

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, September 16, 2024**, 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: Henry Minneboo, Vice-Chair (D1); Ron Bartcher (D1); Robert Sullivan (D2); Brian Hodgers (D2); Debbie Thomas (D4); Mark Wadsworth, Chair (D4); Robert Brothers (D5); Ana Saunders (D5), and John Hopengarten (BPS).

Staff members present were: Tad Calkins, Director (Planning and Development); Rachel Genera, Public Works Engineering Manager; Alex Esseesse, Deputy County Attorney; Trina Gilliam, Planner; Paul Body, Planner; Desirée Jackson, Planner; and Kristen Champion, Special Projects Coordinator.

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

Excerpt of complete agenda.

Item H.8. Judith Baker requests a Small-Scale Comprehensive Plan Amendment from RES 1:2.5 (Residential 1 per 2.5 acres) to CC (Community Commercial), on property described as Lots 32, 33, 34, 39, 40, 41, and Lots 53 - 62, Sunshine Grove. (16 acres) Located on the north side of Willowbrook St, approx. 400 ft. west of Babcock St. (No address assigned. In the Palm Bay area.) (Tax Account 3000414, 3000394, 3000395, 3000396, 3000401, 3000402, 3000403, 3000405, 3000406, 3000407, 3000408, 3000409, 3000410, 3000411, 3000412, 3000413)(24SS00011)(District 5)

Item H.9. Judith Baker requests a change of zoning classification from GU (General Use) to BU-2 (Retail, Warehousing and Wholesale Commercial) with a BDP (Binding Development Plan), on property described as Lots 32, 33, 34, 39, 40, 41, and Lots 53 - 62, Sunshine Grove. (16 acres) Located on the north side of Willowbrook St, approx. 400 ft. west of Babcock St. (No address assigned. In the Palm Bay area.)(Tax Account 3000414, 3000394, 3000395, 3000396, 3000401, 3000402, 3000403, 3000405, 3000406, 3000407, 3000408, 3000409, 3000410, 3000411, 3000412, 3000413)(24Z00036) (District 5)

Trina Gilliam read companions items H.8. and H.9. into the record.

Judith Baker, the applicant, went over the history of her property. Willowbrook street is the main road. She stated "we purchased the first 16 acres. We purchased the front 10 acres in 1988 and at time Willowbrook St. was a dirt road. The road was paved sometime after 1988 but no right of way was asked or given. I'm willing to give a right of way to the County for that particular section of the road Brevard County maintains, which is 100 ft wide from swale to the swale". Ms. Baker noted that Willowbrook St. had been used very heavily by dump trucks, semi trucks, farm equipment, and etc. since they moved in. The purpose of the request is there are 11 developments with 27,000 residents to be developed surrounding her property. She wishes to services those homes by providing mini self-storage and outdoor parking for RVs and boats using a Binding Development Agreement. She believes the mini self-storage shall not have any big impact on the roads and traffic. She feels the proposal is complimentary to the surrounding needs. She noted the staff report as well mentions the proposal is complimentary to the emerging development of the surrounding area. Ms. Baker went on to explain that in the back north section of her property there are four lots that appear to be lane blocked and three lots in the middle owned by a mister Kenzie. She clarified that she has had "a

gentlemen's agreement with Mr. Kenzie since 2005 for access across his property to my property because he has property on the east of me property and on the west of me there's a dirt road running east to west on the north side of our property from Babcock Street that is not recognized by Brevard County. I'm willing to give with a mutual easement of 50 ft to the property owner Mr. Kenzie." Water and sewer is not available but she has a will serve letter from the city of Palm Bay that they will have it that available. If not they will go with whatever the state and county requires.

No public comment.

Mr. Bartcher asked staff a question regarding spaces for roads or access to these lots and wether we are creating an onclave as the staff report states.

Trina Gilliam explained "in that report we had consulted with Public Works. What they had asked for is that if the roadway is not 100 ft in width that she dedicate what was needed". The Willobrow St will also need to be repaved which will be something that will come up during site plan.

Mr. Bartcher believes this project will have little impact on that infrastructure. He states they have already approved a lot of residents in that area. He believes the self-storage will be needed for all the residential development.

Robert Sullivan addressed to staff "to get to isolated four platts there is access on Babcock St. But it does not look like it's a controlled access like the interchange. How will the County look wether you want to do a Tee intersection? Right now it goes up to the northern portion of that property to get to that access."

Ms. Baker states Mr. Kenzie owns the property that is east of her that accesses Willowbrook St. Therefore he can get to those lots from Willowbrook St. from the easement access she is proposing.

Mr. Sullivan asked if Mr. Kenzie will be putting in the road from east to west to access the road frontage on Babcock street. Ms. Baker said she was unsure. Mr. Sullivan clarified that the road is obviously going east west to access it but it curves around to the front of his frontage on Babcock Street. Mr. Sullivan was concerned about access to those remaining lots in the future.

Trina Gilliam responded that no site plan has been submitted yet but that it would be worked out during that time to ensure those four lots would continue to have access. She added that staff would not start working on it prior to her zoning being approved.

Motion to recommend approval of item H.8. by Ron Bartcher, second by Debbie Thomas. The motion passed unanimously.

Motion to recommend approval of item H.9. by Ron Bartcher, second by Debbie Thomas. The motion passed unanimously.