

From: [delbert sellers](#)
To: [Commissioner, D4](#)
Subject: Opposition to 5610 Hwy A1A rezoning, agenda item 4H
Date: Thursday, December 12, 2024 1:04:24 PM

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

Hello commissioner Feltner,

I live behind the subject property and I'm contacting you to express opposition to the proposed rezoning of 5610 Highway A1A from RES1 to RES2. Please vote NO to the request and adhere to your own zoning ordinance. Don't set a bad precedent. Your constituents are watching your actions and expect your NO vote to help preserve and heal the Indian River Lagoon.

Sincerely,
Del Sellers
167 CasseekeeTrail
Melbourne Beach 32951

From: [debbie wilson](#)
To: [Commissioner, D4](#)
Subject: Vote NO on Zoning Change request for 5610 S Hwy A1A
Date: Thursday, December 12, 2024 9:45:56 AM

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

Support South Beaches to protect the Area of Critical State Concern by voting NO !
Do not support the money, hungry developers, banging on your doors. You were elected to support the people that live here in Brevard County. Are there not plenty of areas that can support expansion and provide housing for the people that would like to move here to Brevard County without impacting preservation areas?

The applicant has requested a zoning change from RES 1 to RES 2 with a BDP limited to 1 unit per acre. This lot is only .7 acres.

This zoning request should not happen and should not be allowed. The Brevard County staff's position is that it recommended the Board to deny the application, yet here we are again with this request.

Please Help Keep Brevard Beautiful

Respectfully,
Debra Wilson

Sent from my iPhone

From: [Terry Mott](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Commissioners' Meeting December 12, 2024
Date: Thursday, December 12, 2024 12:15:09 PM

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

To: Brevard County Commissioners

Subject: Whether to authorize a request for an up-zoning change from RES 1 to RES 2 for 5610 A1A

I oppose this action.

Reason: I took a leadership course this week and learned that there are more people relocating to Florida than any other state in the US. That fact places an extraordinary responsibility on all public officials in Florida to ensure that growth is managed properly to protect our economy and the quality of life for all Floridians. Granting this specific request would violate Brevard's current policies and place a strain on the utilities and other management issues for this area.

Respectfully,

T. Alexandra Mott
4899 Wexford Dr.
Rockledge, FL 32955
321-223-6951

From: [Karen Hamilton](#)
To: [Commissioner, D4](#)
Subject: Vote NO on Zoning Change request for 5610 S Hwy A1A
Date: Thursday, December 12, 2024 1:17:53 PM

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

Hello,

I am a resident in Lighthouse Cove on Casseekee Trail and I am writing to ask that you please vote NO on the zoning change request for 5610 S Hwy A1A as it will set a dangerous precedent in our area of critical state concern.

In addition to displacing endangered Gopher tortoises, approving this zoning request will further burden our natural resources and add to our already known issue of safe evacuation planning. On the barrier island, we need enhanced infrastructure of county sewer plants and water to decrease risk of polluting our lagoon and river. Continuing to support overbuilding without appropriate infrastructure is an ecological disaster waiting to happen.

Thank you
Karen Hamilton
162 Casseekee Trail

From: [Rick Cash](#)
To: [Commissioner, D1](#); [Commissioner, D3](#); [Commissioner, D2](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: 5610 S Hwy A1A Zoning Change Request
Date: Thursday, December 12, 2024 1:49:46 PM

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

Dear Commissioners

Rick Cash here, 124 Carmen St, Floridana Beach. I'm writing this note to encourage you to reject the request for re-zoning 5610 S Hwy A1A from RES1 to RES2 at the December 12th 2024 meeting.

Although I expect this type of infill development is better served by a request for variance as opposed to a re-zoning request, I am concerned this is an attempt by the petitioner to establish a precedent for re-zoning to increase density on parcels here in the 'South Beaches'.

Freshly designated as an Area of Special State Concern environmentally through unanimous passage through the state legislature into law last year, I am aware the relevant special area plan has only recently been transmitted to FDEP for review, comment and approval. Addressing this re-zoning request prior to state review completion seems premature.

The purpose of the Area of Concern designation is directly to stop this type of density increase from re-zoning for all the reasons noted in the law.

While this request before you, the commissioners, may seem a very minor step, it could as an unfortunate precedent have huge consequences downstream.

Thank you for your consideration,

Regards

Rick Cash
124 Carmen St
Melbourne Beach FL 32951

From: [tim kloc](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Vote NO on Zoning Change request for 5610 S Hwy A1A
Date: Thursday, December 12, 2024 2:20:15 PM

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

Pls use your vote as no
Tim & Patti Kloc
185 Duval st
Melbourne Bch
843-247-1814
Sent from my iPhone

From: [Denise Green](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: 5610 Hwy A1A
Date: Thursday, December 12, 2024 2:14:21 PM

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

Dear Brevard County Commissioners,

I recently attended a hearing of the recommending committee for zoning and wanted to voice my disappointment in that committee's ruling to recommend the zoning change to R2. The committee members who voted in favor appeared to yield to an emotional plea by a paid attorney and seemingly failed to remember its duty to protect the best interests of our community. City officials felt strongly the best interests of our community were met by voting no to this change previously. Panel members were swayed by the un-usability of the land and taxes paid to date. As I understand it, the land was unusable due to its zoning before it was deeded to the owner almost 20 years ago. At any point in the past 20 years that owner could have cut his losses and sold the land as there have been willing buyers; at which time his tax liability would have ceased. He chose to buy unusable land and chose to hold it knowing it was unusable and as a result chose to pay taxes for almost 20 years. Our community should not be forced to burden the consequences of his choices because a paid attorney convinced decision makers to feel sorry for him. I was disappointed and it concerns me for our future in Brevard County.

Thank you,
Denise Mannino
146 Casseekee Trail; Melbourne Beach, FL

Sent from my iPhone

Jackson, Desiree

From: Beth Ferriell <bethferriell@yahoo.com>
Sent: Wednesday, December 11, 2024 4:43 PM
To: Commissioner, D1
Subject: Zoning Change Request for 5610 S Hwy A1A

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

PLEASE vote NO tomorrow on the zoning change request for 5610 S Hwy A1A.

The current infrastructure cannot handle more multi unit residences. We want to protect the South Beaches Area of Critical Concern.

Thank you for your time.

Beth Ferriell
6466 Floridana Ave

From: [ebquest](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: File # 7600: RE: RES2 zoning change request for 5610 Highway A1A unit 1 Melbourne Beach FL
Date: Wednesday, December 11, 2024 1:37:30 PM

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

Dear Commissioners:

A zoning change is being requested from RES1 to RES2 and is before you for a final vote tomorrow 12/12/24 @5 pm. I am kindly requesting that my objections are read into and filed as part of the record. And, that this body, responsive to the voters of Brevard, give thoughtful deliberation and consideration to the request before you and not simply rubber stamp it for approval.

This authorization contravenes: 1- FL State Law enacted 2023, designating Brevard county one of 6 in the state, with critical infrastructure protections; 2-rides roughshod over the express wishes of residents of these communities; 3- establishes a dangerous precedent, causing irrevocable future harm; and 4-benefits only venal developers, attorneys and politicians, to the absolute detriment of us all and our fragile ecosystem.

BACKGROUND

- Owner purchased a plot of land several decades ago on 0.7 acres located at 5610 HWY A1A, unit 1, Melbourne Beach FL
- Owner paid taxes on land, and now decided to build his (retirement) dream home on that land.

Several Problems with this plot of land:

- single family homes beachside are zoned for 1 acres
- Plot is landlocked; no egress to A1A, bounded by private home and 80 unit condominium community of LHC, upon which it directly encroaches (depriving privacy, blocking views, creating potential flooding and traffic issues, etc)

Housing unit will require owner to install *sewer, well, and irrigation* system- again will require suspension of [certain] laws to achieve these objective

◦

- **Two most egregious problems with this request for zoning change:**
 1. It violates critical infrastructure 7.1 state law (2023) that prohibits high density buildings. Brevard county has been designated by the state of FL as **one of 6 critical infrastructure areas** for the preservation of our fragile ecosystem as both a Barrier Island and a unique turtle nesting ground. (**Section 380.0553**, Florida Statutes). The aforementioned proposal for consideration before you not only is not in keeping with preservation but is an effort to

upend and materially harm these objectives. This proposal specifically states it “is not anticipated to enhance natural scenic resources which would promote the aesthetic benefits of the natural environment. *Enhancing natural scenic resources involves a combination of conservation, restoration, and sustainable management of the natural environment.*”

2- It sets a **bad & dangerous precedent**. Once this property is allowed an exemption what possible rationale is there for stopping future zoning requests for high density housing **DESPITE FL state law drafted in 2023 expressly prohibiting these types of development** because they knowingly harm and endanger our fragile ecosystem, putting all residents in danger with future natural disasters like hurricanes when development is hindering precisely these efforts at preservation. **The only beneficiaries for these changes are greedy developers, lawyers, realtors and dirty politicians** willing to have their palms greased to ignore our laws and continue to ravage our fragile shoreline with these types of exemptions.

ISSUE:

1. Owner claims unless he's granted a zoning change from RES1 (single family home) to RES2 (multi family home) he won't be able to build on plot. This imposes unfair burden on him, given he dutifully paid taxes on land he now can't use it.

FACTS:

- Owner bought this property with knowledge that original owner divided a lot unevenly/unfairly (land divided into an acre lot, and a 0.7 acre lot)
- Owner claims to have paid taxes on 0.7 property continuously for past several decades in excess of \$40k
- Owner claims he intends to build a single family house 4k sq ft on lot, though he is asking for change in zoning from RES1 to RES2 for multifamily dwelling. Moreover, under RES2 he can build up to 35' high unit that will definitely obstruct natural beauty, create potential flooding/overflow issues, invade privacy, add to traffic congestion, and be a potential hazard with undesirable lights shining on turtle nesting grounds. This statement of intent - not fact- solely based on owners' word, is granting a zoning change with no future assurances. What if owner changes his mind while building and decides he wants multiple units? Or after building his home sells it and next buyer converts it to a multi-family high density development?
-
- **OBJECTIONS:** Owner made bad business investment, did not do his due diligence on the property, had option to sell the land instead of paying taxes on it. Now neighbors directly impacted by this zoning change are asked to accept, at face value, a promise that this property will never become a HIGH DENSITY, MULTI FAMILY unit though it is zoned specifically for that purpose which this owner or a future owner can subsequently turn this property into an Air B&B, or subdivide into several units under his tenancy or through a subsequent sale. The lawyer summarily dismissed high density argument, despite state law to the contrary, as well as summarily dismissed issue of egress stating they can encroach on the adjacent property owners' 75' driveway to create an egress. She summarily dismissed “density” issues or ignored others that were never addressed like high traffic at extant location where there were **two FATALITIES** in the past two years, thus necessitating state intervention to create walkways and lights, etc., at the exact site bounding this plot of land, and

another infringements on residents' quality of life.

In light of the aforementioned, I respectfully request denial of this zoning change.

Sincerely,

E Ber

126 Casseekee Trail

Melbourne Beach, FL 32951

Sent with [Proton Mail](#) secure email.

From: rel2421@aol.com
To: [Commissioner, D4](#)
Subject: Re: against item H\$ application 24ss)))13
Date: Wednesday, December 11, 2024 10:51:54 AM

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

RE: Against Item H4 application 24SS00013, Tax account 2963382 5610 Highway A1A

Dear Commissioner Feltner,

This letter is to state my objection to the above referenced application. The County Commission established the Future Land Use Plan and Coastal Element in 1992. They recognized that this fragile barrier island could not support an increase in density and provided hard and fast protections. Ten years later in 2005, the applicant purchased the .7 acres as Unit # 1 of a condo document that was recorded on May 2, 2005 (via ORB 5460 PGs' 2504-2530). Within the document (page 4, Paragraph 3.1), the subject is described as "Unit 1 contains approximately seven tenths (7/10th) of an acre of land and may have constructed thereon one (1) single family residence".

This is NOT a true Statement. The .7 acres was always unbuildable.

If the condo developer thought the lot was buildable, why didn't he divide the lot into 2 equal condo units of .85 acres each? Why did he make his Unit# 2 a full acre and Unit #1 only .7 acres?

What is factual and is in the county records per the 2019 application from the applicant:
He admits with said representation from the developers condo documents he made the purchase.
He was mislead by the developer but sought relief from the county (the current application doesn't include the condo document portion that misrepresents the .7 acres as buildable).

Since when is the County liable for a bad real estate purchase?

Continuing, at the LPA meeting 11-18-2024, the applicant's attorney implies the applicant reached out to county Planning (per record minutes) prior to purchase.

This is also NOT true:

From the P&Z staff comments to LPA BoardMeeting:

"Additionally, when Units 1 and 2 were created... recorded Condominium documents, the approval process for the easement was never reviewed by Brevard County. As such, County staff was not able to assist in preventing a transaction...".

- 1) The county was never asked to review the land before the purchase.
- 2) Since when has a land purchase ever been reviewed by County staff without being asked?

JUNE 2022: the applicant filed a zoning classification letter where once again he was informed the property was non-compliant.

DECEMBER 2022: the applicant filed again with a similar argument but added language that somehow Coastal Element 7.0 was in conflict with 7.1 and that inconsistency should somehow allow his increase in density. That application morphed into a large scale text amendment which imploded due to the implications it could affect over 50 acres on the barrier island. The application was pulled from the agenda the night before at 10pm.

JULY 2024: This current application contains the same previous arguments that were rejected by P&Z but adds a Binding Development Plan, which county staff agrees does not apply. Additional expert testimony that clouds the factual issue that an increase in density is not allowed per CME Policy 7.1.

Planning and Zoning staff clearly states four times in their report to you that the application violates Policy 7.1. This same letter was provided to the the LPA, but the new uninformed majority of members were mostly concerned with the money the applicant spent. One member actually stated on the record that he was voting to provide, what would turn out to be an outrageous, and unfair, windfall million dollar profit to a land speculator, while at the same time admitting it was contrary to Policy 7.1.

All this to help a buyer that, admittedly on record, made a bad purchase decision in 2005.

Since when is it the responsibility of the county to provide relief to an applicant who bought a sub-standard lot just because he paid taxes on it?

This is not a County issue. It is a civil case between the applicant and the condo developer that sold him the unbuildable lot.

This is not a property rights issue. This a civil matter of a possible fraudulent real estate transaction

Please vote AGAINST the application.

Please do not provide a loophole for future land owners to convert their property to a condo and mislead other dupitious purchasers.

Our courts are full enough without adding to the fire.

Regards,

Robert Logsdon Jr.

9020 Highway A1A Melbourne Beach, FL. 32951

From: [Stephen LaScola](#)
To: d1commissioner@brevardfl.gov; [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: 5610 Highway A1A zoning change
Date: Tuesday, December 10, 2024 4:31:27 PM

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

To all of the commissioners involved in this, I AM AGAINST item H4 for the
up-zoning of: 5610 A1A

FOR THE FOLLOWING REASONS:

The reasons are: 1) It will set a precedent that cannot be stopped.

2) It violates Coastal Management Element Policy 7.1 of the
County Comprehensive Plan.

3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA)
Amendment just approved by the Commission and sent to the State Commerce
Department on November 7th.

4) The island's water, sewer and evacuation resources cannot
handle any more density.

[Steve LaScola](#)
[LaScola's Building & Remodeling LLC](#)
[lic. 17-RC-CT-00101](#)
[cell: 203 767 3577](#)
[office: 321 831 3361](#)
lascolasremodeling.com

From: dccapemay@aol.com
To: [Commissioner, D4](#)
Subject: December 12, 2024 Commission Meeting Item H4
Date: Wednesday, December 11, 2024 1:54:22 PM

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

Dear Commissioner Rob Feltner,

I want to welcome and congratulate you in this new session as a new Brevard County Commissioner member.

You have a lot of information to assimilate with each meeting. So, I wanted to provide you with a summary of the history of the South Beaches barrier island and why keeping density and intensity low, is so important. This is not a new issue; it started 40 years ago.

If you do not know the History of the South-South Beaches area, you cannot make an informed decision about density challenges that keep popping up.

Please read this short history before the Commission Meeting on December 12, 2024, involving a request to increase density at 5610 S Hwy A1A in the South Beaches area. I am opposed to the zoning request from Res1 to Res2 at 5610 S Hwy A1A, Melbourne Beach, and I ask you to please vote no.

- In 1981, Brevard County adopted a Comprehensive Plan for growth management to manage future development. The South-South Beaches were mentioned specifically as being unique in the Land Use Element and needing special evaluation, **noting that 'land values were high while public services were few ' in the South Beaches area.**
- In 1984, the South Beaches Growth Management Resolution was adopted. It provided details for building two new Bridges from the mainland to A1A between the 28-mile stretch from the 192 Causeway and the Wabasso Causeway. The two new bridges, Malabar Bridge and Valkaria Bridge would cross the Indian River to A1A at the South Beaches area. The plan included expanding the two-lane Highway A1A up to 4 or 6 lanes with infrastructure such as public sanitary sewer, potable water, drainage, etc.

The 2 new bridges were not built. The two-lane A1A remains the only north-south corridor. No potable water or sewer. Infrastructure is pretty much the same as in 1984.

- In 1985, Growth Management Legislation was passed as part of Florida's commitment to provide facilities and services for economic growth and preserve natural resources. **The Act required that infrastructure be in place concurrent with the development.**
- In 1989 Congress approved the Archie Carr National Wildlife Refuge Proposal to preserve a 20-mile stretch of barrier island that included the 12 miles of South Beaches in Brevard County and 8 miles in Indian River County. **Its purpose was to "protect the habitat of the most significant area for loggerhead turtle nesting, in the world. And to protect the most significant nesting area for green sea turtles in North America."**

- In 1990, The Environmentally Endangered Lands (EEL) Program was established to protect the natural habitats of Brevard County by acquiring environmentally sensitive lands for conservation, with voter-approved funds. The EEL Program protects turtle nesting sites, natural habitats, and native plants and animals in the South Beaches area.
- In 1991, 61% of Brevard voters, voted to approve the new EEL program. Voters also approved the EEL Tax, which provided \$55 million for funding.
- In 1992, Brevard County BOCC adopted the South Beaches Small Area Plan Study (SAPS) to address the lack of public facilities and available services, environmental constraints, hurricane evacuation, and land use compatibility. The SAPS focused on the narrow 12-mile stretch of A1A from Melbourne Beach City limits to the Inlet.

The Brevard County Comprehensive Plan, Objective 10, Policy 10.3 of the FLU element established a 2-step process for determining the density/intensity in the South Beaches area. **The first step was the SAPS/Report. The second step was to follow the SAPS recommendations with a subsequent Administrative Rezoning. Most residential lots in South Beaches were down-zoned to RR-1 Single Family Residence. Down-zoning reduced density/intensity to RR-1, one (1) residential unit per acre. It allowed development consistent with good growth management in an area with few public services, inadequate infrastructure, endangered habitats, one north-south two-lane highway A1A with no controlled intersections, and no new bridges.**

- In 2004, 69% of Brevard voters, voted to approve \$60 million for EEL for 20 years.
- In 2022, 70.43% of Brevard voters, voted to approve \$50 million for EEL over 20 years.
- In January 2023, a large group of residents from the South Beaches area of District 3 with the help of some special Representatives, embarked on a journey to create a Bill to protect the South Beaches barrier island from overdevelopment. The short name was the Brevard Barrier Island Protection Act. It is specific to the 12 miles of Southern Brevard barrier island area from the Melbourne Beach city limits south to Sebastian Inlet.
- By June 2023, HB 1489 Bill passed with a Senate Vote of 38-0, a House Vote of 115-0, and was signed by Governor DeSantis. The South Beaches was designated an Area of Critical State Concern by the Florida Legislature, as **codified in section 380.0553, Florida Statutes**. The designation of an Area of Critical State Concern (ACSC), is a rare event in Florida, and Brevard County received one. There are only five other areas designated ACSC in Florida; The *Florida* Keys, Key West, Big Cypress, the Green Swamp, and the Apalachicola Bay area.
- From July 2023 – July 2024, the Draft of the BBIA, ACSC Comprehensive Plan was being developed by Brevard County.
- August 2024 – December 2024, work continues on the Final Draft of the Brevard Barrier Island Area Comprehensive Plan Element.
- October 14, 2024, P&Z Meeting Public Hearing resulted in many excellent suggestions and comments to be included in the Final Draft of the Comp Plan Element.

- November 7, 2024 Commission Meeting. BOCC Transmittal of a Large-Scale Comprehensive Plan Amendment (24LS00001) regarding the Brevard Barrier Island Area (BBIA) as a new element to the Comprehensive Plan under the State Coordinated Review process. The BBIA residents were a little disappointed that many of their suggestions, as well as Robert Sullivan's/FEMA Exhibit 1, and some excellent comments from Staff, were not included in the Draft to be transmitted.
- Meeting 12-12-2024 Item H4 application 24SS00013, Tax account 2963382 5610 Highway A1A. Zoning request that will increase density if approved and possibly undo all the work of the past 40 years.
Please do not approve the zoning request from Res1 to Res2 for 5610 S. Hwy A1A, at the 12/12/24 Commission Meeting. Everything we have worked for including the State designation of BBIA, ACSC has been done to limit density increases.

Thank you,

Sincerely yours,

Dolores Conway, Cardinal Drive, Melbourne Beach, FL 32951

Jackson, Desiree

From: dccapemay@aol.com
Sent: Wednesday, December 11, 2024 1:51 PM
To: Commissioner, D3
Subject: December 12, 2024 Brevard County Commission Meeting Item H4

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

Dear Commissioner Kim Adkinson,

I want to welcome and congratulate you as our new District 3 Representative and Brevard County Commissioner member.

You have a lot of information to assimilate with each meeting. So, I wanted to provide you with a summary of the history of the South Beaches barrier island and why keeping density and intensity low, is so important. This is not a new issue; it started 40 years ago.

If you do not know the History of District 3 and the South-South Beaches, you cannot make an informed decision about density challenges that keep popping up.

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Thank you,

Sincerely yours,
Dolores Conway, Cardinal Drive, Melbourne Beach, FL 32951

Jackson, Desiree

From: ebquest <ebquest@protonmail.com>
Sent: Wednesday, December 11, 2024 1:37 PM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: File # 7600: RE: RES2 zoning change request for 5610 Highway A1A unit 1 Melbourne Beach FL

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

Dear Commissioners:

A zoning change is being requested from RES1 to RES2 and is before you for a final vote tomorrow 12/12/24 @5 pm. I am kindly requesting that my objections are read into and filed as part of the record. And, that this body, responsive to the voters of Brevard, give thoughtful deliberation and consideration to the request before you and not simply rubber stamp it for approval.

This authorization contravenes: 1- FL State Law enacted 2023, designating Brevard county one of 6 in the state, with critical infrastructure protections; 2-rides roughshod over the express wishes of residents of these communities; 3- establishes a dangerous precedent, causing irrevocable future harm; and 4-benefits only venal developers, attorneys and politicians, to the absolute detriment of us all and our fragile ecosystem.

BACKGROUND

- Owner purchased a plot of land several decades ago on 0.7acres located at 5610 HWY A1A, unit 1, Melbourne Beach FL
- Owner paid taxes on land, and now decided to build his (retirement) dream home on that land.

Several Problems with this plot of land:

- single family homes beachside are zoned for 1 acres
- Plot is landlocked; no egress to A1A, bounded by private home and 80 unit condominium community of LHC, upon which it directly encroaches (depriving privacy, blocking views, creating potential flooding and traffic issues, etc)

Housing unit will require owner to install sewer ,well, and irrigation system- again will require suspension of [certain] laws to achieve these objective

○

- **Two most egregious problems with this request for zoning change:**
 1. It violates critical infrastructure 7.1 state law (2023) that prohibits high density buildings. Brevard county has been designated by the state of FL as **one of 6 critical infrastructure areas** for the preservation of our fragile ecosystem as both a Barrier Island and a unique turtle nesting ground. (**Section 380.0553**, Florida Statutes). The aforementioned proposal for consideration before you not only is not in keeping with preservation but is an effort to upend and materially harm these objectives. This proposal specifically states it “is not anticipated to enhance natural scenic resources which would promote the aesthetic benefits of the natural environment. *Enhancing natural scenic resources involves a combination of conservation, restoration, and sustainable management of the natural environment.*”

2- It sets a **bad & dangerous precedent**. Once this property is allowed an exemption what possible rationale is there for stopping future zoning requests for high density housing **DESPITE FL state law drafted in 2023 expressly prohibiting these types of development** because they knowingly harm and endanger our fragile ecosystem, putting all residents in danger with future natural disasters like hurricanes when development is hindering precisely these efforts at preservation. **The only beneficiaries for these changes are greedy developers, lawyers, realtors and dirty politicians** willing to have their palms greased to ignore our laws and continue to ravage our fragile shoreline with these types of exemptions.

ISSUE:

1. Owner claims unless he's granted a zoning change from RES1 (single family home) to RES2 (multi family home) he won't be able to build on plot. This imposes unfair burden on him, given he dutifully paid taxes on land he now can't use it.

FACTS:

- Owner bought this property with knowledge that original owner divided a lot unevenly/unfairly (land divided into an acre lot, and a 0.7 acre lot)
- Owner claims to have paid taxes on 0.7 property continuously for past several decades in excess of \$40k
- Owner claims he intends to build a single family house 4k sq ft on lot, though he is asking for change in zoning from RES1 to RES2 for multifamily dwelling. Moreover, under RES2 he can build up to 35' high unit that will definitely obstruct natural beauty, create potential flooding/overflow issues, invade privacy, add to traffic congestion, and be a potential hazard with undesirable lights shining on turtle nesting grounds. This statement of intent -not fact- solely based on owners' word, is granting a zoning change with no future assurances. What if owner changes his mind while building and decides he wants multiple units? Or after building his home sells it and next buyer converts it to a multi-family high density development?
-
- **OBJECTIONS:** Owner made bad business investment, did not do his due diligence on the property, had option to sell the land instead of paying taxes on it. Now neighbors directly impacted by this zoning change are asked to accept, at face value, a promise that this property will never become a HIGH DENSITY, MULTI FAMILY unit though it is zoned specifically for that purpose which this owner or a future owner can subsequently turn this property into an Air B&B, or subdivide into several units under his tenancy or through a subsequent sale. The lawyer summarily dismissed high density argument, despite state law to the contrary, as well as summarily dismissed issue of egress stating they can encroach on the adjacent property owners' 75' driveway to create an egress. She summarily dismissed "density" issues or ignored others that were never addressed like high traffic at extant location where there were **two FATALITIES** in the past two years, thus necessitating state intervention to create walkways and lights, etc., at the exact site bounding this plot of land, and another infringements on residents' quality of life.

In light of the aforementioned, I respectfully request denial of this zoning change.

Sincerely,

E Ber

126 Casseekee Trail

Melbourne Beach, FL 32951

Sent with [Proton Mail](#) secure email.

Jackson, Desiree

From: rel2421@aol.com
Sent: Wednesday, December 11, 2024 10:40 AM
To: Commissioner, D3
Subject: Re Against item h4 application 24SS00013

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

RE: Against Item H4 application 24SS00013, Tax account 2963382 5610 Highway A1A

Dear Commissioner Adkinson,

This letter is to state my objection to the above referenced application.

The County Commission established the Future Land Use Plan and Coastal Element in 1992.

They recognized that this fragile barrier island could not support an increase in density and provided hard and fast protections.

Ten years later in 2005, the applicant purchased the .7 acres as Unit # 1 of a condo document that was recorded on May 2, 2005 (via ORB 5460 PGs' 2504-2530). Within the document (page 4, Paragraph 3.1), the subject is described as "Unit 1 contains approximately seven tenths (7/10th) of an acre of land and may have constructed thereon one (1) single family residence".

This is NOT a true Statement. The .7 acres was always unbuildable.

If the condo developer thought the lot was buildable, why didn't he divide the lot into 2 equal condo units of .85 acres each? Why did he make his Unit# 2 a full acre and Unit #1 only .7 acres?

What is factual and is in the county records per the 2019 application from the applicant:

He admits with said representation from the developers condo documents he made the purchase.

He was mislead by the developer but sought relief from the county (the current application doesn't include the condo document portion that misrepresents the .7 acres as buildable).

Since when is the County liable for a bad real estate purchase?

Continuing, at the LPA meeting 11-18-2024, the applicant's attorney implies the applicant reached out to county Planning (per record minutes) prior to purchase.

This is also NOT true:

From the P&Z staff comments to LPA BoardMeeting:

"Additionally, when Units 1 and 2 were created... recorded Condominium documents, the approval process for the

easement was never reviewed by Brevard County. As such, County staff was not able to assist in preventing a transaction...".

1) The county was never asked to review the land before the purchase.

2) Since when has a land purchase ever been reviewed by County staff without being asked?

JUNE 2022: the applicant filed a zoning classification letter where once again he was informed the property was non-compliant.

DECEMBER 2022: the applicant filed again with a similar argument but added language that somehow Coastal Element 7.0 was in conflict with 7.1 and that inconsistency should somehow allow his increase in density.

That application morphed into a large scale text amendment which imploded due to the implications it could affect over 50 acres on the barrier island. The application was pulled from the agenda the night before at 10pm.

JULY 2024: This current application contains the same previous arguments that were rejected by P&Z but adds a Binding Development Plan, which county staff agrees does not apply. Additional expert testimony that clouds the factual issue that an increase in density is not allowed per CME Policy 7.1.

Planning and Zoning staff clearly states four times in their report to you that the application violates Policy 7.1. This same letter was provided to the the LPA, but the new uninformed majority of members were mostly concerned with the money the applicant spent. One member actually stated on the record that he was voting to provide, what would turn out to be an outrageous, and unfair, windfall million dollar profit to a land speculator, while at the same time admitting it was contrary to Policy 7.1.

All this to help a buyer that, admittedly on record, made a bad purchase decision in 2005.

Since when is it the responsibility of the county to provide relief to an applicant who bought a sub-standard lot just because he paid taxes on it?

This is not a County issue. It is a civil case between the applicant and the condo developer that sold him the unbuildable lot.

This is not a property rights issue. This a civil matter of a possible fraudulent real estate transaction

Please vote AGAINST the application.

Please do not provide a loophole for future land owners to convert their property to a condo and mislead other dupitious purchasers.

Our courts are full enough without adding to the fire.

Regards and Congratulations,

Robert Logsdon Jr.

9020 Highway A1A Melbourne Beach, FL. 32951

Jackson, Desiree

From: Stephen LaScola <lascolasremodeling@gmail.com>
Sent: Tuesday, December 10, 2024 4:31 PM
To: d1commissioner@brevardfl.gov; Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: 5610 Highway A1A zoning change

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

To all of the commissioners involved in this, I AM **AGAINST** item H4 for the up-zoning of: **5610 A1A**

FOR THE FOLLOWING REASONS:

The reasons are: 1) It will set a precedent that cannot be stopped.

2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.

3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to the State Commerce Department on November 7th.

4) The island's water, sewer and evacuation resources cannot handle any more density.

Steve LaScola
LaScola's Building & Remodeling LLC
lic. 17-RC-CT-00101
cell: 203 767 3577
office: 321 831 3361
lascolasremodeling.com

Jackson, Desiree

From: PATRICIA BIAGI <biagi@bellsouth.net>
Sent: Tuesday, December 10, 2024 11:51 AM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: Fwd: Area of Critical concern Melbourne Beach

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

Begin forwarded message:

From: PATRICIA BIAGI <biagi@bellsouth.net>
Subject: **Area of Critical concern Melbourne Beach**
Date: December 10, 2024 at 11:47:56 AM EST
To: d1.commissioner@brevardfl.gov

Area of Critical State Concern request for density increase

I am Voting NO on Zoning Change request for 5610 S Hwy A1A
Please be aware the residents here at this very far end of the island are sick of developers and greedy builders coming in and trying to destroy this very amazing area without any regard to the endangered wildlife. If you drive down A1A on any given morning the carnage of dead animals on the road is heartbreaking. I'm guessing if you keep allowing this reckless building there will be nothing left.

When the lot in question was cleared (at least three years ago.) Beautiful trees and I am sure habitats for many animals. POINTLESS! And now they want to change the zoning. NO NO NO.

I am sure the majority of folks around here are not even aware this pathetic request is being brought up to the commissioners.

Please listen to the people that are reaching out to you.

Sincerely,

Larry and Patricia Biagi
155 Sea Dunes Dr
Melbourne Beach 32951

Jackson, Desiree

From: Tim Reed <tim.reed@hotmail.com>
Sent: Tuesday, December 10, 2024 9:41 AM
To: Commissioner, D3
Subject: AGAINST item H4 for the up-zoning of: 5610 A1A

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

Commissioner Atkinson -

As a resident & property owner in Melbourne Beach, I urge to act in the best interests of the south beaches and oppose Item H4 for the up-zoning of 5610 A1A in Brevard County.

The reasons are:

1. It will set a precedent that cannot be stopped.
2. It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.
3. It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department November 7th.
4. The island's water, sewer and evacuation resources cannot handle any more density.

Thank you,
Tim Reed

Jackson, Desiree

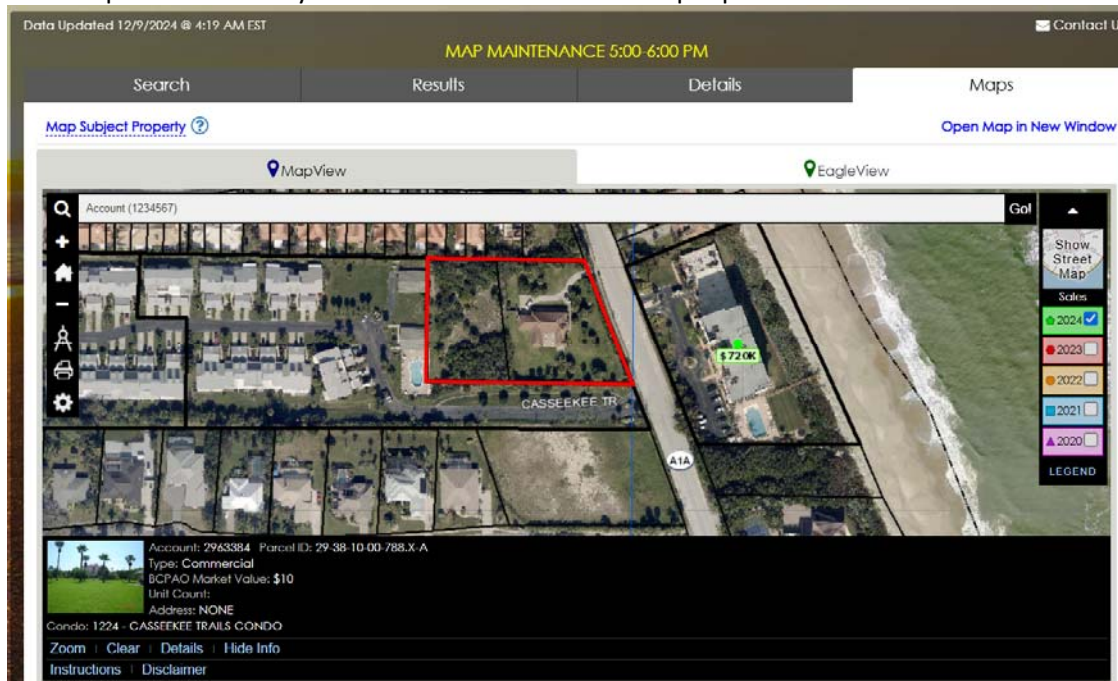
From: Sandra Sullivan <s2sully@gmail.com>
Sent: Monday, December 9, 2024 10:09 PM
To: Commissioner, D3; kim.atkinson@brevardfl.gov
Subject: D4 Thursday zoning

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

Just to be clear - they bought property in South Beaches which was zoned Res 1. They built their house. There is NO Bert Harris because they bought with that zoning. Now they want to build a second residence Res2 but that is not the zoning.

Buyer beware - they bought where you cannot upzone.

Please uphold the history of the area and the will of the people in South Beaches



The staff comments are clear:

In 1992, in accordance with the South Beaches Small Area Plan, amendment **92B4.2** changed the FLUM of the subject property from the Mixed Use District to RES 1. At the time of the amendment, the subject property was 1.71 acres. 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 limits development to one (1) unit per acre. **Approval of the RES 2 will create an inconsistency between the RP zoning classification and future land use designation which will necessitate the applicant to seek a zoning change.**

Jackson, Desiree

From: Fred Seleman <fseleman@gmail.com>
Sent: Monday, December 9, 2024 9:29 AM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: Vote NO on Zoning Change request for 5610 S Hwy A1A

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

All:

Please vote NO on the request for a zoning change for 5610 South Highway A1A, Melbourne Beach. Thank you.

Fred Seleman
7617 Kiawah Way
Melbourne Beach, FL 32951

Jackson, Desiree

From: Catherine Stamatacos <cstamatacos@yahoo.com>
Sent: Sunday, December 8, 2024 8:18 PM
To: Commissioner, D3
Subject: Re: AGAINST item H4 for the up-zoning of: 5610 A1A

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

With address added below, thank you.
(125 Rue de Nancy)
Sent from my iPhone

On Dec 8, 2024, at 8:09 PM, Catherine Stamatacos <cstamatacos@yahoo.com> wrote:

Dear Commissioner,

Please vote AGAINST item H4.

The reasons are: 1) It will set a precedent that cannot be stopped.

2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.

3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.

4) The island's water, sewer and evacuation resources cannot handle any more density.

Thank you for your consideration,
Catherine Stamatacos

125 Rue de Nancy

Melbourne Beach
321-726-9853

Jackson, Desiree

From: Catherine Stamatacos <cstamatacos@yahoo.com>
Sent: Sunday, December 8, 2024 8:10 PM
To: Commissioner, D3
Subject: AGAINST item H4 for the up-zoning of: 5610 A1A

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

Dear Commissioner,

Please vote AGAINST item H4.

The reasons are: 1) It will set a precedent that cannot be stopped.

2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.

3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.

4) The island's water, sewer and evacuation resources cannot handle any more density.

Thank you for your consideration,
Catherine Stamatacos
Melbourne Beach
321-726-9853

Jackson, Desiree

From: Kathleen Conway <kcmslp@aol.com>
Sent: Sunday, December 8, 2024 11:34 AM
To: Commissioner, D3
Subject: H4 for the up-zoning of 5610 A1A Highway

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

Good Morning Commissioner,

I am against the approval of item H4 for the up-zoning of 5610 A1A Highway. I have been in this area of the beach since 1988. I hope you will not approve this item. Thank you for all that you do for our county.

The reasons are: 1) It will set a precedent for future development that cannot be stopped.
2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.
3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.
4) The island's water, sewer and evacuation resources cannot handle any more density.

Best Regards,

Kathleen Conway

Jackson, Desiree

From: Catherine Stamatacos <cstamatacos@yahoo.com>
Sent: Sunday, December 8, 2024 8:10 PM
To: Commissioner, D3
Subject: AGAINST item H4 for the up-zoning of: 5610 A1A

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

Dear Commissioner,

Please vote AGAINST item H4.

The reasons are: 1) It will set a precedent that cannot be stopped.

2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.

3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.

4) The island's water, sewer and evacuation resources cannot handle any more density.

Thank you for your consideration,
Catherine Stamatacos
Melbourne Beach
321-726-9853

Jackson, Desiree

From: Kristie Ferriell <kaferriell@gmail.com>
Sent: Saturday, December 7, 2024 5:30 PM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: AGAINST item H4 for the up-zoning of: 5610 A1A

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

Dear Commissioners,

I live south of Melbourne Beach and am concerned about the request for an up-zoning change from Res 1 to Res 2.

This zoning request should not happen and should not be allowed. The Brevard County staff recommended the Commissioners to Deny the application, yet here we are again, for the 3rd time, with this request. If allowed, this will set a nasty precedent leading to increased density that we will not be able to stop.

Please don't allow this upgrade. Please don't circumvent the prohibitions of the Comprehensive Plan Policies.

Thank you,
Kristie A Ferriell
167 Tramore Place
Melbourne Beach.

Jackson, Desiree

From: terry gill <gillbilly1951@yahoo.com>
Sent: Saturday, December 7, 2024 3:52 PM
To: Commissioner, D3
Subject: AGAINST item H4 for the up-zoning of: 5610 A1A

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

**AGAINST item H4 for the up-zoning
of: 5610 A1A**

Terry

Jackson, Desiree

From: glovprop@bellsouth.net
Sent: Saturday, December 7, 2024 9:09 AM
To: Commissioner, D2; Commissioner, D4; Commissioner, D5; Commissioner, D1; Commissioner, D3
Subject: Dec 12 Meeting Agenda item H4

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

Good Morning Commissioners;

RE: SSCPA24SS00013-Espanet Property, 5610 Highway A1A

On December 12, 2024 Agenda item H4 will come before you. I ask you to vote No on the zoning change request. This request has been brought before the previous Commissioners and it was denied. Why is it being presented again?

This request goes against the new State designated Critical Area of State Concern (CASC). The property is only .7 acres. The CASC specifically calls for no increase in density.

Please vote No on this request for rezoning.

Beth Glover
321-726-0800
Melbourne Beach, FL 32951

Jackson, Desiree

From: Richard Magin <richardmagin@gmail.com>
Sent: Friday, December 6, 2024 8:55 PM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: Please vote No on Item H4 for the up-zoning of: 5610 A1A

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

TO:
Brevard Board of County Commissioners, 7<7:0ziljKwfs0fr njxts\ f~[njw fKQ87>953
Meeting Dec 12, 2024 (next Thursday)
5PM

I am sorry that we can not attend the Dec. 12 meeting. Nevertheless, as a member of the Barrier Islands Preservation and Protection Association (BIPPA), I urge you to vote no on Item H4 for the up-zoning of: 5610 A1A to preserve our Area of Critical State Concern.
The applicant has requested an up-zoning change from RES 1 to RES 2.

This is a 1.7 acre parcel that is zoned 1 unit/acre and has been divided (subject lot is only .7 acres) to increase density and circumvent the prohibitions of the Comprehensive Plan Policies below.

This zoning request should not happen and should not be allowed. The Brevard County staff recommended to the Commissioners that they Deny the application, yet here we are again, for the 3rd time, with this request. If allowed, this reclassification will set a precedent leading to increased density that we may not be able to prevent.

Additional reasons are:

- 2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.
- 3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to the State Commerce Department on November 7th.
- 4) The island's water, sewer and evacuation resources cannot handle any more density.

Thank you for your attention to this issue.

Richard and Karen Magin

(Personal Note: We were married on a sand dune just down the beach at 8085 A1A in 1979. Our four grandchildren now live on South Ivory Dr, Melbourne Beach, just a mile up the road from the lots at 5610 A1A. We hope that 10-15 years from now that they can be married on a fully protected barrier island.)

␣

Jackson, Desiree

From: Jodie Irish <irish_jodie@yahoo.com>
Sent: Friday, December 6, 2024 6:27 PM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: AGAINST item H4 for the up-zoning of: 5610 A1A

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

The reasons are as follows:

- 1) It will set a precedent that cannot be stopped
- 2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.
- 3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.
- 4) The island's water, sewer and evacuation resources cannot handle any more density.

It's unbelievable that we are here for a 3rd time on the same zoning issue.

Sincerely,
Jodie Hager
325 Hiawatha Way
Melbourne Beach, FL 32951

Jackson, Desiree

From: tim kloc <tmkloc@yahoo.com>
Sent: Friday, December 6, 2024 4:09 PM
To: Commissioner, D3
Subject: Vote NO on Zoning Change request for 5610 S Hwy A1A

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

Pls vote no
Sent from my iPhone

Jackson, Desiree

From: S Dunaif <sdunaif@gmail.com>
Sent: Friday, December 6, 2024 3:45 PM
To: Commissioner, D3
Subject: 4H

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

Please

Vote NO on Zoning Change request for 5610 S Hwy A1A!

Shari Smith Dunaif

Floridana

Jackson, Desiree

From: jimfratt233 fratt <jimfratt@gmail.com>
Sent: Friday, December 6, 2024 2:39 PM
To: Commissioner, D3
Subject: AGAINST item H4 for the up-zoning of: 5610 A1A

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

The reasons are: 1) It will set a president that cannot be stopped.

2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.

3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.

4) The island's water, sewer and evacuation resources cannot handle any more density.

James frattarola 233 and 239 camino pl resident 36
years

Jackson, Desiree

From: Denis Freiden <denisfreiden@gmail.com>
Sent: Friday, December 6, 2024 11:40 AM
To: Commissioner, D3
Subject: AGAINST item H4 for the up-zoning of: 5610 A1A

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

AGAINST item H4 for the up-zoning of: 5610 A1A

The reasons are: 1) It will set a precedent that cannot be stopped.

2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.

3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.

4) The island's water, sewer and evacuation resources cannot handle any more density.

Jackson, Desiree

From: Mohamad Hussein <mashussein@gmail.com>
Sent: Friday, December 6, 2024 10:39 AM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: Re: AGAINST item H4 for the up-zoning of: 5610 A1A

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

Dear all, apologize for the inconvenience. I failed to include my full name and address and was directed to do so.

Apologize for the inconvenience.

Mohamad Hussein
8955 S Hwy A1A, Melbourne Beach, FL 32951
2162353308

Thanks for the opportunity to voice my opposition and reasons against item H4 relative to the up-zoning of 5610 A1A.

A) Allowing item H4 will set a precedence that cannot be stopped.

B) Passing item H4 relative to the up-zoning on 5610 A1A

- i- Violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan
- ii- Violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th 2024.

C) The island's water, sewer and evacuation resources cannot handle any further increase in density.

Appreciate your consideration and attention to this serious matter.

Mohamad

Jackson, Desiree

From: Mohamad Hussein <mashussein@gmail.com>
Sent: Friday, December 6, 2024 10:21 AM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: AGAINST item H4 for the up-zoning of: 5610 A1A

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

Thanks for the opportunity to voice my opposition and reasons against item H4 relative to the up-zoning of 5610 A1A.

A) Allowing item H4 will set a precedence that cannot be stopped.

B) Passing item H4 relative to the up-zoning on 5610 A1A

- i- Violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan
- ii- Violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th 2024.

C) The island's water, sewer and evacuation resources cannot handle any further increase in density.

Appreciate your consideration and attention to this serious matter.

Mohamad

Jackson, Desiree

From: Gary <garnat@aol.com>
Sent: Friday, December 6, 2024 6:40 AM
To: Commissioner, D3
Subject: AGAINST ITEM H4

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

AGAINST item H4 for the up-zoning of: 5610 A1A

The reasons are: 1) It will set a precedent that cannot be stopped.

2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.

3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.

4) The island's water, sewer and evacuation resources cannot handle any more density.

Jackson, Desiree

From: Edward Moseley <jedmose@bellsouth.net>
Sent: Thursday, December 5, 2024 8:33 PM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: 5610 A1A Up-Zoning

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

Dear Commissioners,

We are AGAINST item H4 for the up-zoning of: 5610 A1A in South Melbourne Beach. This has been denied previously and should continue to be denied because;

- 1) It will set a precedent that cannot be stopped.
- 2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.
- 3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.
- 4) The island's water, sewer and evacuation resources cannot handle any more density.

We have lived here for decades and we wish to preserve it. There has been tremendous growth over the last several years and further development in this manner will negatively affect our town, resources, infrastructure, as well as our ability to evacuate quickly/safely in the event of an emergency.

Thank you for your attention to this matter!

Helen and Edward Moseley
144 Bayshore Drive,

Melbourne Beach,
FL 32951

Jackson, Desiree

From: helen stamatacos <hnstamatacos@yahoo.com>
Sent: Thursday, December 5, 2024 5:33 PM
To: Commissioner, D3
Subject: Fw: NO to H4 For up-zoning of: A1A

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

-

Dear Commissioners,

We urge you to please please vote AGAINST H4 for the up-zoning of 5616 A1A, Melbourne Beach.

We have fought so hard to try to maintain the treasure that is for all to enjoy AND PROTECT.

If zoning keeps changing for "special reasons" presented by the owners -we are unprotected. Why is this zoning request happening ? Actually this should not even be an issue to discuss. WHY? This is a precedent that we as a community cannot have.

We are an area designated as an AREA OF CRITICAL STATE CONCERN. This means EVERYTHING on how to treat all new zoning issues.

You all know and have heard over and over again what the community wants other than those whose self interests do not align with the plans in place.

This up-zoning violates the Coastal Management Element Policy 7.1 of the County Comprehensive Plan.

It also violates Policy 12.1 of the Brevard Barrier Island Area Amendment just approved by the Commission (THANKFULLY) and sent to State Commerce department last month.

We are not against development. We need to continue low density with respect for the neighborhood and the creatures sharing this space.

Thank you .

Sincerely,

Helen Stamatacos
Charles Magal, MD

9010 S A1A
Melbourne Beach, FL 32951

717-830-0065

11 December 2024

Annemarie De Cort
Robert De Cort
5610 South Highway A1A
Melbourne Beach, Florida 32951

Commissioner Kim Adkinson
1311 E. New Haven Avenue
Melbourne, FL 32901

Dear Commissioner, Adkinson,

Annemarie DeCort and Robert DeCort are residents of Melbourne Beach in Brevard's 3rd District which you ably represent. We are writing to urge you, and your fellow Commissioners to deny the Application brought by Delray Beach resident Christopher Espanet (Kimberly Rezanka) to unnecessarily increase the density of our beachside community by proposing an Amendment to the Comprehensive Plan that requires a change to the longstanding (19 + years) Future Land Use designation of property (24SS00013) (Tax Account 2963382) that directly abuts our residence. This most recent Application which requests a change from RES1 to RES 2, was thoroughly reviewed by the Brevard County Planning and Development Department who advised the Applicant that the request "...is not permitted..." and based on consideration of the facts, regulations and Policy further advised the Applicant that the Department therefore "...must recommend the Board to deny the application." In addition to these professional experts who are charged with effective and thoughtful management of Brevard Counties land resources, the Application is also being strenuously opposed by numerous other of our resident neighbors who like us have voiced their concern with the wide-ranging negative impact and dangerous precedent that would arise from the Applications Approval.

It is also important to note that this is not the first such request by the Applicant since purchase of the known at the time, substandard parcel in 2005. All previous Applications have been denied following thoughtful well-reasoned decisions by the Brevard County Planning & Development Department and the Brevard Board of Commissioners based on their similar defects in law, facts, process or non-compliance with existing State of Florida and Brevard County Regulation, Policy, and Codes. We also note that since 2005 when the Applicant knowingly purchased the substandard for land use purposes property, there have been no salient changes

in the afore mentioned circumstances and regulations that were considered by the Board of Commissioners at the time of the several previous denied Applications.

Please see a summary of the many issues identified by impacted residents as well as the Brevard County Planning & Development Department with this Application:

- a) The Property of the Applicant was known to be substandard for land use at the time of purchase.
- b) The change from RES 1 to RES 2 represents a density increase.
- c) Based on the plain language of the Comprehensive Plan, specifically the Coastal Management Element, any requested change to land use that increases density is not permitted and is improper.
- d) The approval of an application that conflicts with the Comprehensive Plan will require additional cost to be borne by the taxpayers of Brevard County and may potentially require protracted litigation further burdening the taxpayers.
- e) The proffered attempted procedural device invoked by the Applicant to circumvent his conceded detrimental stand-alone impact of the change to RES 2 on the surrounding community and residents; applying for a Future Land Use (FLU) inextricably linked and dependent on a Building Development Plan (BDP), cannot be used per Brevard County Code.
- f) The Property is located within the Area of Critical State Concern – Brevard Barrier Island Area, and therefor requires the State of Florida to be involved in the review process of the Application, specifically per Policy “Brevard County shall not increase the residential density designations for properties located on the barrier island between the south boundary of Melbourne Beach and the Sebastian Inlet.”
- g) Approval of the application will create an inconsistency between the RP zoning classification and future land use designation.
- h) There is no sewer development accessible to the property, therefore approval of the Application may have nutrient content impacts to the Indian River Lagoon.
- i) The approval of the Application allows for the construction of professional offices up to 3 stories (35 feet) which may impact the visual corridor currently enjoyed by existing and future residents the bordering area.
- j) Base on FLUE Policy 1.8:
 - a. There is no other RES 2 in the surrounding area,
 - b. There are no adequate density transition areas between existing land use designations to the east or west,

- c. Brevard Policy 7.1 does not allow for any increase in residential density for the Applicants Property.
- k) Approval of the Application to increase residential density is inconsistent with precedence in the interpretation of the Coastal Conservation Element Policy 7.1. as it relates to residential density.
- l) Approval of the Application would materially adversely impact the established residential neighborhood as it allows the substandard property to be developed as 3 story professional offices requiring parking, vehicular and pedestrian access within the clearly long-established residential boundaries of single-family subdivisions, condominiums, and multifamily developments. Currently there are no commercial, industrial, or other non-residential land uses in the area nor have any been granted in the past 5 years.

We purchased our residence just over 1 year ago upon returning to Melbourne Beach following 39 years of living and working throughout the United States and overseas. The decision to purchase our current residence on the terms agreed were motivated by the natural beauty of the South Beaches and the protection from misguided overdevelopment the area enjoys, the surrounding long established residential neighborhood around the residence, the State and County Plans and regulations that explicitly prohibit any increase in residential density, and the Property Appraisals we and others commissioned to inform our final decision. All of these factors were inextricably linked to known Zoning, Land Use Plans and County Regulations and Policy known at the time, all of which unequivocally provide that the Applicants parcel, at the time of its subdivision (2 May 2005) at the time of its purchase by the Applicant (15 July 2005), at the time of our decision to purchase the adjacent residence (6 November 2023), and today, to be substandard for the change in Land Use requested.

We appreciate your time and consideration, an urge you and your fellow Commissioners to deny the Application.

Sincerely,

Annemarie DeCort

Robert DeCort

e-mail: home@decort.us

Jackson, Desiree

From: dccapemay@aol.com
Sent: Wednesday, December 11, 2024 1:43 PM
To: Commissioner, D2
Subject: December 12, 2024 Commission Meeting Item H4

Follow Up Flag: Follow up
Flag Status: Flagged

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

Dear Commissioner Tom Goodson,

I want to welcome and congratulate you in this new session as a Brevard County Commissioner member.

You have a lot of information to assimilate with each meeting. So, I wanted to provide you with a summary of the history of the South Beaches barrier island and why keeping density and intensity low, is so important. This is not a new issue; it started 40 years ago.

If you do not know the History of the Brevard County South-South Beaches, you cannot make an informed decision about density challenges that keep popping up.

Please read this short history before the Commission Meeting on December 12, 2024, involving a request to increase density at 5610 S Hwy A1A in the South Beaches area. I am opposed to the zoning request from Res1 to Res2 at 5610 S Hwy A1A, Melbourne Beach, and I ask you to please vote no.

- In 1981, Brevard County adopted a Comprehensive Plan for growth management to manage future development. The South-South Beaches were mentioned specifically as being unique in the Land Use Element and needing special evaluation, **noting that 'land values were high while public services were few ' in the South Beaches area.**
- In 1984, the South Beaches Growth Management Resolution was adopted. It provided details for building two new Bridges from the mainland to A1A between the 28-mile stretch from the 192 Causeway and the Wabasso Causeway. The two new bridges, Malabar Bridge and Valkaria Bridge would cross the Indian River to A1A at the South Beaches area. The plan included expanding the two-lane Highway A1A up to 4 or 6 lanes with infrastructure such as public sanitary sewer, potable water, drainage, etc.
The 2 new bridges were not built. The two-lane A1A remains the only north-south corridor. No potable water or sewer. Infrastructure is pretty much the same as in 1984.
- In 1985, Growth Management Legislation was passed as part of Florida's commitment to provide facilities and services for economic growth and preserve natural resources. **The Act required that infrastructure be in place concurrent with the development.**
- In 1989 Congress approved the Archie Carr National Wildlife Refuge Proposal to preserve a 20-mile stretch of barrier island that included the 12 miles of South Beaches in Brevard County and 8 miles in Indian River County. **Its purpose was to "protect the habitat of the most significant area for loggerhead turtle**

nesting, in the world. And to protect the most significant nesting area for green sea turtles in North America.”

- In 1990, The Environmentally Endangered Lands (EEL) Program was established to protect the natural habitats of Brevard County by acquiring environmentally sensitive lands for conservation, with voter-approved funds. The EEL Program protects turtle nesting sites, natural habitats, and native plants and animals in the South Beaches area.
- In 1991, 61% of Brevard voters, voted to approve the new EEL program. Voters also approved the EEL Tax, which provided \$55 million for funding.
- In 1992, Brevard County BOCC adopted the South Beaches Small Area Plan Study (SAPS) to address the lack of public facilities and available services, environmental constraints, hurricane evacuation, and land use compatibility. The SAPS focused on the narrow 12-mile stretch of A1A from Melbourne Beach City limits to the Inlet.
The Brevard County Comprehensive Plan, Objective 10, Policy 10.3 of the FLU element established a 2-step process for determining the density/intensity in the South Beaches area. **The first step was the SAPS/Report. The second step was to follow the SAPS recommendations with a subsequent Administrative Rezoning. Most residential lots in South Beaches were down-zoned to RR-1 Single Family Residence. Down-zoning reduced density/intensity to RR-1, one (1) residential unit per acre. It allowed development consistent with good growth management in an area with few public services, inadequate infrastructure, endangered habitats, one north-south two-lane highway A1A with no controlled intersections, and no new bridges.**
- In 2004, 69% of Brevard voters, voted to approve \$60 million for EEL for 20 years.
- In 2022, 70.43% of Brevard voters, voted to approve \$50 million for EEL over 20 years.
- In January 2023, a large group of residents from the South Beaches area of District 3 with the help of some special Representatives, embarked on a journey to create a Bill to protect the South Beaches barrier island from overdevelopment. The short name was the Brevard Barrier Island Protection Act. It is specific to the 12 miles of Southern Brevard barrier island area from the Melbourne Beach city limits south to Sebastian Inlet.
- By June 2023, HB 1489 Bill passed with a Senate Vote of 38-0, a House Vote of 115-0, and was signed by Governor DeSantis. The South Beaches was designated an Area of Critical State Concern by the Florida Legislature, as **codified in section 380.0553, Florida Statutes**. The designation of an Area of Critical State Concern (ACSC), is a rare event in Florida, and Brevard County received one. There are only five other areas designated ACSC in *Florida*; The *Florida* Keys, Key West, Big Cypress, the Green Swamp, and the Apalachicola Bay area.
- From July 2023 – July 2024, the Draft of the BBIA, ACSC Comprehensive Plan was being developed by Brevard County.
- August 2024 – December 2024, work continues on the Final Draft of the Brevard Barrier Island Area Comprehensive Plan Element.
- October 14, 2024, P&Z Meeting Public Hearing resulted in many excellent suggestions and comments to be included in the Final Draft of the Comp Plan Element.

- November 7, 2024 Commission Meeting. BOCC Transmittal of a Large-Scale Comprehensive Plan Amendment (24LS00001) regarding the Brevard Barrier Island Area (BBIA) as a new element to the Comprehensive Plan under the State Coordinated Review process. The BBIA residents were a little disappointed that many of their suggestions, as well as Robert Sullivan's/FEMA Exhibit 1, and some excellent comments from Staff, were not included in the Draft to be transmitted.
- Meeting 12-12-2024 Item H4 application 24SS00013, Tax account 2963382 5610 Highway A1A. Zoning request that will increase density if approved and possibly undo all the work of the past 40 years.

Please do not approve the zoning request from Res1 to Res2 for 5610 S. Hwy A1A, at the 12/12/24 Commission Meeting. Everything we have worked for including the State designation of BBIA, ACSC has been done to limit density increases.

Thank you - Dolores Conway, Cardinal Drive, Melbourne Beach, FL 32951

Jackson, Desiree

From: rel2421@aol.com
Sent: Wednesday, December 11, 2024 10:55 AM
To: Commissioner, D2
Subject: Re: against item H4 application 24SS00013

Follow Up Flag: Follow up
Flag Status: Flagged

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

RE: Against Item H4 application 24SS00013, Tax account 2963382 5610 Highway A1A

Dear Commissioner Goodson,

This letter is to state my objection to the above referenced application.

The County Commission established the Future Land Use Plan and Coastal Element in 1992.

They recognized that this fragile barrier island could not support an increase in density and provided hard and fast protections.

Ten years later in 2005, the applicant purchased the .7 acres as Unit # 1 of a condo document that was recorded on May 2, 2005 (via ORB 5460 PGs' 2504-2530). Within the document (page 4, Paragraph 3.1), the subject is described as "Unit 1 contains approximately seven tenths (7/10th) of an acre of land and may have constructed thereon one (1) single family residence".

This is NOT a true Statement. The .7 acres was always unbuildable.

If the condo developer thought the lot was buildable, why didn't he divide the lot into 2 equal condo units of .85 acres each? Why did he make his Unit# 2 a full acre and Unit #1 only .7 acres?

What is factual and is in the county records per the 2019 application from the applicant:

He admits with said representation from the developers condo condo documents he made the purchase.

He was mislead by the developer but sought relief from the county (the current application doesn't include the condo document portion that misrepresents the .7 acres as buildable).

Since when is the County liable for a bad real estate purchase?

Continuing, at the LPA meeting 11-18-2024, the applicant's attorney implies the applicant reached out to county Planning (per record minutes) prior to purchase.

This is also NOT true:

From the P&Z staff comments to LPA BoardMeeting:

"Additionally, when Units 1 and 2 were created... recorded Condominium documents, the approval process for the

easement was never reviewed by Brevard County. As such, County staff was not able to assist in preventing a transaction...".

1) The county was never asked to review the land before the purchase.

2) Since when has a land purchase ever been reviewed by County staff without being asked?

JUNE 2022: the applicant filed a zoning classification letter where once again he was informed the property was non-compliant.

DECEMBER 2022: the applicant filed again with a similar argument but added language that somehow Coastal Element 7.0 was in conflict with 7.1 and that inconsistency should somehow allow his increase in density.

That application morphed into a large scale text amendment which imploded due to the implications it could affect over 50 acres on the barrier island. The application was pulled from the agenda the night before at 10pm.

JULY 2024: This current application contains the same previous arguments that were rejected by P&Z but adds a Binding Development Plan, which county staff agrees does not apply. Additional expert testimony that clouds the factual issue that an increase in density is not allowed per CME Policy 7.1.

Planning and Zoning staff clearly states four times in their report to you that the application violates Policy 7.1. This same letter was provided to the the LPA, but the new uninformed majority of members were mostly concerned with the money the applicant spent. One member actually stated on the record that he was voting to provide, what would turn out to be an outrageous, and unfair, windfall million dollar profit to a land speculator, while at the same time admitting it was contrary to Policy 7.1.

All this to help a buyer that, admittedly on record, made a bad purchase decision in 2005.

Since when is it the responsibility of the county to provide relief to an applicant who bought a sub-standard lot just because he paid taxes on it?

This is not a County issue. It is a civil case between the applicant and the condo developer that sold him the unbuildable lot.

This is not a property rights issue. This a civil matter of a possible fraudulent real estate transaction

Please vote AGAINST the application.

Please do not provide a loophole for future land owners to convert their property to a condo and mislead other dupitious purchasers.

Our courts are full enough without adding to the fire.

Regards,

Robert Logsdon Jr.

9020 Highway A1A Melbourne Beach, FL. 32951

Jackson, Desiree

From: rel2421@aol.com
Sent: Wednesday, December 11, 2024 10:55 AM
To: Commissioner, D2
Subject: Re: against item H4 application 24SS00013

Follow Up Flag: Follow up
Flag Status: Flagged

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

RE: Against Item H4 application 24SS00013, Tax account 2963382 5610 Highway A1A

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Please vote AGAINST the application.

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Our courts are full enough without adding to the fire.

Regards,

Robert Logsdon Jr.

9020 Highway A1A Melbourne Beach, FL. 32951

From: [Beth Ferriell](#)
To: [Commissioner, D1](#)
Subject: Zoning Change Request for 5610 S Hwy A1A
Date: Wednesday, December 11, 2024 4:43:12 PM

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

PLEASE vote NO tomorrow on the zoning change request for 5610 S Hwy A1A.

The current infrastructure cannot handle more multi unit residences. We want to protect the South Beaches Area of Critical Concern.

Thank you for your time.

Beth Ferriell
6466 Floridana Ave

Jackson, Desiree

From: Commissioner, D2
Sent: Thursday, December 12, 2024 9:59 AM
To: Jackson, Desiree
Cc: Commissioner, D2
Subject: Fw: Vote NO on Zoning Change request for 5610 S Hwy A1A

Good morning Desiree,
Please see attached additional disclosure for item H4.

Thank you,

Susan Smith

From: debbie wilson <cusmile1000@gmail.com>
Sent: Thursday, December 12, 2024 9:43 AM
To: Commissioner, D2 <D2.Commissioner@brevardfl.gov>
Subject: Vote NO on Zoning Change request for 5610 S Hwy A1A

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

Support South Beaches to protect the Area of Critical State Concern by voting NO !
Do not support the money, hungry developers, banging on your doors. You were elected to support the people that live here in Brevard County. Are there not plenty of areas that can support expansion and provide housing for the people that would like to move here to Brevard County without impacting preservation areas?

The applicant has requested a zoning change from RES 1 to RES 2 with a BDP limited to 1 unit per acre. This lot is only .7 acres.

This zoning request should not happen and should not be allowed. The Brevard County staff's position is that it recommended the Board to deny the application, yet here we are again with this request.

Please Help Keep Brevard Beautiful

Respectfully,
Debra Wilson

Sent from my iPhone

Jackson, Desiree

From: Fred Seleman <fseleman@gmail.com>
Sent: Monday, December 9, 2024 9:29 AM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: Vote NO on Zoning Change request for 5610 S Hwy A1A

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

All:

Please vote NO on the request for a zoning change for 5610 South Highway A1A, Melbourne Beach. Thank you.

Fred Seleman
7617 Kiawah Way
Melbourne Beach, FL 32951

Jackson, Desiree

From: PATRICIA BIAGI <biagi@bellsouth.net>
Sent: Tuesday, December 10, 2024 11:51 AM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: Fwd: Area of Critical concern Melbourne Beach

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

Begin forwarded message:

From: PATRICIA BIAGI <biagi@bellsouth.net>
Subject: **Area of Critical concern Melbourne Beach**
Date: December 10, 2024 at 11:47:56 AM EST
To: d1.commissioner@brevardfl.gov

Area of Critical State Concern request for density increase

I am Voting NO on Zoning Change request for 5610 S Hwy A1A
Please be aware the residents here at this very far end of the island are sick of developers and greedy builders coming in and trying to destroy this very amazing area without any regard to the endangered wildlife. If you drive down A1A on any given morning the carnage of dead animals on the road is heartbreaking. I'm guessing if you keep allowing this reckless building there will be nothing left.

When the lot in question was cleared (at least three years ago.) Beautiful trees and I am sure habitats for many animals. POINTLESS! And now they want to change the zoning. NO NO NO.

I am sure the majority of folks around here are not even aware this pathetic request is being brought up to the commissioners.

Please listen to the people that are reaching out to you.

Sincerely,

Larry and Patricia Biagi
155 Sea Dunes Dr
Melbourne Beach 32951

Jackson, Desiree

From: Catherine Stamatacos <cstamatacos@yahoo.com>
Sent: Monday, December 9, 2024 12:05 PM
To: Commissioner, D2
Subject: AGAINST item H4 for the up-zoning of: 5610 A1A

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

With address added below. Thank you.
(125 Rue de Nancy)

On Dec 8, 2024, at 8:09 PM, Catherine Stamatacos <cstamatacos@yahoo.com> wrote:

Dear Commissioner,

Please vote AGAINST item H4.

The reasons are: 1) It will set a precedent that cannot be stopped.

2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.

3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.

4) The island's water, sewer and evacuation resources cannot handle any more density.

Thank you for your consideration,
Catherine Stamatacos

125 Rue de Nancy

Melbourne Beach
321-726-9853

Sent from my iPhone

Jackson, Desiree

From: charlesrhardin@aol.com
Sent: Monday, December 9, 2024 7:03 AM
To: Commissioner, D1; Commissioner, D2; d3.commissioner@bervardfl.gov; Commissioner, D4; Commissioner, D5
Subject: Zoning request for 5610 S Highway A1A

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

Dear Commissioners Delaney, Goodson, Adkinson, Feltner, and Altman:

I am writing this email to inform you that I am **highly against** any changes in the zoning of the South Beaches for the property at 5610 S Highway A1A. In my opinion there is no justification for increasing the density allowances in the south beaches as "we" have been designated as an Area of Critical State Concern.

ANY increase in the density would be counterproductive to the preservation of the nature of our area and would also set a dangerous precedent for other property owners to pursue. In addition it would be in violation of current Coastal Management Policies.

Preservation of the South Beaches should be a priority not only with respect to the designation of it as an Area of Critical Concern but also in light of how other coastal areas in Brevard County have been developed "to the hilt" with the obviously concomitant traffic and pedestrian safety concerns. In addition it is my understanding that Brevard County Staff has already recommended that this zoning change request be denied.

Please do not add to the demise of one of the most beautiful (and bountiful) areas of Brevard County by allowing this zoning change request. It would not, in my opinion, be in the best interests of your constituents nor to those who visit here.

Thank you for your kind attention and consideration.

Sincerely,

C. Roger Hardin
290 Heron Dr.
Melbourne Beach, FL 32951
321-431-6779

Jackson, Desiree

From: Catherine Stamatacos <cstamatacos@yahoo.com>
Sent: Sunday, December 8, 2024 8:16 PM
To: Commissioner, D2
Subject: Re: AGAINST item H4 for the up-zoning of: 5610 A1A

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

With address added below. Thank you.
(125 Rue de Nancy)

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125 Rue de Nancy

Melbourne Beach
321-726-9853

Sent from my iPhone

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Sent: Sunday, December 8, 2024 8:09 PM
To: Commissioner, D2
Subject: AGAINST item H4 for the up-zoning of: 5610 A1A

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2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.

3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.

4) The island's water, sewer and evacuation resources cannot handle any more density.

Thank you for your consideration,
Catherine Stamatacos
Melbourne Beach
321-726-9853

Sent from my iPhone

Jackson, Desiree

From: Kathleen Conway <kcmslp@aol.com>
Sent: Sunday, December 8, 2024 11:33 AM
To: Commissioner, D2
Subject: H4 for the up-zoning of 5610 A1A Highway

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

Good Morning Commissioner,

I am against the approval of item H4 for the up-zoning of 5610 A1A Highway. I have been in this area of the beach since 1988. I hope you will not approve this item. Thank you for all that you do for our county.

The reasons are: 1) It will set a precedent for future development that cannot be stopped.
2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.
3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.
4) The island's water, sewer and evacuation resources cannot handle any more density.

Best Regards,

Kathleen Conway

Jackson, Desiree

From: Kristie Ferriell <kaferriell@gmail.com>
Sent: Saturday, December 7, 2024 5:30 PM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: AGAINST item H4 for the up-zoning of: 5610 A1A

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

Dear Commissioners,

I live south of Melbourne Beach and am concerned about the request for an up-zoning change from Res 1 to Res 2.

This zoning request should not happen and should not be allowed. The Brevard County staff recommended the Commissioners to Deny the application, yet here we are again, for the 3rd time, with this request. If allowed, this will set a nasty precedent leading to increased density that we will not be able to stop.

Please don't allow this upgrade. Please don't circumvent the prohibitions of the Comprehensive Plan Policies.

Thank you,
Kristie A Ferriell
167 Tramore Place
Melbourne Beach.

Jackson, Desiree

From: terry gill <gillbilly1951@yahoo.com>
Sent: Saturday, December 7, 2024 3:51 PM
To: Commissioner, D2
Subject: AGAINST item H4 for the up-zoning of: 5610 A1A

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

**AGAINST item H4 for the up-zoning
of: 5610 A1A**

Terry

Jackson, Desiree

From: glovprop@bellsouth.net
Sent: Saturday, December 7, 2024 9:09 AM
To: Commissioner, D2; Commissioner, D4; Commissioner, D5; Commissioner, D1; Commissioner, D3
Subject: Dec 12 Meeting Agenda item H4

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

Good Morning Commissioners;

RE: SSCPA24SS00013-Espanet Property, 5610 Highway A1A

On December 12, 2024 Agenda item H4 will come before you. I ask you to vote No on the zoning change request. This request has been brought before the previous Commissioners and it was denied. Why is it being presented again?

This request goes against the new State designated Critical Area of State Concern (CASC). The property is only .7 acres. The CASC specifically calls for no increase in density.

Please vote No on this request for rezoning.

Beth Glover
321-726-0800
Melbourne Beach, FL 32951

Jackson, Desiree

From: Richard Magin <richardmagin@gmail.com>
Sent: Friday, December 6, 2024 8:55 PM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: Please vote No on Item H4 for the up-zoning of: 5610 A1A

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

TO:
Brevard Board of County Commissioners, 7<7:0ziljKwfs0fr njxts\ f~[njw fKQ87>953
Meeting Dec 12, 2024 (next Thursday)
5PM

I am sorry that we can not attend the Dec. 12 meeting. Nevertheless, as a member of the Barrier Islands Preservation and Protection Association (BIPPA), I urge you to vote no on Item H4 for the up-zoning of: 5610 A1A to preserve our Area of Critical State Concern.
The applicant has requested an up-zoning change from RES 1 to RES 2.

This is a 1.7 acre parcel that is zoned 1 unit/acre and has been divided (subject lot is only .7 acres) to increase density and circumvent the prohibitions of the Comprehensive Plan Policies below.

This zoning request should not happen and should not be allowed. The Brevard County staff recommended to the Commissioners that they Deny the application, yet here we are again, for the 3rd time, with this request. If allowed, this reclassification will set a precedent leading to increased density that we may not be able to prevent.

Additional reasons are:

- 2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.
- 3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to the State Commerce Department on November 7th.
- 4) The island's water, sewer and evacuation resources cannot handle any more density.

Thank you for your attention to this issue.

Richard and Karen Magin

(Personal Note: We were married on a sand dune just down the beach at 8085 A1A in 1979. Our four grandchildren now live on South Ivory Dr, Melbourne Beach, just a mile up the road from the lots at 5610 A1A. We hope that 10-15 years from now that they can be married on a fully protected barrier island.)

␣

Jackson, Desiree

From: Jodie Irish <irish_jodie@yahoo.com>
Sent: Friday, December 6, 2024 6:27 PM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: AGAINST item H4 for the up-zoning of: 5610 A1A

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

The reasons are as follows:

- 1) It will set a precedent that cannot be stopped
- 2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.
- 3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.
- 4) The island's water, sewer and evacuation resources cannot handle any more density.

It's unbelievable that we are here for a 3rd time on the same zoning issue.

Sincerely,
Jodie Hager
325 Hiawatha Way
Melbourne Beach, FL 32951

Jackson, Desiree

From: tim kloc <tmkloc@icloud.com>
Sent: Friday, December 6, 2024 4:09 PM
To: Commissioner, D2
Subject: Vote NO on Zoning Change request for 5610 S Hwy A1A

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

Pls vote no
Sent from my iPhone

Jackson, Desiree

From: S Dunaif <sdunaif@gmail.com>
Sent: Friday, December 6, 2024 3:44 PM
To: Commissioner, D2
Subject: 4H

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

Please

Vote NO on Zoning Change request for 5610 S Hwy A1A!

Shari Smith Dunaif

Floridana

Jackson, Desiree

From: jimfratt233 fratt <jimfratt@gmail.com>
Sent: Friday, December 6, 2024 2:39 PM
To: Commissioner, D2
Subject: against item h4 5610 a1a

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

The reasons are: 1) It will set a president that cannot be stopped.

2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.

3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.

4) The island's water, sewer and evacuation resources cannot handle any more density.

James frattarola 233 and 239 camino pl resident 36
years

Jackson, Desiree

From: Denis Freiden <denisfreiden@gmail.com>
Sent: Friday, December 6, 2024 11:39 AM
To: Commissioner, D2
Subject: AGAINST item H4 for the up-zoning of: 5610 A1A

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

AGAINST item H4 for the up-zoning of: 5610 A1A

The reasons are: 1) It will set a precedent that cannot be stopped.

2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.

3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.

4) The island's water, sewer and evacuation resources cannot handle any more density.

Jackson, Desiree

From: Mohamad Hussein <mashussein@gmail.com>
Sent: Friday, December 6, 2024 10:39 AM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: Re: AGAINST item H4 for the up-zoning of: 5610 A1A

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

Dear all, apologize for the inconvenience. I failed to include my full name and address and was directed to do so.

Apologize for the inconvenience.

Mohamad Hussein
8955 S Hwy A1A, Melbourne Beach, FL 32951
2162353308

Thanks for the opportunity to voice my opposition and reasons against item H4 relative to the up-zoning of 5610 A1A.

A) Allowing item H4 will set a precedence that cannot be stopped.

B) Passing item H4 relative to the up-zoning on 5610 A1A

- i- Violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan
- ii- Violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th 2024.

C) The island's water, sewer and evacuation resources cannot handle any further increase in density.

Appreciate your consideration and attention to this serious matter.

Mohamad

Jackson, Desiree

From: Mohamad Hussein <mashussein@gmail.com>
Sent: Friday, December 6, 2024 10:21 AM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: AGAINST item H4 for the up-zoning of: 5610 A1A

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

Thanks for the opportunity to voice my opposition and reasons against item H4 relative to the up-zoning of 5610 A1A.

A) Allowing item H4 will set a precedence that cannot be stopped.

B) Passing item H4 relative to the up-zoning on 5610 A1A

- i- Violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan
- ii- Violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th 2024.

C) The island's water, sewer and evacuation resources cannot handle any further increase in density.

Appreciate your consideration and attention to this serious matter.

Mohamad

From: Edward Moseley <jedmose@bellsouth.net>
Sent: Thursday, December 5, 2024 8:33 PM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: 5610 A1A Up-Zoning

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

Dear Commissioners,

We are AGAINST item H4 for the up-zoning of: 5610 A1A in South Melbourne Beach. This has been denied previously and should continue to be denied because;

- 1) It will set a precedent that cannot be stopped.
- 2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.
- 3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.
- 4) The island's water, sewer and evacuation resources cannot handle any more density.

We have lived here for decades and we wish to preserve it. There has been tremendous growth over the last several years and further development in this manner will negatively affect our town, resources, infrastructure, as well as our ability to evacuate quickly/safely in the event of an emergency.

Thank you for your attention to this matter!

Helen and Edward Moseley
144 Bayshore Drive,

Melbourne Beach,
FL 32951

Jackson, Desiree

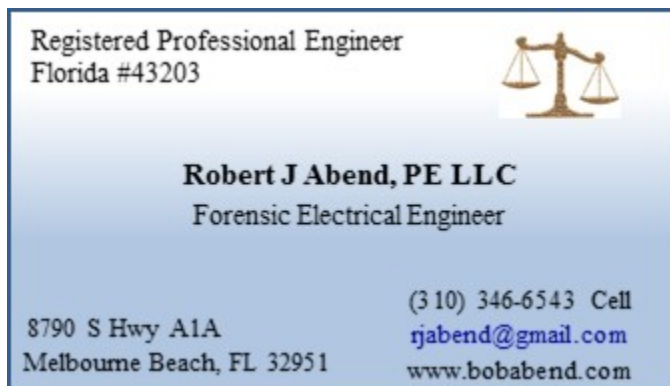
From: rjabend@gmail.com
Sent: Thursday, December 5, 2024 7:10 PM
To: rjabend@gmail.com
Subject: South Beaches Zoning

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

Commissioner,

I received the following email from BIPPA. Before deciding to attend the December 12th meeting, I thought I would ask if there are any special reasons for the unit area reduction from 1.7 to 0.7 Acres that I should consider. Thank you in advance for any response to my email inquiry.

Sincerely,



From: (BIPPA) Barrier Island Preservation & Protection Assn. <bippafl@yahoo.com>
Sent: Thursday, December 5, 2024 12:14 PM
To: meegank@hotmail.com
Subject: Please Email and Call to STOP Increasing Zoning in South Beaches (BBIA)

Brevard Board of County Commissioners, 2725 Judge Fran Jamieson Way Viera, FL 32940.
Meeting Dec 12, 2024 (next Thursday)
5PM

Action Needed: to preserve our Area of Critical State Concern

5610 Highway A1A zoning change will be brought up again at the county Commission on Dec 12, 2024.

We need a showing of South Beaches support for the Area of Critical State Concern. The applicant has requested an up-zoning change from RES 1 to RES 2.

This is a 1.7 acre parcel that is zoned 1 unit/acre and has been divided (subject lot is only .7 acres) to increase density and circumvent the prohibitions of the Comprehensive Plan Policies below.

This zoning request should not happen and should not be allowed. The Brevard County staff recommended the Commissioners to Deny the application, yet here we are again, for the 3rd time, with this request.

If allowed, this will set a nasty precedent leading to increased density that we will not be able to stop.

Please show up on December 12 and let the new County Commissioners know that this zoning request should be denied.

Also, Please call and e-mail our 5 commissioners below.

AGAINST item H4 for the up-zoning of: 5610 A1A

The reasons are: 1) It will set a precedent that cannot be stopped.

2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.

3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.

4) The island's water, sewer and evacuation resources cannot handle any more density.

Copy and Paste to:

d1commissioner@brevardfl.gov

d2commissioner@brevardfl.gov

d3commissioner@brevardfl.gov

d4commissioner@brevardfl.gov

d5commissioner@brevardfl.gov

CALL: Commissioner: Delaney 321-607-6901

Goodson 321-454-6601

Atkinson 321-633-2075

Feltner 321-633-2044

Altman 321-253-6611

Please attend the meeting on Thursday, December 12th, at 5pm, it would be very helpful. Speaking at the dais is optional.

Board of County Commission Chambers (1st floor), 2725 Judge Fran Jamieson Way Viera, FL 32940.

Thank You for your continued support to keep our natural habitat preserved.

Mark Shantzis, Executive Director

Barrier Islands Preservation and Protection Association (BIPPA)

"Leading Efforts To Preserve The Balance of Population Growth, Natural Habitat and Wildlife on the Barrier Islands for over 30 years"

bippa@yahoo.org

Jackson, Desiree

From: helen stamatacos <hnstamatacos@yahoo.com>
Sent: Thursday, December 5, 2024 5:32 PM
To: Commissioner, D2
Subject: Fw: Please Vote Against item H4

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

----- Forwarded Message -----

From: helen stamatacos <hnstamatacos@yahoo.com>
To: D1 Commissioner <d1.commissioner@brevardfl.gov>
Sent: Thursday, December 5, 2024 at 05:30:52 PM EST
Subject: Please Vote Against item H4

Dear Commissioners,

We urge you to please please vote AGAINST H4 for the up-zoning of 5616 A1A, Melbourne Beach.

We have fought so hard to try to maintain the treasure that is for all to enjoy AND PROTECT.

If zoning keeps changing for "special reasons" presented by the owners -we are unprotected. Why is this zoning request happening ? Actually this should not even be an issue to discuss. WHY? This is a precedent that we as a community cannot have.

We are an area designated as an AREA OF CRITICAL STATE CONCERN. This means EVERYTHING on how to treat all new zoning issues.

You all know and have heard over and over again what the community wants other than those whose self interests do not align with the plans in place.

This up-zoning violates the Coastal Management Element Policy 7.1 of the County Comprehensive Plan.

It also violates Policy 12.1 of the Brevard Barrier Island Area Amendment just approved by the Commission (THANKFULLY) and sent to State Commerce department last month.

We are not against development. We need to continue low density with respect for the neighborhood and the creatures sharing this space.

Thank you .

Sincerely,

Helen Stamatacos
Charles Magal, MD

9010 S A1A
Melbourne Beach, FL 32951

717-830-0065

Jackson, Desiree

From: Stephen LaScola <lascolasremodeling@gmail.com>
Sent: Tuesday, December 10, 2024 4:31 PM
To: d1commissioner@brevardfl.gov; Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: 5610 Highway A1A zoning change

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

To all of the commissioners involved in this, I AM **AGAINST** item H4 for the up-zoning of: **5610 A1A**

FOR THE FOLLOWING REASONS:

The reasons are: 1) It will set a precedent that cannot be stopped.

2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.

3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to the State Commerce Department on November 7th.

4) The island's water, sewer and evacuation resources cannot handle any more density.

Steve LaScola
LaScola's Building & Remodeling LLC
lic. 17-RC-CT-00101
cell: 203 767 3577
office: 321 831 3361
lascolasremodeling.com

Jackson, Desiree

From: Smith, Susan
Sent: Wednesday, December 11, 2024 8:50 AM
To: Jackson, Desiree
Cc: Commissioner, D2
Subject: D2 Disclosures H.4 24SS00013
Attachments: Fwd: Area of Critical concern Melbourne Beach; AGAINST item H4 for the up-zoning of: 5610 A1A; Vote NO on Zoning Change request for 5610 S Hwy A1A; Zoning request for 5610 S Highway A1A; Re: AGAINST item H4 for the up-zoning of: 5610 A1A; AGAINST item H4 for the up-zoning of: 5610 A1A; H4 for the up-zoning of 5610 A1A Highway; AGAINST item H4 for the up-zoning of: 5610 A1A; AGAINST item H4 for the up-zoning of: 5610 A1A; Dec 12 Meeting Agenda item H4 ; Please vote No on Item H4 for the up-zoning of: 5610 A1A; AGAINST item H4 for the up-zoning of: 5610 A1A; Vote NO on Zoning Change request for 5610 S Hwy A1A; 4H; against item h4 5610 a1a; AGAINST item H4 for the up-zoning of: 5610 A1A; Re: AGAINST item H4 for the up-zoning of: 5610 A1A; AGAINST item H4 for the up-zoning of: 5610 A1A; 5610 A1A Up-Zoning; South Beaches Zoning; Fw: Please Vote Against item H4; 5610 Highway A1A zoning change

Hello Desiree,

Please see the attached and below disclosures for item H.4. 7600 – 24SS00013.

Phone calls:

- On 12/4/2024, our office received a phone call from Mark Shantzis opposing this project and stated it violates the Brevard County Comprehensive Plan/Coastal Management Element Policy 7.1
- On 12/10/2024, our office received phone calls from the following constituents opposing this item:
 - Mark Shantzis
 - Kathy Odom
 - Patricia Biaggi

Thank you,



Susan Smith
Legislative Aide
Brevard County Commissioner Tom Goodson District 2
2575 North Courtney Parkway Suite 200
Maitland, FL 32953
Ph: (321) 434-6601
E-mail: Susan.Smith@brevard.fl.gov

Jackson, Desiree

From: Susan Rodgers <susanrr55@yahoo.com>
Sent: Tuesday, November 19, 2024 6:54 PM
To: AdministrativeServices
Subject: Fwd: Opposition to Future Land Use Amendment Request ID# 24SS00013

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

Sent from my iPhone

>
> To:
> Paul.alfrey@mlbfl.org;
> Yvonne.minus@mlbfl.org; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org;
> Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org;
> Julie.kennedy@mlbfl.org
>
> Re: Opposition to Future Land Use Amendment Request ID# 24SS00013
>
> Dear Elected and Zoning Leaders of Brevard County,
>
> I am a nearby owner, and I am writing to express my strong opposition
> to the proposed Future Land Use Amendment Request ID# 24SS00013 for
> the property at 5610 Highway A1A Unit 1, Melbourne, owned by
> Christopher L. Espanet.
>
> This request to increase residential density from Residential 1 to
> Residential 2 raises serious concerns, including environmental risks
> as the property is located on the Brevard Barrier Island Area of
> Critical State Concern, and the amendment would threaten the fragile
> Indian River Lagoon ecosystem that has become increasingly threatened.
> The proposal also fails to address storm surge risks, septic issues,
> groundwater intrusion, and the cumulative impact on marine and coastal
> environments.
>
> Non-Compliance with the Comprehensive Plan: Brevard County's Coastal
> Management Policy 7.1 explicitly prohibits increasing residential
> density in this area, and approval would directly contradict this
> policy.
>
> Community Character: our area is predominantly low-density,
> single-family communities. This amendment would disrupt the
> established character of our neighborhood and set a dangerous
> precedent for future high-density developments.
>
> I respectfully urge you to deny this proposed re-zoning to protect the
> environment, uphold the Comprehensive Plan, and preserve the character
> of our community.
>

> Thank you for your attention to this matter. Please feel free to
> contact me if you have any questions or require additional
> information.

>

> Sincerely,
Susan Rodgers Unit 166

November 15, 2024

Board of County Commissioners
Brevard County Government Center
2725 Judge Fran Jamieson Way
Viera, Florida 32940

RE: Objection to Future Land Use Amendment Request **ID# 24SS00013** Property: 5610 Highway A1A Unit 1, Melbourne

Dear Board Members,

We, the Board of Directors of **Hidden Cove Condominium Association**, strongly object to the request by Christopher L. Espanet to change the Future Land Use designation from Residential 1 to Residential 2 on the 0.7-acre parcel located at 5610 Highway A1A Unit 1, Melbourne. Our opposition is based on several critical factors:

Statutory Non-Compliance

The subject property lies within the Area of Critical State Concern – Brevard Barrier Island Area (Section 380.0553, Florida Statutes). The requested change directly contradicts the Coastal Management Element Policy 7.1 of the Comprehensive Plan, which explicitly states that "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."

Environmental Vulnerability

The property's location between the Indian River Lagoon and Atlantic Ocean makes it particularly susceptible to natural disasters, which have increased in frequency and intensity. The applicant's materials fail to address:

- Rising sea levels and storm surge risks
- Increased hurricane intensity and flooding potential
- Impact on the already stressed Indian River Lagoon ecosystem
- Groundwater intrusion concerns

Furthermore, our objection is based on the following substantive grounds:

Critical State Concern Designation

The aforementioned Area of Critical State Concern within which the subject property lies requires heightened scrutiny of any density increases, particularly given the increasing frequency of natural disasters and the documented deteriorating condition of the Indian River ecosystem.

Comprehensive Plan Inconsistency

The requested change would constitute an increase in residential density, which directly contradicts Policy 7.1 of the Coastal Management Element of the Comprehensive Plan. This

policy explicitly states that "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."

Improper Use of Binding Development Plan (BDP)

Expert opinion confirms that using a BDP under these circumstances is improper. Per Section 62-1157, Brevard County Code, BDPs are intended to address conditions imposed on rezoning or conditional use permits, not to restrict density associated with Future Land Use Map amendments.

Inadequate Environmental Impact Assessment

We find significant deficiencies in the applicant's responses to the guiding principles for development:

On behalf of the Hidden Cove Condominium Association Owners:

Paul Bayer, President
153 Hidden Cove Drive
Melbourne Beach, FL 32951

cc: Planning and Zoning Board Planning & Development Department, and local elected officials

Jackson, Desiree

From: Robert Gondola <robert.gondola@gmail.com>
Sent: Friday, November 15, 2024 12:22 PM
To: AdministrativeServices; Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
Subject: Opposition to Future Land Use Amendment Request ID# 24SS00013

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

Dear Elected and Zoning Leaders of Brevard County,

I am a nearby owner, and I am writing to express my strong opposition to the proposed Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet.

This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, including:

Environmental Risks: The property is located in the Brevard Barrier Island Area of Critical State Concern, and the amendment would threaten the fragile Indian River Lagoon ecosystem that has become increasingly threatened. The proposal also fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments.

Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in this area, and approval would directly contradict this policy.

Community Character: our area is predominantly low-density, single-family communities. This amendment would disrupt the established character of our neighborhood and set a dangerous precedent for future high-density developments.

I respectfully urge you to deny this proposed re-zoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,
Bobby Gondola, Lighthouse Cove
144 Casseekee Trail Melbourne Beach, FL 32951

Jackson, Desiree

From: ebquest <ebquest@protonmail.com>
Sent: Friday, November 15, 2024 12:27 PM
To: AdministrativeServices; Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
Subject: ID#24SS00013 OBJECTION to changing land use designation from RES 1 to RES2

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

FROM: Edna Ber
LHC (Lighthouse Cove) Unit #126-6

TO: administrativeservices@brevardfl.gov
Paul.alfrey@mlbfl.org
Yvonne.minus@mlbfl.org
Tim.Thomas@mlbfl.org
mark.larusso@mlbfl.org
Rachael.bassett@mlbfl.org
Mimi.hanley@mlbfl.org
Julie.kennedy@mlbfl.org

RE: **ID#24SS00013** Property: 5610 Highway A1A Unit 1, Melbourne
OBJECTION to changing land use designation from RES 1 to RES2

DATE: 11/15/24

To members of the Planning and Zoning Boards and local Elected Officials:

As a unit owner at LHC (#126-6) for the last 32 years, I have seen the devastating changes and concomitant adverse impacts that rapid development along A1A has caused over a very short span of time. This past decade especially has been marked by rapid clearing of land beachside and along the river to build homes that are erected at lightning speeds, built on angles to crack

and pack as many densely populated units onto small pieces of land, despite designations all along segments of A1A reading "Archie Carr Nature Preserve." This was the primary reason we bought our home in Melbourne Beach in 1992 believing this area will not fall prey to voracious developers destroying our natural environment, which attracted us here in the first instance.

This proposal is nothing short of yet another land grab by greedy developers who do not reside in the area, have no vested interest in preserving the quality of life- factors that attracted the inhabitants to this area, and of course corrupt politicians all too eager to collude with rapacious developers seeking land easements to line their pockets at the expense of their constituents, riding rough shod over their express will.

As you are all well aware, Brevard county has been designated by the state of FL as one of 6 critical infrastructure areas for the preservation of our fragile ecosystem as both a Barrier Island and a unique turtle nesting ground. (**Section 380.0553, Florida Statutes**). The aforementioned proposal for consideration before you not only is not in keeping with preservation but is an effort to upend and materially harm these objectives. This proposal specifically states it "is not anticipated to enhance natural scenic resources which would promote the aesthetic benefits of the natural environment. Enhancing natural scenic resources involves a combination of conservation, restoration, and sustainable management of the natural environment."

The rezoning request before you proposes changing residential land use designation from **RES1 to RES2 (FLUE Policy 1.8)**. What this will enable is the construction of "low-density" residential development; in essence permitting 2 dwellings per acre lot (vs) the current requirement of 1 dwelling per acre property. With this oxymoron term of "low-density," aka doubling the number of units, also comes the permission to erect buildings as high as 35ft above ground. This will clearly obstruct ocean views and also permit these new units to overlook LHC bedrooms and clubhouse/pool, robbing residents of their privacy and aesthetic benefits of their natural environment with new neighbors crammed in their backyards overseeing their every move.

In addition, section 7.1 of the Coastal Management Comprehensive Plan expressly forbids: ..."Brevard County **shall not** (mandatory not permissive language) **increase residential density designations** for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet..." Moreover, this proposal ignores the perilous traffic conditions caused along A1A as a DIRECT RESULT of overdevelopment beachside. Two deaths, in the past two years alone, resulted from traffic accidents right in front of the extant property at issue; a pedestrian residing at South Shores was killed walking across the street, the second fatality occurred by a car striking a cyclist in front of LHC. So clearly the rezoning request of the property at issue, proposing to build **two multi-family units** will materially impact additional traffic, congestion, and perils to cyclists and pedestrians. More residents in an already congested area will only contribute to more traffic problems, higher noise levels,

increased lighting adversely impacting turtle habitats, and a general diminishing of quality of life, quiet enjoyment of the neighborhood, and general public safety concerns. No where mentioned in this proposal are there any express prohibitions on the owners of this property to use it for purposes of Air B&Bs, which has been a huge issue vehemently opposed by the very same residents this proposal impacts. Residents of the south beaches have resoundingly let our elected officials know that we are **unequivocally opposed** to a transitory population (revolving door renters and spring break vacationers) entering our lives who have no interest in our environment, communities, or regard for our public safety.

For all the aforementioned reasons and in consideration thereof, I **respectfully request that the application for re-zoning the property at 5610 Highway A1A Unit 1, from RES1 to RES2 be denied.**

Sincerely,

Edna Ber

LHC,

126-6 Casseekee Trail

Melbourne Beach, FL 32951

Sent with [Proton Mail](#) secure email.

Jackson, Desiree

From: Guillaume Bagal <guillaume.r.bagal@gmail.com>
Sent: Friday, November 15, 2024 12:30 PM
To: AdministrativeServices
Cc: Julie.kennedy@mlbfl.org; Mimi.hanley@mlbfl.org; Paul.alfrey@mlbfl.org; Rachael.bassett@mlbfl.org; Tim.Thomas@mlbfl.org; Minus-External, Yvonne; mark.larusso@mlbfl.org
Subject: Opposition to Future Land Use Amendment Request ID# 24SS00013

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

Dear Elected and Zoning Leaders of Brevard County,

I am a nearby owner, and I am writing to express my strong opposition to the proposed Future Land Use Amendment Request ID# 24SS00013 for the property at [5610 Highway A1A Unit 1](#), Melbourne, owned by Christopher L. Espanet.

This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, including environmental risks as the property is located on the Brevard Barrier Island Area of Critical State Concern, and the amendment would threaten the fragile Indian River Lagoon ecosystem that has become increasingly threatened. The proposal also fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments.

Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in this area, and approval would directly contradict this policy.

Community Character: our area is predominantly low-density, single-family communities. This amendment would disrupt the established character of our neighborhood and set a dangerous precedent for future high-density developments.

I respectfully urge you to deny this proposed re-zoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,

Guillaume, Lighthouse Cove
[144 Casseekee Trail Melbourne Beach, FL 32951](#)

Jackson, Desiree

From: Tracy Heins <tracy.heins@gmail.com>
Sent: Friday, November 15, 2024 1:05 PM
To: AdministrativeServices; Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
Subject: Opposition to Future Land Use Amendment Request ID# 24SS00013

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

Dear Elected and Zoning Leaders of Brevard County,

- >
- > I am a nearby owner, and I am writing to express my strong opposition
- > to the proposed Future Land Use Amendment Request ID# 24SS00013 for
- > the property at 5610 Highway A1A Unit 1, Melbourne, owned by
- > Christopher L. Espanet.
- >
- > This request to increase residential density from Residential 1 to
- > Residential 2 raises serious concerns, including:
- >
- > Environmental Risks: The property is located in the Brevard Barrier
- > Island Area of Critical State Concern, and the amendment would
- > threaten the fragile Indian River Lagoon ecosystem that has become
- > increasingly threatened. The proposal also fails to address storm
- > surge risks, septic issues, groundwater intrusion, and the cumulative
- > impact on marine and coastal environments.
- >
- > Non-Compliance with the Comprehensive Plan: Brevard County's Coastal
- > Management Policy 7.1 explicitly prohibits increasing residential
- > density in this area, and approval would directly contradict this
- > policy.
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- > Community Character: our area is predominantly low-density,
- > single-family communities. This amendment would disrupt the
- > established character of our neighborhood and set a dangerous
- > precedent for future high-density developments.
- >
- > I respectfully urge you to deny this proposed re-zoning to protect the
- > environment, uphold the Comprehensive Plan, and preserve the character
- > of our community.
- >
- > Thank you for your attention to this matter. Please feel free to
- > contact me if you have any questions or require additional
- > information.
- >
- > Sincerely,

- > Tracy K. Heins, Lighthouse Cove
- > 182 Casseekee Trail Melbourne Beach, FL 32951

November 15, 2024

Board of County Commissioners Brevard County Government Center 2725 Judge Fran Jamieson Way Viera, Florida 32940

RE: **Objection** to Future Land Use Amendment Request **ID# 24SS00013** Property: 5610 Highway A1A Unit 1, Melbourne

Dear Zoning Board Members and Local Leadership:

We, the owners of Lighthouse Cove Condominium Association, strongly object to the request by Christopher L. Espanet to change the Future Land Use designation from Residential 1 to Residential 2 on the 0.7-acre parcel located at 5610 Highway A1A Unit 1, Melbourne.

Our opposition is based on several critical factors:

1. Statutory Non-Compliance

The subject property lies within the Area of Critical State Concern – Brevard Barrier Island Area (Section 380.0553, Florida Statutes). The requested change directly contradicts the Coastal Management Element Policy 7.1 of the Comprehensive Plan, which explicitly states that "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."

2. Environmental Vulnerability

The property's location between the Indian River Lagoon and Atlantic Ocean makes it particularly susceptible to natural disasters, which have increased in frequency and intensity. The applicant's materials fail to address:

- Rising sea levels and storm surge risks
- Increased hurricane intensity and flooding potential
- Impact on the already stressed Indian River Lagoon ecosystem
- Groundwater intrusion concerns

Furthermore, our objection is based on the following substantive grounds:

- 1. Critical State Concern Designation** The aforementioned Area of Critical State Concern within which the subject property lies requires heightened scrutiny of any density increases, particularly given the increasing frequency of natural disasters and the documented deteriorating condition of the Indian River ecosystem.
- 2. Comprehensive Plan Inconsistency** The requested change would constitute an increase in residential density, which directly contradicts Policy 7.1 of the Coastal Management Element of the Comprehensive Plan. This policy explicitly states that "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."

3. **Improper Use of Binding Development Plan (BDP)** Expert opinion confirms that using a BDP under these circumstances is improper. Per Section 62-1157, Brevard County Code, BDPs are intended to address conditions imposed on rezoning or conditional use permits, not to restrict density associated with Future Land Use Map amendments.
4. **Inadequate Environmental Impact Assessment** We find significant deficiencies in the applicant's responses to the guiding principles for development:

a) **Sea Turtle Habitat (Principle A)** The assertion of "minimal impacts" based solely on distance from shoreline is overly simplistic. Light pollution from additional residential units can affect sea turtle nesting behavior even from inland locations.

b) **Water Quality (Principles B & C)** The response acknowledges potential nutrient contribution impacts from additional septic systems but fails to address cumulative effects. The property's location within the Indian River Lagoon Nitrogen Reduction Overlay demands stricter scrutiny of density increases.

c) **Environmental Solutions (Principle D)** The complete absence of nature-based solutions in the development plan demonstrates a lack of commitment to environmental stewardship.

d) **Storm Surge Risk (Principle E)** The property's location in a Category 4 Storm Surge area poses significant public safety risks. Increasing density in such an area contradicts prudent coastal management practices.

e) **Marine Resource Protection (Principle F)** The response fails to consider the cumulative impact of increased density on marine ecosystems, particularly regarding stormwater runoff and groundwater quality.

f) **Upland Resources (Principle G)** The claim of no upland resources ignores the interconnected nature of barrier island ecosystems.

g) **Water Quality Impact (Principle H)** The acknowledgment of Type 3 Aquifer Recharge soils and the need for additional septic systems raises serious concerns about water quality impacts.

h) **Scenic Resources (Principle I)** The potential 35-foot height allowance would negatively impact existing ocean views and the natural aesthetic of the area.

i) **Compatibility (Principle J)** The response cherry-picks higher-density developments while ignoring the predominant single-family character of the immediate vicinity.

5. **Environmental Vulnerability** Given the increasing frequency and intensity of storms affecting Florida's coast, allowing density increases on the barrier island contradicts sound planning principles and puts additional residents at risk.

The application also fails to satisfy multiple criteria required by FLUE Policy 1.8 including:

Response to Criterion A: The applicant acknowledges "there is no existing RES 2 in the surrounding area." This admission directly undermines their request as it confirms the incompatibility with existing land use patterns.

Response to Criterion B: The applicant's statement that "The request could be considered an introduction of Res 2" actually supports our opposition. Their acknowledgment that surrounding areas maintain RES 1 designation (except for distant RES 4 parcels) demonstrates this change would disrupt established land use patterns rather than provide transition.

Response to Criterion C: The applicant's "Not applicable" response further demonstrates failure to meet policy requirements.

Response to Criterion D: The applicant's response reinforces our position by acknowledging Policy 7.1's prohibition of density increases in this area with a primarily subjective plan to address guidelines pertaining to Area of Critical State Concern.

Precedent Setting Approval of this request would:

- Set a dangerous precedent for future density increases in the barrier island
- Undermine the integrity of the Comprehensive Plan
- Contradict the area's historical development pattern
- Potentially trigger similar requests that could cumulatively impact the barrier island's carrying capacity

The applicant has failed to demonstrate how this density increase would serve the public interest or protect the barrier island's unique ecosystem. Their own responses to the criteria repeatedly highlight the proposal's incompatibility with existing regulations and land use patterns.

We respectfully request that the Board deny this Future Land Use amendment request as it:

- Contradicts established coastal management policies
- Poses environmental risks to sensitive ecosystems
- Sets a dangerous precedent for future density increases in the Area of Critical State Concern
- Fails to adequately address the guiding principles for development

Sincerely,

Larry Gerry

Board President of Lighthouse Cove Condominium Association

on behalf of the following Lighthouse Cove Condominium Association Owners:

Sean Oakhem, unit 101

John and Christiane Schaufert, unit 103

Daniel and Elizabeth Burden, unit 105

Michael Fitzgerald, unit 110

Lourdes Lecours, unit 112

Steve and Jerilyn Cary, unit 114

Betty Lenhart, unit 115

Jean Bayer, unit 120

Kathleen Sexton, unit 121

Doug and Kim Page, unit 122

Susan Hultenius, unit 123

Wilma and Donald Schmitt, unit 124

Elaine Ber, unit 126

Tuesday Lantgios, unit 127

Guy Penny, unit 132

Richard and Dennette Virock, unit 135

Suzanne and Joseph Rizzo, unit 136

Walter and Noreen Sherman, unit 138

Jay Carlin, unit 143

Guillaume Bagal, Dr. Robert Gondola, unit 144

Denise and Dr. David Mannino, unit 146

Grace and Richard Drapeau, unit 147

Margaret and Shawn Clifford, unit 148

Jim and Gayle Riddle, 155

Ingrid and Paul Phenix, unit 161

Michele Rosicke and Bogdan Chojnacki, unit 164

Cathy Bryant, unit 165

Susan Rogers, unit 166

Phyllis and Delbert Sellers, unit 167

Karen Haydon, unit 169

Lisa Kalbach, unit 170

Sarah and Robert Rizzo, unit 175

Larry and Gail Gerry, unit 179

Robert and Liz Martina Swearsky, unit 180

Tracy Heins, unit 182

Kathleen Kodl, Douglas Beardmore, unit 183

Kathy Kodl and Doug Beardman, unit 183

Margaret Brown, unit 184

cc: Planning and Zoning Board Planning & Development Department, and local elected officials

November 15, 2024

Board of County Commissioners
Brevard County Government Center
2725 Judge Fran Jamieson Way
Viera, Florida 32940

RE: Objection to Future Land Use Amendment Request ID# 24SS00013 Property: 5610 Highway A1A Unit 1, Melbourne

Dear Board Members,

We, the Owners of South Shores Riverside Homeowners Association, a community totaling 138 homeowners, strongly object to the request by Christopher L. Espanet to change the Future Land Use designation from Residential 1 to Residential 2 on the 0.7-acre parcel located at 5610 Highway A1A Unit 1, Melbourne. Our opposition is based on several critical factors:

Statutory Non-Compliance

The subject property lies within the Area of Critical State Concern – Brevard Barrier Island Area (Section 380.0553, Florida Statutes). The requested change directly contradicts the Coastal Management Element Policy 7.1 of the Comprehensive Plan, which explicitly states that "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."

Environmental Vulnerability

The property's location between the Indian River Lagoon and Atlantic Ocean makes it particularly susceptible to natural disasters, which have increased in frequency and intensity. The applicant's materials fail to address:

- Rising sea levels and storm surge risks
- Increased hurricane intensity and flooding potential
- Impact on the already stressed Indian River Lagoon ecosystem
- Groundwater intrusion concerns
- Impact on local water supply and sewer systems that are nearing capacity, especially in light of new Federal and State regulations that are significant for this area where non-public systems must provide water and sewer services

Furthermore, our objection is based on the following substantive grounds:

Critical State Concern Designation

The aforementioned Area of Critical State Concern within which the subject property lies requires heightened scrutiny of any density increases, particularly given the increasing frequency of natural disasters and the documented deteriorating condition of the Indian River ecosystem.

In addition, the difficult traffic situation with Route A1A being the only through road in this area, numerous traffic accidents and pedestrian deaths of our residents and others, have occurred exactly at this location in the past several years. Furthermore, the number of elderly and handicapped residents in our community are impacted negatively by this problem and are the ones who have died recently due to the fast-moving traffic on A1A right at this location.

Comprehensive Plan Inconsistency

The requested change would constitute an increase in residential density, which directly contradicts Policy 7.1 of the Coastal Management Element of the Comprehensive Plan. This policy explicitly states that "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."

Improper Use of Binding Development Plan (BDP)

Expert opinion confirms that using a BDP under these circumstances is improper. Per Section 62-1157, Brevard County Code, BDPs are intended to address conditions imposed on rezoning or conditional use permits, not to restrict density associated with Future Land Use Map amendments.

Inadequate Environmental Impact Assessment

We find significant deficiencies in the applicant's responses to the guiding principles for development:

On behalf of the following South Shores Homeowners Association Owners:

Dr. Ralph Stocker and Marnie Cooper, President of the South Shores Homeowners Association Board of Directors

5731 Sea Lavender Place, Melbourne Beach, FL 32951, Tel: 860-202-2000

Lisa Thimas, Secretary of the South Shores Homeowners Association Board of Directors

193 Oceanway Drive, Melbourne Beach, FL 32951, Tel: 508-737-8914

At-Large:

Dawn Penny, 5535 Cord Grass Lane, Melbourne Beach, FL 32951

Cynthia and Robert Pennington, 5661 Sea Lavender Place, Melbourne Beach, FL 32951

Katherine Odom, 5721 Sea Lavender Place, Melbourne Beach, FL 32951

Bruce and Rita Molloy, 108 Sophora Place, Melbourne Beach, FL 32951

cc: Planning and Zoning Board Planning & Development Department, and local elected officials

Jackson, Desiree

From: Jay Mastromarino <jay.mastromarino@gmail.com>
Sent: Friday, November 15, 2024 3:42 PM
To: AdministrativeServices; Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
Subject: Opposition to Future Land Use Amendment Request ID# 24SS00013

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

Re: Opposition to Future Land Use Amendment Request ID# 24SS00013

Dear Elected and Zoning Leaders of Brevard County,

I am a nearby owner, and I am writing to express my strong opposition to the proposed Future Land Use Amendment Request ID# 24SS00013 for the property at [5610 Highway A1A Unit 1](#), Melbourne, owned by Christopher L. Espanet.

This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, including environmental risks as the property is located on the Brevard Barrier Island Area of Critical State Concern, and the amendment would threaten the fragile Indian River Lagoon ecosystem that has become increasingly threatened. The proposal also fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments.

Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in this area, and approval would directly contradict this policy.

Community Character: our area is predominantly low-density, single-family communities. This amendment would disrupt the established character of our neighborhood and set a dangerous precedent for future high-density developments.

I respectfully urge you to deny this proposed re-zoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,

Jay & Susan Mastromarino
160 Casseekee Trail
Melbourne Beach FL 32951

Jackson, Desiree

From: lhcvp179@gmail.com
Sent: Friday, November 15, 2024 4:08 PM
To: AdministrativeServices; Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
Subject: FW: Opposition to Future Land Use Amendment Request ID# 24SS00013

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

Dear Elected and Zoning Leaders of Brevard County,

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I respectfully urge you to deny this proposed re-zoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,

Lawrence Gerry
179 Casseekee Trail
Melbourne Beach, FL 32951

Jackson, Desiree

From: karen giuliano <karengiuliano1@gmail.com>
Sent: Friday, November 15, 2024 4:27 PM
To: AdministrativeServices
Subject: Opposed

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

Re: Opposition to Future Land Use Amendment Request ID# 24SS00013

Dear Elected and Zoning Leaders of Brevard County,

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I respectfully urge you to deny this proposed re-zoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Karen & James Giuliano
Indian Landing

Sent from my iPhone

Jackson, Desiree

From: Karyn Daniel <karynpdaniel@yahoo.com>
Sent: Friday, November 15, 2024 4:27 PM
To: Julie.kennedy@mlbfl.org; AdministrativeServices; Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Tim.Thomas@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; mark.larusso@mlbfl.org
Subject: Opposition to Future Land Use Amendment Request ID# 24SS00013

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

> Dear Elected and Zoning Leaders of Brevard County,
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> Christopher L. Espanet.
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> environment, uphold the Comprehensive Plan, and preserve the character
> of our community.
>
> Thank you for your attention to this matter. Please feel free to
> contact me if you have any questions or require additional
> information.
>
> Sincerely,
Karyn and Patrick Daniel
#130 Casseekee Tr.

Jackson, Desiree

From: lkalbach@gmail.com
Sent: Friday, November 15, 2024 4:33 PM
To: AdministrativeServices; Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
Subject: Re: Opposition to Future Land Use Amendment Request ID# 24SS00013

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I respectfully urge you to deny this proposed re-zoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,
Lisa Kalbach
170 Casseekee Trl
Melbourne Beach, FL 32951

Jackson, Desiree

From: Gerry Ryan <gryan@emeralddocument.com>
Sent: Friday, November 15, 2024 4:34 PM
To: AdministrativeServices; Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
Subject: Re: Opposition to Future Land Use Amendment Request ID# 24SS00013

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Dear Elected and Zoning Leaders of Brevard County,

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I respectfully urge you to deny this proposed re-zoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,

Gerard Ryan
116 Casseekee Trail
Melbourne Beach FL 32951

Jackson, Desiree

From: Bob Swearsy <rswearsy@gmail.com>
Sent: Friday, November 15, 2024 4:43 PM
To: AdministrativeServices
Subject: Opposition to Future Land Use Amendment Request ID# 24SS00013

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

Thanks, Bob

Begin forwarded message:

From: Robert Gondola <robert.gondola@gmail.com>
Date: November 15, 2024 at 4:32:28 PM EST
To: rswearsy@gmail.com
Subject: Opposition to Future Land Use Amendment Request ID# 24SS00013

administrativeservices@brevardfl.gov; Paul.alfrey@mlbfl.org;
Yvonne.minus@mlbfl.org; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org;
Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org;
Julie.kennedy@mlbfl.org

Re: Opposition to Future Land Use Amendment Request ID# 24SS00013

Dear Elected and Zoning Leaders of Brevard County,

I am a nearby owner, and I am writing to express my strong opposition to the proposed Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet.

This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, including environmental risks as the property is located on the Brevard Barrier Island Area of Critical State Concern, and the amendment would threaten the fragile Indian River Lagoon ecosystem that has become increasingly threatened. The proposal also fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments.

Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in this area, and approval would directly contradict this policy.

Community Character: our area is predominantly low-density,

single-family communities. This amendment would disrupt the established character of our neighborhood and set a dangerous precedent for future high-density developments.

I respectfully urge you to deny this proposed re-zoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,

Robert Swearsky
180 Casseekee Trail
Melbourne Beach, FL 32951

Jackson, Desiree

From: Richard Virock <huntermn628@gmail.com>
Sent: Friday, November 15, 2024 4:46 PM
To: AdministrativeServices; Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
Subject: Future Land Use Amendment Request ID#24SS00013

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

Dear Elected and Zoning Leaders of Brevard County:

We are nearby owners, and we are writing to express our strong opposition to the proposed Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet.

This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, including:

Environmental Risks: The property is located in the Brevard Barrier Island Area of Critical State Concern, and the amendment would threaten the fragile Indian River Lagoon ecosystem that has become increasingly threatened. The proposal also fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments.

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We respectfully urge you to deny this proposed rezoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact us if you have any questions or require additional information.

Sincerely,
Richard and Dennette Virock
135 Casseekee Trail Melbourne Beach, FL 32951

Jackson, Desiree

From: Larry Krieger <lkrieger445@gmail.com>
Sent: Friday, November 15, 2024 4:56 PM
To: AdministrativeServices; Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
Subject: Re: Opposition to Future Land Use Amendment Request ID# 24SS00013

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I respectfully urge you to deny this proposed re-zoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.

Thank you for your attention to this matter.

Sincerely,
Lawrence and Kathleen Krieger
171 Casseekee Trail
Melbourne Beach, Florida 32951

Jackson, Desiree

From: John and Chris Schaufert <jcammeer@aol.com>
Sent: Friday, November 15, 2024 4:57 PM
To: AdministrativeServices; Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
Subject: Opposition to Future Land Use Amendment Request ID# 24SS00013

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Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,

John and Gertrude Schaufert
103 Casseekee Trl.
Melbourne Beach, Fl
32951

Jackson, Desiree

From: Robert Gondola <robert.gondola@gmail.com>
Sent: Friday, November 15, 2024 5:23 PM
To: AdministrativeServices
Cc: LHC Board
Subject: Re: Opposition to Future Land Use Amendment Request ID# 24SS00013

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

Thank you, for your service. The following owners asked to be added to the Lighthouse Cove opposition letter:

Linda Taylor, unit 178
Gayle Riddle, unit 155

Bobby Gondola, Jr., Ph.D.

On Fri, Nov 15, 2024 at 5:00 PM AdministrativeServices <administrativeservices@brevardfl.gov> wrote:

>
> Public comment received.
>
>
>
>
>
> Main: (321) 724-1230
> Brevard County Planning & Development Department
> 2725 Judge Fran Jamieson Way
> Building A, Room 114
> Viera, FL 32940
>
>
> This office can only provide zoning and comprehensive plan information. You may wish to contact other County agencies to fully determine the development potential of this property. This letter does not establish a right to develop or redevelop the property and does not constitute a waiver to any other applicable land development regulations. At the time of development, this property will be subject to all such regulations. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

>
>
> -----Original Message-----
> From: Robert Gondola <robert.gondola@gmail.com>
> Sent: Friday, November 15, 2024 12:22 PM
> To: AdministrativeServices <administrativeservices@brevardfl.gov>;
> Paul.alfrey@mlbfl.org; Minus-External, Yvonne
> <yvonne.minus@mlbfl.org>; Tim.Thomas@mlbfl.org;
> mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org;
> Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
> Subject: Opposition to Future Land Use Amendment Request ID# 24SS00013
>

> [EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.
>
> Dear Elected and Zoning Leaders of Brevard County,
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> Environmental Risks: The property is located in the Brevard Barrier Island Area of Critical State Concern, and the amendment would threaten the fragile Indian River Lagoon ecosystem that has become increasingly threatened. The proposal also fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments.
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> Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in this area, and approval would directly contradict this policy.
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> Community Character: our area is predominantly low-density, single-family communities. This amendment would disrupt the established character of our neighborhood and set a dangerous precedent for future high-density developments.
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> I respectfully urge you to deny this proposed re-zoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.
>
> Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.
>
> Sincerely,
> Bobby Gondola, Lighthouse Cove
> 144 Casseekee Trail Melbourne Beach, FL 32951

--
Bobby

Jackson, Desiree

From: Betty Lenhart <bettyski63@gmail.com>
Sent: Friday, November 15, 2024 5:27 PM
To: AdministrativeServices
Subject: Re: Opposition to Future Land Use Amendment Request ID# 24SS00013

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Dear Elected and Zoning Leaders of Brevard County,

I am a nearby owner, and I am writing to express my strong opposition to the proposed Future Land Use Amendment Request ID# 24SS00013 for the property at [5610 Highway A1A Unit 1](#), Melbourne, owned by Christopher L. Espanet.

This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, including environmental risks as the property is located on the Brevard Barrier Island Area of Critical State Concern, and the amendment would threaten the fragile Indian River Lagoon ecosystem that has become increasingly threatened. The proposal also fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments.

Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in this area, and approval would directly contradict this policy.

Community Character: our area is predominantly low-density, single-family communities. This amendment would disrupt the established character of our neighborhood and set a dangerous precedent for future high-density developments.

I respectfully urge you to deny this proposed re-zoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,
Beata Lenhart

115 Casseekee trl
Melbourne Beach, fl 32951

Jackson, Desiree

From: Margaret Ahrweiler <ahrweiler.clifford@gmail.com>
Sent: Friday, November 15, 2024 5:39 PM
To: AdministrativeServices; Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
Subject: RE: Opposition to Future Land Use Amendment Request ID# 24SS00013

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

Dear Elected and Zoning Leaders of Brevard County,

I live in Lighthouse Cove in the south beaches area, one of the neighborhoods adjacent to the land in question for Future Land Use Amendment Request ID# 24SS00013. I am writing to express my strong opposition to the proposed zoning amendment of Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet.

As Florida residents and voters, we have watched with alarm over the decades as so much property in our beloved Melbourne Beach and South Beaches has become overdeveloped without concern for proportion, protection or preservation.

This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, including *environmental risks* as the property is located on the Brevard Barrier Island Area of Critical State Concern, and the amendment would threaten the fragile Indian River Lagoon ecosystem that has become increasingly damaged. The property is home to several burrows of threatened gopher tortoises as well. The proposal also fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments.

Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in this area, and approval would directly contradict this policy and set a dangerous precedent for future requests.

Community Character: Our South Beaches area is predominantly low-density, single-family communities, and multi-family PUDs such as the adjoining Lighthouse Cove and South Shores are low-profile and considerably lower density than more recent PUDs such as Harbor Island Beach Club. This amendment would disrupt the established character of our neighborhood and set a dangerous precedent for future high-density developments.

I respectfully urge you to deny this proposed re-zoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,

Margaret Ahrweiler Clifford
Shawn P. Clifford

145 Casseekee Trail
Melbourne Beach FL 32951

Jackson, Desiree

From: Mungo, Ana <Ana.Mungo@srz.com>
Sent: Friday, November 15, 2024 5:50 PM
To: AdministrativeServices; Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
Cc: Ana Mungo
Subject: Opposition to Future Land Use Amendment Request ID# 24SS00013

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I respectfully urge you to deny this proposed re-zoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,

Ana McGrane-Mungo and Mark Maciuch
153 Casseekee Trl

Ana McGrane-Mungo

Associate

T: +1 212.756.2142

E: Ana.Mungo@srz.com

Schulte Roth & Zabel LLP

919 Third Avenue, New York, NY 10022

srz.com | [LinkedIn](#) | [Twitter](#)



SCHULTE ROTH + ZABEL

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Jackson, Desiree

From: Doug Page <dougp99@icloud.com>
Sent: Friday, November 15, 2024 6:05 PM
To: Julie.kennedy@mlbfl.org; Mimi.hanley@mlbfl.org; AdministrativeServices; Rachael.bassett@mlbfl.org; mark.larusso@mlbfl.org; Paul.alfrey@mlbfl.org; Tim.Thomas@mlbfl.org; Minus-External, Yvonne
Subject: Opposition to Future Land Use Amendment Request ID# 24SS00013

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I respectfully urge you to deny this proposed re-zoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,

Douglas and Kimberly Page
122 Casseekee Trail
Melbourne Beach, FL 32951

Jackson, Desiree

From: Grace Drapeau <grace.drapeau@compass.com>
Sent: Friday, November 15, 2024 6:07 PM
To: AdministrativeServices
Subject: 24SS00013

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

Sent from my iPhone Re: Opposition to Future Land Use Amendment Request ID# 24SS00013

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I respectfully urge you to deny this proposed re-zoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Always,
Grace and Richard Drapeau
#147 Casseekee Trail
Melbourne Beach, FL 32951

Jackson, Desiree

From: cathy bryant <cb9804876@gmail.com>
Sent: Friday, November 15, 2024 6:26 PM
To: AdministrativeServices
Subject: Fwd: Opposition to Future Land Use Amendment Request ID# 24SS00013

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

----- Forwarded message -----

From: Cathy Bryant
cb9804876@gmail.com
Lighthouse Cove unit 165
Date: Fri, Nov 15, 2024 at 4:44 PM
Subject: Fwd: Opposition to Future Land Use Amendment Request ID# 24SS00013

To:
administrativeservices@brevardfl.gov; Paul.alfrey@mlbfl.org;
Yvonne.minus@mlbfl.org; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org;
Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org;
Julie.kennedy@mlbfl.org

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Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,

Jackson, Desiree

From: Ted Cooper <tecooper31@yahoo.com>
Sent: Friday, November 15, 2024 6:52 PM
To: AdministrativeServices; Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
Subject: Fw: Opposition to Future Land Use Amendment Request ID# 24SS00013

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To:
administrativeservices@brevardfl.gov; Paul.alfrey@mlbfl.org;
Yvonne.minus@mlbfl.org; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org;
Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org;
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contact me if you have any questions or require additional information.

Sincerely,

Ted & Mary Cooper
137 Casseekee Trl
Melbourne Beach , FL

Jackson, Desiree

From: Dorine Zimmerman <dorinez10@gmail.com>
Sent: Friday, November 15, 2024 7:25 PM
To: AdministrativeServices; Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
Subject: Opposition to Future Land Use Amendment Request ID#24SS00013

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Sincerely,

Edward and Dorine Zimmerman

Lighthouse Cove Unit 186

Registered voters

Jackson, Desiree

From: susan hultenius <slh53@hotmail.com>
Sent: Friday, November 15, 2024 7:49 PM
To: AdministrativeServices; Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
Subject: Fw: Opposition to Future Land Use Amendment Request ID# 24SS00013

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To:
administrativeservices@brevardfl.gov; Paul.alfrey@mlbfl.org;
Yvonne.minus@mlbfl.org; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org;
Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org;
Julie.kennedy@mlbfl.org

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Sincerely,
Susan Hultenius
123 Casseekee Trail
Lighthouse Cove
Melbourne Beach, FL



Virus-free. www.avast.com

Jackson, Desiree

From: Suzanne Rizzo <suzanne.rizzo@yahoo.com>
Sent: Friday, November 15, 2024 9:33 PM
To: AdministrativeServices; Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
Subject: Re: Opposition to Future Land Use Amendment Request ID# 24SS00013

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Sent from my

>
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> This request to increase residential density from Residential 1 to
> Residential 2 raises serious concerns, including environmental risks
> as the property is located on the Brevard Barrier Island Area of
> Critical State Concern, and the amendment would threaten the fragile
> Indian River Lagoon ecosystem that has become increasingly threatened.
> The proposal also fails to address storm surge risks, septic issues,
> groundwater intrusion, and the cumulative impact on marine and coastal
> environments.
>
> Non-Compliance with the Comprehensive Plan: Brevard County's Coastal
> Management Policy 7.1 explicitly prohibits increasing residential
> density in this area, and approval would directly contradict this
> policy.
>
> Community Character: our area is predominantly low-density,
> single-family communities. This amendment would disrupt the
> established character of our neighborhood and set a dangerous
> precedent for future high-density developments.
>
> I respectfully urge you to deny this proposed re-zoning to protect the
> environment, uphold the Comprehensive Plan, and preserve the character
> of our community.
>
> Thank you for your attention to this matter. Please feel free to
> contact me if you have any questions or require additional
> information.
>
> Sincerely,

Suzanne and Joe Rizzo
Lighthouse Cove
136 Casseekee Trail
Melbourne Beach, Florida 32951
suzanne.rizzo@yahoo.com

Jackson, Desiree

From: lrgerry@aol.com
Sent: Saturday, November 16, 2024 8:56 AM
To: AdministrativeServices; Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
Subject: FW: Opposition to Future Land Use Amendment Request ID# 24SS00013

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

Dear Elected and Zoning Leaders of Brevard County,

I am a nearby owner, and I am writing to express my strong opposition to the proposed Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet.

This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, including environmental risks as the property is located on the Brevard Barrier Island Area of Critical State Concern, and the amendment would threaten the fragile Indian River Lagoon ecosystem that has become increasingly threatened. The proposal also fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments.

Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in this area, and approval would directly contradict this policy.

Community Character: our area is predominantly low-density, single-family communities. This amendment would disrupt the established character of our neighborhood and set a dangerous precedent for future high-density developments.

I respectfully urge you to deny this proposed re-zoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,
Gail B. Gerry
179 Casseekee Trail
Melbourne Beach Florida

Jackson, Desiree

From: Windstream <laverrob@windstream.net>
Sent: Saturday, November 16, 2024 9:45 AM
To: AdministrativeServices
Cc: Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Julie.kennedy@mlbfl.org; Mimi.hanley@mlbfl.org
Subject: Opposition to Future Land Use Amendment Request ID# 24SS00013

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

>
> To:
> administrativeservices@brevardfl.gov; Paul.alfrey@mlbfl.org;
> Yvonne.minus@mlbfl.org; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org;
> Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org;
> Julie.kennedy@mlbfl.org
>
> Re: Opposition to Future Land Use Amendment Request ID# 24SS00013
>
> Dear Elected and Zoning Leaders of Brevard County,
>
> I am a nearby owner, and I am writing to express my strong opposition
> to the proposed Future Land Use Amendment Request ID# 24SS00013 for
> the property at 5610 Highway A1A Unit 1, Melbourne, owned by
> Christopher L. Espanet.
>
> This request to increase residential density from Residential 1 to
> Residential 2 raises serious concerns, including environmental risks
> as the property is located on the Brevard Barrier Island Area of
> Critical State Concern, and the amendment would threaten the fragile
> Indian River Lagoon ecosystem that has become increasingly threatened.
> The proposal also fails to address storm surge risks, septic issues,
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> Non-Compliance with the Comprehensive Plan: Brevard County's Coastal
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> Community Character: our area is predominantly low-density,
> single-family communities. This amendment would disrupt the
> established character of our neighborhood and set a dangerous
> precedent for future high-density developments.
>
> I respectfully urge you to deny this proposed re-zoning to protect the
> environment, uphold the Comprehensive Plan, and preserve the character
> of our community.

>
> Thank you for your attention to this matter. Please feel free to
> contact me if you have any questions or require additional
> information.
>
> Sincerely,
> Robert and Roberta Laver
> 5522 cord grass lane
> Melbourne Beach, FL 32951

Jackson, Desiree

From: lademore@zoominternet.net
Sent: Saturday, November 16, 2024 10:21 AM
To: AdministrativeServices; Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
Subject: FW: Opposition to Future Land Use Amendment Request ID# 24SS00013

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

168 Casseekee Trail

-----Original Message-----

From: Robert Gondola <robert.gondola@gmail.com>
Sent: Friday, November 15, 2024 4:24 PM
To: 168 Lou & Bonnie DeMore <lademore@zoominternet.net>
Subject: Fwd: Opposition to Future Land Use Amendment Request ID# 24SS00013

Lou and Bonnie,
Can you personally please forward the following email, today please, - be sure to add your name and unit number

To:
administrativeservices@brevardfl.gov; Paul.alfrey@mlbfl.org; Yvonne.minus@mlbfl.org; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org

Re: Opposition to Future Land Use Amendment Request ID# 24SS00013

Dear Elected and Zoning Leaders of Brevard County,

I am a nearby owner, and I am writing to express my strong opposition to the proposed Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet.

This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, including environmental risks as the property is located on the Brevard Barrier Island Area of Critical State Concern, and the amendment would threaten the fragile Indian River Lagoon ecosystem that has become increasingly threatened. The proposal also fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments.

Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in this area, and approval would directly contradict this policy.

Community Character: our area is predominantly low-density, single-family communities. This amendment would disrupt the established character of our neighborhood and set a dangerous precedent for future high-density developments.

I respectfully urge you to deny this proposed re-zoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,

Jackson, Desiree

From: delbert sellers <delbosellers@gmail.com>
Sent: Saturday, November 16, 2024 11:15 AM
To: AdministrativeServices; Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
Subject: Future Land Use Amendment Request ID# 24SS00013

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

Dear Elected and Zoning Leaders of Brevard County,

I am a nearby owner on Casseekee Trail, and I am writing to express my strong opposition to the proposed Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet.

This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, including environmental risks as the property is located on the Brevard Barrier Island Area of Critical State Concern, and the amendment would threaten the fragile Indian River Lagoon ecosystem that has become increasingly threatened. The proposal also fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments.

Non-Compliance with the Comprehensive Plan: **Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in this area, and approval would directly contradict this policy.**

Community Character: our area is predominantly low-density, single-family communities. This amendment would disrupt the established character of our neighborhood and set a dangerous precedent for future high-density developments.

I respectfully urge you and expect you to deny this proposed re-zoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,
Delbert Sellers
167 Casseekee Trail

Melbourne Beach

Jackson, Desiree

From: DonThimas <donthimas@yahoo.com>
Sent: Saturday, November 16, 2024 11:15 AM
To: AdministrativeServices; Minus-External, Yvonne; Tim.thomas@mlbfl.org; mark.larusso@mlbfl.org; mimi.hanley@mlbfl.org; julie.kennedy@mlbfl.org; paul.alfrey@mlbfl.org; rachael.bassett@mlbfl.org
Cc: Donald H Thimas
Subject: PROPOSED LAND USE CHANGE ID#24SS00013

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

November 16, 2024

Board of County Commissioners
Brevard County Government Center
2725 Judge Fran Jamieson Way
Viera, Florida 32940

RE: Objection to Future Land Use Amendment Request **ID# 24SS00013** Property: 5610 Highway A1A Unit 1, Melbourne

Dear Board Members,

As executive leader of the South Shores Utility Association, I write with serious concern and opposition to the request by Christopher L. Espanet to change the Future Land Use designation from Residential 1 to Residential 2 on the 0.7-acre parcel located at 5610 Highway A1A Unit 1, Melbourne. Our opposition is based on several critical factors:

Statutory Non-Compliance

The subject property lies within the Area of Critical State Concern – Brevard Barrier Island Area (Section 380.0553, Florida Statutes). The requested change directly contradicts the Coastal Management Element Policy 7.1 of the Comprehensive Plan, which explicitly states that "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."

Environmental Vulnerability

The property's location between the Indian River Lagoon and Atlantic Ocean makes it particularly susceptible to natural disasters, which have increased in frequency and intensity. The applicant's materials fail to address:

- Rising sea levels and storm surge risks
- Increased hurricane intensity and flooding potential
- Impact on the already stressed Indian River Lagoon ecosystem
- Groundwater intrusion concerns
- Impact on local water supply and sewer systems that are nearing capacity, especially in light of new Federal and State regulations that are significant for this area where non-public systems must provide water and sewer services.

Furthermore, our objection is based on the following substantive grounds:

Critical State Concern Designation

The aforementioned Area of Critical State Concern within which the subject property lies requires heightened scrutiny of any density increases, particularly given the increasing frequency of natural disasters and the documented deteriorating condition of the Indian River ecosystem.

In addition, the difficult traffic situation with Route A1A being the only through road in this area, numerous traffic accidents and pedestrian deaths of our residents and others, have occurred exactly at this location in the past several years. Furthermore, the number of elderly and handicapped residents in our community are impacted negatively by this problem and are the ones who have died recently due to the fast-moving traffic on A1A right at this location.

Comprehensive Plan Inconsistency

The requested change would constitute an increase in residential density, which directly contradicts Policy 7.1 of the Coastal Management Element of the Comprehensive Plan. This policy explicitly states that "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."

Improper Use of Binding Development Plan (BDP)

Expert opinion confirms that using a BDP under these circumstances is improper. Per Section 62-1157, Brevard County Code, BDPs are intended to address conditions imposed on rezoning or conditional use permits, not to restrict density associated with Future Land Use Map amendments.

Inadequate Environmental Impact Assessment

We find significant deficiencies in the applicant's responses to the guiding principles for development:

Signed respectfully,

Donald Thimas

President - South Shores Utility Association Inc.

cc: Planning and Zoning Board Planning & Development Department, and local elected officials

November 15, 2024

Board of County Commissioners
Brevard County Government Center
2725 Judge Fran Jamieson Way
Viera, Florida 32940

RE: Objection to Future Land Use Amendment Request ID# 24SS00013 Property: 5610 Highway A1A Unit 1, Melbourne

Dear Board Members,

We, the Owners of South Shores Oceanside Condominium Association, strongly object to the request by Christopher L. Espanet to change the Future Land Use designation from Residential 1 to Residential 2 on the 0.7-acre parcel located at 5610 Highway A1A Unit 1, Melbourne. Our opposition is based on several critical factors:

Statutory Non-Compliance

The subject property lies within the Area of Critical State Concern – Brevard Barrier Island Area (Section 380.0553, Florida Statutes). The requested change directly contradicts the Coastal Management Element Policy 7.1 of the Comprehensive Plan, which explicitly states that "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."

Environmental Vulnerability

The property's location between the Indian River Lagoon and Atlantic Ocean makes it particularly susceptible to natural disasters, which have increased in frequency and intensity. The applicant's materials fail to address:

- Rising sea levels and storm surge risks
- Increased hurricane intensity and flooding potential
- Impact on the already stressed Indian River Lagoon ecosystem
- Groundwater intrusion concerns
- Impact on local water supply and sewer systems that are nearing capacity, especially in light of new Federal and State regulations that are significant for this area where non-public systems must provide water and sewer services

Furthermore, our objection is based on the following substantive grounds:

Critical State Concern Designation

The aforementioned Area of Critical State Concern within which the subject property lies requires heightened scrutiny of any density increases, particularly given the increasing frequency of natural disasters and the documented deteriorating condition of the Indian River ecosystem.

In addition, the difficult traffic situation with Route A1A being the only through road in this area, numerous traffic accidents and pedestrian deaths of our residents and others, have occurred exactly at this location in the past several years. Furthermore, the number of elderly and handicapped residents in our community are impacted negatively by this problem and are the ones who have died recently due to the fast-moving traffic on A1A right at this location.

Comprehensive Plan Inconsistency

The requested change would constitute an increase in residential density, which directly contradicts Policy 7.1 of the Coastal Management Element of the Comprehensive Plan. This policy explicitly states that "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."

Improper Use of Binding Development Plan (BDP)

Expert opinion confirms that using a BDP under these circumstances is improper. Per Section 62-1157, Brevard County Code, BDPs are intended to address conditions imposed on rezoning or conditional use permits, not to restrict density associated with Future Land Use Map amendments.

Inadequate Environmental Impact Assessment

We find significant deficiencies in the applicant's responses to the guiding principles for development:

On behalf of the following South Shores Oceanside Condominium Association Owners:

cc: Planning and Zoning Board Planning & Development Department, and local elected officials

Thank you for valuing our opinion and
Our Community.

Regards,

Micah Turpin

President, South Shores Oceanside HOA

5635 S. Highway A-1A

Representing 28 Units / Owners

Jackson, Desiree

From: Sarah Rizzo <rizzo1342@gmail.com>
Sent: Saturday, November 16, 2024 11:59 AM
To: AdministrativeServices; Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
Subject: Opposition to Future Land Use Amendment Request ID# 24SS00013

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

Dear Elected and Zoning Leaders of Brevard County,

I am a nearby owner, and I am writing to express my strong opposition to the proposed Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet.

This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, including environmental risks as the property is located on the Brevard Barrier Island Area of Critical State Concern, and the amendment would threaten the fragile Indian River Lagoon ecosystem that has become increasingly threatened. The proposal also fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments.

Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in this area, and approval would directly contradict this policy.

Community Character: our area is predominantly low-density, single-family communities. This amendment would disrupt the established character of our neighborhood and set a dangerous precedent for future high-density developments.

I respectfully urge you to deny this proposed rezoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,
Robert and Sarah Rizzo
Lighthouse Cove Unit 175

Jackson, Desiree

From: Kathy Odom <katherineodom@cfl.rr.com>
Sent: Saturday, November 16, 2024 1:47 PM
To: Ball, Jeffrey
Cc: AdministrativeServices; Champion, Kristen
Subject: Planning and Zoning Board Agenda Item H.1 re. SSCPA24SS00013 - Espanet Property Located at 5610 Hwy A1A

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

Dear Planning and Zoning Board of Brevard County, FL

I am a resident of South Shores Riverside. Our community is a PUD which is adjacent to (North of) this proposed FLU change. I would like to see the Board deny the request for the zoning change. The proposed use from RES 1 to RES 2 would make this lot incompatible with surrounding lots. It would also open up the possibility of increased traffic on our only road in and out of the South Beaches, Highway A1A. Further the change in density is against The Brevard County Comp Plan, Coastal Residential Densities, Policy 7.1 *"Brevard County shall not increase residential density designation for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet."*

Please hold firm on your decision (letter to applicant dated 8/15/24) to deny the applicants request for a Zoning change from RES 1 to RES 2.

Thank you for your consideration.

Sincerely,
Katherine M. Odom
Resident of South Shores Riverside
5721 Sea Lavender Place
Melbourne Beach, FL 32951

Jackson, Desiree

From: nsherm@charter.net
Sent: Saturday, November 16, 2024 6:42 PM
To: AdministrativeServices
Subject: Opposition to Future Land Use Amendment Request ID# 24SS00013

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

Dear Elected and Zoning Leaders of Brevard County,

I am a nearby owner, and I am writing to express my strong opposition to the proposed Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet. This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, including:

Environmental Risks: The property is located in the Brevard Barrier Island Area of Critical State Concern, and the amendment would threaten the fragile Indian River Lagoon ecosystem that has become increasingly threatened. The proposal also fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments.

Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in this area, and approval would directly contradict this policy.

Community Character: our area is predominantly low-density, single-family communities. This amendment would disrupt the established character of our neighborhood and set a dangerous precedent for future high-density developments. I respectfully urge you to deny this proposed re-zoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community. Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely, Noreen and Walter Sherman Lighthouse Cove 138 Casseekee Trail, Melbourne Beach, FL 32951

Jackson, Desiree

From: llbraven <llbraven@aol.com>
Sent: Saturday, November 16, 2024 10:51 PM
To: AdministrativeServices; Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
Subject: FW: Request to change land use

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

Re: Opposition to Future Land Use Amendment Request ID# 24SS00013

Dear Elected and Zoning Leaders of Brevard County,

I am a nearby owner, and I am writing to express my strong opposition to the proposed Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet.

This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, including environmental risks as the property is located on the Brevard Barrier Island Area of Critical State Concern, and the amendment would threaten the fragile Indian River Lagoon ecosystem that has become increasingly threatened. The proposal also fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments.

Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in this area, and approval would directly contradict this policy.

Community Character: our area is predominantly low-density,

single-family communities. This amendment would disrupt the established character of our neighborhood and set a dangerous precedent for future high-density developments.

I respectfully urge you to deny this proposed re-zoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.

Thank you for your attention to this matter.

Sincerely,
Lenore Devlin
5562 Cord Grass Lane
Melbourne Beach, FL 32951

Jackson, Desiree

From: llbraven <llbraven@aol.com>
Sent: Saturday, November 16, 2024 11:18 PM
To: AdministrativeServices; Paul.alfrey@mlbfl.org; tim.thomas@mlbfl.org; Minus-External, Yvonne; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
Subject: FW: Request to change land use

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

Sent from my Verizon, Samsung Galaxy smartphone

Re: Opposition to Future Land Use Amendment Request ID# 24SS00013

Dear Elected and Zoning Leaders of Brevard County,

I am a nearby owner, and I am writing to express my strong opposition to the proposed Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet.

This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, including environmental risks as the property is located on the Brevard Barrier Island Area of Critical State Concern, and the amendment would threaten the fragile Indian River Lagoon ecosystem that has become increasingly threatened. The proposal also fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments.

Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential

density in this area, and approval would directly contradict this policy.

Community Character: our area is predominantly low-density, single-family communities. This amendment would disrupt the established character of our neighborhood and set a dangerous precedent for future high-density developments.

I respectfully urge you to deny this proposed re-zoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.

Thank you for your attention to this matter.

Sincerely,

Lenore L. Devlin

5562 Cord Grass Lane

Melbourne Beach, FL 32951

Jackson, Desiree

From: Dawn Penny <dpenny66@gmail.com>
Sent: Sunday, November 17, 2024 10:03 AM
To: AdministrativeServices; Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
Subject: Re: Opposition to Future Land Use Amendment Request ID# 24SS00013

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

Dear Elected and Zoning Leaders of Brevard County,

I am a nearby owner, and I am writing to express my strong opposition to the proposed Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet.

This will impede on my privacy and view as this is almost directly behind my property.

This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, including environmental risks as the property is located on the Brevard Barrier Island Area of Critical State Concern, and the amendment would threaten the fragile Indian River Lagoon ecosystem that has become increasingly threatened. The proposal also fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments.

Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in this area, and approval would directly contradict this policy.

Community Character: our area is predominantly low-density, single-family communities. This amendment would disrupt the established character of our neighborhood and set a dangerous precedent for future high-density developments.

I respectfully urge you to deny this proposed re-zoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.

Thank you for your attention to this matter.

Sincerely,

Dawn Penny
5535 Cord Grass Lane

Jackson, Desiree

From: Kathy Odom <katherineodom@cfl.rr.com>
Sent: Sunday, November 17, 2024 8:47 PM
To: AdministrativeServices
Cc: Ball, Jeffrey
Subject: Wrong email addresses used?

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

The letter authored by a neighbor seems to have mistakenly been sent to members of the City of Melbourne. I see that the email was correctly addressed to the Admin of Brevard County.

Please forward it to the appropriate members of the Planning and Zoning Board as a number of my neighbors have signed it in support.

Thank you. See text below:

Sincerely,
Katherine Odom
5721 Sea Lavender Place
Melbourne Beach FL 32951

Opposition to Future Land Use Amendment Request ID# 24SS00013

*Dear Elected and Zoning Leaders of Brevard County,
I am a nearby owner, and I am writing to express my strong opposition to the proposed Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet.*

This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, including environmental risks as the property is located on the Brevard Barrier Island Area of Critical State Concern, and the amendment would threaten the fragile Indian River Lagoon ecosystem that has become increasingly threatened. The proposal also fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments.

Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in this area, and approval would directly contradict this policy.

Community Character: our area is predominantly low-density,

single-family communities. This amendment would disrupt the established character of our neighborhood and set a dangerous precedent for future high-density developments.

I respectfully urge you to deny this proposed re-zoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,

Signature of original author

Jackson, Desiree

From: Kathy Odom <katherineodom@cfl.rr.com>
Sent: Sunday, November 17, 2024 9:23 PM
To: Champion, Kristen
Cc: Ball, Jeffrey; AdministrativeServices
Subject: Planning and Zoning Board Agenda Item H.1 re. SSCPA24SS00013 - Espanet Property Located at 5610 Hwy A1A

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

This is from the community of South Shores Riverside. It was erroneously sent to the City of Melbourne staff.

November 15, 2024

Board of County Commissioners
Brevard County Government Center
2725 Judge Fran Jamieson Way
Viera, Florida 32940

RE: Objection to Future Land Use Amendment Request ID# 24SS00013
Property: 5610 Highway A1A Unit 1, Melbourne

Dear Board Members,

We, the Owners of South Shores Riverside Homeowners Association, a community of 138 homeowners, strongly object to the request by Christopher L. Espanet to change the Future Land Use designation from Residential 1 to Residential 2 on the 0.7-acre parcel located at 5610 Highway A1A Unit 1, Melbourne. Our opposition is based on several critical factors:

Statutory Non-Compliance

The subject property lies within the Area of Critical State Concern – Brevard Barrier Island Area (Section 380.0553, Florida Statutes). The requested change directly contradicts the Coastal Management Element Policy 7.1 of the Comprehensive Plan, which explicitly states that "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."

Environmental Vulnerability

The property's location between the Indian River Lagoon and Atlantic Ocean makes it particularly susceptible to natural disasters, which have increased in frequency and intensity. The applicant's materials fail to address:

- Rising sea levels and storm surge risks
- Increased hurricane intensity and flooding potential
- Impact on the already stressed Indian River Lagoon ecosystem
- Groundwater intrusion concerns

- Impact on local water supply and sewer systems that are nearing capacity, especially in light of new Federal and State regulations that are significant for this area where non-public systems must provide water and sewer services. Furthermore, our objection is based on the following substantive grounds:

Critical State Concern Designation

The aforementioned Area of Critical State Concern within which the subject property lies requires heightened scrutiny of any density increases, particularly given the increasing frequency of natural disasters and the documented deteriorating condition of the Indian River ecosystem. In addition, the difficult traffic situation with Route A1A being the only through road in this area, numerous traffic accidents and pedestrian deaths of our residents and others, have occurred exactly at this location in the past several years. Furthermore, the number of elderly and handicapped residents in our community are impacted negatively by this problem and are the ones who have died recently due to the fast-moving traffic on A1A right at this location.

Comprehensive Plan Inconsistency

The requested change would constitute an increase in residential density, which directly contradicts Policy 7.1 of the Coastal Management Element of the Comprehensive Plan. This policy explicitly states that "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."

Improper Use of Binding Development Plan (BDP)

Expert opinion confirms that using a BDP under these circumstances is improper. Per Section 62-1157, Brevard County Code, BDPs are intended to address conditions imposed on rezoning or conditional use permits, not to restrict density associated with Future Land Use Map amendments.

Inadequate Environmental Impact Assessment

We find significant deficiencies in the applicant's responses to the guiding principles for development.

On behalf of the following South Shores Homeowners Association Owners:

(for signatures, please see the email sent to administrativeservices@brevardfl.gov on 11/15/24

Thank you.

Jackson, Desiree

From: Mary Anne Minerva <maminerva@gmail.com>
Sent: Monday, November 18, 2024 8:43 AM
To: AdministrativeServices
Subject: Opposition to Future Land Use Amendment Request ID# 24SS00013

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

Dear Elected and Zoning Leaders of Brevard County,

I am a nearby owner, and I am writing to express my strong opposition to the proposed Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet.

This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, including environmental risks as the property is located on the Brevard Barrier Island Area of Critical State Concern, and the amendment would threaten the fragile Indian River Lagoon ecosystem that has become increasingly threatened. The proposal also fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments.

Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in this area, and approval would directly contradict this policy.

Community Character: our area is predominantly low-density, single-family communities. This amendment would disrupt the established character of our neighborhood and set a dangerous precedent for future high-density developments.

I respectfully urge you to deny this proposed re-zoning to protect the environment, uphold the Comprehensive Plan, and preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,
Anthony & Mary Anne Minerva
5681 Sea Lavender Pl
Melbourne Beach FL 32951

Sent from my iPad

Jackson, Desiree

From: delbert sellers <delbosellers@gmail.com>
Sent: Friday, November 15, 2024 11:06 AM
To: AdministrativeServices
Cc: Paul.alfrey@mlbfl.org; Minus-External, Yvonne; Tim.Thomas@mlbfl.org; mark.larusso@mlbfl.org; Rachael.bassett@mlbfl.org; Mimi.hanley@mlbfl.org; Julie.kennedy@mlbfl.org
Subject: ID#24SS00013- opposed to rezoning to multi-family

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

Hello County Board,

I'm writing to express strong opposition to rezoning an undersized parcel to multi family. By your own words you understand this property is located within the Area of Critical State Concern – Brevard Barrier Island Area. The county should be working to decrease the loading on already strained resources, not adding more load/septics. Please do not approve this rezoning - there is no reason except builder greed. Vote on the side of common sense and decency and deny rezoning. No hardship will result to the owner as they knew the zoning when they purchased the parcel (and bulldozed many tortoise holes). Let the owner/builder develop a nice single family home as was intended per current zoning. Restoring the Indian River Lagoon will require sensible decision making, not catering to greed.

Respectfully,
Delbert Sellers
167 Casseekee Trail
Melbourne Beach FL 32951

Jackson, Desiree

From: Pam Hoatson <drpepperlady1@gmail.com>
Sent: Wednesday, November 13, 2024 5:10 PM
To: AdministrativeServices
Subject: ID#24SS00013

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

To the Planning and Zoning Board at the Brevard County Government Center.

My name is Pamela Hoatson. My husband, Robert Hoatson and I live across the street from the property in question at 5635 Highway A1A, #704, Melbourne Beach, FL. 32951.

We have done some research and we would like to respectfully request that the current "FLU: RES 1 (Residential 1) remain unchanged."

Changing the property from a "RES 1 to RES 2" has the potential to have an adverse effect on the value of all our properties.

This kind of zoning change could allow this property owner to put in a mobile home park. There's not a mobile home park within miles of us and we want to keep it that way.

We DO NOT want the property changed to RES 2.

Again, I urge that you deny the request to rezone this property.

Sincerely yours,
Robert and Pamela Hoatson
5635 S Hwy A1A, #704
Melbourne Beach, FL 32951

From: [Cindy Hewitt](#)
To: [Commissioner, D4](#)
Subject: Please vote NO on Item H4, the up-zoning of 5610 A1A
Date: Friday, December 6, 2024 9:04:03 AM

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

Dear Commissioner,

I'm a proud Brevard resident and I'm asking you to please VOTE NO ON ITEM H4, regarding the up-zoning of 5610 A1A. An increase in density will start a precedent of eroding our quality of life. With this precedent of more density, the island's water, sewer, and evacuation resources will become unmanageable. It is also my understanding that the up-zoning violates the Coastal Management Element Policy 7.1 of the County Comprehensive Plan and Policy 12.1 of the Brevard Barrier Island Amendment approved by the Commission.

Please keep Brevard beautiful and our roads, water, and sewer manageable.

Thank you,

Cynthia Hewitt

From: [Edward Moseley](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: 5610 A1A Up-Zoning
Date: Thursday, December 5, 2024 8:33:43 PM

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

Dear Commissioners,

We are AGAINST item H4 for the up-zoning of: 5610 A1A in South Melbourne Beach. This has been denied previously and should continue to be denied because;

- 1) It will set a precedent that cannot be stopped.
- 2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.
- 3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.
- 4) The island's water, sewer and evacuation resources cannot handle any more density.

We have lived here for decades and we wish to preserve it. There has been tremendous growth over the last several years and further development in this manner will negatively affect our town, resources, infrastructure, as well as our ability to evacuate quickly/safely in the event of an emergency.

Thank you for your attention to this matter!

Helen and Edward Moseley
144 Bayshore Drive,
Melbourne Beach,
FL 32951

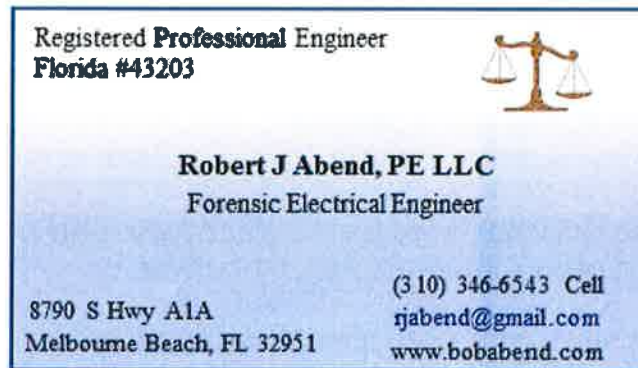
From: riabend@gmail.com
To: riabend@gmail.com
Subject: South Beaches Zoning
Date: Thursday, December 5, 2024 7:09:46 PM
Attachments: [image001.png](#)

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

Commissioner,

I received the following email from BIPPA. Before deciding to attend the December 12th meeting, I thought I would ask if there are any special reasons for the unit area reduction from 1.7 to 0.7 Acres that I should consider. Thank you in advance for any response to my email inquiry.

Sincerely,



From: (BIPPA) Barrier Island Preservation & Protection Assn. <bippafl@yahoo.com>
Sent: Thursday, December 5, 2024 12:14 PM
To: meegank@hotmail.com
Subject: Please Email and Call to STOP Increasing Zoning in South Beaches (BBIA)

Brevard Board of County Commissioners, 2725 Judge Fran Jamieson Way Viera, FL 32940.
Meeting Dec 12, 2024 (next Thursday)
5PM

Action Needed: to preserve our Area of Critical State Concern

5610 Highway A1A zoning change will be brought up again at the county Commission on Dec 12, 2024.

We need a showing of South Beaches support for the Area of Critical State Concern. The applicant has requested an up-zoning change from RES 1 to RES 2. This is a 1.7 acre parcel that is zoned 1 unit/acre and has been divided (subject lot is only .7 acres) to increase density and circumvent the prohibitions of the Comprehensive Plan Policies below.

This zoning request should not happen and should not be allowed. The Brevard County staff recommended the Commissioners to Deny the application, yet here we are again, for the 3rd time, with this request. If allowed, this will set a nasty precedent leading to increased density that we will not be able to stop.

Please show up on December 12 and let the new County Commissioners know that this zoning request should be denied.

Also, Please call and e-mail our 5 commissioners below.

AGAINST item H4 for the up-zoning of: 5610 A1A

The reasons are: 1) It will set a precedent that cannot be stopped.

2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.

3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.

4) The island's water, sewer and evacuation resources cannot handle any more density.

Copy and Paste to:

d1commissioner@brevardfl.gov

d2commissioner@brevardfl.gov

d3commissioner@brevardfl.gov

d4commissioner@brevardfl.gov

d5commissioner@brevardfl.gov

CALL: Commissioner: Delaney 321-607-6901

Goodson 321-454-6601

Atkinson 321-633-2075

Feltner 321-633-2044

Altman 321-253-6611

Please attend the meeting on Thursday, December 12th, at 5pm, it would be very

helpful. Speaking at the dais is optional.

Board of County Commission Chambers (1st floor), 2725 Judge Fran Jamieson Way
Viera, FL 32940.

Thank You for your continued support to keep our natural habitat preserved.

Mark Shantzis, Executive Director

Barrier Islands Preservation and Protection Association (BIPPA)

"Leading Efforts To Preserve The Balance of Population Growth, Natural Habitat
and Wildlife on the Barrier Islands for over 30 years"

bippa@yahoo.org

From: [S. Dunaif](#)
To: [Commissioner, D4](#)
Subject: 4H
Date: Friday, December 6, 2024 3:45:58 PM

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

Please

Vote NO on Zoning Change request for 5610 S Hwy A1A!

Thank you,
Shari Smith Dunaif
Floridana

From: [jimfratt233 fratt](#)
To: [Commissioner, D4](#)
Subject: AGAINST item H4 for the up-zoning of: 5610 A1A
Date: Friday, December 6, 2024 2:42:20 PM

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

The reasons are: 1) It will set a precedent that cannot be stopped.
2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.
3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.
4) The island's water, sewer and evacuation resources cannot handle any more density.

James Frattarola 233 and 239 Camino Pl resident
36 years

From: [Denis Freiden](#)
To: [Commissioner, D4](#)
Subject: AGAINST item H4 for the up-zoning of: 5610 A1A
Date: Friday, December 6, 2024 11:41:16 AM

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

AGAINST item H4 for the up-zoning of: 5610 A1A

The reasons are: 1) It will set a precedent that cannot be stopped.

2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.

3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.

4) The island's water, sewer and evacuation resources cannot handle any more density.

From: [Mohamad Hussein](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Re: AGAINST item H4 for the up-zoning of: 5610 A1A
Date: Friday, December 6, 2024 10:39:32 AM

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

Dear all, apologize for the inconvenience. I failed to include my full name and address and was directed to do so.

Apologize for the inconvenience.

Mohamad Hussein
8955 S Hwy A1A, Melbourne Beach, FL 32951
2162353308

Thanks for the opportunity to voice my opposition and reasons against item H4 relative to the up-zoning of 5610 A1A.

A) Allowing item H4 will set a precedence that cannot be stopped.

B) Passing item H4 relative to the up-zoning on 5610 A1A

- i- Violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan
- ii- Violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th 2024.

C) The island's water, sewer and evacuation resources cannot handle any further increase in density.

Appreciate your consideration and attention to this serious matter.

Mohamad

From: [helen.stamatacos](#)
To: [Commissioner, D4](#)
Subject: Fw: NO to H4 For up-zoning of: A1A
Date: Thursday, December 5, 2024 5:33:12 PM

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

Dear Commissioners,

We urge you to please please vote AGAINST H4 for the up-zoning of 5616 A1A, Melbourne Beach.

We have fought so hard to try to maintain the treasure that is for all to enjoy AND PROTECT.

If zoning keeps changing for "special reasons" presented by the owners -we are unprotected. Why is this zoning request happening ? Actually this should not even be an issue to discuss. WHY? This is a precedent that we as a community cannot have.

We are an area designated as an AREA OF CRITICAL STATE CONCERN. This means EVERYTHING on how to treat all new zoning issues.

You all know and have heard over and over again what the community wants other than those whose self interests do not align with the plans in place.

This up-zoning violates the Coastal Management Element Policy 7.1 of the County Comprehensive Plan.

It also violates Policy 12.1 of the Brevard Barrier Island Area Amendment just approved by the Commission (THANKFULLY) and sent to State Commerce department last month.

We are not against development. We need to continue low density with respect for the neighborhood and the creatures sharing this space.

Thank you ,

Sincerely,

Helen Stamatacos
Charles Magal, MD

9010 S A1A
Melbourne Beach, FL 32951

717-830-0065

From: Kathleen Conway
To: [Commissioner, D4](#)
Subject: H4 for the up-zoning of 5610 A1A Highway
Date: Sunday, December 8, 2024 11:34:45 AM

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

Good Morning Commissioner,

I am against the approval of item H4 for the up-zoning of 5610 A1A Highway. I have been in this area of the beach since 1988. I hope you will not approve this item. Thank you for all that you do for our county.

The reasons are: 1) It will set a precedent for future development that cannot be stopped.
2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.
3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.
4) The island's water, sewer and evacuation resources cannot handle any more density.

Best Regards,

Kathleen Conway

From: [Kristie Ferriell](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: AGAINST item H4 for the up-zoning of: 5610 A1A
Date: Saturday, December 7, 2024 5:30:19 PM

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

Dear Commissioners,

I live south of Melbourne Beach and am concerned about the request for an up-zoning change from Res 1 to Res 2.

This zoning request should not happen and should not be allowed. The Brevard County staff recommended the Commissioners to Deny the application, yet here we are again, for the 3rd time, with this request. If allowed, this will set a nasty precedent leading to increased density that we will not be able to stop.

Please don't allow this upgrade. Please don't circumvent the prohibitions of the Comprehensive Plan Policies.

Thank you,
Kristie A Ferriell
167 Tramore Place
Melbourne Beach.

From: Gary
To: [Commissioner, D4](#)
Subject: AGAINST ITEM H4
Date: Friday, December 6, 2024 6:40:48 AM

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

AGAINST item H4 for the up-zoning of: 5610 A1A

The reasons are: 1) It will set a precedent that cannot be stopped.

2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.

3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.

4) The island's water, sewer and evacuation resources cannot handle any more density.

From: [terry.gill](#)
To: [Commissioner, D4](#)
Subject: AGAINST item H4 for the up-zoning of: 5610 A1A
Date: Saturday, December 7, 2024 3:52:00 PM

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

AGAINST item H4 for the up-zoning of: 5610 A1A

Terry

From: glovprop@bellsouth.net
To: [Commissioner, D2](#); [Commissioner, D4](#); [Commissioner, D5](#); [Commissioner, D1](#); [Commissioner, D3](#)
Subject: Dec 12 Meeting Agenda item H4
Date: Saturday, December 7, 2024 9:09:31 AM

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

Good Morning Commissioners;

RE: SSCPA24SS00013-Espanet Property, 5610
Highway A1A

On December 12, 2024 Agenda item H4 will come before you. I ask you to vote No on the zoning change request. This request has been brought before the previous Commissioners and it was denied. Why is it being presented again?

This request goes against the new State designated Critical Area of State Concern (CASC). The property is only .7 acres. The CASC specifically calls for no increase in density.

Please vote No on this request for rezoning.

Beth Glover

321-726-0800

Melbourne Beach, Fl 32951

From: [Jodie Irish](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: AGAINST item H4 for the up-zoning of: 5610 A1A
Date: Friday, December 6, 2024 6:26:56 PM

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

The reasons are as follows:

- 1) It will set a precedent that cannot be stopped
- 2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.
- 3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.
- 4) The island's water, sewer and evacuation resources cannot handle any more density.

It's unbelievable that we are here for a 3rd time on the same zoning issue.

Sincerely,
Jodie Hager
325 Hiawatha Way
Melbourne Beach, FL 32951

From: charlesrhardin@aol.com
To: [Commissioner, D1](#); [Commissioner, D2](#); d3.commissioner@brevardfl.gov; [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Zoning request for 5610 S Highway A1A
Date: Monday, December 9, 2024 7:03:05 AM

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

Dear Commissioners Delaney, Goodson, Adkinson, Feltner, and Altman:

I am writing this email to inform you that I am **highly against** any changes in the zoning of the South Beaches for the property at 5610 S Highway A1A. In my opinion there is no justification for increasing the density allowances in the south beaches as "we" have been designated as an Area of Critical State Concern.

ANY increase in the density would be counterproductive to the preservation of the nature of our area and would also set a dangerous precedent for other property owners to pursue. In addition it would be in violation of current Coastal Management Policies.

Preservation of the South Beaches should be a priority not only with respect to the designation of it as an Area of Critical Concern but also in light of how other coastal areas in Brevard County have been developed "to the hilt" with the obviously concomitant traffic and pedestrian safety concerns. In addition it is my understanding that Brevard County Staff has already recommended that this zoning change request be denied.

Please do not add to the demise of one of the most beautiful (and bountiful) areas of Brevard County by allowing this zoning change request. It would not, in my opinion, be in the best interests of your constituents nor to those who visit here.

Thank you for your kind attention and consideration.

Sincerely,

C. Roger Hardin
290 Heron Dr.
Melbourne Beach, FL 32951
321-431-6779

From: [tim kloc](#)
To: [Commissioner, D4](#)
Subject: Vote NO on Zoning Change request for 5610 S Hwy A1A
Date: Friday, December 6, 2024 4:10:02 PM

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

Pls vote no
Sent from my iPhone

From: [Richard Magin](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Please vote No on Item H4 for the up-zoning of: 5610 A1A
Date: Friday, December 6, 2024 8:55:36 PM

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

TO:

Brevard Board of County Commissioners, 2725 Judge Fran Jamieson Way Viera, FL 32940.

Meeting Dec 12, 2024 (next Thursday)
5PM

I am sorry that we can not attend the Dec. 12 meeting. Nevertheless, as a member of the Barrier Islands Preservation and Protection Association (BIPPA), I urge you to vote no on Item H4 for the up-zoning of: 5610 A1A to preserve our Area of Critical State Concern.

The applicant has requested an up-zoning change from RES 1 to RES 2.

This is a 1.7 acre parcel that is zoned 1 unit/acre and has been divided (subject lot is only .7 acres) to increase density and circumvent the prohibitions of the Comprehensive Plan Policies below.

This zoning request should not happen and should not be allowed. The Brevard County staff recommended to the Commissioners that they Deny the application, yet here we are again, for the 3rd time, with this request. If allowed, this reclassification will set a precedent leading to increased density that we may not be able to prevent.

Additional reasons are:

2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.

3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to the State Commerce Department on November 7th.

4) The island's water, sewer and evacuation resources cannot handle any more density.

Thank you for your attention to this issue.

Richard and Karen Magin

(Personal Note: We were married on a sand dune just down the beach at 8085 A1A in 1979. Our four grandchildren now live on South Ivory Dr, Melbourne Beach, just a mile up the road from the lots at 5610 A1A. We hope that 10-15 years from now that they can be married on a fully protected barrier island.)

From: [Fred Seleman](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Vote NO on Zoning Change request for 5610 S Hwy A1A
Date: Monday, December 9, 2024 9:29:02 AM

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

All:

Please vote NO on the request for a zoning change for 5610 South Highway A1A, Melbourne Beach. Thank you.

Fred Seleman
7617 Kiawah Way
Melbourne Beach, FL 32951

From: [Catherine Stamatacos](#)
To: [Commissioner, D4](#)
Subject: Re: AGAINST item H4 for the up-zoning of: 5610 A1A
Date: Sunday, December 8, 2024 8:19:12 PM

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

With my address added below, thank you.
(125 Rue de Nancy)
Sent from my iPhone

On Dec 8, 2024, at 8:10 PM, Catherine Stamatacos <cstamatacos@yahoo.com> wrote:

Dear Commissioner,

Please vote AGAINST item H4.

The reasons are: 1) It will set a precedent that cannot be stopped.
2) It violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan.
3) It violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment just approved by the Commission and sent to State Commerce Department on November 7th.
4) The island's water, sewer and evacuation resources cannot handle any more density.

Thank you for your consideration,
Catherine Stamatacos

125 Rue de Nancy

Melbourne Beach
321-726-9853



From: [Elisabetta Martino-Swearsky](#)
To: [Commissioner, D4](#)
Subject: Opposition to Zoning Request Change Melbourne Beach
Date: Tuesday, January 28, 2025 12:20:41 PM

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

Dear Rob,

I am registering my opposition to the zoning request change for the land on the west side of Highway A1A 150 ft. North of Casseekee Trail in Melbourne Beach.

The area has been designated by the state as a State Area of Critical Concern. We are concerned about further expanded development as this will affect animals in the area as well as increased beach activity which will affect the Loggerhead, Green and Leatherback turtle migrations.

In addition, it is in a busy and somewhat dangerous area with cars traveling at over 45 MPH with no crosswalk at A1A to the beach. This could put residents living in the future unit/s at risk.

I greatly appreciate your support...Liz

Elisabetta Martino-Swearsky
180 Casseekee Trail, MB 32951
860-863-6616

From: cabshe3@cfl.rr.com
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#); [Abbate, Frank B](#); [Calkins, Tad](#)
Subject: Please help!!
Date: Wednesday, January 29, 2025 7:09:25 AM

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

Help keep our area as it was meant to stay!

1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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”.

2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 “Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...”.

Thank you, Candy Absher (Melbourne Beach)

From: [Margaret Ahrweiler](#)
To: [Commissioner, D4](#)
Subject: Please vote against Future Land Use Amendment Request ID# 24SS00013
Date: Tuesday, January 28, 2025 2:19:18 PM

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

Dear Chairman Feltner,

I am writing to express my strong opposition to the proposed zoning amendment of Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet. I ask that you vote against this amendment at your Feb. 6 meeting to best represent the interests of Brevard County constituents.

I live in the District 3 south beaches neighborhood of Lighthouse Cove, one of the neighborhoods adjacent to the land in question for Future Land Use Amendment Request ID# 24SS00013. As a Florida resident and voter, I have watched with alarm over the decades as so much property in Melbourne Beach and the South Beaches has become overdeveloped without concern for proportion, protection or preservation.

There are several important arguments against granting this variance:

Community Character: The South Beaches area around the property in question consists of predominantly low-density, single-family communities. The multi-family PUDs such as the adjoining Lighthouse Cove and South Shores are low-profile and considerably lower density than more recent PUDs such as Harbor Island Beach Club. This amendment would disrupt the established character of our neighborhood and set a dangerous precedent for future high-density developments.

Environmental Issues This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, as the property is located on the Brevard Barrier Island Area of Critical State Concern. Increasing the zoning for this property runs contrary to both the principles and the standards of the Area of Critical Concern. Continued high-density development on a lot that is too small to support it will threaten the fragile Indian River Lagoon ecosystem that we have watched deteriorate since our family moved here in 1993. The proposal fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments. The property is also home to several burrows of threatened gopher tortoises.

At .7 acres, the property does not meet the county's own septic system. Increasing its zoning density will only exacerbate the issues created by a property that is too small for its septic field. Both Lighthouse Cove and South Shores will be at risk of contamination.

Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in this area, and approval would directly contradict this policy and set a dangerous precedent for future requests.

I respectfully urge you to deny this proposed rezoning to protect the environment, maintain septic system safety standards, uphold the Comprehensive Plan, preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,

Margaret Ahrweiler Clifford
145 Casseekee Trail
Melbourne, FL 32951
ahrweiler.clifford@gmail.com
630.209.0979

From: [Betsy Burden](#)
To: [Commissioner, D4](#)
Subject: Opposition to Future LU Amendment Request ID #24SS00013
Date: Tuesday, January 28, 2025 5:31:08 PM

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

Dear Brevard County Commissioner:

I am writing to express my strong opposition to the proposed zoning amendment of Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet. I ask that you vote against this amendment to represent the interests of your constituents. I live in the South Beaches neighborhood of Lighthouse Cove, one of the communities adjacent to the land in question for Future Land Use Amendment Request ID# 24SS00013.

As a Florida resident and voter, I have watched with alarm over the last decade as so much property in Melbourne Beach and the South Beaches has become overdeveloped without concern for proportion, protection or preservation.

Community Character: The South Beaches area around the property in question consists of predominantly low-density, single-family communities. The multi-family PUDs such as the adjoining Lighthouse Cove and South Shores are low-profile and considerably lower density than more recent PUDs such as Harbor Island Beach Club. This amendment would disrupt the established character of our neighborhood and set a dangerous precedent for future high-density developments.

Environmental Issues This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, as the property is located on the Brevard Barrier Island Area of Critical State Concern. Increasing the zoning for this property runs contrary to both the principles and the standards of the Area of Critical Concern. Continued high-density development on a lot that is too small to support it will threaten the fragile Indian River Lagoon ecosystem that we have watched deteriorate since our family moved here in 1993. The proposal fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments. The property is also home to several burrows of threatened gopher tortoises.

At 0.70 acres, the property does not meet the county's own septic system requirements. Increasing its zoning density will only

exacerbate the issues created by a property that is too small for its septic field. Both Lighthouse Cove and South Shores will be at risk of contamination.

Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in this area, and approval would directly contradict this policy and set a dangerous precedent for future requests.

I respectfully urge you to deny this proposed re-zoning to protect the environment, maintain septic system safety standards, uphold the Comprehensive Plan, preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,

Betsy Burden
105 Casseekee Tr.
Melbourne Beach, Florida
561-313-0589

Sent from my iPhone

From: [Alison Deacon](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#); [Abbate, Frank B](#); [Calkins, Tad](#)
Subject: Please vote on February 6, AGAINST request increasing zone density in South Beach - Melbourne Beach
Date: Tuesday, January 28, 2025 8:20:39 PM

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

Dear Commissioners,

As a resident of Melbourne Beach, I am asking you to vote to STOP an increase in Zoning at 5610 A1A from RES 1 to RES 2.

- 1) It's against the Law according to Policy 7.1 of the Comprehensive Plan and 12.1 of the New State Brevard Barrier Island Area (BBIA) protection.
- 2) It sets an irreversible precedent opening the door for larger increases in the future.

I'm asking you to please **Follow the LAW**

- 1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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".
- 2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 "Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA..."

Please help (again) to stop illegal density increases in South Beach's Area of Critical State Concern.

Thank you
Alison Deacon
305 Island Drive, Melbourne Beach, FL 32951
alisondeacon08@yahoo.com

From: [jimfratt233.fratt](#)
To: [Commissioner, D4](#)
Date: Tuesday, January 28, 2025 3:04:36 PM

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

1) It's against the Law according to Policy 7.1 of the Comprehensive Plan and 12.1 of the New State Brevard Barrier Island Area (BBIA) protection.

2) It sets an irreversible precedent opening the door for larger increases in the future. This is final so we need to make a stance now.

1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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".

2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 "Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...".

Please help (again) to stop illegal density increases in South Beach's Area of Critical State Concern.

From: [Alex Giraldo](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#); [Abbate, Frank B](#); [Calkins, Tad](#)
Subject: Re: February 6, AGAINST request increasing density
Date: Tuesday, January 28, 2025 7:42:57 PM

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

Commissioners:

As a resident and voter I'm South Beaches I am against any increase in density. This is ridiculous that you continue to accept hearing requests on this issue.

Follow the LAW

1) Brevard Comprehensive Plan, Coastal Management Element (CME)
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".

2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 "Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...".

Concerned Voter -
Alex Giraldo
321-604-0596

334 Island Dr.
Melbourne Beach, Fl. 32951

From: [Alex Giraldo](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#); [Abbate, Frank B](#); [Calkins, Tad](#)
Subject: February 6, AGAINST request increasing density
Date: Tuesday, January 28, 2025 7:38:10 PM

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

Commissioners:

As a resident and voter I'm South Beaches I am against any increase in density. This is ridiculous that you continue to accept hearing requests on this issue.

Follow the LAW

1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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".

2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 "Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...".

Concerned Voter -

Alex Giraldo

321-604-0596

From: [Calkins, Tad](#)
To: [Jackson, Desiree](#); [Randall, Alice](#)
Subject: FW: February 6, AGAINST request increasing density
Date: Wednesday, January 29, 2025 2:09:29 PM

FYI

From: Alex Giraldo <giraldo27@hotmail.com>
Sent: Tuesday, January 28, 2025 7:43 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Calkins, Tad <tad.calkins@brevardfl.gov>
Subject: Re: February 6, AGAINST request increasing density

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

Commissioners:

As a resident and voter I'm South Beaches I am against any increase in density. This is ridiculous that you continue to accept hearing requests on this issue.

Follow the LAW

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2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 "Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...".

Concerned Voter -
Alex Giraldo
321-604-0596

334 Island Dr.
Melbourne Beach, FL 32951

From: [Calkins, Tad](#)
To: [Randall, Alice](#); [Jackson, Desiree](#)
Subject: FW: February 6, AGAINST request increasing density
Date: Wednesday, January 29, 2025 2:09:51 PM

FYI

From: Alex Giraldo <giraldo27@hotmail.com>
Sent: Tuesday, January 28, 2025 7:38 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Calkins, Tad <tad.calkins@brevardfl.gov>
Subject: February 6, AGAINST request increasing density

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

Commissioners:

As a resident and voter I'm South Beaches I am against any increase in density. This is ridiculous that you continue to accept hearing requests on this issue.

Follow the LAW

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"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".

2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 "Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...".

Concerned Voter -
Alex Giraldo
321-604-0596

From: [Calkins, Tad](#)
To: [Randall, Alice](#); [Jackson, Desiree](#)
Subject: FW: Please vote on February 6, AGAINST request increasing zone density in South Beach - Melbourne Beach
Date: Wednesday, January 29, 2025 2:08:57 PM

FYI

From: Alison Deacon <alisondeacon08@yahoo.com>
Sent: Tuesday, January 28, 2025 8:21 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Calkins, Tad <tad.calkins@brevardfl.gov>
Subject: Please vote on February 6, AGAINST request increasing zone density in South Beach - Melbourne Beach

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

Dear Commissioners,

As a resident of Melbourne Beach, I am asking you to vote to STOP an increase in Zoning at 5610 A1A from RES 1 to RES 2.

- 1) It's against the Law according to Policy 7.1 of the Comprehensive Plan and 12.1 of the New State Brevard Barrier Island Area (BBIA) protection.
- 2) It sets an irreversible precedent opening the door for larger increases in the future.

I'm asking you to please **Follow the LAW**

1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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".

2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 "Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...".

Please help (again) to stop illegal density increases in South Beach's Area of Critical State Concern.

Thank you
Alison Deacon
305 Island Drive, Melbourne Beach, FL 32951
alisondeacon08@yahoo.com

From: [Calkins, Tad](#)
To: [Randall, Alice](#); [Jackson, Desiree](#)
Subject: FW: STOP Zoning increases on South Beach
Date: Wednesday, January 29, 2025 1:47:50 PM

FYI

From: Karen Hamilton <karensextonhamilton@gmail.com>
Sent: Wednesday, January 29, 2025 10:31 AM
To: Calkins, Tad <tad.calkins@brevardfl.gov>
Subject: STOP Zoning increases on South Beach

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

Mr. Calkins,
Please vote NO on the upcoming zoning meeting regarding Zoning at 5610 A1A from RES 1 to RES 2.
Please consider the following:

- It's against the Law according to Policy 7.1 of the Comprehensive Plan and 12.1 of the New State Brevard Barrier Island Area (BBIA) protection
- It sets an irreversible precedent opening the door for larger increases in the future.
- Brevard Comprehensive Plan, Coastal Management Element (CME) 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".
- Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1
- "Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County **shall not increase residential densities within the BBIA...**".

Please vote NO and as our barrier island is a Critical Area of State Concern that needs to be kept safe from undue development.

Thank you
Karen Hamilton
162 Casseekee Trail
Melbourne Beach, FL
32951

From: [Calkins, Tad](#)
To: [Jackson, Desiree](#); [Randall, Alice](#)
Subject: FW:
Date: Wednesday, January 29, 2025 2:40:44 PM

FYI

From: jimfratt233 fratt <jimfratt@gmail.com>
Sent: Tuesday, January 28, 2025 3:05 PM
To: Calkins, Tad <tad.calkins@brevardfl.gov>
Subject:

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

1) It's against the Law according to Policy 7.1 of the Comprehensive Plan and 12.1 of the New State Brevard Barrier Island Area (BBIA) protection.

2) It sets an irreversible precedent opening the door for larger increases in the future. This is final so we need to make a stance now.

1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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".

2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 "Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...".

Please help (again) to stop illegal density increases in South Beach's Area of Critical State Concern.

From: [Calkins, Tad](#)
To: [Randall, Alice](#); [Jackson, Desiree](#)
Subject: FW: Please help!!
Date: Wednesday, January 29, 2025 1:51:01 PM

FYI

From: cabsher3@cfl.rr.com <cabsher3@cfl.rr.com>
Sent: Wednesday, January 29, 2025 7:09 AM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Calkins, Tad <tad.calkins@brevardfl.gov>
Subject: Please help!!

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

Help keep our area as it was meant to stay!

1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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”.

2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 “Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...”.

Thank you, Candy Absher (Melbourne Beach)

From: [Calkins, Tad](#)
To: [Jackson, Desiree](#); [Randall, Alice](#)
Subject: FW: Please stop the zoning increase on South Beach
Date: Thursday, January 30, 2025 11:01:02 AM

FYI

From: Teresa Main <main.td@gmail.com>
Sent: Wednesday, January 29, 2025 5:17 PM
To: Calkins, Tad <tad.calkins@brevardfl.gov>
Subject: Please stop the zoning increase on South Beach

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

Good afternoon,

Please follow the law and stop the zoning increase on South Beach.

1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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”.

2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 “Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...”.

I live off A1A past the new large and obnoxious subdivision with multi-family rentals. We need room for animal habitats, no more houses or rentals.

Thank you for your time.
Teresa Main
320 Richards Road
Melbourne Beach, FL

From: [Calkins, Tad](#)
To: [Jackson, Desiree](#); [Randall, Alice](#)
Subject: Fwd: PLEASE STOP INCREASE IN ZONING at 5616 A1A from RES 1 to RES 2
Date: Thursday, January 30, 2025 9:44:56 AM

FYI

Sent from my iPhone

Begin forwarded message:

From: helen stamatacos <hnstamatacos@yahoo.com>
Date: January 29, 2025 at 4:01:25 PM EST
To: "Abbate, Frank B" <Frank.Abbate@brevardfl.gov>
Cc: "Calkins, Tad" <tad.calkins@brevardfl.gov>
Subject: **PLEASE STOP INCREASE IN ZONING at 5616 A1A from RES 1 to RES 2**

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

Hello-

I am writing to express our deepest concerns over the potential change in Zoning at 5610 A1A from RES 1 to RES 2.

Please STOP this zoning change.

We respectfully demand that you uphold the law.

Our voices, as you are aware, are fortunately supported by the vast majority of the South Beaches and we have gathered collectively to preserve what needs to be preserved. To insist that this and similar future zoning change requests are NOT allowed.

PLEASE follow the law according to Policy 7.1. and Policy BBIA 12.1.

It's that simple.

Thank you,

Helen Stamatacos
Charles Magal, MD
9010 S. A1A
Melbourne Beach, FL 32951
321-728-8876

From: [Karen Hamilton](#)
To: [Commissioner, D4](#)
Subject: STOP Zoning increases on South Beach
Date: Wednesday, January 29, 2025 10:29:33 AM

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

Commissioner,

Please vote NO on the upcoming zoning meeting regarding Zoning at 5610 A1A from RES 1 to RES 2.

Please consider the following:

- It's against the Law according to Policy 7.1 of the Comprehensive Plan and 12.1 of the New State Brevard Barrier Island Area (BBIA) protection
- It sets an irreversible precedent opening the door for larger increases in the future.
- Brevard Comprehensive Plan, Coastal Management Element (CME) 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".
- Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1
- "Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County **shall not increase residential densities within the BBIA...**".

Please vote NO and as our barrier island is a Critical Area of State Concern that needs to be kept safe from undue development.

Thank you

Karen Hamilton

162 Casseekee Trail

Melbourne Beach, FL

32951

From: [Linda Johnson](#)
To: [Commissioner, D4](#)
Subject: Feb. 6th meeting
Date: Wednesday, January 29, 2025 6:48:02 PM

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

Please vote no and stop the zoning increase proposal in South Beach. Thank you, Linda Johnson

From: [Teresa Main](#)
To: [Commissioner, D4](#)
Subject: Please stop the zoning increase on South Beach
Date: Wednesday, January 29, 2025 5:15:52 PM

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

Good afternoon,

Please follow the law and stop the zoning increase on South Beach.

1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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”.

2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 “Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...”.

I live off A1A past the new large and obnoxious subdivision with multi-family rentals. We need room for animal habitats, no more houses or rentals.

Thank you for your time.
Teresa Main
320 Richards Road
Melbourne Beach, FL

From: [Linda Minnick](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Vote "NO" on Zoning increase for South Beaches
Date: Wednesday, January 29, 2025 6:24:06 PM

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

Thank You.

From: [helen.stamatacos](#)
To: [Commissioner, D1](#)
Cc: [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: PLEASE STOP ZONING INCREASE ON SOUTH BEACH
Date: Wednesday, January 29, 2025 3:57:55 PM

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

Dear Commissioners,

I am writing again to express our deepest concerns over the potential change in Zoning at 5610 A1A from RES 1 to RES 2.

Please STOP this zoning change.

We respectfully demand that you uphold the law.

Our voices, as you are aware, are fortunately supported by the vast majority of the South Beaches and we have gathered collectively to preserve what needs to be preserved. To insist that this and similar future zoning change requests are NOT allowed.

PLEASE follow the law according to Policy 7.1. and Policy BBIA 12.1.

It's that simple.

Thank you,

Helen Stamatacos
Charles Magal, MD
9010 S. A1A
Melbourne Beach, FL 32951
321-728-8876

From: [Richard Virock](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Future Land Use Amendment Request ID# 24SS00013 Scheduled for Hearing February 6, 2025
Date: Wednesday, January 29, 2025 12:37:33 PM

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

Dear Brevard County Commissioners:

We are writing to express our strong opposition to the proposed zoning amendment of Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet. We ask that you vote against this amendment. We live in the South Beaches neighborhood of Lighthouse Cove, one of the communities adjacent to the land in question for Future Land Use Amendment Request ID# 24SS00013.

As property owners, we have watched with alarm over the last six years as so much property in Melbourne Beach and the South Beaches has become overdeveloped without concern for proportion, protection or preservation.

Community Character: The South Beaches area around the property in question consists of predominantly low-density, single-family communities. **The multi-family PUDs such as the adjoining Lighthouse Cove and South Shores are low-profile and considerably lower density** than more recent PUDs such as Harbor Island Beach Club. This amendment would disrupt the established character of our neighborhood and **set a dangerous precedent for future high-density developments.**

Environmental Issues This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, as **the property is located on the Brevard Barrier Island Area of Critical State Concern. Increasing the zoning for this property runs contrary to both the principles and the standards of the Area of Critical Concern.** Continued high-density development on a lot that is too small to support it will threaten the fragile Indian River Lagoon ecosystem. **The proposal fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments. The property is also home to several burrows of threatened gopher tortoises.**

At 0.70 acres, the property does not meet the county's own septic system requirements. Increasing its zoning density will only exacerbate the issues created by a property that is too small for its septic field. Both Lighthouse Cove and South Shores will be at risk of contamination.

Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in

this area, and approval would directly contradict this policy and set a dangerous precedent for future requests.

I respectfully urge you to **deny this proposed rezoning to protect the environment, maintain septic system safety standards, uphold the Comprehensive Plan**, preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,

Richard and Dennette Virock
135 Casseekee Trail
Melbourne Beach FL 32951

From: [Dorine Zimmerman](#)
To: [Commissioner, D4](#)
Subject: re zoning request Melbourne Beach
Date: Thursday, January 30, 2025 4:46:54 PM

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

Dear Brevard County Commissioners:

I am writing to express my strong opposition to the proposed zoning amendment of Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet. I ask that you vote against this amendment to represent the interests of your constituents. I live in the South Beaches neighborhood of Lighthouse Cove, one of the communities adjacent to the land in question for Future Land Use Amendment Request ID# 24SS00013.

I have lived in Brevard County for 52 years and consistently voted in primaries and general elections. The proposed amendment above for land usage in Melbourne Beach is not in the best interest of the surrounding residents. There is no city water access down this far south. At 0.70 acres, the property does not meet the county's own septic system requirements. Increasing its zoning density will only exacerbate the issues created by a property that is too small for its

septic field. Both Lighthouse Cove and South Shores will be at risk of contamination. I respectfully urge you to deny this proposed re-zoning to protect the environment, maintain septic system safety standards, uphold the Comprehensive Plan, preserve the character of our community. Thank you for your serious consideration related to this situation and request.

Respectfully,
Dorine Zimmerman
186 Casseekee Trail
Melbourne Beach, FL 32951

From: [Calkins, Tad](#)
To: [Randall, Alice](#); [Jackson, Desiree](#)
Subject: FW: Vote No 5610 A1A from RES 1 to RES 2
Date: Friday, January 31, 2025 1:46:53 PM

FYI

From: Jodie Irish <irish_jodie@yahoo.com>
Sent: Friday, January 31, 2025 12:09 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Calkins, Tad <tad.calkins@brevardfl.gov>
Subject: Vote No 5610 A1A from RES 1 to RES 2

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

Dear Commissioners,

Here we are again on a subject of increased density that has been outlawed under the Area of Critical Concern as noted below. I would ask that this matter finally be put to rest and prevent years of litigation and future increased density at our beautiful Brevard County coast.

It's illegal under the following policies that were passed by both State Houses and to be implemented by the county. Do your job and follow the law.

1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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”.

2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1

“Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...”.

Please stop illegal density increases in South Beach's Area of Critical State Concern.

Sincerely,
Jodie Hager
325 Hiawatha Way
Melbourne Beach, FL 32951
407-230-1058

From: [Calkins, Tad](#)
To: [Randall, Alice](#); [Jackson, Desiree](#)
Subject: FW: Zoning south beaches
Date: Friday, January 31, 2025 1:46:25 PM

FYI

From: linda nicholson <nicholsong6@yahoo.com>
Sent: Friday, January 31, 2025 12:28 PM
To: Calkins, Tad <tad.calkins@brevardfl.gov>
Subject: Zoning south beaches

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

Dear Tad ,

I am requesting you to vote no for increase in zoning in the south beach area of Brevard county. I have lived here for 23 years. I am seen an increase in the traffic. An increase in the fatalities of people crossing A1A. Let's not give into the big developers and let's keep south beaches, quaint and small..

Respectfully,

Linda Nicholson
215 SEA DUNES Drive
Melbourne Beach, FL 32951
321-626-2544

[Sent from Yahoo Mail for iPhone](#)

From: [elaine.ber](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#); [AdministrativeServices](#); robert.brackett@myfloridahouse.gov
Subject: ID# 24SS00013
Date: Friday, January 31, 2025 3:24:40 PM

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

Dear Commissioners:

As a resident of LHC, who will be directly impacted by your decision on February 6, 2025, I am writing to express my strong opposition to granting the rezoning request from RES1 to RES2 for the 0.7 acre lot located at 5601 HWY A1A, unit 1, Melbourne Beach, FL for the following three reasons.

First, it directly contravenes **state law**, and violates the **CME** of the Brevard Comprehensive plan. Second, it establishes a very **dangerous precedent**. Allowing this exemption opens up the floodgates and renders all future denials arbitrary and difficult, if not impossible to justify. And lastly, this is a huge slap in the face to voters who elect you into office to **act in our best interests** not those of venal developers, politicians, lawyers who personally enrich at the expense of the community, and by their short-sighted actions create irrevocable harm for current and future generations. Our quality of life will be adversely and materially impacted by your decision. We intend to hold elected officials to account for any resultant harm from bad policies that are ill advised and easily avoidable.

Specifically, granting this exemption will:

1. **Eviscerate newly enacted FL state law chapter 380 section 0553 (enacted in 2023)**, "Brevard Barrier Island Area Protection Act." Florida Statutes specifically recognizes portion of Brevard county as one of 6 critical infrastructure areas in the state designated for special protections as a barrier island with a fragile ecosystem and unique turtle nesting grounds.

- Zone change from RES1 to RES2 violates purpose and intent of law (380.0553): no high density buildings,
 - legislative intent, in part, stipulates under 2(f) low population density *decreases public tax burden* with regard to provision of services, maintaining critical infrastructure and rebuilding after disasters, and 2(g) recognizes that the entire barrier island is in a mandatory evacuation zone, hence density is a critical consideration with regard to safe and timely evacuations (see: <https://www.flsenate.gov/laws/statutes/2023/380.0553>)

➤ **Violates section 7.1 of the Coastal Management Element (CME) of the Brevard Comprehensive Plan** which states; "Brevard County **shall not**

(mandatory not permissive language) increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet". Since 5610 A1A is directly in the MIDDLE of this area, it is clearly against the law to change the density designation to Res2.

Granting this exemption would allow building up to 30ft in height:

- Tall buildings obstruct views; deprive privacy (LHC community directly below it); allow increased population density in an area that already suffered 2 fatalities on A1A within the past 2 years at the exact proposed building site; invites property use for AirB&Bs which south beach residents have vehemently opposed due to inadequate vetting of turn-style occupancy, invites people without stakes in the community, adds to crime concerns and traffic congestion, disruptive lighting to turtle nesting areas, and adds to overflow concerns from sewer and storm surges
- This specific proposal clearly states "it is not anticipated to enhance natural scenic resources which would promote the aesthetic benefits of the natural environment. Enhancing natural scenic resources involves a combination of conservation, restoration, and sustainable management of the natural environment." Clearly, the owner & attorney admit that is not their intent
- High population density impedes emergency evacuations from barrier island during hurricanes and other natural disasters
- **Intent of this bill is to safeguard against** adverse economic, social, environmental, and public health and safety impacts posed by flooding and storm surge by protecting critical assets. Granting this exemption is in direct contravention of the law's intent.

➤ Commissioner **Thad Altman** was one of original co-sponsors (along with Rep. Brackett and Moody) of **HB 1489** (2023) "**Designation of Brevard Barrier Island Area as Area of Critical State Concern**" **which created 380.0553, F.S.!!!** Yet, during Dec 12, 2024 zoning hearing, the commissioner appeared deferential to reconsider granting this exemption. If that proves to be the case, it is extremely troubling. Either we have a law that protects our environment or not! What changed? How do you go from championing a concept to total surrender? Who is pulling the levers and for what favors in exchange? Equally troubling was listening to the owner's attorney during an earlier hearing (Nov 2024) saying that state law can summarily be dismissed and overridden (despite strong opposition to her from the committee staff).
(see: <https://www.flsenate.gov/Session/Bill/2023/1489/ByCategory>).

Listen to then Representative Thad Altman passionately defend his critical infrastructure bill during a news interview where he is quoted as saying:

"I would say it's been overdeveloped," said Republican state Rep. Thad Altman

- "You look at a map and there's very little green space on the barrier island now, except for the south beaches. The south beaches is a place that has a remnant of what it used to be like," Altman said.
- The coast is the largest nesting area for loggerhead sea turtles in the world and was home to a flourishing sea trout population Altman says is

now down 90%.

- It's key for the endangered manatees in the area as a home for its main food source.
- "This area has some of the last remaining healthy seagrass beds in Brevard County," Altman said. <https://www.wesh.com/article/brevard-county-barrier-islands-protection/43414035>

2. **This exemption Sets a very dangerous precedent** for all future land use along south beach area

- Granting one exemption opens floodgates-establishes no legal standing for denying others their exemptions
- This particular plot is landlocked so it will require lifting other easements to enable septic, irrigation, well water, egress to A1A, and other construction barriers. So just changing zoning won't end lifting of other state and local laws & protections from flooding and other environmental mitigations to enable its construction

3. **Accords extreme deference to developers, realtors, politicians** at expense of inhabitants

- Reinforces status quo ante- no oversight or accountability-so developers and politicians are free to strike mutually beneficial deals for personal enrichment/benefit to the detriment of the citizens causing irrevocable harm.
- Putting our elected officials on notice that they are being watched and we expect they act in **our** best interests not their own to preserve our community for future generations is essential if we want to protect the quality of life of our community.
- Recent unrestrained development along our beaches has created a multitude of problems from allowing AirB&Bs with transitory populations that have no stake in our community, to increased traffic congestion, to increased crime, to cracking and packing lots to fit as multi-family, multi-level homes on tiny pieces of land marketed as "Beachfront" that require a periscope to see the ocean because of their awkward angled positioning

4. **Owner contends he bought this plot many years ago, has been paying taxes on it for years and is now prohibited from building his retirement dream house**

- Unfortunate if owner was either ill-advised, or did not do his due diligence at time of purchase when he bought a 0.7 acre lot knowing zoning for homes required 1.0 acres+
- Owner could have sold his plot of land years ago not necessitating paying taxes
- Owner made a **bad business decision**, as we all have at some point in life. Unfortunately, he is **asking all south beaches residents to assume his burden** at an unreasonably high price by trying to lift easements, state laws and local ordinances to accommodate his wishes, at the expense of all current and future residents who will be harmed irrevocably due to his bad business decision
- Most aggravating was listening during public hearing to commissioners who were readily willing to cave in to emotional appeals (ex: owner's diligent payment of taxes). Time to govern by reason not raw emotion. Fight for principles, defend them not just sign bills for photo ops. If Commissioner **Thad**

Altman caves-(as author **HB 1489**, 2023 the Brevard critical infrastructure environmental protection bill that was signed into law 380.0553), he will have a lot of explaining as to why. The stakes are unusually high, with *future consequences*. Once the floodgates open to developers they will have a carte-blanche to do as they please with our community, beyond the damage already done.

In conclusion, it's time to stop the hemorrhage now, and try to salvage what little is left to still protect from the venal interests of developers and politicians!!!

➤ Note: the property at issue is north of New England Eatery. On either side of LHC community there are two lots up for development. The one discussed above, and another bigger plot that has sat fallow, in part, after owner was denied ability to tap into well water from LHC. That plot is probably waiting abated breath to see outcome of this decision, which if zoning request is granted will provide them with a green light to proceed to develop that lot knowing they have the commissioners in the bag and rightly so. If they grant one exemption, what justifiable reason do they have to deny the next???

From: [TY BOTELLO](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Vote against population increase in the south Beaches
Date: Friday, January 31, 2025 1:05:58 PM

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

1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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”.

2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1

“Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County **shall not increase residential densities within the BBIA...**”.

Ty Botello
220 Sea Dunes Drive
Melbourne Beach, FL 32951
3216528432

From: [Jodie Irish](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#); [Abbate, Frank B](#); [Calkins, Tad](#)
Subject: Vote No 5610 A1A from RES 1 to RES 2
Date: Friday, January 31, 2025 12:03:26 PM

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

Dear Commissioners,

Here we are again on a subject of increased density that has been outlawed under the Area of Critical Concern as noted below. I would ask that this matter finally be put to rest and prevent years of litigation and future increased density at our beautiful Brevard County coast.

It's illegal under the following policies that were passed by both State Houses and to be implemented by the county. Do your job and follow the law.

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Please stop illegal density increases in South Beach’s Area of Critical State Concern.

Sincerely,
Jodie Hager
325 Hiawatha Way
Melbourne Beach, FL 32951

From: [Liz Kleissler](#)
To: [Commissioner, D4](#)
Subject: Zoning Increase Vote
Date: Friday, January 31, 2025 11:25:09 AM

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

Dear Commissioner Feltner,

I am writing you to ask you to please vote no to stop the increase in zoning at 5610 A1A from res 1 to res 2.

As you know, It is against the law, according to Policy 7.1 of the Comprehensive Plan and 12.1 of the New State Brevard Barrie Island Area (BBIA) protection.

I have lived in this very special place for 35 years and care so much about keeping it special and not overpopulated.

Thank you for your time and care,

Liz Kleissler
(321)831-3080

From: rel2421@aol.com
To: [Commissioner, D4](#)
Subject: Feb 6 zoning meeting
Date: Friday, January 31, 2025 10:10:14 AM

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

Dear Commissioner Feltner,

FEB. 5-BCC MEETING: FACTS YOU SHOULD KNOW, VALIDITY OF APPLICATION (24SS00013) IN QUESTION
DRAW YOUR OWN CONCLUSIONS

I propose to the board of county commissioners to consider the factual circumstances of how we have all come to this point.

The applicant is asking the board to provide relief for his MISTAKE of purchasing a substandard lot.

This property was 1.7 acres zoned RP with Future land use Res 1

The applicant was misled by a developer who subdivided the 1.7 acre parcel utilizing condo declarations and provided condo documents stating that .7 acres was a buildable lot. The applicant purchased .7 acre lot in good faith from the developer without confirming development requirements with the county.

These transactions occurred in 2005 and applicant apparently didn't discover this predicament for quite some time.

Beginning in 2019 the applicant applied for a small scale amendment for Res 2 designation via a Professional engineering and consulting firm. According to P&Z application (19PZ00006) they were not even aware of the subdivided parcel and advised the applicants .7 acres was inconsistent with FLU designation and additionally could not increase density due to Coastal element 7.1

The applicant withdrew for a refund.

*WHAT YOU DON'T KNOW IS INCLUDED IN THE APPLICATION NARRATIVE ON PAGE 1, ITEM 4 IS A STATEMENT BY THE APPLICANTS REPRESENTATIVE THAT MR. ESPANET SOLELY RELIED ON THE CONDO DOCUMENTS TO MAKE HIS PURCHASE. THERE IS NO MENTION OF ANY EFFORT TO CONTACT P&Z STAFF PRIOR TO HIS PURCHASE. HE ADMITS HE WAS MISLED BY THE DEVELOPER.

I FIND IT VERY TROUBLING THAT IN REVIEW OF THE LAND PLANNING AGENCY MEETING **11-18-2025 THE APPLICANTS ATTORNEY IMPLIES 2 TIMES THAT HE REACHED OUT TO P&Z STAFF FOR GUIDANCE PRIOR TO THE PURCHASE.

Why is it we are here and the county is being held liable for a bad real estate deal?

Next in June of 2022 the applicant applied for a Zoning classification letter via local private firm. Once again he was informed his property was non-compliant. In December of 2022 the applicant filed again for a text amendment providing the county with an absurd argument that the Coastal element 7.0 was in conflict with 7.1. and somehow the comp plan should accommodate his request to increase density. That application morphed into Large scale future land use amendment which imploded due to the alleged "inconsistency" which would result in affecting well over 50 acres.

During the course of the 2022 to 2023 application to increase density The Brevard Barrier Island Area of Critical Concern was established.

The application was either withdrawn or rejected. It is not clear in the county records. This brings us to the current application July 2024 for a small scale plan amendment and BDP.

The addition of the BDP seemingly gives the casual observer the impression "here is the solution so we can provide relief to this property owner".

The LPA was fooled. They voted on this issue using the false narrative that we must help this applicant because he has paid taxes and voted with their emotions and not the facts.

The PZ staff has made it clear in their August 2024 and January 2025 letter to the applicant that they would NOT recommend approving this application.

I find it very concerning that PZ staff review for the first three applications was flat out rejection but this current application comes to them loaded with speculative arguments to approve and now they give the Board criteria to consider.

1. Is it consistent and compatible with the surrounding area NO, NOT WHEN IT VIOLATES CME 7.1 AND 12.1 OF THE BBIA
2. does it satisfy the locational criteria established in FLUE policy 1.8 NO, NOT WHEN IT VIOLATES CME 7.1 AND 12.1 BBIA
3. Increasing density designation is consistent with coastal management element policy 7.1 NO, IT CLEARLY VIOLATES IT
4. The request meets the BBIA guiding principles NO, IT CLEARLY VIOLATES IT

Please understand that this alleged hardship has not been caused by the County government. The comp plan and coastal element have been in effect for well over 20 years and prior to his purchase of this property.

A simple phone call by the applicant to PZ could have saved this applicant and the county time and money.

Any realtor experienced with south beaches properties would have known the lot was unbuildable.

A qualified lawyer such as the applicants counsel would have known.

This applicant was misled by a developer and is unjustified in asking the county for relief. Land condominium declarations are a common ploy by developers to bypass development regulations when subdividing property is not allowed.

The applicant is a State Certified General contractor with years of land development knowledge, multiple real estate transactions and also a licensed real estate agent.

There is no hardship or burden caused by the county. This is a bad real estate deal.

This has been a colossal waste of taxpayer money. It's been a huge waste of Planning and Zoning time and dollars.

We believe this is a civil matter between the developer and the applicant. He should be suing the developer.

The responsibility to help this applicant is not with the county. The liability belongs to the applicant.

Please vote no application (24SS00013). Don't be fooled into thinking you are obligated to help this applicant at the expense of the COASTAL MANAGEMENT ELEMENT 7.1 AND BREVARD BARRIER ISLAND AREA OF CRITICAL CONCERN.

* application #19PZ00006: In 2005, the parent parcel was subdivided through the condominium process into two (2) building sites, Unit 1 and Unit 2. Unit 1, a 0.7 acre parcel, was represented in the Condominium Documents to permit one (1) single-family residence, not to exceed a total floor area of 8,500 square feet (see paragraph 3.1 of the Condominium documents). With the said representation, Mr. Espanet purchased Unit 1, only later to find out that Unit 1 is non-compliant with regards to the Future Land Use designation of Res-1, as the parcel area is less than 1 acre. Changing the Future Land Use Designation from Res-1 to Res-2 would permit a maximum of one (1) single-family residence to be constructed on Unit 1. Unit 2 is 1 acre in size and is compliant with the Res-1 Future Land Use designation.

** Brevard land planning agency meeting 11-18-2025 minutes:

"Mr. Espanet owns condominium unit 1 and he tells me he checked with the zoning office before he bought it, but who knows if the condominiums were read properly or whatever, so he believed he could build one single-family home. He lives in Delray Beach. He bought it intending to move up here as his forever home."

**Brevard land planning agency meeting 11-18-2025 minutes:

"And yes it did happen in 2005 and Mr. Espanet apparently went and talked to staff and got misinformation and

they can't be held to that. So, we are trying to make it buildable."

Respectfully,
Robert Logsdon
9020 Hwy. A1A Melbourne Beach Fl. 32951
561-308-7360

From: [faith m](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#)
Subject: Re: Vote NO on Density increase in the south Beaches
Date: Friday, January 31, 2025 12:10:30 PM

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

tad.calkins@brevardfl.gov, frank.abbate@brevardfl.gov

On Fri, Jan 31, 2025 at 12:06 PM faith m <fmarsbarz@gmail.com> wrote:

1) It's against the Law according to Policy 7.1 of the Comprehensive Plan and 12.1 of the New State Brevard Barrier Island Area (BBIA) protection.

2) It sets an irreversible precedent opening the door for larger increases in the future.

3) Brevard Comprehensive Plan, Coastal Management Element (CME) 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".

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"Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County **shall not increase residential densities within the BBIA...**".

THANK YOU,

Faith Mars

220 Sea Dunes Drive, Melbourne Beach

From: [faith m](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#)
Cc: [Commissioner, D5](#)
Subject: Re: Vote NO on Density increase in the south Beaches
Date: Friday, January 31, 2025 12:15:38 PM

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

Faith Mars
220 Sea Dunes Dr, Melbourne Beach, FL 32951
321-220-7046

On Fri, Jan 31, 2025, 12:06 PM faith m <fmarsbarz@gmail.com> wrote:

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220 Sea Dunes Drive, Melbourne Beach

From: [linda.nicholson](#)
To: [Commissioner, D4](#)
Subject: Zoning South beaches
Date: Friday, January 31, 2025 12:24:01 PM

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Hello Rob ,

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Respectfully,

Linda Nicholson
215 SEA DUNES Drive
Melbourne Beach, FL 32951
321-626-2544

[Sent from Yahoo Mail for iPhone](#)

From: [elaine.ber](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#); [AdministrativeServices](#); robert.brackett@myfloridahouse.gov
Subject: ID# 24SS00013
Date: Friday, January 31, 2025 3:24:40 PM

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

Dear Commissioners:

As a resident of LHC, who will be directly impacted by your decision on February 6, 2025, I am writing to express my strong opposition to granting the rezoning request from RES1 to RES2 for the 0.7 acre lot located at 5601 HWY A1A, unit 1, Melbourne Beach, FL for the following three reasons.

First, it directly contravenes **state law**, and violates the **CME** of the Brevard Comprehensive plan. Second, it establishes a very **dangerous precedent**. Allowing this exemption opens up the floodgates and renders all future denials arbitrary and difficult, if not impossible to justify. And lastly, this is a huge slap in the face to voters who elect you into office to **act in our best interests** not those of venal developers, politicians, lawyers who personally enrich at the expense of the community, and by their short-sighted actions create irrevocable harm for current and future generations. Our quality of life will be adversely and materially impacted by your decision. We intend to hold elected officials to account for any resultant harm from bad policies that are ill advised and easily avoidable.

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Listen to then Representative Thad Altman passionately defend his critical infrastructure bill during a news interview where he is quoted as saying:

- "I would say it's been overdeveloped," said Republican state Rep. Thad Altman
- "You look at a map and there's very little green space on the barrier island now, except for the south beaches. The south beaches is a place that has a remnant of what it used to be like," Altman said.
 - The coast is the largest nesting area for loggerhead sea turtles in the world and was home to a flourishing sea trout population Altman says is

now down 90%.

- It's key for the endangered manatees in the area as a home for its main food source.
- "This area has some of the last remaining healthy seagrass beds in Brevard County," Altman said. <https://www.wesh.com/article/brevard-county-barrier-islands-protection/43414035>

2. **This exemption Sets a very dangerous precedent** for all future land use along south beach area

- Granting one exemption opens floodgates-establishes no legal standing for denying others their exemptions
- This particular plot is landlocked so it will require lifting other easements to enable septic, irrigation, well water, egress to A1A, and other construction barriers. So just changing zoning won't end lifting of other state and local laws & protections from flooding and other environmental mitigations to enable its construction

3. **Accords extreme deference to developers, realtors, politicians** at expense of inhabitants

- Reinforces status quo ante- no oversight or accountability-so developers and politicians are free to strike mutually beneficial deals for personal enrichment/benefit to the detriment of the citizens causing irrevocable harm.
- Putting our elected officials on notice that they are being watched and we expect they act in **our** best interests not their own to preserve our community for future generations is essential if we want to protect the quality of life of our community.
- Recent unrestrained development along our beaches has created a multitude of problems from allowing AirB&Bs with transitory populations that have no stake in our community, to increased traffic congestion, to increased crime, to cracking and packing lots to fit as multi-family, multi-level homes on tiny pieces of land marketed as "Beachfront" that require a periscope to see the ocean because of their awkward angled positioning

4. **Owner contends he bought this plot many years ago, has been paying taxes on it for years and is now prohibited from building his retirement dream house**

- Unfortunate if owner was either ill-advised, or did not do his due diligence at time of purchase when he bought a 0.7 acre lot knowing zoning for homes required 1.0 acres+
- Owner could have sold his plot of land years ago not necessitating paying taxes
- Owner made a **bad business decision**, as we all have at some point in life. Unfortunately, he is **asking all south beaches residents to assume his burden** at an unreasonably high price by trying to lift easements, state laws and local ordinances to accommodate his wishes, at the expense of all current and future residents who will be harmed irrevocably due to his bad business decision
- Most aggravating was listening during public hearing to commissioners who were readily willing to cave in to emotional appeals (ex: owner's diligent payment of taxes). Time to govern by reason not raw emotion. Fight for principles, defend them not just sign bills for photo ops. If Commissioner **Thad**

Altman caves-(as author **HB 1489**, 2023 the Brevard critical infrastructure environmental protection bill that was signed into law 380.0553), he will have a lot of explaining as to why. The stakes are unusually high, with *future consequences*. Once the floodgates open to developers they will have a carte-blanche to do as they please with our community, beyond the damage already done.

In conclusion, it's time to stop the hemorrhage now, and try to salvage what little is left to still protect from the venal interests of developers and politicians!!!

➤ Note: the property at issue is north of New England Eatery. On either side of LHC community there are two lots up for development. The one discussed above, and another bigger plot that has sat fallow, in part, after owner was denied ability to tap into well water from LHC. That plot is probably waiting abated breath to see outcome of this decision, which if zoning request is granted will provide them with a green light to proceed to develop that lot knowing they have the commissioners in the bag and rightly so. If they grant one exemption, what justifiable reason do they have to deny the next???

From: [Calkins, Tad](#)
To: [Randall, Alice](#); [Jackson, Desiree](#)
Subject: FW: STOP ZONING INCREASE ON SOUTH BEACH!
Date: Monday, February 3, 2025 3:21:10 PM

FYI

-----Original Message-----

From: Peter Kramer <kramer.peter@verizon.net>
Sent: Saturday, February 1, 2025 10:51 AM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Calkins, Tad <tad.calkins@brevardfl.gov>
Subject: STOP ZONING INCREASE ON SOUTH BEACH!

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

Please vote to STOP Increase in Zoning at 5610 A1A from RES 1 to RES 2.

1) It's against the Law according to Policy 7.1 of the Comprehensive Plan and 12.1 of the New State Brevard Barrier Island Area (BBIA) protection.

2) It sets an irreversible precedent opening the door for larger increases in the future.

Please vote to follow the existing laws:

1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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".

2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 "Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...".

Please help (again) to stop illegal density increases in South Beach's Area of Critical State Concern.

Thank you for your time,
Peter Kramer
125 Harmony Place
Melbourne Beach, FL 3295

From: [Calkins, Tad](#)
To: [Jackson, Desiree](#); [Randall, Alice](#)
Subject: FW: STOP ZONING INCREASE ON SOUTH BEACH
Date: Monday, February 3, 2025 3:21:40 PM

FYI

-----Original Message-----

From: Karen Kramer <kkramer61@mac.com>
Sent: Saturday, February 1, 2025 10:51 AM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Calkins, Tad <tad.calkins@brevardfl.gov>
Subject: STOP ZONING INCREASE ON SOUTH BEACH

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

Please vote to STOP Increase in Zoning at 5610 A1A from RES 1 to RES 2.

1) It's against the Law according to Policy 7.1 of the Comprehensive Plan and 12.1 of the New State Brevard Barrier Island Area (BBIA) protection.

2) It sets an irreversible precedent opening the door for larger increases in the future.

Please vote to follow the existing laws:

1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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".

2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 "Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...".

Please help (again) to stop illegal density increases in South Beach's Area of Critical State Concern.

Thank you for your time,

Karen Kramer
125 Harmony Place
Melbourne Beach, FL 32951

From: [Calkins, Tad](#)
To: [Randall, Alice](#); [Jackson, Desiree](#)
Subject: FW: STOPPING the Increase in Zoning at 5610 A1A from RES 1 to RES 2
Date: Monday, February 3, 2025 3:20:40 PM

FYI

From: Trish Mc <tmcaleer50@gmail.com>
Sent: Saturday, February 1, 2025 2:12 PM
To: Calkins, Tad <tad.calkins@brevardfl.gov>
Subject: Re: STOPPING the Increase in Zoning at 5610 A1A from RES 1 to RES 2

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

Patricia McAleer
140 Cardinal Drive
Melbourne Beach, FL 32951
Mobile: 949-887-4202

On Sat, Feb 1, 2025 at 11:00 AM Trish Mc <tmcaleer50@gmail.com> wrote:

February 1, 2025

Dear Director of Planning and Development John Tad Calkins,

I am writing to request that you as County Manager of Brevard County aid in STOPPING the Increase in Zoning at 5610 A1A from RES 1 to RES 2. I understand that there is a hearing on Feb 6 and this will be voted upon soon.

Please follow the laws that have been established for this fragile area:

- 1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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".
- 2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 "Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA..."

Please preserve the South Beach's Area of Critical State Concern by following the established laws.

Thank you,

Patricia McAleer

From: [Calkins, Tad](#)
To: [Randall, Alice](#); [Jackson, Desiree](#)
Subject: FW: Zoning increase on South Beach
Date: Monday, February 3, 2025 3:20:06 PM

FYI

From: m B <mberdinsky@gmail.com>
Sent: Sunday, February 2, 2025 7:36 AM
To: Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Calkins, Tad <tad.calkins@brevardfl.gov>; commissioner@brevardfl.gov
Subject: Zoning increase on South Beach

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

As a former residential property appraiser and current resident of south Brevard County it is of great concern to multiple requests to increase zoning from R1 to R2. There is no need (other than profit) for this change, past personal study as provided through historical data of vacant property sales, there is no increase in value in property values based on this change, moreover, increases in density will further strain both septic runoff into our waterways and evacuation routes during storms. This proposed change will set an irreversible precedent opening the door for larger increases in the future. Please follow the law according to Policy 7.1 of the Comprehensive Plan and 12.1 of the New State Brevard Barrier Island Area (BBIA) protection.

Respectfully,

Marvin B

From: [Calkins, Tad](#)
To: [Randall, Alice](#); [Jackson, Desiree](#)
Subject: FW: Zoning increase
Date: Monday, February 3, 2025 1:37:21 PM

FYI

-----Original Message-----

From: PATRICIA BIAGI <biagi@bellsouth.net>
Sent: Monday, February 3, 2025 12:40 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Calkins, Tad <tad.calkins@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>
Subject: Zoning increase

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

My name is
Patricia Biagi

I am writing again as a very concerned citizen of Melbourne Beach.
I strongly feel that by allowing continued development in this area you are demonstrating you have no concern for the people who live here and the precious environment that we try to maintain.

Please listen to the citizens who pay your salaries.
We do not want the the zoning to change from 1 to 2 residents at
5610 A!A.

If this happens it will open a floodgate for developers. The carnage of animals on A!A every day is horrific because of the traffic and people speeding. Please take into account what we the tax payers are saying NO to the rezoning.

Patricia and Larry Biagi
155 Sea Dunes Dr
Melbourne Beach, Fl
32951

Cell 3052131359
Larrys Cell 3059754002



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From: [James Brown](#)
To: [Commissioner, D4](#); [Commissioner, D2](#); [Commissioner, D1](#); [Commissioner, D3](#); [Commissioner, D5](#)
Cc: [Abbate, Frank B](#); [Calkins, Tad](#); [Sheri Brown \(Sheri.Kampman.Brown@gmail.com\)](#)
Subject: Stop Zoning Increase @ 5610 A1A in South Beach's Area of Critical Concern
Date: Monday, February 3, 2025 1:03:07 PM

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

Dear Chair, Vice Chair and Brevard County Commissioners -

After several years of searching, my spouse and I found and purchased an oceanfront lot in the RES 1 zoned South Beach area of Critical State Concern (6825 South A1A, Melbourne Beach, FL 32951-3810).

More than a year of design work, including Civil Engineering by Clayton Bennett, has been completed. We have secured quotes from three local builders and are about to name a general contractor. So, we are tracking to secure all needed permits and approvals to start construction of our single-family residence in Melbourne Beach before mid-year 2025.

We just learned that the Board of Commissioners for Brevard County will be considering and voting on a request for RES 2 zoning @ 5610 South A1A that should receive only "No" votes.

For the sake of residents, turtles and other wildlife, as well as generations of visitors enjoying the South Beach area of Critical State Concern where wildlife and natural habitat are prized, **please do not:**

1. **Ignore Policy 7.1** of the Brevard Comprehensive Plan, or 12.1 of the New State Brevard Barrier Island Area (BB(A) protection.
2. **Fail to honor** the Coastal Management Element (CME) **Policy 7.1 confirming "Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and Sebastian Inlet."**
3. **Set an irreversible precedent** opening the door for more and larger zoning increases in or immediately adjacent to the BBIA protection area.
4. **Make car travel on and pedestrian crossings of A1A even less safe.** The 5610 South A1A property requesting a zoning change is immediately across the street from a massive high-rise condominium, where car volume is always too high. There is zero justification to increase daily car volume further in this pinch point area.

Thank you for your "No" votes on the zoning change request on which you likely will have final

vote on Thursday, 06-Feb-2025.

With warm regards ...

Sincerely,

Sheryl and James Brown

6209 Beaconwood Road, Lake Worth, FL 33467

Owners of and soon to residents at 6825 South A1A, Melbourne Beach, FL 32951

561-490-5688 (Jim cell)

520-780-0398 (Sheri cell)

From: [faith m](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#)
Cc: [Commissioner, D5](#)
Subject: Vote NO on Density increase in the south Beaches
Date: Friday, January 31, 2025 12:06:41 PM

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

1) It's against the Law according to Policy 7.1 of the Comprehensive Plan and 12.1 of the New State Brevard Barrier Island Area (BBIA) protection.

2) It sets an irreversible precedent opening the door for larger increases in the future.

3) Brevard Comprehensive Plan, Coastal Management Element (CME) 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”.

4) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1

“Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County **shall not increase residential densities within the BBIA...**”.

THANK YOU,

Faith Mars

220 Sea Dunes Drive, Melbourne Beach

From: [Craig Nichols](#)
To: [Commissioner, D4](#)
Subject: Vote No on Zoning Request - 5610 HWY A1A
Date: Monday, February 3, 2025 9:27:14 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 ask you to vote this Thursday AGAINST the requested increase in Zoning at 5610 HWY A1A from RES 1 to RES 2.

Allowing such an exemption would violate the laws as stated in the Brevard Comprehensive Plan and the designation of the barrier island as being an “Area of Critical State Concern”. Additionally, such an exception would go against the clearly stated wishes of the citizens of Brevard County. Especially those who live on the barrier island.

Thank You,
Craig Nichols
Melbourne Beach, Florida

Sent from my iPad

From: [rene paradis](#)
To: [Commissioner, D1](#)
Cc: [Commissioner, D2](#); [d3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: zoning increase in South Beaches BBIA
Date: Monday, February 3, 2025 8:44:45 AM

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

I can not attend the meeting on the 6th . Please do not approve the zoning increase request in the South Beaches area. Please follow the recommendations of the staff and the law as written.

Rene Paradis
191 Seaglass Dr
Melbourne Beach, FL:

From: [CASSEEKEE](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Cc: [Ingrid Phenix](#)
Subject: Zoning Amendment for 5610 Highway A1A Unit 1 owned by Christopher L. Espanet
Date: Sunday, February 2, 2025 11:29:36 AM

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

Dear Brevard County Commissioners:

I am writing to express my strong opposition to the proposed zoning amendment of Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet. I ask that you vote against this amendment to represent the interests of your constituents. I live in the South Beaches neighborhood of Lighthouse Cove, one of the communities adjacent to the land in question for Future Land Use Amendment Request ID# 24SS00013.

As a Florida property owner in Lighthouse Cove since 1995, I have watched with alarm over the decades as so much property in Melbourne Beach and the South Beaches has become overdeveloped without concern for proportion, protection or preservation.

Community Character: The South Beaches area around the property in question consists of predominantly low-density, single-family communities. The multi-family PUDs such as the adjoining Lighthouse Cove and South Shores are low-profile and considerably lower density than more recent PUDs such as Harbor Island Beach Club. This amendment would disrupt the established character of our neighborhood and set a dangerous precedent for future high-density developments.

Environmental Issues This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, as the property is located on the Brevard Barrier Island Area of Critical State Concern. Increasing the zoning for this property runs contrary to both the principles and the standards of the Area of Critical Concern. Continued high-density development on a lot that is too small to support it will threaten the fragile Indian River Lagoon ecosystem that we have watched deteriorate since our family moved here in 1995. The proposal fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments. The property is also home to several burrows of threatened gopher tortoises.

At 0.70 acres, the property does not meet the county's own septic system requirements. Increasing its zoning density will only exacerbate the issues created by a property that is too small for its septic field. Both Lighthouse Cove and South Shores will be at risk of contamination.

Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in this area, and approval would directly contradict this policy and set a dangerous precedent for future requests.

I respectfully urge you to deny this proposed re-zoning to protect the environment, maintain septic system safety standards, uphold the Comprehensive Plan, preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,

Ingrid O. Phenix

161 Casseekee Trail

Melbourne Beach FL 32951

From: [Calkins, Tad](#)
To: [Randall, Alice](#); [Deseree Miller](#); [Jackson, Desiree](#)
Subject: FW: I, Franklin Diaz want to see a change to Brevard County's short term rental laws!
Date: Tuesday, February 4, 2025 8:37:48 AM

FYI

From: Franklin Diaz <help@brevardflstr.com>
Sent: Tuesday, February 4, 2025 8:37 AM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Calkins, Tad <tad.calkins@brevardfl.gov>; McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Hart, Jane <Jane.Hart@brevardfl.gov>; Richardson, Morris <Morris.Richardson@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>
Subject: I, Franklin Diaz want to see a change to Brevard County's short term rental laws!

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

To the representatives of Brevard County,

My name is Franklin Diaz and I am located in Satellite Beach - District 4. I am in support of a change to the current short term rental laws.

I believe an increase in short term rental activity in Brevard County will be a positive to the local economy, boosting local business and restaurant revenues due to tourist activity, as well as increase county revenues through the tourist development tax. A change to the short term rental laws will also allow private property owners to have an option and opportunity to create additional sources of income which should absolutely be their right.

As a member of the community / tax payer of Brevard County, I am in support of a change to loosen short term or "vacation rental" limitations.

Signed,
Franklin Diaz
Satellite Beach - District 4

|

From: dccapemay@aol.com
To: [Commissioner, D4](#)
Subject: February 6, 2025 BOCC Meeting - Item H-8 - Letter Attached
Date: Tuesday, February 4, 2025 2:15:58 PM
Attachments: [Letter to BOCC for February 6 2025 Commission Meeting\(3\).docx](#)

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

February 4, 2025

Dolores Conway

Cardinal Drive

Melbourne Beach, FL

Re: February 6, 2025, BOCC Meeting /Application 24SS00013, Tax account 2963382.

Item H-8 Espanet Property Located at 5610 Highway A1A, Unit1, Melbourne Beach.

Request To Change the FLU Map designation from RES-1 to RES-2.

Dear Commissioner Rob Feltner,

As a longtime resident of the South Beaches area and as a nod to the effort involved in the State designation as an Area of Critical State Concern, I ask that you please do not grant the above request.

As referenced in a letter from Mr. Jeffrey Ball, Planning & Zoning Manager, dated 8/15/24, the 5610 A1A/Unit 1 property” has significant development challenges”. “The lot currently has a RES-1 land use designation that establishes a maximum of one unit per acre. The Property is only .7 acres and was created by virtue of a property split in 2005. Due to that split, the subject Property became substandard for land use purposes.”

The 2005 Property split of the original 1.7-acre lot was not done by the County but by the Developer, Mr. Lally. The Developer converted the 1.7-acre lot to a CPR—Condo Property Regime form of ownership. The Developer divided the lot into a 1-acre lot (Unit 2) and a .7-acre lot (Unit 1) via Condo Declarations, naming the 2 lots Cassekee Trails Condominium.

According to Pro Draft Inc. “While a **CPR** will allow you to sell off sections of your parcel or lot, it does not change the zoning or permitted uses of that lot. The density of the entire property stays the same.

Condominium laws require compliance with density zoning of the entire property regardless of division. The law does not allow a substandard lot to enjoy the same land use density established for the entire property.

Imagine a 1.7-acre lot at the end of the street near your home that required a maximum of 1 unit per acre to build. Imagine further that a Developer bought the lot and via CPR - Condominium conversion divided the 1.7 acres into lots and sold them all off. Later 4 lot owners come before you and want to change the land use so they can build 4 homes near your home.

Imagine again that your neighbor was successful and the County Commission granted the request to change the FLU Map. But now your neighbor next door wants to tear down his older house and create 4 lots, to do the same thing. How do you say no to him when you have already set a precedent?

It does not matter if the request to change the FLU Map is from RES-1 to RES-2 or RES-4 because, by law, this is against the law.

The Future Land Use Plan and Coastal Element 7.1 are clear, that there shall be no density increases. This had been in effect for 10 years before Mr. Espanet bought the lot in 2005.

Let's say you agree that this density increase should not be granted but you feel sorry for Mr. Espanet.

Mr. Espanet has been a General Contractor in Florida since 1990. He was absolutely familiar with permits, surveys, contracts, and zoning. He was knowledgeable and experienced in 2005.

I would like to ask you to review Mr. Espanet aka/the owner of 5610 A1A and his level of experience:

- 7/28/1990 Mr. Espanet, the owner obtained his General Contractor License # CGC050828
- 12/22/1995 Mr. Espanet established Quality Building & Repairs, Inc. and filed Articles of Incorporation.
- 10/2/1997 Quality Builders & Repairs Inc. bought a vacant lot at 644 RIVIERA Dr, Boynton Beach, FL zoned *R1-AA for \$40,000.
- 4/20/2000, the vacant lot at 644 Riviera Dr was transferred from the entity, Quality Building & Repairs, Inc. to Mr. Espanet.
- In 2001 - The parcel at 644 Riviera Dr was developed as a 4410 sq ft residential

home.

- 5/6/2002 the owner purchased an irregular-shaped non-conforming vacant lot, zoned RP that is .8-acres at 115 Bayshore Drive/A1A, Sunnyland Groves, Melbourne Beach for \$150,000.
- 11/16/2004 the owner sold the 644 Riviera Dr. Boynton Bch lot/home for \$707,500.
- 7/15/2005 the owner purchased another vacant lot, zoned RP, .71-acres that is a substandard lot at 5610 Hwy A1A, Unit 1, Melbourne Bch. The newly created Condo lot, Casseekee Trails Condominium was created on 4/15/2005. The owner paid \$250,000 for the lot.
- 2/20/2013 the 5610 Hwy A1A, Unit 1 lot was listed for sale at \$179,900.
- 11/15/2013 the price of the 5610 A1A lot was lowered to \$169,900.
- 12/23/2013 the price of the 5610 A1A lot was lowered t to \$159,000.
- 5/2/2014 Mr. Espanet sold the vacant lot at 115 Bayshore Drive/A1A in the Sunnyland Groves area of Melbourne Beach for \$ 130,000.
- 1/4/2014 the price of the 5610 A1A lot was lowered to \$149,000.
- 1/22/2014 the price of the 5610 A1A lot was lowered to \$139,000.
- 1/29/2014 the price of the 5610 A1A lot was lowered to \$129,000.
- 2/6/2014 the price of the 5610 A1A lot was lowered to \$119,000.
- 2/14/2014 the price of the 5610 A1A lot was lowered to \$109,000.
- 2/16/2014 the listing for the 5610 A1A lot was removed.
- 2/20/2014 the 5610 A1A, Unit 1 lot was Relisted for \$109,000.
- 4/29/2014 the price of the 5610 A1A lot was lowered to \$99,000.
- 5/12/2014 the price of the 5610 A1A lot was increased to \$130.,000.
- 5/19/2014 the price of the 5610 A1A lot was increased to \$183,500.
- 7/27/2014 the Listing for the 5610 A1A, Unit 1 lot was removed.
- 3/22/2015 the 5610 A1A, Unit1 lot was Relisted for \$175,000.
- 5/26/2015 the Listing for the 5610 A1A lot was removed.

- 9/29/2015 the 5610 A1A, Unit 1 lot was Relisted for \$170,000.
- 10/3/2015 the 5610 A1A, Unit 1 lot was removed.
- 11/24/2016 the 5610 A1A lot was Relisted for \$175,000.
- 2/1/2017 - 4/30/17 the price of the 5610 A1A lot was lowered 5 times down to \$125,000
- 5/19/2017 – there was a Pending Sale of the 5610 A1A, unit 1 lot but it did not close.
- 7/12/2017 the 5610 A1A lot Listing was removed.
- 11/21/2017 the 5610 A1A lot was Relisted for \$135,000.
- 2/28/2018 the Listing for the 5610 A1A, Unit 1 lot was removed.
- 7/15/2018 the 5610 A1A lot was Relisted for \$135,000.
- 10/3/2018 the Listing for the 5610 A1A lot was removed.
- 12/25/2018 the 5610 A1A lot, Unit 1 was Relisted for \$135,000
- 1/22/2019 there was a Pending Sale for the 5610 A1A lot but it did not close.
- 2/21/2019 the 5610 A1A lot was Relisted for \$135,000.
- 3/31/2019 the Listing for the 5610 A1A Unit 1 lot was removed.
- 11/10/2023 the 5610 A1A Unit 1 lot was Relisted for \$599,000.
- 1/3/2024 the 5610 A1A lot price was reduced to \$549,000.
- 03/15/2024 the 5610 A1A lot price was reduced to \$499,000
- 5/10/2024 the Listing for the 5610 A1A Unit 1 lot was removed.

In 2005, Mr. Espanet was not new to the area. He was not new to the process of buying vacant land in Brevard County or everything involved in the due diligence to protect yourself from a bad real estate deal.

Mr. Espanet purchased the 5610 A1A lot on 7/15/2005, which had just been created on paper by the Developer, Douglas Lally about 75 days before. At any time prior to closing, Mr. Espanet could have visited Brevard County P&Z and requested written information about the status of the lot.

Mr. Espanet made a mistake when he bought the lot. His PE said in 2019 that Mr. Espanet made a mistake when he bought the lot. This is a civil matter between

Mr. Espanet and the person who sold him the lot.

The County staff or Clerk of Courts had no role in determining if this lot was conforming or legal.

In 1992 the South Beaches Small Area Plan was adopted. The 1992 Law was put into place and it restricted density in the South Beaches. The Future Land Use Plan and Coastal Element 7.1 clearly state, that there shall be no density increases. This had been in effect for 10 years before Mr. Espanet bought the property and there is no excuse for Mr. Espanet not doing the proper due diligence.

This zoning request violates Coastal Management Element Policy 7.1 of the County Comprehensive Plan. It also violates Policy 12.1 of the Brevard Barrier Island Area (BBIA) Amendment that was just approved by the Commission and sent to the State Commerce Department on November 7, 2025.

We cannot allow a change from RES-1 to RES-2 in the South Beaches. Please deny this zoning request.

There are options Mr. Espanet can explore to get out of the lot which includes donation or offering it one of the 3 abutting properties.

Thank you.

Sincerely,

DA Conway

Melbourne Beach, FL

dccapemay@aol.com

From: rel2421@aol.com
To: [Commissioner, D4](#)
Subject: Feb 6 Meeting (24SS00013) FACTS
Date: Tuesday, February 4, 2025 7:47:30 AM

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

Dear Commissioner Feltner,

FEB. 6-BCC MEETING: FACTS YOU SHOULD KNOW, VALIDITY OF
APPLICATION (24SS00013) IN QUESTION
DRAW YOUR OWN CONCLUSIONS

I propose to the board of county commissioners to consider the factual circumstances of how we have all come to this point.

The applicant is asking the board to provide relief for his MISTAKE of purchasing a substandard lot.

This property was 1.7 acres zoned RP with Future land use Res 1

The applicant was misled by a developer who subdivided the 1.7 acre parcel utilizing condo declarations and provided condo documents stating that .7 acres was a buildable lot. The applicant purchased .7 acre lot in good faith from the developer without confirming development requirements with the county.

These transactions occurred in 2005 and applicant apparently didn't discover this predicament for quite some time.

Beginning in 2019 the applicant applied for a small scale amendment for Res 2 designation via a Professional engineering and consulting firm. According to P&Z application (19PZ00006) they were not even aware of the subdivided parcel and advised the applicants .7 acres was inconsistent with FLU designation and additionally could not increase density due to Coastal element 7.1

The applicant withdrew for a refund.

*WHAT YOU DON'T KNOW IS INCLUDED IN THE APPLICATION NARRATIVE ON PAGE 1, ITEM 4 IS A STATEMENT BY THE APPLICANTS REPRESENTATIVE THAT MR. ESPANET SOLELY RELIED ON THE CONDO DOCUMENTS TO MAKE HIS PURCHASE. THERE IS NO MENTION OF ANY EFFORT TO CONTACT P&Z STAFF PRIOR TO HIS PURCHASE. HE ADMITS HE WAS MISLED BY THE DEVELOPER.

I FIND IT VERY TROUBLING THAT IN REVIEW OF THE LAND PLANNING AGENCY MEETING **11-18-2025 THE APPLICANTS ATTORNEY IMPLIES 2 TIMES THAT HE REACHED OUT TO P&Z STAFF FOR GUIDANCE PRIOR TO THE PURCHASE.

Why is it we are here and the county is being held liable for a bad real estate deal?

Next in June of 2022 the applicant applied for a Zoning classification letter via local private firm. Once again he was informed his property was non-compliant. In December of 2022 the applicant filed again for a text amendment providing the county with an absurd argument that the Coastal element 7.0 was in conflict with 7.1. and somehow the comp plan should accommodate his request to increase density. That application morphed into Large scale future land use amendment which imploded due to the alleged "inconsistency" which would result in affecting well over 50 acres.

During the course of the 2022 to 2023 application to increase density The Brevard Barrier Island Area of Critical Concern was established.

The application was either withdrawn or rejected. It is not clear in the county records. This brings us to the current application July 2024 for a small scale plan amendment and BDP.

The addition of the BDP seemingly gives the casual observer the impression "here is the solution so we can provide relief to this property owner".

The LPA was fooled. They voted on this issue using the false narrative that we must help this applicant because he has paid taxes and voted with their emotions and not the facts.

The PZ staff has made it clear in their August 2024 and January 2025 letter to the applicant that they would NOT recommend approving this application.

I find it very concerning that PZ staff review for the first three applications was flat out rejection but this current application comes to them loaded with speculative arguments to approve and now they give the Board criteria to consider.

1. Is it consistent and compatible with the surrounding area NO, NOT WHEN IT VIOLATES CME 7.1 AND 12.1 OF THE BBIA
2. does it satisfy the locational criteria established in FLUE policy 1.8 NO, NOT WHEN IT VIOLATES CME 7.1 AND 12.1 BBIA
3. Increasing density designation is consistent with coastal management element policy 7.1 NO, IT CLEARLY VIOLATES IT
4. The request meets the BBIA guiding principles NO, IT CLEARLY VIOLATES IT

Please understand that this alleged hardship has not been caused by the County government. The comp plan and coastal element have been in effect for well over 20 years and prior to his purchase of this property.

A simple phone call by the applicant to PZ could have saved this applicant and the county time and money.

Any realtor experienced with south beaches properties would have known the lot was unbuildable.

A qualified lawyer such as the applicants counsel would have known.

This applicant was misled by a developer and is unjustified in asking the county for relief. Land condominium declarations are a common ploy by developers to bypass development regulations when subdividing property is not allowed.

The applicant is a State Certified General contractor with years of land development knowledge, multiple real estate transactions and also a licensed real estate agent.

There is no hardship or burden caused by the county. This is a bad real estate deal.

This has been a colossal waste of taxpayer money. It's been a huge waste of Planning and Zoning time and dollars.

We believe this is a civil matter between the developer and the applicant. He should be suing the developer.

The responsibility to help this applicant is not with the county. The liability belongs to the applicant.

Please vote no application (24SS00013). Don't be fooled into thinking you are obligated to help this applicant at the expense of the COASTAL MANAGEMENT ELEMENT 7.1 AND BREVARD BARRIER ISLAND AREA OF CRITICAL CONCERN.

* application #19PZ00006: In 2005, the parent parcel was subdivided through the condominium process into two (2) building sites, Unit 1 and Unit 2. Unit 1, a 0.7 acre parcel, was represented in the Condominium Documents to permit one (1) single-family residence, not to exceed a total floor area of 8,500 square feet (see paragraph 3.1 of the Condominium documents). With the said representation, Mr. Espanet purchased Unit 1, only later to find out that Unit 1 is non-compliant with regards to the Future Land Use designation of Res-1, as the parcel area is less than 1 acre. Changing the Future Land Use Designation from Res-1 to Res-2 would permit a maximum of one (1) single-family residence to be constructed on Unit 1. Unit 2 is 1 acre in size and is compliant with the Res-1 Future Land Use designation.

** Brevard land planning agency meeting 11-18-2025 minutes:

"Mr. Espanet owns condominium unit 1 and he tells me he checked with the zoning office before he bought it, but who knows if the condominiums were read properly or whatever, so he believed he could build one single-family home. He lives in Delray Beach. He bought it intending to move up here as his forever home."

**Brevard land planning agency meeting 11-18-2025 minutes:

"And yes it did happen in 2005 and Mr. Espanet apparently went and talked to staff and got misinformation and

they can't be held to that. So, we are trying to make it buildable."

Respectfully,
Robert Logsdon
9020 Hwy. A1A Melbourne Beach Fl. 32951
561-308-7360

From: [Mike Nickler](#)
To: [Commissioner, D4](#)
Subject: Zoning Increase to the South Beaches
Date: Monday, February 3, 2025 3:08:20 PM

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

To Whom it May Concern:

We have owned property in Melbourne Beach for approximately 30 years. Our current home is 9205 S. Highway A1A and we are deeply concerned about the potential rezoning of properties in our environmentally critical area of South Beach. The reason many of us live in this beautiful part of the state is to appreciate the natural beauty from the ocean to the intracoastal. Large scale properties built in this area threaten our wildlife and waterways. As full-time residents of Melbourne Beach, we kindly ask that you prevent high density building projects. Please follow the rule of law and protect our little piece of heaven.

- 1.) Brevard Comprehensive Plan, Coastal Management Element (CME) 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”.
- 2.) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 “Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...”.

Sincerely,

Mike and Erin Nickler

9205 S. Highway A1A

Melbourne Beach, FL 32951

(561) 271-3180

Sent from my iPad

From: [Sean Oakhem](#)
To: [Commissioner, D1](#)
Cc: [Commissioner, D2](#); [Commissioner, D3](#)
Subject: Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet
Date: Tuesday, February 4, 2025 10:52:28 AM

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

>
> Dear Brevard County Commissioners:
>
> I am writing to express my strong opposition to the proposed zoning
> amendment of Future Land Use Amendment Request ID# 24SS00013 for the
> property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher
> L. Espanet. I ask that you vote against this amendment to represent
> the interests of your constituents. I live in the South Beaches
> neighborhood of Lighthouse Cove, one of the communities adjacent to
> the land in question for Future Land Use Amendment Request ID#
> 24SS00013.
>
> As a Florida resident and voter, I have watched with alarm over the
> last decade as so much property in Melbourne Beach and the South
> Beaches has become overdeveloped without concern for proportion,
> protection or preservation.
>
> Community Character: The South Beaches area around the property in
> question consists of predominantly low-density, single-family
> communities. The multi-family PUDs such as the adjoining Lighthouse
> Cove and South Shores are low-profile and considerably lower density
> than more recent PUDs such as Harbor Island Beach Club. This amendment
> would disrupt the established character of our neighborhood and set a
> dangerous precedent for future high-density developments.
>
> Environmental Issues This request to increase residential density from
> Residential 1 to Residential 2 raises serious concerns, as the
> property is located on the Brevard Barrier Island Area of Critical
> State Concern. Increasing the zoning for this property runs contrary
> to both the principles and the standards of the Area of Critical
> Concern. Continued high-density development on a lot that is too small
> to support it will threaten the fragile Indian River Lagoon ecosystem
> that we have watched deteriorate since our family moved here in 1993.
> The proposal fails to address storm surge risks, septic issues,
> groundwater intrusion, and the cumulative impact on marine and coastal
> environments. The property is also home to several burrows of
> threatened gopher tortoises.
>
> At 0.70 acres, the property does not meet the county's own septic
> system requirements. Increasing its zoning density will only
> exacerbate the issues created by a property that is too small for its
> septic field. Both Lighthouse Cove and South Shores will be at risk of
> contamination.
>
> Non-Compliance with the Comprehensive Plan: Brevard County's Coastal
> Management Policy 7.1 explicitly prohibits increasing residential

> density in this area, and approval would directly contradict this
> policy and set a dangerous precedent for future requests.
>
> I respectfully urge you to deny this proposed re-zoning to protect the
> environment, maintain septic system safety standards, uphold the
> Comprehensive Plan, preserve the character of our community.
>
> Thank you for your attention to this matter. Please feel free to
> contact me if you have any questions or require additional
> information.
>
> Sincerely,
>
> Sean Oakhem
> Lighthouse Cove
> 101 Casseekee Trail Melbourne Beach FL 32951

Cell phone 603-339-7135
Sent from my iPhone

From: [Paula Plunge](#)
To: [Commissioner, D4](#)
Subject: Hwy. A1A
Date: Tuesday, February 4, 2025 1:29:38 PM

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

Please vote NO on the increase in zoning at 5610 A1A from residential 1 to residential 2.
More houses means more people and traffic. The barrier island is already overflowing.

Thank you,
Paula Plunge
Sent from my iPad

From: [Faith Riccilli](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: South Beach Zoning
Date: Tuesday, February 4, 2025 11:49:06 AM

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

Please vote to STOP Increase in Zoning at 5610 A1A from RES 1 to RES 2.

1) It's against the Law according to Policy 7.1 of the Comprehensive Plan and 12.1 of the New State Brevard Barrier Island Area (BBIA) protection.

2) It sets an irreversible precedent opening the door for larger increases in the future.

Please vote to follow the existing laws:

1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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".

2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 "Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...".

Please help (again) to stop illegal density increases in South Beach's Area of Critical State Concern.

Thank you,
Faith Riccilli
112 Windrush Pl.
Melbourne Beach, Florida
321-474-2079
Sent from my iPhone

From: [Pamela Stimpson](#)
To: [Commissioner, D4](#)
Subject: Stop zoning changes in our South Beaches
Date: Tuesday, February 4, 2025 11:38:44 AM

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

Good morning,
I oppose any zone change to our south beaches. Our Governor has declared our area as an area of critical concern.

Have a great day!

Pamela Stimpson
cell: 321-482-0549
Melbourne Beach, Fl

From: [Craig Young](#)
To: [Commissioner, D4](#)
Subject: Opposed To Zone Change
Date: Monday, February 3, 2025 7:43:55 PM

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

Dear Brevard County Commissioners:

I am writing to express my strong opposition to the proposed zoning amendment of Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet. I ask that you vote against this amendment to represent the interests of your constituents. I live in the South Beaches neighborhood of Lighthouse Cove, one of the communities adjacent to the land in question for Future Land Use Amendment Request ID# 24SS00013.

As a Florida resident and voter, I have watched with alarm over so much property in Melbourne Beach and the South

Beaches has become overdeveloped without concern for proportion, protection or preservation.

Community Character: The South Beaches area around the property in question consists of predominantly low-density, single-family communities. The multi-family PUDs such as the adjoining Lighthouse Cove and South Shores are low-profile and considerably lower density than more recent PUDs such as Harbor Island Beach Club. This amendment would disrupt the established character of our neighborhood and set a dangerous precedent for future high-density developments.

Environmental Issues This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, as the

property is located on the Brevard Barrier Island Area of Critical State Concern. Increasing the zoning for this property runs contrary to both the principles and the standards of the Area of Critical Concern. Continued high-density development on a lot that is too small to support it will threaten the fragile Indian River Lagoon ecosystem.

The proposal fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments. The property is also home to several burrows of threatened gopher tortoises.

At 0.70 acres, the property does not meet the county's own septic system requirements. Increasing its zoning density will only exacerbate the issues created by a property that is too small for its septic field. Both Lighthouse Cove and South Shores will be at risk of contamination.

Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in this area, and approval would directly contradict this policy and set a dangerous precedent for future requests.

I respectfully urge you to deny this proposed re-zoning to protect the environment, maintain septic system safety standards, uphold the Comprehensive Plan, preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,

Craig Young

188 Casseekee Trail

Melbourne Beach, FL 32951

From: [delbert sellers](#)
To: [Commissioner, D1](#)
Cc: [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: OPPOSITION to rezoning , request ID 24SS00013
Date: Tuesday, February 4, 2025 10:30:27 AM

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

Hello commissioner,

I live behind the subject property and I'm contacting you to express strong opposition to the proposed rezoning of 5610 Highway A1A unit 1 from RES1 to RES2, request ID 24SS00013. Please vote NO to the request and adhere to your own zoning ordinance. You wouldn't like it if this was happening in your backyard. Help maintain harmony between neighbors by simply voting to uphold your own ordinance. There are numerous environmental reasons to deny this request. Denying this rezoning request will harm no one. I see no legitimate legal or logical reason the commission would allow this change. It's about pure greed, period. Do not create animosity among neighbors. The owner can build a nice single residence home, as he knew was all that was when purchasing the property. Don't set a bad precedent. Your voting constituents are watching your actions and expect your NO vote to help preserve community harmony and prevent further damage to our fragile Indian River Lagoon. Do the right thing and deny the change.

Sincerely,

Del Sellers

167 CasseekeeTrail

Melbourne Beach 32951

From: rel2421@aol.com
To: [Commissioner_D3](#)
Subject: Feb 6 Meeting (24SS00013) FACTS
Date: Tuesday, February 4, 2025 7:50:39 AM

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

Dear Commissioner Adkinson,

FEB. 6-BCC MEETING: FACTS YOU SHOULD KNOW, VALIDITY OF
APPLICATION (24SS00013) IN QUESTION
DRAW YOUR OWN CONCLUSIONS

I propose to the board of county commissioners to consider the factual circumstances of how we have all come to this point.

The applicant is asking the board to provide relief for his MISTAKE of purchasing a substandard lot.

This property was 1.7 acres zoned RP with Future land use Res 1

The applicant was misled by a developer who subdivided the 1.7 acre parcel utilizing condo declarations and provided condo documents stating that .7 acres was a buildable lot. The applicant purchased .7 acre lot in good faith from the developer without confirming development requirements with the county.

These transactions occurred in 2005 and applicant apparently didn't discover this predicament for quite some time.

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The applicant withdrew for a refund.

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I FIND IT VERY TROUBLING THAT IN REVIEW OF THE LAND PLANNING AGENCY MEETING **11-18-2025 THE APPLICANTS ATTORNEY IMPLIES 2 TIMES THAT HE REACHED OUT TO P&Z STAFF FOR GUIDANCE PRIOR TO THE PURCHASE.

Why is it we are here and the county is being held liable for a bad real estate deal?

Next in June of 2022 the applicant applied for a Zoning classification letter via local private firm. Once again he was informed his property was non-compliant. In December of 2022 the applicant filed again for a text amendment providing the county with an absurd argument that the Coastal element 7.0 was in conflict with 7.1. and somehow the comp plan should accommodate his request to increase density. That application morphed into Large scale future land use amendment which imploded due to the alleged "inconsistency" which would result in affecting well over 50 acres.

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The application was either withdrawn or rejected. It is not clear in the county records. This brings us to the current application July 2024 for a small scale plan amendment and BDP.

The addition of the BDP seemingly gives the casual observer the impression "here is the solution so we can provide relief to this property owner".

The LPA was fooled. They voted on this issue using the false narrative that we must help this applicant because he has paid taxes and voted with their emotions and not the facts.

The PZ staff has made it clear in their August 2024 and January 2025 letter to the applicant that they would NOT recommend approving this application.

I find it very concerning that PZ staff review for the first three applications was flat out rejection but this current application comes to them loaded with speculative arguments to approve and now they give the Board criteria to consider.

1. Is it consistent and compatible with the surrounding area NO, NOT WHEN IT VIOLATES CME 7.1 AND 12.1 OF THE BBIA
2. does it satisfy the locational criteria established in FLUE policy 1.8 NO, NOT WHEN IT VIOLATES CME 7.1 AND 12.1 BBIA
3. Increasing density designation is consistent with coastal management element policy 7.1 NO, IT CLEARLY VIOLATES IT
4. The request meets the BBIA guiding principles NO, IT CLEARLY VIOLATES IT

Please understand that this alleged hardship has not been caused by the County government. The comp plan and coastal element have been in effect for well over 20 years and prior to his purchase of this property.

A simple phone call by the applicant to PZ could have saved this applicant and the county time and money.

Any realtor experienced with south beaches properties would have known the lot was unbuildable.

A qualified lawyer such as the applicants counsel would have known.

This applicant was misled by a developer and is unjustified in asking the county for relief. Land condominium declarations are a common ploy by developers to bypass development regulations when subdividing property is not allowed.

The applicant is a State Certified General contractor with years of land development knowledge, multiple real estate transactions and also a licensed real estate agent.

There is no hardship or burden caused by the county. This is a bad real estate deal.

This has been a colossal waste of taxpayer money. It's been a huge waste of Planning and Zoning time and dollars.

We believe this is a civil matter between the developer and the applicant. He should be suing the developer.

The responsibility to help this applicant is not with the county. The liability belongs to the applicant.

Please vote no application (24SS00013). Don't be fooled into thinking you are obligated to help this applicant at the expense of the COASTAL MANAGEMENT ELEMENT 7.1 AND BREVARD BARRIER ISLAND AREA OF CRITICAL CONCERN.

* application #19PZ00006: In 2005, the parent parcel was subdivided through the condominium process into two (2) building sites, Unit 1 and Unit 2. Unit 1, a 0.7 acre parcel, was represented in the Condominium Documents to permit one (1) single-family residence, not to exceed a total floor area of 8,500 square feet (see paragraph 3.1 of the Condominium documents). With the said representation, Mr. Espanet purchased Unit 1, only later to find out that Unit 1 is non-compliant with regards to the Future Land Use designation of Res-1, as the parcel area is less than 1 acre. Changing the Future Land Use Designation from Res-1 to Res-2 would permit a maximum of one (1) single-family residence to be constructed on Unit 1. Unit 2 is 1 acre in size and is compliant with the Res-1 Future Land Use designation.

** Brevard land planning agency meeting 11-18-2025 minutes:

"Mr. Espanet owns condominium unit 1 and he tells me he checked with the zoning office before he bought it, but who knows if the condominiums were read properly or whatever, so he believed he could build one single-family home. He lives in Delray Beach. He bought it intending to move up here as his forever home."

**Brevard land planning agency meeting 11-18-2025 minutes:

"And yes it did happen in 2005 and Mr. Espanet apparently went and talked to staff and got misinformation and

they can't be held to that. So, we are trying to make it buildable."

Respectfully,
Robert Logsdon
9020 Hwy. A1A Melbourne Beach Fl. 32951
561-308-7360

From: [Jeffrey Bush](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#); [Abbate, Frank B](#); [Calkins, Tad](#)
Subject: Please help us on the Barrier Island
Date: Sunday, February 2, 2025 3:42:21 PM

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

Dear Commisioners and Public Servants,
Please vote NO on Feb 6th and **Stop this increase** in Zoning at 5610 A1A from RES 1 to RES 2.

We live in a very special and delicate environment on the barrier island and need to do everything we can so the kids and grand kids can still see the same things we enjoy on a daily basis when they grow up. Your decision on Feb. 6th to vote no will make this a reality. It is baffling to me how much outsiders want to destroy this area just to make some short term money. By voting yes, you are setting a precedent all future requests will use. There are alsop laws to consider as have been outlined below.

1) It's against the Law according to Policy 7.1 of the Comprehensive Plan and 12.1 of the New State Brevard Barrier Island Area (BBIA) protection.

2) Brevard Comprehensive Plan, Coastal Management Element (CME) 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".

3) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1

"Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County **shall not increase residential densities within the BBIA...**".

I encourage all of you to please come and spend time in our area so you will truly understand how special this place is; and stewards like yourselves will then not make a decision to take another step in destroying the beauty of this area.

Thank you for your consideration from my generation, and future generations.

Sincerely,
Jeff Bush
126 Delmar St. Melbourne Beach. (Floridana Beach)

From: [Craig Nichols](#)
To: [Commissioner, D3](#)
Subject: Vote No on Zoning Request - 5610 HWY A1A
Date: Monday, February 3, 2025 9:26:28 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 ask you to vote this Thursday AGAINST the requested increase in Zoning at 5610 HWY A1A from RES 1 to RES 2.

Allowing such an exemption would violate the laws as stated in the Brevard Comprehensive Plan and the designation of the barrier island as being an “Area of Critical State Concern”. Additionally, such an exception would go against the clearly stated wishes of the citizens of Brevard County. Especially those who live on the barrier island.

Thank You,
Craig Nichols
Melbourne Beach, Florida

Sent from my iPad

From: [Jean Bayer](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); D4Commissioner@brevardfl.gov
Cc: [Commissioner, D5](#)
Subject: Zoning Change
Date: Sunday, February 2, 2025 10:43:43 AM

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

I am writing to express my opposition to the proposed zoning amendment of Future Land Use Amendment Request ID#24SS00013 for the property at 5610 Highway A1A Melbourne Beach owned by Christopher L. Espanet. I ask that you vote against this amendment to represent the interests of your constituents in Lighthouse Cove adjacent to the land in question and other communities close by.

I have seen how overdeveloped Melbourne Beach and the South Beaches have become. Changing from a Residential 1 to a Residential 2 should be a critical concern as it is located on the Barrier Island and will threaten the very fragile Indian River Lagoon not to mention the gopher turtles. At 0.70 acres this property doesn't even meet the county's own septic system requirements causing Lighthouse Cove and South Shores to be at risk of contamination.

Please uphold the Comprehensive Plan: Brevard County's Coastal Management Policy to protect the environment, septic system safety standards and our community.

Sincerely,

Jean M Bayer
120 Casseekee Trail
Melbourne Beach, FL 32951

Sent from my iPad

From: [PATRICIA BIAGI](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#); [Calkins, Tad](#); [Abbate, Frank B](#)
Subject: Zoning increase
Date: Monday, February 3, 2025 12:40:43 PM

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

My name is
Patricia Biagi

I am writing again as a very concerned citizen of Melbourne Beach.
I strongly feel that by allowing continued development in this area you are demonstrating you have no concern for the people who live here and the precious environment that we try to maintain.

Please listen to the citizens who pay your salaries.
We do not want the the zoning to change from 1 to 2 residents at
5610 A!A.

If this happens it will open a floodgate for developers. The carnage of animals on A!A every day is horrific because of the traffic and people speeding. Please take into account what we the tax payers are saying
NO to the rezoning.

Patricia and Larry Biagi
!55 Sea Dunes Dr
Melbourne Beach, Fl
'32951

Cell 3052131359
Larrys Cell 3059754002

From: [Mike Nickler](#)
To: [Commissioner, D3](#)
Subject: Zoning Increases to the South Beaches
Date: Monday, February 3, 2025 3:08:03 PM

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

To Whom it May Concern:

We have owned property in Melbourne Beach for approximately 30 years. Our current home is 9205 S. Highway A1A and we are deeply concerned about the potential rezoning of properties in our environmentally critical area of South Beach. The reason many of us live in this beautiful part of the state is to appreciate the natural beauty from the ocean to the intracoastal. Large scale properties built in this area threaten our wildlife and waterways. As full-time residents of Melbourne Beach, we kindly ask that you prevent high density building projects. Please follow the rule of law and protect our little piece of heaven.

- 1.) Brevard Comprehensive Plan, Coastal Management Element (CME) 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”.
- 2.) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 “Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...”.

Sincerely,

Mike and Erin Nickler

9205 S. Highway A1A

Melbourne Beach, FL 32951

(561) 271-3180

Sent from my iPad

From: [Ted Cooper](#)
To: [Commissioner, D3](#)
Subject: Concerning property at 5610 Highway A1A
Date: Friday, January 31, 2025 3:46:34 PM

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

Dear Brevard County Commissioner Kim Atkinson, District 3

I am writing to express my strong opposition to the proposed zoning amendment of Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet. I ask that you vote against this amendment to represent the interests of your constituents. I live in the South Beaches neighborhood of Lighthouse Cove, one of the communities adjacent to the land in question for Future Land Use Amendment Request ID# 24SS00013.

At 0.70 acres, the property does not meet the county's own septic system requirements. Increasing its zoning density will only exacerbate the issues created by a property that is too small for its septic field. Both Lighthouse Cove and South Shores will be at risk of contamination.

Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in this area, and approval would directly contradict this policy and set a dangerous precedent for future requests.

Theodore Cooper
137 Casseekee Trl
Melbourne Beach, FL 32951

From: [Nick Walther](#)
To: [Commissioner, D3](#)
Subject: Density increases
Date: Wednesday, January 29, 2025 10:20:07 AM

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

STOP Increase in Zoning at 5610 A1A from RES 1 to RES 2.

1) It's against the Law according to Policy 7.1 of the Comprehensive Plan and 12.1 of the New State Brevard Barrier Island Area (BBIA) protection.

2) It sets an irreversible precedent opening the door for larger increases in the future.

Sent with [Proton Mail](#) secure email.

From: [Linda Johnson](#)
To: [Commissioner, D3](#)
Subject: Feb. 6th meeting
Date: Wednesday, January 29, 2025 6:34:53 PM

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

Please vote no to stop the zoning increase on South Beach! Thank you, Linda Johnson

From: [Alex Giraldo](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#); [Abbate, Frank B](#); [Calkins, Tad](#)
Subject: February 6, AGAINST request increasing density
Date: Tuesday, January 28, 2025 7:38:10 PM

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

Commissioners:

As a resident and voter I'm South Beaches I am against any increase in density. This is ridiculous that you continue to accept hearing requests on this issue.

Follow the LAW

1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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".

2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 "Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...".

Concerned Voter -

Alex Giraldo

321-604-0596

From: [Richard Virock](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Future Land Use Amendment Request ID# 24SS00013 Scheduled for Hearing February 6, 2025
Date: Wednesday, January 29, 2025 12:37:33 PM

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

Dear Brevard County Commissioners:

We are writing to express our strong opposition to the proposed zoning amendment of Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet. We ask that you vote against this amendment. We live in the South Beaches neighborhood of Lighthouse Cove, one of the communities adjacent to the land in question for Future Land Use Amendment Request ID# 24SS00013.

As property owners, we have watched with alarm over the last six years as so much property in Melbourne Beach and the South Beaches has become overdeveloped without concern for proportion, protection or preservation.

Community Character: The South Beaches area around the property in question consists of predominantly low-density, single-family communities. **The multi-family PUDs such as the adjoining Lighthouse Cove and South Shores are low-profile and considerably lower density** than more recent PUDs such as Harbor Island Beach Club. This amendment would disrupt the established character of our neighborhood and **set a dangerous precedent for future high-density developments.**

Environmental Issues This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, as **the property is located on the Brevard Barrier Island Area of Critical State Concern. Increasing the zoning for this property runs contrary to both the principles and the standards of the Area of Critical Concern.** Continued high-density development on a lot that is too small to support it will threaten the fragile Indian River Lagoon ecosystem. **The proposal fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments. The property is also home to several burrows of threatened gopher tortoises.**

At 0.70 acres, the property does not meet the county's own septic system requirements. Increasing its zoning density will only exacerbate the issues created by a property that is too small for its septic field. Both Lighthouse Cove and South Shores will be at risk of contamination.

Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in

this area, and approval would directly contradict this policy and set a dangerous precedent for future requests.

I respectfully urge you to **deny this proposed rezoning to protect the environment, maintain septic system safety standards, uphold the Comprehensive Plan**, preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,

Richard and Dennette Virock
135 Casseekee Trail
Melbourne Beach FL 32951

From: [Dorine Zimmerman](#)
To: [Commissioner_D3](#)
Subject: Fwd: zoning change request in Melbourne Beach
Date: Thursday, January 30, 2025 6:45:07 PM

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

----- Forwarded message -----

From: **Dorine Zimmerman** <dorinez10@gmail.com>
Date: Thu, Jan 30, 2025 at 4:45 PM
Subject: zoning change request in Melbourne Beach
To: <d3.commissioner@brevardfl.go>

Dear Brevard County Commissioners:

I am writing to express my strong opposition to the proposed zoning amendment of Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet. I ask that you vote against this amendment to represent the interests of your constituents. I live in the South Beaches neighborhood of Lighthouse Cove, one of the communities adjacent to the land in question for Future Land Use Amendment Request ID# 24SS00013.

I have lived in Brevard County for 52 years and consistently voted in primaries and general elections. The proposed amendment above for land usage in Melbourne Beach is not in the best interest of the surrounding residents. There is no city water access down this far south. At 0.70 acres, the property does not meet the county's own septic system requirements. Increasing its zoning density will only exacerbate the issues created by a property that is too small for its

septic field. Both Lighthouse Cove and South Shores will be at risk of contamination. I respectfully urge you to deny this proposed re-zoning to protect the environment, maintain septic system safety standards, uphold the Comprehensive Plan, preserve the character of our community. Thank you for your serious consideration related to this situation and request.

Respectfully,
Dorine Zimmerman
186 Casseekee Trail
Melbourne Beach, FL 32951

From: [elaine.ber](#)
To: [Commissioner_D1](#); [Commissioner_D2](#); [Commissioner_D3](#); [Commissioner_D4](#); [Commissioner_D5](#); [AdministrativeServices](#); robert.brackett@myfloridahouse.gov
Subject: ID# 24SS00013
Date: Friday, January 31, 2025 3:24:40 PM

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

Dear Commissioners:

As a resident of LHC, who will be directly impacted by your decision on February 6, 2025, I am writing to express my strong opposition to granting the rezoning request from RES1 to RES2 for the 0.7 acre lot located at 5601 HWY A1A, unit 1, Melbourne Beach, FL for the following three reasons.

First, it directly contravenes **state law**, and violates the **CME** of the Brevard Comprehensive plan. Second, it establishes a very **dangerous precedent**. Allowing this exemption opens up the floodgates and renders all future denials arbitrary and difficult, if not impossible to justify. And lastly, this is a huge slap in the face to voters who elect you into office to **act in our best interests** not those of venal developers, politicians, lawyers who personally enrich at the expense of the community, and by their short-sighted actions create irrevocable harm for current and future generations. Our quality of life will be adversely and materially impacted by your decision. We intend to hold elected officials to account for any resultant harm from bad policies that are ill advised and easily avoidable.

Specifically, granting this exemption will:

1. **Eviscerate newly enacted FL state law chapter 380 section 0553 (enacted in 2023)**, "Brevard Barrier Island Area Protection Act." Florida Statutes specifically recognizes portion of Brevard county as one of 6 critical infrastructure areas in the state designated for special protections as a barrier island with a fragile ecosystem and unique turtle nesting grounds.

- Zone change from RES1 to RES2 violates purpose and intent of law (380.0553): no high density buildings,
 - legislative intent, in part, stipulates under 2(f) low population density *decreases public tax burden* with regard to provision of services, maintaining critical infrastructure and rebuilding after disasters, and 2(g) recognizes that the entire barrier island is in a mandatory evacuation zone, hence density is a critical consideration with regard to safe and timely evacuations (see: <https://www.flsenate.gov/laws/statutes/2023/380.0553>)

➤ **Violates section 7.1 of the Coastal Management Element (CME) of the Brevard Comprehensive Plan** which states; "Brevard County **shall not**

(mandatory not permissive language) increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet". Since 5610 A1A is directly in the MIDDLE of this area, it is clearly against the law to change the density designation to Res2.

Granting this exemption would allow building up to 30ft in height:

- Tall buildings obstruct views; deprive privacy (LHC community directly below it); allow increased population density in an area that already suffered 2 fatalities on A1A within the past 2 years at the exact proposed building site; invites property use for AirB&Bs which south beach residents have vehemently opposed due to inadequate vetting of turn-style occupancy, invites people without stakes in the community, adds to crime concerns and traffic congestion, disruptive lighting to turtle nesting areas, and adds to overflow concerns from sewer and storm surges
- This specific proposal clearly states "it is not anticipated to enhance natural scenic resources which would promote the aesthetic benefits of the natural environment. Enhancing natural scenic resources involves a combination of conservation, restoration, and sustainable management of the natural environment." Clearly, the owner & attorney admit that is not their intent
- High population density impedes emergency evacuations from barrier island during hurricanes and other natural disasters
- **Intent of this bill is to safeguard against** adverse economic, social, environmental, and public health and safety impacts posed by flooding and storm surge by protecting critical assets. Granting this exemption is in direct contravention of the law's intent.

➤ Commissioner **Thad Altman** was one of original co-sponsors (along with Rep. Brackett and Moody) of **HB 1489** (2023) "**Designation of Brevard Barrier Island Area as Area of Critical State Concern**" **which created 380.0553, F.S!!!** Yet, during Dec 12, 2024 zoning hearing, the commissioner appeared deferential to reconsider granting this exemption. If that proves to be the case, it is extremely troubling. Either we have a law that protects our environment or not! What changed? How do you go from championing a concept to total surrender? Who is pulling the levers and for what favors in exchange? Equally troubling was listening to the owner's attorney during an earlier hearing (Nov 2024) saying that state law can summarily be dismissed and overridden (despite strong opposition to her from the committee staff).
(see: <https://www.flsenate.gov/Session/Bill/2023/1489/ByCategory>).

Listen to then Representative Thad Altman passionately defend his critical infrastructure bill during a news interview where he is quoted as saying:

"I would say it's been overdeveloped," said Republican state Rep. Thad Altman

- "You look at a map and there's very little green space on the barrier island now, except for the south beaches. The south beaches is a place that has a remnant of what it used to be like," Altman said.
- The coast is the largest nesting area for loggerhead sea turtles in the world and was home to a flourishing sea trout population Altman says is

now down 90%.

- It's key for the endangered manatees in the area as a home for its main food source.
- "This area has some of the last remaining healthy seagrass beds in Brevard County," Altman said. <https://www.wesh.com/article/brevard-county-barrier-islands-protection/43414035>

2. **This exemption Sets a very dangerous precedent** for all future land use along south beach area

- Granting one exemption opens floodgates-establishes no legal standing for denying others their exemptions
- This particular plot is landlocked so it will require lifting other easements to enable septic, irrigation, well water, egress to A1A, and other construction barriers. So just changing zoning won't end lifting of other state and local laws & protections from flooding and other environmental mitigations to enable its construction

3. **Accords extreme deference to developers, realtors, politicians** at expense of inhabitants

- Reinforces status quo ante- no oversight or accountability-so developers and politicians are free to strike mutually beneficial deals for personal enrichment/benefit to the detriment of the citizens causing irrevocable harm.
- Putting our elected officials on notice that they are being watched and we expect they act in **our** best interests not their own to preserve our community for future generations is essential if we want to protect the quality of life of our community.
- Recent unrestrained development along our beaches has created a multitude of problems from allowing AirB&Bs with transitory populations that have no stake in our community, to increased traffic congestion, to increased crime, to cracking and packing lots to fit as multi-family, multi-level homes on tiny pieces of land marketed as "Beachfront" that require a periscope to see the ocean because of their awkward angled positioning

4. **Owner contends he bought this plot many years ago, has been paying taxes on it for years and is now prohibited from building his retirement dream house**

- Unfortunate if owner was either ill-advised, or did not do his due diligence at time of purchase when he bought a 0.7 acre lot knowing zoning for homes required 1.0 acres+
- Owner could have sold his plot of land years ago not necessitating paying taxes
- Owner made a **bad business decision**, as we all have at some point in life. Unfortunately, he is **asking all south beaches residents to assume his burden** at an unreasonably high price by trying to lift easements, state laws and local ordinances to accommodate his wishes, at the expense of all current and future residents who will be harmed irrevocably due to his bad business decision
- Most aggravating was listening during public hearing to commissioners who were readily willing to cave in to emotional appeals (ex: owner's diligent payment of taxes). Time to govern by reason not raw emotion. Fight for principles, defend them not just sign bills for photo ops. If Commissioner **Thad**

Altman caves-(as author **HB 1489**, 2023 the Brevard critical infrastructure environmental protection bill that was signed into law 380.0553), he will have a lot of explaining as to why. The stakes are unusually high, with *future consequences*. Once the floodgates open to developers they will have a carte-blanche to do as they please with our community, beyond the damage already done.

In conclusion, it's time to stop the hemorrhage now, and try to salvage what little is left to still protect from the venal interests of developers and politicians!!!

➤ Note: the property at issue is north of New England Eatery. On either side of LHC community there are two lots up for development. The one discussed above, and another bigger plot that has sat fallow, in part, after owner was denied ability to tap into well water from LHC. That plot is probably waiting abated breath to see outcome of this decision, which if zoning request is granted will provide them with a green light to proceed to develop that lot knowing they have the commissioners in the bag and rightly so. If they grant one exemption, what justifiable reason do they have to deny the next???

From: [linda.nicholson](#)
To: [Commissioner_D3](#)
Subject: Increase zoning
Date: Friday, January 31, 2025 12:22:16 PM

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

Good day commissioner,

I am requesting you to vote no for increase in zoning in the south beach area of Brevard county. I have lived here for 23 years. I am seen an increase in the traffic. An increase in the fatalities of people crossing A1A. Let's not give into the big developers and let's keep south beaches, quaint and small..

Respectfully,

Linda Nicholson
215 SEA DUNES Drive
Melbourne Beach, FL 32951
321-626-2544

[Sent from Yahoo Mail for iPhone](#)

From: [Betsy Burden](#)
To: [Commissioner, D3](#)
Subject: Opposition to Future LU Amendment Request ID #24SS00013
Date: Tuesday, January 28, 2025 5:28:50 PM

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

Dear Brevard County Commissioner:

I am writing to express my strong opposition to the proposed zoning amendment of Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet. I ask that you vote against this amendment to represent the interests of your constituents. I live in the South Beaches neighborhood of Lighthouse Cove, one of the communities adjacent to the land in question for Future Land Use Amendment Request ID# 24SS00013.

As a Florida resident and voter, I have watched with alarm over the last decade as so much property in Melbourne Beach and the South Beaches has become overdeveloped without concern for proportion, protection or preservation.

Community Character: The South Beaches area around the property in question consists of predominantly low-density, single-family communities. The multi-family PUDs such as the adjoining Lighthouse Cove and South Shores are low-profile and considerably lower density than more recent PUDs such as Harbor Island Beach Club. This amendment would disrupt the established character of our neighborhood and set a dangerous precedent for future high-density developments.

Environmental Issues This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, as the property is located on the Brevard Barrier Island Area of Critical State Concern. Increasing the zoning for this property runs contrary to both the principles and the standards of the Area of Critical Concern. Continued high-density development on a lot that is too small to support it will threaten the fragile Indian River Lagoon ecosystem that we have watched deteriorate since our family moved here in 1993. The proposal fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments. The property is also home to several burrows of threatened gopher tortoises.

At 0.70 acres, the property does not meet the county's own septic system requirements. Increasing its zoning density will only

exacerbate the issues created by a property that is too small for its septic field. Both Lighthouse Cove and South Shores will be at risk of contamination.

Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in this area, and approval would directly contradict this policy and set a dangerous precedent for future requests.

I respectfully urge you to deny this proposed re-zoning to protect the environment, maintain septic system safety standards, uphold the Comprehensive Plan, preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,

Betsy Burden
105 Casseekee Tr.
Melbourne Beach, Florida
561-313-0589

Sent from my iPhone

From: [Elisabetta Martino-Swearsky](#)
To: [Commissioner, D3](#)
Subject: Opposition to Zoning Request Change Melbourne Beach
Date: Tuesday, January 28, 2025 12:18:37 PM

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

Dear Kim,

I am registering my opposition to the zoning request change for the land on the west side of Highway A1A 150 ft. North of Casseekee Trail in Melbourne Beach.

As a representative of Melbourne Beach, I would ask you to deeply consider opposing this change that has already been voted down twice. The area has been designated by the state as a State Area of Critical Concern. We are concerned about further expanded development as this will affect animals in the area as well as increased beach activity which will affect the Loggerhead, Green and Leatherback turtle migrations.

In addition, it is in a busy and somewhat dangerous area with cars traveling at over 45 MPH with no crosswalk at A1A to the beach. This could put residents living in the future unit/s at risk.

I greatly appreciate your support...Liz

Elisabetta Martino-Swearsky
180 Casseekee Trail, MB 32951
860-863-6616

From: [m B](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#)
Subject: Planned zoning increase on South Beach
Date: Sunday, February 2, 2025 7:40:57 AM

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

As a former residential property appraiser and current resident of south Brevard County it is of great concern to multiple requests to increase zoning from R1 to R2. There is no need (other than profit) for this change, past personal study as provided through historical data of vacant property sales, there is no increase in value in property values based on this change, moreover, increases in density will further strain both septic runoff into our waterways and evacuation routes during storms. This proposed change will set an irreversible precedent opening the door for larger increases in the future. Please follow the law according to Policy 7.1 of the Comprehensive Plan and 12.1 of the New State Brevard Barrier Island Area (BBIA) protection.

Respectfully,

Marvin B

From: [Newton Smith](#)
To: [Commissioner, D3](#)
Subject: Please Commissioner D3 no rezoning in South Brevard beaches
Date: Thursday, January 30, 2025 9:31:35 AM

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

FROM

Newton Smith 4890 Hawksbill Ct Melbourne Beach ,FL. 32951

Reply requested .

1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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”.

2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 “Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...”.

From: [T&C](#)
To: [Commissioner, D3](#)
Subject: Please do not approve increasing density changes to existing residential zoning properties
Date: Wednesday, January 29, 2025 7:31:59 AM

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

- 1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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”.
- 2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 “Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...”.

Thank you for protecting our community.

Cynthia Glinski

From: cabshe3@cfl.rr.com
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#); [Abbate, Frank B](#); [Calkins, Tad](#)
Subject: Please help!!
Date: Wednesday, January 29, 2025 7:09:25 AM

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

Help keep our area as it was meant to stay!

- 1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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”.
- 2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 “Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...”.

Thank you, Candy Absher (Melbourne Beach)

From: [Teresa Main](#)
To: [Commissioner_D3](#)
Subject: Please stop the zoning increase on South Beach
Date: Wednesday, January 29, 2025 5:15:29 PM

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

Good afternoon,

Please follow the law and stop the zoning increase on South Beach.

1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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”.

2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 “Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...”.

I live off A1A past the new large and obnoxious subdivision with multi-family rentals. We need room for animal habitats, no more houses or rentals.

Thank you for your time.
Teresa Main
320 Richards Road
Melbourne Beach, FL

From: [helen.stamatacos](#)
To: [Commissioner, D1](#)
Cc: [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: PLEASE STOP ZONING INCREASE ON SOUTH BEACH
Date: Wednesday, January 29, 2025 3:57:54 PM

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

Dear Commissioners,

I am writing again to express our deepest concerns over the potential change in Zoning at 5610 A1A from RES 1 to RES 2.

Please STOP this zoning change.

We respectfully demand that you uphold the law.

Our voices, as you are aware, are fortunately supported by the vast majority of the South Beaches and we have gathered collectively to preserve what needs to be preserved. To insist that this and similar future zoning change requests are NOT allowed.

PLEASE follow the law according to Policy 7.1. and Policy BBIA 12.1.

It's that simple.

Thank you,

Helen Stamatacos
Charles Magal, MD
9010 S. A1A
Melbourne Beach, FL 32951
321-728-8876

From: [Margaret Ahrweiler](#)
To: [Commissioner, D3](#)
Subject: Please vote against Future Land Use Amendment Request ID# 24SS00013
Date: Tuesday, January 28, 2025 10:52:52 AM

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

Dear Ms Adkinson:

I live in the District 3 south beaches neighborhood of Lighthouse Cove, one of the neighborhoods adjacent to the land in question for Future Land Use Amendment Request ID# 24SS00013. I am writing to express my strong opposition to the proposed zoning amendment of Future Land Use Amendment Request ID# 24SS00013 for the property at 5610 Highway A1A Unit 1, Melbourne, owned by Christopher L. Espanet. I ask that you vote against this amendment to represent the interests of your constituents in District 3.

As Florida residents and voters, we have watched with alarm over the decades as so much property in our beloved Melbourne Beach and South Beaches has become overdeveloped without concern for proportion, protection or preservation.

Community Character. The South Beaches area around the property in question consists of predominantly low-density, single-family communities. The multi-family PUDs such as the adjoining Lighthouse Cove and South Shores are low-profile and considerably lower density than more recent PUDs such as Harbor Island Beach Club. This amendment would disrupt the established character of our neighborhood and set a dangerous precedent for future high-density developments.

Environmental Issues This request to increase residential density from Residential 1 to Residential 2 raises serious concerns, as the property is located on the Brevard Barrier Island Area of Critical State Concern. Increasing the zoning for this property runs contrary to both the principles and the standards of the Area of Critical Concern. Continued high-density development on a lot that is too small to support it will threaten the fragile Indian River Lagoon ecosystem that we have watched deteriorate since our family moved here in 1993. The proposal fails to address storm surge risks, septic issues, groundwater intrusion, and the cumulative impact on marine and coastal environments. The property is also home to several burrows of threatened gopher tortoises.

At .7 acres, the property does not meet the county's own septic system. Increasing its zoning density will only exacerbate the issues created by a property that is too small for its septic field. Both Lighthouse Cove and South Shores will be at risk of contamination.

Non-Compliance with the Comprehensive Plan: Brevard County's Coastal Management Policy 7.1 explicitly prohibits increasing residential density in this area, and approval would directly contradict this policy and set a dangerous precedent for future requests.

I respectfully urge you to deny this proposed re-zoning to protect the environment, maintain septic system safety standards, uphold the Comprehensive Plan, preserve the character of our community.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions or require additional information.

Sincerely,

Margaret Ahrweiler Clifford
145 Casseekee Trail
Melbourne Beach FL 32951

From: [Alison Deacon](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#); [Abbate, Frank B](#); [Calkins, Tad](#)
Subject: Please vote on February 6, AGAINST request increasing zone density in South Beach - Melbourne Beach
Date: Tuesday, January 28, 2025 8:20:40 PM

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

Dear Commissioners,

As a resident of Melbourne Beach, I am asking you to vote to STOP an increase in Zoning at 5610 A1A from RES 1 to RES 2.

- 1) It's against the Law according to Policy 7.1 of the Comprehensive Plan and 12.1 of the New State Brevard Barrier Island Area (BBIA) protection.
- 2) It sets an irreversible precedent opening the door for larger increases in the future.

I'm asking you to please **Follow the LAW**

- 1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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".
- 2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 "Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...".

Please help (again) to stop illegal density increases in South Beach's Area of Critical State Concern.

Thank you
Alison Deacon
305 Island Drive, Melbourne Beach, FL 32951
alisondeacon08@yahoo.com

From: [Trish Mc](#)
To: [Commissioner, D3](#)
Subject: Re: STOP the Increase in Zoning at 5610 A1A from RES 1 to RES 2
Date: Saturday, February 1, 2025 2:13:42 PM

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Patricia McAleer
140 Cardinal Drive
Melbourne Beach, FL 32951
Mobile: 949-887-4202

On Sat, Feb 1, 2025 at 10:48 AM Trish Mc <tmcaleer50@gmail.com> wrote:
February 1, 2025

Dear Commissioner Kim Adkinson,

I am writing to request that you as a commissioner of Brevard County District 1, to STOP the Increase in Zoning at 5610 A1A from RES 1 to RES 2. I understand that there is a hearing on Feb 6 and you will be voting upon this soon.

Please follow the laws that have been established for this fragile area:

- 1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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".
- 2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 "Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA..."

Please preserve the South Beach's Area of Critical State Concern by following the established laws.

Thank you,

Patricia McAleer

From: [faith m](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#)
Cc: [Commissioner, D5](#)
Subject: Re: Vote NO on Density increase in the south Beaches
Date: Friday, January 31, 2025 12:15:38 PM

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Faith Mars
220 Sea Dunes Dr, Melbourne Beach, FL 32951
321-220-7046

On Fri, Jan 31, 2025, 12:06 PM faith m <fmarsbarz@gmail.com> wrote:

1) It's against the Law according to Policy 7.1 of the Comprehensive Plan and 12.1 of the New State Brevard Barrier Island Area (BBIA) protection.

2) It sets an irreversible precedent opening the door for larger increases in the future.

3) Brevard Comprehensive Plan, Coastal Management Element (CME) 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”.

4) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1

“Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County **shall not increase residential densities within the BBIA...**”.

THANK YOU,

Faith Mars

220 Sea Dunes Drive, Melbourne Beach

From: mrcollin@aol.com
To: [Commissioner, D3](#)
Subject: South Brevard Area of Critical Concern
Date: Wednesday, January 29, 2025 4:18:30 PM

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Commissioner Kim Adkinson,

Your support is urgently needed to stop zoning increases in the South Brevard area. Since I cannot attend the Brevard Commission meeting on February 6th, I am submitting my written request. Please vote in opposition of increasing the zoning at 5610 A1A. If this increase is approved it will set a precedent for future increases. As a resident of the South Beach area for over twenty-five years, I am sincerely requesting your vote in support Coastal Management Element Policy 7.1. which limits the increase of residential density in this area. Thank you for your consideration.

Sincere Regards,

Maurice Collin

From: [ronald coleman](#)
To: [Commissioner_D3](#)
Subject: STOP Increase in Zoning at 5610 A1A from RES 1 to RES 2.
Date: Wednesday, January 29, 2025 12:27:04 PM

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PLEASE STOP Increase in Zoning at 5610 A1A from RES 1 to RES 2.
Ronald Coleman 8020 s highway A1A Mel Bch 50 year resident South
Beaches.

From: [Peter Kramer](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#); [Abbate, Frank B](#); [Calkins, Tad](#)
Subject: STOP ZONING INCREASE ON SOUTH BEACH!
Date: Saturday, February 1, 2025 10:51:46 AM

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

Please vote to STOP Increase in Zoning at 5610 A1A from RES 1 to RES 2.

1) It's against the Law according to Policy 7.1 of the Comprehensive Plan and 12.1 of the New State Brevard Barrier Island Area (BBIA) protection.

2) It sets an irreversible precedent opening the door for larger increases in the future.

Please vote to follow the existing laws:

1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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".

2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 "Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...".

Please help (again) to stop illegal density increases in South Beach's Area of Critical State Concern.

Thank you for your time,
Peter Kramer
125 Harmony Place
Melbourne Beach, FL 3295

From: [Karen Kramer](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#); [Abbate, Frank B](#); [Calkins, Tad](#)
Subject: STOP ZONING INCREASE ON SOUTH BEACH
Date: Saturday, February 1, 2025 10:51:17 AM

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Please vote to STOP Increase in Zoning at 5610 A1A from RES 1 to RES 2.

1) It's against the Law according to Policy 7.1 of the Comprehensive Plan and 12.1 of the New State Brevard Barrier Island Area (BBIA) protection.

2) It sets an irreversible precedent opening the door for larger increases in the future.

Please vote to follow the existing laws:

1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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".

2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1 "Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA..."

Please help (again) to stop illegal density increases in South Beach's Area of Critical State Concern.

Thank you for your time,

Karen Kramer
125 Harmony Place
Melbourne Beach, FL 32951

From: [Karen Hamilton](#)
To: [Commissioner, D3](#)
Subject: STOP Zoning increases on South Beach
Date: Wednesday, January 29, 2025 10:28:51 AM

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Commissioner,

Please vote NO on the upcoming zoning meeting regarding Zoning at 5610 A1A from RES 1 to RES 2.

Please consider the following:

- It's against the Law according to Policy 7.1 of the Comprehensive Plan and 12.1 of the New State Brevard Barrier Island Area (BBIA) protection
- It sets an irreversible precedent opening the door for larger increases in the future.
- Brevard Comprehensive Plan, Coastal Management Element (CME) 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".
- Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1
- "Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County **shall not increase residential densities within the BBIA...**".

Please vote NO and as our barrier island is a Critical Area of State Concern that needs to be kept safe from undue development.

Thank you

Karen Hamilton

162 Casseekee Trail

Melbourne Beach, FL

32951

From: [Linda Minnick](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Vote "NO" on Zoning increase for South Beaches
Date: Wednesday, January 29, 2025 6:24:06 PM

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Thank You.

From: [TY BOTELLO](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Vote against population increase in the south Beaches
Date: Friday, January 31, 2025 1:05:58 PM

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1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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”.

2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1

“Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County **shall not increase residential densities within the BBIA...**”.

Ty Botello
220 Sea Dunes Drive
Melbourne Beach, FL 32951
3216528432

From: [Jodie Irish](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#); [Abbate, Frank B](#); [Calkins, Tad](#)
Subject: Vote No 5610 A1A from RES 1 to RES 2
Date: Friday, January 31, 2025 12:03:27 PM

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Dear Commissioners,

Here we are again on a subject of increased density that has been outlawed under the Area of Critical Concern as noted below. I would ask that this matter finally be put to rest and prevent years of litigation and future increased density at our beautiful Brevard County coast.

It's illegal under the following policies that were passed by both State Houses and to be implemented by the county. Do your job and follow the law.

1) Brevard Comprehensive Plan, Coastal Management Element (CME) 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”.

2) Brevard Barrier Island Area Element (BBIA), to protect the Area of Critical State Concern. Policy BBIA 12.1

“Consistent with Policy CM 7.1 of the Coastal Management Element, Brevard County shall not increase residential densities within the BBIA...”.

Please stop illegal density increases in South Beach's Area of Critical State Concern.

Sincerely,
Jodie Hager
325 Hiawatha Way
Melbourne Beach, FL 32951