

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, February 17, 2025**, at **3:00 p.m.**, in the Florida Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

The meeting was called to order at 3:00 p.m.

Board members present were Mark Wadsworth, Chair (D4); Henry Minneboo, Vice-Chair (D1); Ana Saunders (D5); Erika Orriss (D3); Debbie Thomas (D4); Logan Luse (D4); Ruth Amato (D1); John Hopengarten (D1); Jerrad Atkins (D1); Melissa Jackson (D5); and Robert Brothers (D5).

Staff members present were Trina Gilliam, Interim Zoning Manager; Paul Body, Planner; Darcie McGee, Assistant Director, (Natural Resources Management); Alex Esseesse, Deputy County Attorney; and Alice Randall, Operations Support Specialist.

Excerpt of complete agenda

Item H.1. Cameron and Courtney Parker request a Small-Scale Comprehensive Plan Amendment (24S.18), to change the Future Land Use Designation from RES 1:2.5 to RES 1. (24SS00018) (Tax Account 2401173) (District 1)

Item H.2. Cameron and Courtney Parker request a change of zoning classification from GU to RR-1. (24Z00068) (Tax Account 2401173) (District 1)

Trina Gilliam read companion items H.1. and H.2. into the record.

Cameron Parker spoke to the application. He stated they just want to change it. Right now, it's general use zoning, along with all the lots surrounding me. Those already have houses built on them. He didn't know if a rule changed or something, but the minimum of 5 acres and only a 1-acre lot. They just want to build their house on it.

There was no public comment.

John Hopengarten inquired of staff if the board could administratively change all the surrounding lots in one stroke and then they wouldn't have to do one offs every time.

Paul Body responded that they'd have to have the County Commission tell staff to do that.

John Hopengarten asked if they could make a recommendation here on the board to do that.

Paul Body stated "I guess you could. One of the problems with these properties is that they're done in a survey book and when they put the zoning on it they put GU zoning. The survey book in 1960, the lots weren't divided into 150 ft. wide lots, they were divided into 140 ft. wide lots, so they don't meet the GU zoning. That's the reason he's here today."

John Hopengarten responded that he understands. He's just concerned that all the neighbors have their homes on all the same size lots and they're still in GU, so they're nonconforming. If they want to come for a building permit to do anything they're going to be stuck and will have to do a zoning change like he's doing.

Paul Body responded with yes or get a variance to the lot size.

Trina Gilliam commented that most of these properties are already developed with homes on them. So, the vacant lots are the ones that we're concerned about providing consistency because those are

the ones that don't have a residence established on them yet. If it is your recommendation, we can take it to the board and see what they would like to do. But for today we just need to focus on the recommendation for this small scale and rezoning. We can take your recommendation forward to the board.

John Hopengarten responded we'd save a lot of time and money if we were to do them all at once.

Robert Brothers commented that it's been brought to our attention that we have a big portion of non-conforming lots that we should deal with, so we don't waste more of our time and more of our resources.

Paul Body responded that a lot of these lots are non-conforming, but then ones like this are inadequate to the size when it was subdivided. This lot is not non-conforming.

John Hopengarten said, "say that again, please."

Paul Body responded that this lot is inadequate in size, it's not non-conforming. It does not meet the code....

John Hopengarten said, "you mean because of the GU designation."

Paul Body responded that like all the others here today he's just trying to get it to be able to build a house on it.

John Hopengarten said that he understands that but his neighbors, the Crews, the Cannos, the Deons, the Mulligans, the Palmers, and the Rileys they all have their houses there, they're all in GU. They're in the same situation that he is but nobody made any changes.

Paul Body responded with no; I don't think that it was common at the time that these houses were built.

Mr. Parker commented that he built the house across the street from his lot for Lifestyle Homes in 2019 and knows it's a newer house.

John Hopengarten asked, "did you change the zoning then?"

Mr. Parker responded with no, it's not me, it's still general use zoning.

Paul Body said that it was permitted by mistake. It was approved in error.

Ruth Amato questioned that because of the wetlands on the property natural resources mentions that 1 home per 5 acres, how do you bypass that?

Mr. Parker responded that he must have it mitigated for where the house sits.

Ruth Amato continued with how does adding fill to where the house is going to sit directly impact the neighbors?

Trina Gilliam responded that at the time they submit for a building permit wetland delineation will be required.

Darcie McGee stated that at the time of permitting they'll need to come in with a current wetlands delineation and at that point if the lot is less than 5 acres and established after 1988 it would be allowed only 1.8% of the property area in impacts. If it's more than 5 acres or the lot has been legally established in that configuration since 1988 then they can build a house, access and septic, they can mitigate the wetlands, through the state. They do proceed at their own risk without an environmental report ahead of time.

John Hopengarten commented to Darcy that on her maps it doesn't show that they're in wetlands.

Darcie McGee stated that they are just north of wetlands. They do have hydric soils on their property, so that's an indicator they may have wetlands. That's why we would require the delineation. What we do is a desk top analysis. We look at aerials and soils maps, wetland maps, and if we see something that might indicate that there's wetlands at some point, they're going to have to provide us with that environmental report to identify and quantify what is there.

Mr. Parker commented that he has done that.

Henry Minneboo stated the problem he has is we're going to decide for other people's lots throughout that entire subdivision and they may come here and want to kill us because we modified their.... That's not what they want to do. I'm not sure we need to get involved in other peoples' desire to do whatever they're going to do. They know it's GU, let them make the decision when they feel like it.

Mark Wadsworth said that to get back on track they need to focus just on this application.

Motion to recommend approval of Item H.1. by John Hopengarten, seconded by Erika Orriss. The motion passed unanimously.

Motion to recommend approval of Item H.2. by John Hopengarten, seconded by Logan Luse. The motion passed unanimously.

The meeting was adjourned at 4:09 p.m.