a rezoning and it's split into two parcels. The first parcel is a little under an acre. It's zoned BU-1A and it's been the established home of BMS since 1984. Their success as a local certified general contractor, design, build, and construction management company has resulted in them outgrowing this small property that they've utilized for the last 42 years. It also contains a monopole tower. Just to the south there's an existing single-family home. It has AU agricultural zoning. The property was purchased in 2025 by these same folks in hopes of supporting the expansion of BMS. They're looking to expand BMS and maybe have a couple of extra units for different types of contractor or supporting uses that also support this community. The primary objective of our request for a comp plan amendment and a rezone is to align the property's future land use with its longstanding functional use and proposed future expansion. Currently BMS uses this property for their offices plus indoor and outdoor equipment and material storage and outdoor covered commercial vehicle storage all secured behind a gate and a fence. They take very good care of the property. It's always super clean and put together. The current BU-1A zoning on the north parcel with the monopole does not allow for contractor storage. This amendment will facilitate a subsequent rezoning from BU-1A on the north and AU on the south to BU-2, which is retail, warehousing, and service business. The change will bring the existing contractor's office and storage facility into zoning compliance and allow for the responsible future expansion of a locally established

business. Rezoning the south property from AU will eliminate the potential for its use for agricultural pursuits, processing and sales, and the raising and grazing of animals. On the right-hand side in the color is the future land use category. So, it's all RES 6 right now. Res 6 and the BU-1A are already a little weird. We're looking at changing both of those properties into CC. And then from the zoning perspective, which is on the left side we're looking at taking the BU-1A and the AU and rezoning it to BU-2 for the purpose of the contractor's office with indoor and outdoor storage. We understand BU-2 does have some compatibility issues potentially with surrounding neighborhood residential uses. The sheet that I passed out to you is a deep dive into the code and BU-1A, BU-1, and BU-2 and we went through and created this exhibit. There's lots of uses in BU-2 we don't want to touch, and we wouldn't want to live near it either. So, they'd be looking for the uses that are allowed in BU-1 with other additional uses. For example, dry cleaning, laundry pickup station. We figured no one would get upset about that. Glass installation, plumbing and electrical testing laboratories, building materials supplies, under the uses permitted with conditions. Contractor's offices and storage yards, what they need. The rationale for this amendment is to look at consistency with the neighborhood as well as economic vitality. The existing use has been established at that location, and the RES 6 designation doesn't reflect the historical or current commercial and industrial character of the site's operation. The subject property is situated in an area where single family and multifamily residential uses transition south into commercial corridors along both John Rhodes as well as 192. The corridor is a mix of unincorporated Brevard County and the city of West Melbourne. Because the business is already established, the change in land use will not introduce new unexpected impacts on local traffic. Future expansion will be subject to standard county buffering and screening requirements to protect any adjacent residential interest. We did a significant amount of community outreach in this situation because we're right next to those single-family residential uses that are also established. The neighbors stated they don't have any complaints about what you're doing now or if you want to expand your business to the South in the future. They suggested putting in an opaque wall or fence for separation which would happen and is required in code as well as trees along the common property line which would also happen. The requested BU-2 zoning with the suggested changes on appropriate uses will allow the property owners to properly screen and organize any outdoor storage per county code to protect and buffer the neighbors.

NO PUBLIC COMMENT

Mr. Hopengarten inquired about what kind of contract work they do. If you go to CC you can essentially turn this into a live local housing project.

Ms. Delmonico responded with general commercial. We're going from BU-1A to BU-2 zoning and RES 6 to CC FLU. There's no desire to construct multi-family here. That's not of interest to this property owner.

Mr. Hopengarten asked why they wanted BU-2 and not BU-1.

Ms. Delmonico responded that BU-1 does not allow what they are already doing on the property, which would have the outdoor storage component. We don't need all the uses in BU-2, but we need BU-2, which requires us to obtain CC. So, we're asking for the least we could ask for to help this business stay in this location.

Mark Wadsworth stated he's right up the road. I know Mr. Turner. I think it'd be a good fit.

Mr. Bartcher inquired if they'd be willing to do a BDP that's more restrictive. What I would like to do is BDP that says you can do any of the BU1 uses and in addition to that, you can do outdoor storage to solve the problem that you're addressing. Would you be willing to accept a BDP that is somewhat more restrictive?

Ms. Delmonico responded with I guess it depends on which ones you'd want to see removed from that list.

Mr. Bartcher replied with all of them except for outdoor storage. What that means is whoever would want to buy it would have to come back to the board and have a public hearing saying this is what we want to do.

Ms. Delmonico responded with what they were worried about is these are principal uses, but for example, on a piece of their equipment, they might need to change out the glass on something or they want to be able to make welding repairs. So, they were trying to include in here things that they might do on an occasional basis as well. They've got outdoor storage. They have their indoor stuff because they also have commercial vehicles. It's a full contractor office and facility.

Mr. Bartcher inquired about the size of the afore-mentioned vegetative barrier and if they'd be willing to go 20, 25, 30 or 35'.

Ms. Delmonico responded not that big. No, because we'd have to set our building back. But if you're looking for, you know, five more feet on the back....

Ana Saunders stated just by looking at it, the parcels for easy math I'm going to call 220 ft deep. You're going to have a drive aisle, parking spots, drive aisle that goes all the way around for fire access, storm water swales, etc. I think from the buffer perspective, my question would be, it looks like there's a lot of existing nice sized trees there. Is there any opportunity to maybe preserve some of those before we start changing our grade elevations and putting in the wall and that sort of thing? If I were the resident, I would prefer to have the existing trees saved, then put the wall up and then you guys do what you need to do on. Is that a possibility? Maybe that helps with the buffer component. I'd rather keep my large trees than have an extra five feet with brand new 4-inch trees that take 30 years to grow.

Jason Bartlet stated we haven't done the tree survey. We're going to have to do a site plan and elevations and ponds, so I can't really commit to saying that the elevations that we're going to generate are going to be able to save those trees. If we go back fill and they have certain elevations, we'll certainly do any kind of mitigation and pay mitigation banks and credits. We can't really commit today to saving the trees. I don't know what those final elevations are going to be. If we're going to have back fill up against there, we would be doing any kind of mitigation. Most people were concerned with was transient people crossing from the apartment complex and some of the other motels and hotels on that corner, cutting through this property and cutting into those residential neighborhoods, we're going to be building a wall. Everybody was very pleased with that; we're going to be separating that residential area from some of this commercial development. That's where the people's concerns lie.

Ms. Orriss stated just to bring it back for clarification it's not just outdoor storage. You really need all of these. You need to limit it with BDP to every one of these uses.

Ms. Delmonico responded we don't need dry cleaning laundry pickup stations, but I can't imagine it's not even a dry-cleaning facility. It's just a pickup. We were trying to add in businesses that also might join in. But for this use specifically, they were concerned with glass installation and plumbing and electrical, welding repairs, wholesale storage type uses, building materials and supplies, garage or mechanical services for the vehicles that they have, service station, and then warehousing. The other things like commercial entertainment and amusement enterprises that could be an indoor golf simulator. So, they were thinking something like that could be a business that might collocate with them. This is basically what we had narrowed it down to. I think this makes it so people don't have to keep coming back to revise BDPs for something that really shouldn't be of consequence.

Mr. Hopengarten inquired if they are planning another building for the property. You want to change it to CC for outdoor storage. You're asking for the benefits from BU2 which would allow you to do that and rent space to other business enterprises. However, you're coming in here with a proposal based on needing outdoor storage and the BU1A does not allow it.

Mr. Bartlet stated there is no immediate plan for another building, but he doesn't want it to be limited. This is my need now. It's been a business for 46 years, but if BMS closes tomorrow I have three acres that are unmarketable at AU. I don't want to limit myself to the future, but my present need is to expand my service. I have vehicles, heavy equipment and dump trucks. Currently keep them on job sites. I just can't speak about the future today.

Mr. Hopengarten asked if it could be BU-2 without the CC.

Ms. Delmonico responded no, because it's not consistent with the future land use. BU2 needs CC to be consistent.

Mr. Brothers stated again, we've over complicated something that seems very simple, and I make a motion that we approve the rezoning.

Mr. Michajlowicz stated he is looking at the impact of the uses listed on the green sheet provided by the applicant. When you're talking about service stations, automotive vehicles, and U-Haul services, those are big impacts compared to all the others. Is that also allowed under that zoning, and do you have any interest in that?

Ms. Delmonico responded that the County has such an intricate list of uses and she pulled that from BU2, but the ability to work on vehicles is what they want to make sure they can preserve. They have big vehicles that they do keep up themselves.

Mr. Hopengarten asked if they'd be willing to strike some of the uses on the list.

Ms. Delmonico stated they will leave it. There's no desire to do it, but I think we'd like to just move forward.

Motion to recommend approval of item H.7 by Robert Brothers, seconded by Ana Saunders. Motion passed unanimously.

Motion to recommend approval of item H.8 with a BDP limiting the uses to those listed on the sheet provided by the applicant, by Robert Brothers, seconded by Ana Saunders. Motion passed by a vote of 12:1.

Meeting adjourned at 5:21 p.m.