

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, April 20, 2026**, at **3:30 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 3:30 p.m.

Board members present were Mark Wadsworth, Chair (D4); Henry Minneboo, Vice-Chair (D2); John Hopengarten (D1); Ruth Amato (D1); Ron Bartcher (D2); Robert Wise (D2); Neal Johnson (D4); Ana Saunders (D5); Erika Orriss (D3); Robert Brothers (D5); and Melissa Jackson (D5).

Staff members present were Trina Gilliam, Planning and Zoning Manager; Paul Body, Planner; Alex Esseesse, Deputy County Attorney; and Alice Randall, Operations Support Specialist.

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

John Hopengarten disclosed that he'd had conversations with the engineer on Items H.1. and H.2.

Robert Brothers disclosed that he'd had conversation with some of the neighbors to Item H.1.

EXCERPT OF COMPLETE AGENDA

H.1. Antoun Wassef and Monica Wassef request a CUP (Conditional Use Permit) for a Second Kitchen Facility in RU-1-11 (Single-Family Residential). (26Z00001) (Tax Account 2801649) (District 5)

Trina Gilliam read item H.1. into the record.

Antoun Wassef spoke to the application. He stated we just want to have a kitchen at the back of the house, so we'll have two kitchens. One will be a kosher kitchen that will be used when our family gathers and some part of the family that doesn't use the same kitchen. When we live in the house both kitchens are open to each other. There's no walls. There's no utilities separate. All the utilities are together.

Monica Wassef stated they followed all the requirements that are in the CUP application to qualify for this. We also submitted um plans to the county. We hired a general contractor and an engineer to make sure that everything is per code. Dr. Kim Maines. I've lived in the area for 30 years and many of our older homes are occupied by children of parents that built those homes. They live in that area because it is single family on large lots and that's what we like about it. According to the Brevard, Florida government site, the applicants must demonstrate the request aligns with the comprehensive zoning codes and obviously it doesn't because there's an existing ongoing code enforcement case. Also, according to the staff comments on that enforcement case, the property was previously modified without permits and utilized in a manner inconsistent with single family use. The work was done without permits. Permits and codes are there to protect the residents to make sure they're safe. So, without those, we have no idea about what work was done previously. Also, according to staff comments the CUP associated building permit seeks to bring the structure into compliance with the county regulations to formalize the kitchen. In other words, the applicants are abiding by the old saying it's better to ask forgiveness than permission. Rather than addressing the code enforcement case by bringing the structure back into compliance as a single-family residence, they want the county, and they want all their neighbors to let them formalize that kitchen. According to the documents that exist they were renovated and rented without proper permits. So now they're going to

have a second kitchen, and they're going to try and tell you that they're going to abide by the CUP zoning section 621947 which reads that no single-family dwelling unit shall be utilized for rental purposes. But they've already done that apparently according to your own documents. So, they're asking us now to believe that they're not going to do that going forward once they formalize a kitchen. According to your own staff comments, the introduction of a second kitchen facility inherently increases the potential for independent living arrangements.

PUBLIC COMMENT

Ken O'Kelly stated he and his wife Laura live right next door. We've been there for 41 years. We've observed in the last year or so all this going on at this property next door. We figured it was without permits. We never saw anything in the yard or on the front door. And there's been major work done in this house. Septic tank work, additions to the back of the house with concrete block, the roofing modifications. There are four doors across the back of this property. Why does a single family home need four doors on the back of it? Well, now we kind of know. There's been people renting apartments in there and that's why there's all these separate doors. My concern is as a neighbor that their drain field is right next to my property. So, when they start having a problem, it's going to affect my property and my well. That's what I'm concerned about.

John Traylor stated he lives across the street. The applicant doesn't live in the residence, never has. The place is boarded up now, completely hurricane proof. We witnessed all the renters, the people moving in and out constantly. We've received mail for apartment A and B. So obviously we know where he's going with this. He doesn't intend on living there. That's what we see happening. You know we pay our dues to stay here to do our thing and he's just going to turn it into an apartment complex, and we don't want it.

Chris Trammell stated she loves her home. I believe they're all correct. I think we're going to have people coming and going, multiple families in this. I don't want that. I just love the street. I love the neighborhood. Nothing against them, but I don't want to see this happen. And I feel like if that's approved, this is going to be approved repeatedly. The neighborhood we love so much is not going to be the same.

END PUBLIC COMMENT

Mr. Wassef stated many of the comments that were made were untrue. For the building we are getting everything approved as we mentioned. There's an engineer working on it. There is a contractor working on it. Again, I assure my neighbors and everyone that no one will live in this house except us occasionally, we are not going to live full-time. They are not going to see anybody. They are not going to see cars. They are not going to see anything. There was never an apartment B and apartment A. Yes, there were tenants there for two months only. And if the neighbors said anything, we should have let them go from day one. But we got a notice, we reacted right away, and we got everybody out. We are following everything as the code would say, and we are going to be there with our family. There will be no one there. I wrote that and I sent it to the county. I don't think I can do anything other than that. I am assuring everyone that no one will be in this house except us.

Ms. Wassef stated she also wanted to acknowledge their concerns. Originally we did rent it out, but unfortunately the tenants did unauthorized subletting without our knowledge. We rented it to one family, and they sublet it to others. The neighbors had our phone numbers. They didn't call us and let

us know. We have the evidence that we sent them out. None of the neighbors that are present, some of them had our phone numbers and they could have called us and told us, "Hey, there's other people living in this house." No one said anything until we got the notice from the county. As soon as we got the notice from the county, we acted on it immediately and got those people out. Even though this is very, very difficult with landlord and tenant laws. Most of the time, but in my view, landlord tenant laws favor the tenant. And once they're there, you have a really hard time getting them out. And despite that, we did everything in our power to get them out. They are correct. There's no one living there because we want to get the house ready for us and we are moving there. And of course, if they ever have an issue in the future, there's a lot of them, they could notify the County immediately. So, if they're worried about somebody moving in extra or having a, b, c or whatever they're saying, they're there. Call the county, put a notice on us, report us. They can report us, if we don't follow through with what we're saying.

Mr. Wassef stated we are asking to add another kitchen for family members that eat kosher, and they don't use the same kitchen. One of the neighbors is my mechanic. My mechanic next door has a mechanic shop and cars and motors and looks ugly. The other one has heavy equipment, John and Judy, you see J&J, they have heavy equipment, tractors and stuff. This is in front of me. This is the ugly part. Not someone using another kitchen. When we got the notice from the county, the comment that was made by your neighbor complaining said you have two Hispanic families in the same house. Hispanic. Hispanic. This is the word that I got.

Mark Wadsworth stated we are the planning and zoning board. We don't get into the code enforcement issues.

Erika Orriss stated she was a little bit confused about the state of the property right now. As I read it, it says property owner renovated the entire single-family home and converted it into multiple rental apartments which are now rented. Is that no longer true?

Mr. Wassef responded that it's no longer true, since July 31st.

Mrs. Wassef added as soon as we got notice of it, we corrected it. We had to follow the law too. So, there's landlord tenant laws. And once they're in there, you can't just kick them out. We can't. So, we got rid of the problem as soon as we could, following the law. I wish I could have just put a lock and got them out, but I couldn't.

Mr. Wassef added that this problem also lasted two months only. It was not like a long time. Once we get the notice, we paid the people and got them out.

Ms. Orriss stated you did a renovation, and you turned your home into multiple apartments is what it says.

Mr. Wassef responded no, that's not true. It was renovated and it's not entirely renovated as was mentioned. I don't think anybody would renovate a house from 1950 and not change the windows. We didn't change any windows. Most of the doors are the old doors. Maybe we added two doors or something. Four doors in the back because one of them is a storage, one of them opens to this kitchen. If you have a laundry room you have a door for it. If you have storage, it's a little room like this. Nobody is going to live in it. I don't have a motel six.

Ms. Orriss asked staff what the state of the code enforcement violations are. According to our packet,

it does say that it has been renovated into multiple rental apartments which are now rented. All the work was done without permits. So, if it's been renovated already into multiple apartments and they're going to.... It's a question for staff.

Ms. Wassef interjected if I may add, if you look at the documents that were submitted to the county it shows the floor plan, it shows all the details of it. So, at some and it's approved by a general contractor and an engineer, everything submitted. You could look at what it is right now and ultimately if somebody wants to they could come and look and verify that the plans are accurate, go into the house and check it.

Mr. Wassef stated building will not approve or finish reviewing the plan until the zoning approves the kitchen. We contacted the building department a few times to see if there is anything we need to do but what we got is they will not approve anything until zoning approves the kitchen first.

Ms. Wassef continued with it's a process. So, we're basically waiting for this; the application is on hold. Even though all the stuff that's in the plans and everything is approved by them they cannot do final approval until this part is processed.

Mr. Wassef added that his neighbors are both trying to buy the house. They put a lot of pressure on me to buy the house, and they called me asking me if I'm going to sell it. I'm not going to sell it. Are you going to rent it? I'm not going to rent it. Are you going to sell it? I'm not going to sell it. And they keep asking me about buying my property. We're not going to sell it. And I'm not going to sell it in any way. They will never get it. They will never get this poverty. We're not going to stop. I will be your neighbor forever.

Paul Body responded to Ms. Orriss' yes. There is a code enforcement case against them which is 25CE00999. The description of the work states the property owner renovated the entire single-family home, converting it into multiple rental apartments which are now rented. All of work was done without any permits. The complaint was verified by the code enforcement officer on June 27th, 2025. Yes, he went out to the property and the complainant said he would like code enforcement to address all the work without permit, violations found that created an unpermitted subdivided living space, structural, plumbing, electrical, drywall, etc. Also, the zoning violations for multiple families in a single-family home. So yes, there was code enforcement for that.

Ms. Orriss stated that it has not been closed out yet, it's still an active case.

Ms. Wassef responded that it cannot be closed out until this the process... This is what they told us, which is that the building department cannot do anything until this part is taken care of. So that was on June 27th that was said and now there's nobody living there.

Ms. Orriss inquired if it is still structured as a multi-family.....

Ms. Wassef responded no.

Ms. Orriss stated well that's what it says. It's a multi-family, multiple rental apartment.

Mr. Wassef responded it is no longer It's no longer.

Ms. Orriss continued with you renovated it from that.

Mr. Wassef responded the whole thing about multiple is there's a wall that's closed and the wall is open.

Ms. Orriss then stated there was more work done to make it back to a single-family.

Mr. Wassef responded it was always like that. It was always a single family.

Rob Brothers asked if they put an addition on the house.

Mr. Wassef responded no, he didn't put an addition.

Mr. Brothers responded that's untrue. You added on to the house. I visit this neighbor quite often. And these people I know, I'm related to this guy. I visit there quite often. I saw you put an addition on the house. Did you do work on the septic system and without a permit?

Mr. Wassef responded a company did it.

Mr. Brothers responded that's untrue. I saw you working on the septic system with my own eyes.

Mr. Wassef stated he has invoices. I have a company.

Mr. Brothers continued with if you're untrue about these things and the staff says that you turned it into multi-family and I see a drawing of the kitchen, but I don't see a drawing that's addressing all these other things. So, if you're untrue about that, how do we know that you're not untrue about the place.

Mr. Wadsworth stated we need to stay with the planning and zoning.

Mr. Brothers stated he was talking about him having changed the house into a multi-family as staff says.

Ms. Wassef stated it seems to me that this is a biased person that is here.

Mr. Wadsworth continued with I'm going to take the floor. I'm going to speak.

Henry Minneboo stated usually these things are very, very simple. We make modifications here lot. You never have anybody come here, usually and speak against it. I'm going to be very frank with you. I'm not in favor of what you're going to do. And I'm not going to give you the zoning to allow you guys to modify until you get it all fixed up. Then you can come back here. As far as I'm concerned, you're spinning your wheels and blowing your tires because this thing is not heading in the right direction. The way you've approached it is not the proper way. If you have people here speaking against something of this minuscule of a situation, you've got a problem. And I'm not in favor of giving you the zoning and then letting you see if you can go to work. It's not going to happen. Staff, let me ask you a question. So that they don't have to pay twice and we've done this in the past, can we table this issue until they get this corrected, however long that takes?

Ms. Gilliam responded the building permit is not going to be able to be approved showing the second kitchen unless this is approved. So, they can remove the kitchen from their plans and put it back into one kitchen or you can table it, and can come back, but they still can't get that permit approved until

this is approved.

Neal Johnson stated they wouldn't need a zoning change if they removed the second kitchen.

Ms. Gilliam responded with that's correct. They could get the permit to bring the house back into order, back into code, and then could come and make the request and then add the second kitchen afterward.

Ruth Amato stated she was curious how many code enforcement cases are there for this.

Mr. Body responded there's only one.

Ms. Amato stated when she looked it up on Bass there were multiple cases against this address.

Ms. Gilliam responded the other ones are contractor licensing.

Mr. Hopengarten asked if this kitchen was already installed.

Mr. Wassef replied yes.

Mr. Hopengarten then stated you did it without a permit.

Mr. Wassef replied yes.

Mr. Hopengarten stated you know it's a violation, right.

Mr. Wassef replied with now we know.

Mr. Hopengarten continued with can you tell me what the difference between a regular kitchen and a kosher kitchen is, please. What's the difference? Why are you putting in this?

Mr. Wassef responded with they asked me why you want it. So that's why I want it. I want to keep it because of that.

Mr. Hopengarten stated you're not answering my question. What's the difference between a regular kitchen in a house and a kosher kitchen?

Ms. Wassef responded every single surface and kitchen item, anything whatsoever in that kitchen that's supposed to be kosher cannot be touched by a certain type of meat because of certain beliefs. It's his family.

Mr. Hopengarten stated you're not answering my question. What's in there?

Mr. Wassef responded it's just a kitchen.

Mr. Hopengarten stated that it could be used as a regular kitchen for another tenant.

Mr. Wassef responded there's no tenant.

Mr. Hopengarten stated it could be because it's a regular kitchen. It's just an additional kitchen in a

single-family home.

Ms. Wassef replied if it's rented, it could be, but if it's not rented, it cannot be.

Mr. Wassef added and it's open. It's open to the other house. How can a tenant live open to the other tenant?

Mr. Hopengarten responded the drawing that I see here from your engineer shows a partition between the two kitchens.

Mr. Wassef stated no, there's no partition. Anyone can come and inspect tomorrow if they want. There's no partition.

Mr. Hopengarten responded that's not what's shown on the documents that we have in front of us.

Ms. Wassef stated that maybe it's not updated.

Mr. Esseeesse stated for the chair just a point of clarification and procedural. Mr. Hopengarten, you stated that you had two conflicts of interest, or you spoke with individuals prior to or, ex-parte, what items did you speak to that engineer on?

Mr. Hopengarten responded He just asked him what he drew up. Items were H1 and H2. Same engineer.

Mr. Esseeesse then asked Mr. Brothers if he had stated that he has a relative....

Mr. Brothers responded yes, nephew. So, I visit the neighborhood occasionally.

Mr. Esseeesse stated he's just looking for it from a conflict-of-interest perspective in a voting issue. But I'll look into it while the discussion continues.

Mr. Brothers responded if I need to recuse myself that's fine. I was telling you what my eyes saw.

Mr. Esseeesse stated I'm not saying you have to. I just need to confirm it, that's all.

Mr. Hopengarten asked the applicant if their engineer was here. Can we call the engineer up?

Antonio Owen stated the two kitchens are back-to-back with the bathroom next to one of the kitchens as well. So, you can see the two sinks, the kitchen sinks, the double sinks there. There is a wall there that the two kitchens are back-to-back. To the right of that, there's a hallway that will connect the two areas.

Mr. Hopengarten stated that there is a wall between the two kitchens.

Mr. Owen responded currently yeah. I don't know anything about kosher kitchens. I don't know if you can have a kitchen open to another kitchen and still be kosher. I have no idea. It's not my religion.

Mr. Hopengarten stated you keep saying open. I see them back-to-back with a wall between them. That's not open.

Mr. Owen replied no, I'm asking you. I don't know if you have if you can have an open kitchen. I have no idea if one kitchen must be closed off from the other.

Mr. Hopengarten stated he's just trying to establish the fact that they're asking for a CUP for a kosher kitchen. And I just want to make sure that there's a big difference between somebody putting in an extra kitchen or a specialty kitchen that could be used by the family like he was saying. So, I'm just trying to establish that. But the way the drawing looks, it's not open. I mean, it's an open room. Yes.

Mr. Owen responded I think he's trying to say, in his view, that it's open in the sense that you can get to both kitchens, you don't have to walk around the house to get to the kitchen. You can go through a hallway to get to the other kitchen. I think that's what he's saying. I'm interpreting so I don't know. When I was there there's a hallway that connects the two kitchen areas together.

Mr. Johnson asked if there were doors in that hallway.

Mr. Owen replied that you can see there's a door right there. You could take the door out if you needed to. My thought is I if he didn't have to have a kosher kitchen he could just make it a kitchenette and be done with it.

Mr. Body responded anything with a kitchenet called kitchen is going to be a second kitchen.

Mr. Owen asked how do you do mother-in-law suite with a refrigerator.

Mr. Body responded that a kitchen is made to store, to prepare, and cook food. So anytime you have something that is one of those three, especially cooking, that's what a kitchen is for.

Mr. Owen stated a kitchenette would be, under your definition, another kitchen still.

Mr. Body responded yes, because you're calling it a kitchenet.

Mr. Owen asked what do you call it then. If it's just a refrigerator and a microwave.

Mr. Body responded that you can't have a microwave either. You can cook in a microwave. You can take a microwave and plug it into anywhere.

Mr. Owen inquired when the rules changed.

Mr. Body responded it's in the definition of kitchen in our section.

Mr. Owen stated that in Boulevard County, I think it's state law, I can put an ADU, and you guys cannot stop it.

Mr. Body responded that you must meet the definition of what an ADU is and for having a second living area.

Ms. Gilliam stated that an ADU is not relevant to this conversation today.

Mr. Owen continued with it was just a comment that we're allowed by law to do a detached ADU and no one can stop it, and you can complain but it's part of the affordable housing laws.

Mr. Wadsworth stated that he needs a kitchen because of his beliefs, the religion. And you're going to be the only family in the house. Period.

Mr. Wassef responded Yes. Period.

Mr. Wadsworth continued with, and they need to get this other kitchen approved for zoning. Is that correct, staff?

Ms. Gilliam responded yes.

Mr. Esseesse suggested that Mr. Brothers abstain from voting based on what we've heard to cover yourself and then if we need to provide you a form, we will fine.

Motion to recommend denial of Item H.1. by Henry Minneboo, seconded by Erika Orriss. Motion passed unanimously (Robert Brothers abstained).

Meeting adjourned at 5:10 p.m.

DRAFT