From: <u>Commissioner, D1</u>

To: <u>alainsandycarpentier@gmail.com</u>

Cc: Pritchett, Rita; Mascellino, Carol; Smith, Nathan; Price, Jessica; Jones, Jennifer

Subject: FW: Opposition Letter / Agenda Item H. 11, Carter and Jessica Hayes Rezoning

Date: Wednesday, February 2, 2022 9:41:59 AM
Attachments: Opposition to H.11 Carter and Jessica Hayes.pdf

image001.png

Good morning,

On behalf of Commissioner Pritchett, thank you for your email. The Commissioner has reviewed your email and wants you to know that she will take your comments into consideration.

Thank you for contacting our office and sharing your concerns.

Best regards,

Carol Mascellino Legislative Aide to Commissioner Rita Pritchett



District 1 Commission Office 7101 S. Highway 1 Titusville, FL 32780 Telephone: 321-607-6901

Please note:

Florida has a very broad public records law. Most written communications to or from the offices of elected officials are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

From: Alain Carpentier <>

Sent: Tuesday, February 1, 2022 6:18 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>

Subject: Opposition Letter / Agenda Item H. 11, Carter and Jessica Hayes Rezoning

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

Commissioners,

Subject line is attached for your consideration for the meeting scheduled for 2/3/2022.

Regards, Alain & Casandra Carpentier

Sent from my iPhone

January 29, 2022

To: Brevard County, Board of County Commissioners

Brevard County Government Center 2725 Judge Fran Jamieson Way, Vierra, FL

From: Alain & Casandra Carpentier

4550 Deanna Court Merritt Island, FL., 32953

Reference: (1) North Merritt Island Homeowners Association, Opposition Letter

(2) Sunset Lakes Homeowners Association, Opposition Letter (3) Aerial Photos of surrounding parcels taken 23JAN2022

(4) Citrus River Groves, Horseshoe Bend, and surrounding area Opposition Petition

Subject: Agenda Item H.12. Carter & Jessica Hayes Request zoning Change from AU to RU-2-4. Brevard County Planning & Development ID# 21Z00042.

Commissioners Zonka, Smith, Lober, Pritchett, Tobia, and Smith

We express our <u>strong opposition</u> to the rezoning of Parcel IDs: 23-36-34-00-761 and 23-36-34-00-762 from the current AU to proposed RU-2-4, owed by Carter and Jessica Hayes, allowing for 10 rental units. We own the property on parcel 41 in the subdivision Citrus River Groves, Merritt Island, located within 500 feet of the proposed rezoning area of both parcels owned by the Hayes, as identified on the zoning map. The RU-2-4 zoning is inconsistent, will impact drainage/flood areas, and set the precedence for others to do the same along the West of State Rd 3; greatly impacting already established communities.

Per, references 1, 2, & 4; the surrounding Homeowners Associations, Citrus River Groves, and Horseshoe Bend Rd., have a strong opposition to this type of inconsistent development which will affect our quality of life and the uniformities of already established neighborhoods. Citrus River Groves and Horseshoe Bend do not have an independent HOA; a petition and grass-roots campaign was started knocking on doors gaining the opposition signatures for those residents unable to attend the hearing. More than half of the community (67%) opposed; those statistics would increase; however, some residents were unreachable. The total oppositions represent hundreds of residents—and should speak volumes.

While the local community may be unable to prevent development, that in itself will be detrimental to the area, there is no denying new development, especially one which increases density and will cause a ripple-effect on our over-stressed drainage, cause additional traffic and safety problems, and potentially lower property values/raise flood insurance costs of the existing community. This is not good for us! We are asking our elected leaders to support their communities opposed position, by reducing the zoning, with interest to the following:

Flooding. An issue on the Island and in our community. Stormwater runoff and an overstressed drainage canal on Citrus River Groves is a major concern—our cup is full and is already spilling over. The canal, even in the dry season, is at capacity. Even if water is retained on the Hayes property, the volume of soil percolation will be diminished and land build-up will allow escaping water towards the lowest spot, which is in our drainage canal as I'm sure it won't be crowned to drain towards Courtenay. Making an already un-easy situation more stressful during ordinary summer rainfall. The rezoning may impact our current FEMA flood-zone category from X to AE, affecting the cost of current homeowner's flood insurance by \$800 yearly. This type of situation doesn't affect you, until it does...once you live in a home

that has a potential to flood, a homeowner will do everything to protect it from happening and/or recurring. Recent aerial photos (reference 3) were taken 23JAN22 showing the size of the drainage canal and wetlands sprawl. Please note – the drainage canal was originally a couple feet wide and 18 inches deep. It is now 30 foot wide in areas and 10 feet in sections. Any more capacity or surface saturation will erode our land/property faster.

The redline indicates Hayes' parcels, the blue swimming pool on left is my property 4550 Deanna Court. There will be a lot of land clearing needed to support 11 units. The red arrow indicates the drainage canal which is resident owned and on our property parcels. Bottom right picture (although hard to see) shows the land pitching away from Courtenay.



Conservation & Wildlife. Identified wetlands will be affected, wildlife (alligators, turtles, spoonbills, egrets and yes, even bald eagles) have been observed in the area, and any land clearing development will destroy their habitat. Development should consider the negative impacts to local wildlife habitat.

Property value and associated costs. Current home values in FL., have been shown to decrease in the areas of multi-family units; especially when dwellings are inconsistent with the neighborhoods already developed. Additionally, during a recent discussion with my HO insurance agency, it was eluded that a change in FEMA flood maps, usually from development, may change our zone (which is currently X) and increase our flood insurance by \$800 a year. Once again, not good for us and our neighbors.

Infrastructure. If rezoned as requested, there will only be one way on and off the parcel and that will be one-way, going South on Courtenay at 45MPH, presenting a hazard. This most likely, will increase congestion for both outgoing and returning traffic which will be making U-turns when returning to the dwellings. Additionally, the owner has said in the previous meetings he intends to use county water/sewer systems—while that is claimed, it is not enforced. He could change his mind in the development process and use septic to lessen the building costs, this will add increased effluent to

already over-saturated soils. Where is all this water usage supposed to go? It will bleed into the surrounding parcels which are at the tipping point.

We ask that you disapprove the proposed rezoning as requested and rezone for something smaller. The surrounding community risk far outweighs the potential reward, as every action has an equal or opposite reaction. Eleven (11) units is too much and is not consistent with the surrounding area zoning. We know our opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your consideration, service, and support of our great communities.

Best regards, /s/ Alain & Cassandra Carpentier 4550 Deanna Court From: Commissioner, D1

To: Brittany Zilnicki

Cc: Pritchett, Rita; Mascellino, Carol; Smith, Nathan; Jones, Jennifer; Price, Jessica

Subject: RE: Agenda Item H. 10 to be discussed at the February 3, 2022 Brevard County Board of County Commissioners

Meeting

Date: Wednesday, February 2, 2022 9:44:30 AM

Attachments: <u>image001.png</u>

Good morning,

On behalf of Commissioner Pritchett, thank you for your email. The Commissioner has reviewed your email and wants you to know that she will take your comments into consideration.

Thank you for contacting our office and sharing your concerns.

Best regards,

Carol Mascellino Legislative Aide to Commissioner Rita Pritchett



District 1 Commission Office 7101 S. Highway 1 Titusville, FL 32780 Telephone: 321-607-6901

Please note:

Florida has a very broad public records law. Most written communications to or from the offices of elected officials are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

From: Brittany Zilnicki <bzilnick2006@my.fit.edu>

Sent: Tuesday, February 1, 2022 9:34 PM

To: Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D4

<D4.Commissioner@brevardfl.gov>

Subject: Agenda Item H. 10 to be discussed at the February 3, 2022 Brevard County Board of County Commissioners Meeting

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

Brittany McLeod 4530 Deanna Ct. (District 2) Merritt Island, Fl, 32953

February 1, 2022

Re: Agenda item H.10 to be discussed at the February 3, 2022, Brevard County Board of County Commissioners Meeting, regarding the Carter and Jessica Hayes Rezoning Request, Tax Account # 2318403 and 2318404, Brevard County Planning and Development ID # 21Z00042

Dear Honorable County Commissioners,

I am writing to you today to ask you to <u>please consider denial of rezoning of Mr. and Mrs. Hayes property</u> on the westbound side of State Road 3, Courtenay Parkway from Agricultural to High Density Residential. I live within 500 feet of this zoning request change at 4530 Deanna Court, in the Citrus River Groves neighborhood and I am opposed to this zoning request change.

My family and I moved to North Merritt Island from Northwest Palm Bay in 2018 after both my husband and I became employed at Kennedy Space Center. At the time of our move our daughter was just about to start kindergarten. After months of looking all over the county for a place to set down our roots and grow our family we fell in love with the rustic charm that North Merritt Island had to offer. The larger lot sizes were a huge advantage as we were now able have the land we wish to have for our daughter to grow up on, playing outside but at the same time being able to be close to our careers, something that Palm Bay unfortunately could not offer us. We bought our home with the notion of growing old in North Merritt Island and staying in our forever home until we both retired in about 35 years.

We as a community have great concerns with what this will set the precedence for in the future. But I ask you at what and who's cost. Currently, there is a creek that runs through the back of the properties on Deanna Court. This creek when we moved here would rise and fall with the rainy and dry seasons. This creek no longer does this rise and fall; the ground is at maximum saturation all the way up to 5 feet from the waterline. I personally ran a soil saturation test on my property and my neighbors (4530 and 4540 Deanna Ct.) to see how much more water our properties could hold, and we are maxed out (I am Environmental Engineer graduate from Florida Institute of Technology class of 2013). This year was a rather dry year with no hurricanes or tropical storms. Just picture for a moment where all that water will go if the Hayes' are permitted to build 11 units on their property which at least one third of is deemed wetland by the current maps. All the properties that have this creek running through them on Deanna Court will flood. This will potentially change our flood zone and effect not only our property to the extent of erosion but also our insurance as we will be required to carry a certain level of flood insurance. This all comes at a cost to who? Not the Hayes', but the residents of Deanna Court.

I understand that growth is essential for progress and I am not opposed to growth. I am asking that the growth match that of the surrounding communities. All the land on the west side of State Road 3 has at least half acre lot sizes. Since I have heard Mr. Hayes speak already several times at different advisory board hearings, I know he will bring up the trailer park on the east side of State Road 3. However, those trailers are not permanent structures. They can be taken down and moved at a moment's notice, that is not something you can do with a townhouse,

duplex or apartment.

In closing I would like to say thank you for your time and leave you with this, we chose to live on North Merritt Island because it was an ideal location that offered things we were looking for in our forever home. We didn't move here to change North Merritt Island, we embraced its natural beauty and made North Merritt Island our home.

Respectfully,

Brittany McLeod

From: Commissioner, D1

To: Michael McLeod

Cc: Pritchett, Rita; Mascellino, Carol; Smith, Nathan; Price, Jessica; Jones, Jennifer

Subject: RE: Board of County Commissioners Meeting of 02/03/22 Agenda Item H.10. Carter & Jessica Hayes Request to

Change Zoning from AU to RU-2-4. Brevard County Planning & Development ID# 21Z00042 Tax Accounts

2318403 & 2318404

Date: Wednesday, February 2, 2022 9:43:19 AM

Attachments: <u>image001.png</u>

Good morning,

On behalf of Commissioner Pritchett, thank you for your email. The Commissioner has reviewed your email and wants you to know that she will take your comments into consideration.

Thank you for contacting our office and sharing your concerns.

Best regards,

Carol Mascellino Legislative Aide to Commissioner Rita Pritchett



District 1 Commission Office 7101 S. Highway 1 Titusville, FL 32780 Telephone: 321-607-6901

Please note:

Florida has a very broad public records law. Most written communications to or from the offices of elected officials are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

From: Michael McLeod <mmcleod2007@my.fit.edu>

Sent: Tuesday, February 1, 2022 8:44 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>

Subject: Board of County Commissioners Meeting of 02/03/22 Agenda Item H.10. Carter & Jessica

Hayes Request to Change Zoning from AU to RU-2-4. Brevard County Planning & Development ID# 21Z00042 Tax Accounts 2318403 & 2318404

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

To whom it may concern,

Please see attached in regards to the

Board of County Commissioners Meeting of 02/03/22

Agenda Item H.10. Carter & Jessica Hayes Request to Change Zoning from AU to RU-2-4.

Brevard County Planning & Development ID# 21Z00042

Tax Accounts 2318403 & 2318404

Thank you, Michael McLeod From: <u>Brittany Zilnicki</u>

To: Commissioner, D2; Commissioner, D3; Commissioner, D5; Commissioner, D1; Commissioner, D4

Subject: Agenda Item H. 10 to be discussed at the February 3, 2022 Brevard County Board of County Commissioners

Meeting

Date: Tuesday, February 1, 2022 9:34:39 PM

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

Brittany McLeod 4530 Deanna Ct. (District 2) Merritt Island, Fl, 32953

February 1, 2022

Re: Agenda item H.10 to be discussed at the February 3, 2022, Brevard County Board of County Commissioners Meeting, regarding the Carter and Jessica Hayes Rezoning Request, Tax Account # 2318403 and 2318404, Brevard County Planning and Development ID # 21Z00042

Dear Honorable County Commissioners,

I am writing to you today to ask you to <u>please consider denial of rezoning of Mr. and Mrs. Hayes property</u> on the westbound side of State Road 3, Courtenay Parkway from Agricultural to High Density Residential. I live within 500 feet of this zoning request change at 4530 Deanna Court, in the Citrus River Groves neighborhood and I am opposed to this zoning request change.

My family and I moved to North Merritt Island from Northwest Palm Bay in 2018 after both my husband and I became employed at Kennedy Space Center. At the time of our move our daughter was just about to start kindergarten. After months of looking all over the county for a place to set down our roots and grow our family we fell in love with the rustic charm that North Merritt Island had to offer. The larger lot sizes were a huge advantage as we were now able have the land we wish to have for our daughter to grow up on, playing outside but at the same time being able to be close to our careers, something that Palm Bay unfortunately could not offer us. We bought our home with the notion of growing old in North Merritt Island and staying in our forever home until we both retired in about 35 years.

We as a community have great concerns with what this will set the precedence for in the future. But I ask you at what and who's cost. Currently, there is a creek that runs through the back of the properties on Deanna Court. This creek when we moved here would rise and fall with the rainy and dry seasons. This creek no longer does this rise and fall; the ground is at maximum saturation all the way up to 5 feet from the waterline. I personally ran a soil saturation test on my property and my neighbors (4530 and 4540 Deanna Ct.) to see how much more water our properties could hold, and we are maxed out (I am Environmental Engineer graduate from Florida Institute of Technology class of 2013). This year was a rather dry year with no hurricanes or tropical storms. Just picture for a moment where all that water will go if the Hayes' are permitted to build 11 units on their property which at least one third of is deemed wetland by the current maps. All the properties that have this creek running through them on Deanna Court will flood. This will potentially change our flood zone and effect not only our property to the extent of erosion but also our insurance as we will be required to carry a certain level of flood insurance. This all comes at a cost to who? Not the Hayes', but the residents of Deanna Court.

I understand that growth is essential for progress and I am not opposed to growth. I am asking that the growth match that of the surrounding communities. All the land on the west side of State Road 3 has at least half acre lot sizes. Since I have heard Mr. Hayes speak already several times at different advisory board hearings, I know he will bring up the trailer park on the east side of State Road 3. However, those trailers are not permanent structures. They can be taken down and moved at a moment's notice, that is not something you can do with a townhouse, duplex or apartment.

In closing I would like to say thank you for your time and leave you with this, we chose to live on North Merritt Island because it was an ideal location that offered things we were looking for in our forever home. We didn't move here to change North Merritt Island, we embraced its natural beauty and made North Merritt Island our home.

Respectfully,

Brittany McLeod

From: Michael McLeod

To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5

Subject: Board of County Commissioners Meeting of 02/03/22 Agenda Item H.10. Carter & Jessica Hayes Request to

Change Zoning from AU to RU-2-4. Brevard County Planning & Development ID# 21Z00042 Tax Accounts

2318403 & 2318404

 Date:
 Tuesday, February 1, 2022 8:44:05 PM

 Attachments:
 Rezoning 01 22 McLeod Michael.docx

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

To whom it may concern,

Please see attached in regards to the

Board of County Commissioners Meeting of 02/03/22

Agenda Item H.10. Carter & Jessica Hayes Request to Change Zoning from AU to RU-2-4.

Brevard County Planning & Development ID# 21Z00042

Tax Accounts 2318403 & 2318404

Thank you, Michael McLeod

January 29, 2022

To: Brevard County, Board of County Commissioners

Brevard County Government Center 2725 Judge Fran Jamieson Way, Vierra, FL

From: Alain & Casandra Carpentier

4550 Deanna Court Merritt Island, FL., 32953

Reference: (1) North Merritt Island Homeowners Association, Opposition Letter

(2) Sunset Lakes Homeowners Association, Opposition Letter (3) Aerial Photos of surrounding parcels taken 23JAN2022

(4) Citrus River Groves, Horseshoe Bend, and surrounding area Opposition Petition

Subject: Agenda Item H.12. Carter & Jessica Hayes Request zoning Change from AU to RU-2-4. Brevard County Planning & Development ID# 21Z00042.

Commissioners Zonka, Smith, Lober, Pritchett, Tobia, and Smith

We express our <u>strong opposition</u> to the rezoning of Parcel IDs: 23-36-34-00-761 and 23-36-34-00-762 from the current AU to proposed RU-2-4, owed by Carter and Jessica Hayes, allowing for 10 rental units. We own the property on parcel 41 in the subdivision Citrus River Groves, Merritt Island, located within 500 feet of the proposed rezoning area of both parcels owned by the Hayes, as identified on the zoning map. The RU-2-4 zoning is inconsistent, will impact drainage/flood areas, and set the precedence for others to do the same along the West of State Rd 3; greatly impacting already established communities.

Per, references 1, 2, & 4; the surrounding Homeowners Associations, Citrus River Groves, and Horseshoe Bend Rd., have a strong opposition to this type of inconsistent development which will affect our quality of life and the uniformities of already established neighborhoods. Citrus River Groves and Horseshoe Bend do not have an independent HOA; a petition and grass-roots campaign was started knocking on doors gaining the opposition signatures for those residents unable to attend the hearing. More than half of the community (67%) opposed; those statistics would increase; however, some residents were unreachable. The total oppositions represent hundreds of residents—and should speak volumes.

While the local community may be unable to prevent development, that in itself will be detrimental to the area, there is no denying new development, especially one which increases density and will cause a ripple-effect on our over-stressed drainage, cause additional traffic and safety problems, and potentially lower property values/raise flood insurance costs of the existing community. This is not good for us! We are asking our elected leaders to support their communities opposed position, by reducing the zoning, with interest to the following:

Flooding. An issue on the Island and in our community. Stormwater runoff and an overstressed drainage canal on Citrus River Groves is a major concern—our cup is full and is already spilling over. The canal, even in the dry season, is at capacity. Even if water is retained on the Hayes property, the volume of soil percolation will be diminished and land build-up will allow escaping water towards the lowest spot, which is in our drainage canal as I'm sure it won't be crowned to drain towards Courtenay. Making an already un-easy situation more stressful during ordinary summer rainfall. The rezoning may impact our current FEMA flood-zone category from X to AE, affecting the cost of current homeowner's flood insurance by \$800 yearly. This type of situation doesn't affect you, until it does...once you live in a home

that has a potential to flood, a homeowner will do everything to protect it from happening and/or recurring. Recent aerial photos (reference 3) were taken 23JAN22 showing the size of the drainage canal and wetlands sprawl. Please note – the drainage canal was originally a couple feet wide and 18 inches deep. It is now 30 foot wide in areas and 10 feet in sections. Any more capacity or surface saturation will erode our land/property faster.

The redline indicates Hayes' parcels, the blue swimming pool on left is my property 4550 Deanna Court. There will be a lot of land clearing needed to support 11 units. The red arrow indicates the drainage canal which is resident owned and on our property parcels. Bottom right picture (although hard to see) shows the land pitching away from Courtenay.



Conservation & Wildlife. Identified wetlands will be affected, wildlife (alligators, turtles, spoonbills, egrets and yes, even bald eagles) have been observed in the area, and any land clearing development will destroy their habitat. Development should consider the negative impacts to local wildlife habitat.

Property value and associated costs. Current home values in FL., have been shown to decrease in the areas of multi-family units; especially when dwellings are inconsistent with the neighborhoods already developed. Additionally, during a recent discussion with my HO insurance agency, it was eluded that a change in FEMA flood maps, usually from development, may change our zone (which is currently X) and increase our flood insurance by \$800 a year. Once again, not good for us and our neighbors.

Infrastructure. If rezoned as requested, there will only be one way on and off the parcel and that will be one-way, going South on Courtenay at 45MPH, presenting a hazard. This most likely, will increase congestion for both outgoing and returning traffic which will be making U-turns when returning to the dwellings. Additionally, the owner has said in the previous meetings he intends to use county water/sewer systems—while that is claimed, it is not enforced. He could change his mind in the development process and use septic to lessen the building costs, this will add increased effluent to

already over-saturated soils. Where is all this water usage supposed to go? It will bleed into the surrounding parcels which are at the tipping point.

We ask that you disapprove the proposed rezoning as requested and rezone for something smaller. The surrounding community risk far outweighs the potential reward, as every action has an equal or opposite reaction. Eleven (11) units is too much and is not consistent with the surrounding area zoning. We know our opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your consideration, service, and support of our great communities.

Best regards, /s/ Alain & Cassandra Carpentier 4550 Deanna Court Subject: Agenda Item H.10 to be discussed at the February 3, 2022 Brevard County Board of County Commissioners meeting.

RECEIVED

Dear Commissioner Smith.

JAN = 2022

DISTRICT 4
COMMISION OFFICE

My name is Ann Doucette. I live at 4560 Deanna Court, Merritt Island with my husband Dana. We are lifelong MI residents.

I am writing to discuss the rezoning issue ID# 21Z00042.

My husband and I have lived on Deanna Court since 1994. Our subdivision was developed from a citrus grove over 40 years ago.

We are zoned suburban residential 1 house per ½ acre.

The property of discussion is to the east of my residence. It splits my backyard and my neighbor to the south. There is a body of water running the backside of our subdivision and we own land on the other side of this "canal". This land which is connected to the property of discussion is considered wetlands.

This waterway is a major factor in our drainage. The current water level has been affected by the recent drainage updates to the north of our subdivision. In years past, it has gone to a trickle during the dry season allowing room for the rainy season. It now stays high and during the rainy season does encroach the property. Our subdivision does not want to be like Horseshoe Bend to the south that always floods.

I believe a zoning change to RU 2-4 is to much density for the canal to handle.

Another consideration is the properties adjacent to this property. Neither property is developed to the north or south. They are currently zoned AU. Then you have churches bordering these.

Across the street you have a mobile home park. They have multiple ways to access Courtenay. The large subdivision behind this also has multiple points of entry/exit. If the current zoning is changed to the requested zoning, you could have up to 25 cars having only one entry/exit point onto Courtenay.

There is one fire station on north Merritt Island. They do not have an ambulance. Our ambulance comes from a station located to the south of the drawbridge. There is one active restaurant, a bar, the Moose Lodge and 3 active gas stations. We are a rural community.

I am not against change. My family has lived in the area since the 1800's. We were removed from the current Air Force/Port Canaveral property in the 50's. When my dad was a child, the only road was Tropical Trail because there was no Barge Canal. My husband and I have spent our childhood traveling the two-lane Courtenay up to Pine Island Road. I have seen much change to the Island.

I just want a **reduction** in the zoning. I want the Hayes family to be able to use their land. I just believe the density is too great.

Thank you for your time and consideration.

Ann Doucette

Dana Doucette

RECEIVED

Donald Barker 4540 Deanna Court (District2) Merritt Island, FL 32953

JAN 3 1 2022

January 26, 2022

DISTRICT 4 DMMISION OFFICE

RE: Agenda Item H. 10, to be discussed at the February 3, 2022, Brevard County Board of County Commissioners Meeting, Regarding the Carter and Jessica Hayes Rezoning Request, Tax Account# 2318403 and 2318404, Brevard County Planning & Development ID# 21Z00042

Brevard County Board of County Commissioners,

Honorable Rita Pritchett, District 1
Honorable Bryan Lober, District 2
Honorable John Tobia, District 3
Honorable Curt Smith, District 4 (Vice Chair)
Honorable Kristine Zonka, District 5 (Chair)

Thank you for your service and consideration. I am asking you to deny the Carter and Jessica Hayes zoning request as written. I support the North Merritt Island Dependent Districts recommendation of Suburban Residential (SR) zoning for the Hayes property with at least a 200 foot buffer zone protecting the wetlands area on the Hayes property incorporated in a binding development plan including the required use of County Sewer. The facts and circumstance supporting this request are detailed below:

I am a native Floridian and have made Brevard County my home since 1974. My wife and I bought property at 4540 Deanna Court, Merritt Island in 1994. We were taken by the rural nature of North Merritt Island, the family oriented nature of North Merritt Island as well as the beauty and serenity of the wetlands adjoining our property to the East. We worked hard, saved and built our home there in 1997/1998, along a beautiful nature canal behind the East side of Deanna Court. The last home on Deanna Court was built in 1999, completing Phase 3 of the Citrus River Groves Subdivision.

In December Of 2017, I retired after 30 years of service with the Brevard County Sheriff's Office. Our home has been our sanctuary and place of serenity. Out our back door is a wetlands and wildlife sanctuary. Except for some traffic noise from State Road 3 during rush hour, our neighborhood is very quiet. On Christmas Eve 2021, we received a notice from the County informing us of the Hayes Rezoning Request to build 10 rental units adjacent to our Suburban zoned home on a half-acre lot. Doesn't sound very appealing as a quality of life issue, does it? Ten (10) rental units, later increased to eleven (11) rental units is not compatible with our neighborhood, the surrounding communities on the West side of State Road 3, or many of the Boards Administrative Development Policies, #3, #4, #6, #7, and #8. This is a quality of life issue for me, my family and my neighbors as well as drainage and a serious flooding concern.

Our neighborhood, the Citrus River Groves subdivision, started construction in the 1980's. Citrus River Groves is an approved, permitted and completed subdivision immediately West of the Hayes Property and consists of ninety seven (97) homes. Our drainage system was permitted, inspected, approved, adopted and is maintained by Brevard County. As with most subdivisions in North Merritt Island our drainage flows to a man-made lake, ours is located on the West side of our subdivision. Citrus River Groves is zoned Suburban (SR) requiring homes to be built on half acre lots. The subdivisions and homes

surrounding and adjacent to Citrus River Groves are zoned for single family homes; compatible zoning of the surrounding area on the West side of State Road 3 is zoned Suburban Residential (SR), Estate Use Residential (EU and EU2), Rural Residential (RR1) and Agricultural residential (AU). The rezoning requested by the Hayes RU-2-4, euphemistically entitled "Low Density Multi-Family Residential", 10-11 multi-family rental units, abutting single family homes built on half-acre lots, some having been in existence for over 30+ years, is not properly compatible, nor should it be considered a proper transition to Suburban (SR)zoned homes on half-acre lots.

The Hayes Property consists of two (2) un-conforming lots located on the West side of State Road 3, grandfathered into an Agricultural residential (AU) zoning classification. The Hayes property is part of seven (7) lots located between the Orsinio Baptist Church to the South and the Victory Church to the North. These 7 lots, with the sole exception of a condemned house on one of the Hayes lots, have been undeveloped since they appeared on the Property Appraisers records/maps in the early 1960's. People have speculated on the value and future use of these lots for close to sixty (60) years and most of these lots have changed ownership several times. Once you approve rezoning for one of these lots you start down a slippery slope for zoning and cascade for development on the surrounding lots.

According to the County CIS maps supplied in the rezoning request review by County Staff, a large portion of these properties, including the Hayes' properties are located in an identified wetland and on a well-defined mapped FEMA Flood Plain. Storm water runoff in our part of North Merritt Island flows West and South, ask our neighbors in the Horseshoe Bend subdivision, immediately to our South that floods regularly. When we have brought drainage and wetland concerns up at the last two zoning meetings, County Staff has dismissed our concerns, saying it will be handled in the permitting process, irrespective of Board of County Commissions Administrative Development Policy 7 and Brevard County Code, Section 62-1151(c).

2021 was an unusually dry year for Brevard County in General and North Merritt Island in particular. In 2021 we had no hurricanes or tropical storms, yet the canal behind my house is approximately 1 foot below flood stage. Any significant rain fall causes the canal to reach or exceed flood stage. Photographs and a CD of photographs documenting this were provided to county staff at the North Merritt Island Dependent Special District Board. These photographs documenting the Deanna Court Canal were taken by me on January 5, 2022, in the dry season. It should be noted that our Deanna Court Canal up to several years ago, used to rise and fall with the seasons. With the drainage changes implemented by the County over the last several years, our canal stays full year round. We are concerned that any further development of property to the East will flood our property and that of our neighbors.

In reviewing the Hayes Rezoning Request with my neighbors and the North Merritt Island Home Owners Association, we found several conflicts with the County's Administrative Development Policies and County Code Section 62-1151(c), as listed below:

Admin Policy 3: The rezoning request increase in residential density is incompatible with existing land use because of:

- A. The increased lighting, noise levels, traffic and site activity would significantly diminish the enjoyment of, safety, and <u>quality of life</u> in existing neighborhoods in the area.
- The proposed use would cause a material reduction in the value of existing abutting lands.
- C. The purposed use is inconsistent with existing/emerging patterns of surrounding development considering:
 - 1. Historic land use patterns;

2. Actual development over the preceding three years

Admin Policy 4: The character of the neighborhoods will be materially/adversely affected by this proposed rezoning, considering:

A. It will materially and adversely impact the surrounding established residences and abutting neighborhoods by substantially increasing the intensity of traffic not already present.

Admin Policy 6: The proposed use is inconsistent with (a) some of the written land development policies set forth in these administrative policies.

Admin Policy 7: A huge concern is that the proposed use will substantially aggravate existing and substantial drainage problems on surrounding properties and will negatively impact the adjoining natural ground water flow and wetlands on this and abutting properties.

Admin Policy 8:

Considering the:

- 1) Character of the land use of the property surrounding the proposed rezoning,
- The change in conditions of the adjoining land use of property surrounding the proposed rezoning,
- 3) The impact of it on traffic patterns and the established character of the surrounding property,
- How inappropriate this use would be based on consideration of public health, safety and welfare of the neighbors (<u>Quality of Life</u>)

Under other Factors to consider is under <u>Brevard County Code Section 62-1151(c)</u>, for the same reasons, considering:

- 1) The character of the land use of the surrounding properties,
- The change in conditions of the land use of the property being considered verses the surrounding properties,
- 3) The impact of the proposed zoning substantially aggravating existing substantial drainage problems on surrounding properties and also negatively impacting the adjoining natural ground water flow and wetlands on this and abutting properties.
- 4) The proposed zoning classification's incompatibility with existing land use, and
- 5) The inappropriateness of this use based on consideration of public health, safety and welfare of the neighbors (Quality of Life).

Our home is adjacent to the West side of the Hayes' property, and I have specific concerns with the proposed rezoning including quality of life, flooding, increased density, traffic and the fact that the proposed use is inconsistent with the current use of surrounding properties. For many of us, our homes are our largest single investment. Would you buy a house on a half-acre lot zoned Suburban Residential (SR) next to a ten or eleven unit apartment complex?

Admin Policy 4 states: the purposed use must not materially and adversely impact an established residential neighborhood, and Admin Policy 8 addresses traffic concerns. The Hayes property is

bordered on the West side by several single-family homes on half-acre plus lots, and all of these residents own their homes. Adding a rental apartment building next to our homes is inconsistent with the current use and changes the character of the surrounding properties. Renters do not have pride of ownership and rely on the apartment building owners to maintain the property. There is also no guarantee the owner of the apartment building will maintain the property as the neighboring single family owners will. Allowing higher density also contributes to existing traffic problems, as the only way off North Merritt Island for most trips, other than through Kennedy Space Center, is by a drawbridge across the Barge Canal. The only other means off North Merritt Island is by driving through Kennedy Space Center property and then crossing the State Road 405 drawbridge. There are times when the SR 405 Bridge is closed to traffic, due to Kennedy Space Center Operations and/or security concerns for the KSC Federal Reservation. Additionally, construction has begun on a new a new bridge that will replace the aging SR 405 drawbridge. The SR405 Bridge Project will not be completed for several years, making the SR405 Hurricane evacuation route more problematic as the density of North Merritt Island increases.

Admin Policy 7 states: The purposed use shall not cause or substantially aggravate any drainage problem on surrounding properties. A substantial part of the Hayes' property is wetlands, part is in a mapped FEMA Flood Plain and the remaining buildable land is low. Before any construction begins, the owners will have to raise the elevation. Raising the elevation combined with the impervious surfaces from the proposed apartments and parking area, will inevitably create an increase in storm water runoff that has to go somewhere. It would be difficult to conceive how the storm water runoff would be fully contained on the Hayes' property on the scope of the Hayes' proposed density. Additionally, the ongoing State Road 3 Courtenay Parkway repaving project, located to the East of the Hayes' property, includes the removal of the drainage ditches between the North and South bound lanes, along with the installation of concrete barriers and curbing in place of the drainage ditches. This will inevitably prevent water from flowing across the road in many locations, but will also result in an additional drainage burden onto the Hayes' property, and will likely compel them to increase the drainage ditch or swale across the front of their property, further limiting their buildable area. During a significant rain event, if storm water from the Hayes' property isn't fully contained or doesn't drain east onto or across SR3 / Courtenay Parkway, there's a high likelihood of the storm water running towards the homes bordering the West side of the Hayes' property. I live in one of these homes and regularly experience drainage issues.

My immediate neighbors and I are separated by the Hayes' property by a permanent body of water, a canal, that's 35 to 50 feet wide and 5-10 feet deep in some areas, and this is the dry season after an unusually dry year. My neighbors and I own land on both sides of the canal. One of my neighbors has no dry land between his pool and patio structure and the canal behind his home. If all of the runoff associated with the proposed new construction cannot be contained on the Hayes' property, it is likely, if not inevitable to worsen the existing drainage problems experienced by those of us that live on the West side of the Hayes property.

Admin Policy 8 addresses public health, safety and welfare. Most of North Merritt Island does not have ready access to a sewer system, any increase in housing density typically means more septic systems and ultimately more damage to the environment and to the Indian River Lagoon. All too often we are

seeing episodes of Red Tide and Fish Kills, in the Indian River and adjacent waterways. Although the Hayes' have stated they plan to connect to a sewer system, there is no guarantee that they will actually do so. Most developers install septic systems on North Merritt Island because it is significantly cheaper and because they can. If they Hayes are successful in getting their property rezoned to allow a substantially higher density, there is nothing to prevent the Hayes from selling the property at a profit, the new owners could then be motivated to install a septic system to decrease their expenses and increase their profits.

At the two zoning meetings I've attended, the Hayes have increased their requested number of residential units to eleven (11) and have said they intended to build townhouses, then duplexes, and then apartments on the property. County staff has noted, based on the buildable land it would be very difficult to build that number of units on the Hayes property, but that would be addressed in permitting. Mr. Hayes identified himself as a licensed contractor to the two prior boards and said he was going to develop the property himself. Mr. Hayes admitted to the board that his primary contracting business is remodeling and that he has never built a development of this type. Mr. Hayes has offered a 200 foot buffer zone between their property and the property to their West at both zoning meetings. Mrs. Hayes has identified herself as a licensed real estate agent. Both the North Merritt Island Dependent Special District and Planning and Zoning Board denied the Hayes' requested density/units. The North Merritt Island Dependent Special District then conferred with the Hayes offering, then recommending Suburban Residential (SR) zoning of two (2) units per acre. The Planning and Zoning board recommended RU-2-4 limited to three (3) units per acre.

While my neighbors and I would rather see the land undeveloped as a wetlands, drainage and conservation area, I support the North Merritt Island Dependent Special District's recommendation of Suburban Residential (SR) of two residential units per acre, with a binding development plan with at least a 200 foot buffer zone and a required connection to the available and nearby County Sewer System.

In a perfect world, the County would buy the seven mentioned lots and use them as a watershed and retention area to reduce flooding to communities on the West side of Courtenay Parkway, particularly the Horseshoe Bend Community. Opportunities like this seldom arise involving undeveloped land and are fleeting.

Thank you again for your service and your consideration of my concerns.

Respectfully,

Donald Barker

4540 Deanna Court Merritt Island, FL 32953

Cell# 321-403-5694

Email: threeoaks@cfl.rr.com

February 01, 2022

Subject: Agenda Item 10 Rezoning Request 21Z00042, to be Discussed at the Feb. 3, 2022, Brevard County Board of County Commissioners Meeting (re: Rezoning Request 21Z00042)

Dear Commissioners,

As a life long resident of the state of Florida I have been witness to the growth and expansion of the many cities in our great state. However, I also have personal experience with the impacts that this type of expansion and growth can have on existing homes. My childhood home was built in ~1975 in what we came to find out was the middle of a lake bed. An abandoned railroad bed boardes the rear of the propery. In ~2004 and again in ~2006 my child hood home flooded; in my opinion, due to the missteps of people in the same position that you are in. I hope that the decision you make today does not have the same unintended consiquence that allowed land that in my opinion, should have been agruculture land be rezoned to residential land and ultimatly lead to my childhood home being built in a lake bed and prone to flooding.

Regarding the request from Carter and Jessica Hayes to change the zoning of their 2.79 acre property located at 4645 N. Courtenay Parkway, Merritt Island, FL, from agricultural residential to a multiple family zoning that instead allows 10 rental units (reference 21Z00042), I respectfully submit the following recommendation:

Considering Brevard County's development policies, namely as sited in Admin Policy 3:

This requested increase in residential density is incompatible with existing land use because A. The increased lighting, noise levels, traffic and site activity would significantly diminish the enjoyment of, safety and quality of life in existing neighborhoods in the area.

- B. The proposed use would cause a material reduction in the value of existing abutting lands.
- C. The proposed use is inconsistent with existing/emerging patterns of surrounding development considering
- 1. historic land use patterns;
- 2. actual development over preceding three years.

and as in Admin Policy 4:

The character of the neighborhoods will be materially/adversely affected by this proposed rezoning, considering:

A. it will materially and adversely impact the surrounding established residences and abutting neighborhoods by substantially increasing the intensity of traffic not already present.

As in Admin Policy 6:

The proposed use is inconsistent with (a) some of the written land development policies set forth in these administrative policies.

and in Admin Policy 7:

A huge concern is that the proposed use will substantially aggravate existing substantial drainage problems on surrounding properties and will also negatively impact the adjoining natural ground water flow and wetlands on this and abutting properties.

Thus, as in Admin Policy 8:

Considering the

- (1) character of the land use of the property surrounding the proposed rezoning,
- (2) the change in the conditions of the adjoining land use of property surrounding the proposed rezoning,
- (3) the impact of it on traffic patterns and the established character of the surrounding property,
- (4) the incompatibility of the proposed zoning classification with existing land use,
- (5) and how inappropriate this use would be based on consideration of public health, safety and welfare of the neighbors,

this request should be denied as written.

and under Factors to Consider, Section 62-1151(c), for the same reasons, considering

- (1) the character of the land use of the surrounding properties,
- (2) the change in conditions of the land use of the property being considered verses the surrounding properties,
- (3) the impact of the proposed zoning substantially aggravating existing substantial drainage problems on surrounding properties and also negatively impacting the adjoining natural ground water flow and wetlands on this and abutting properties.
- (4) the proposed zoning classification's incompatibility with existing land use, and
- (5) the inappropriateness of this use based on consideration of public health, safety and welfare of the neighbors; once again, **this proposal should be denied as written**.

My home borders the west side of the Hayes' property, and I have specific concerns with the proposed rezoning which include flooding, increased density, traffic and the fact that the proposed use is inconsistent with the current use of the surrounding properties.

Admin policy 4 states: the proposed use must not materially and adversely impact an established residential neighborhood, and Admin policy 8 addresses traffic concerns. The Hayes' property is bordered on the west side by several single-family homes on ½ acre plus lots, and all of these residents own their homes. Adding a rental apartment building next to them is inconsistent with the current use and changes the character of the surrounding properties. Renters do not have pride of ownership and rely on the apartment building owners to maintain the property. There is no guarantee that the owner of the apartments will maintain their property as well as the neighboring single family property owners will. Allowing higher density also contributes to existing traffic problems, as the only way on or off North Merritt Island for most trips, other than to the space center, is by a single drawbridge across the Barge Canal. The only other means of egress from North Merritt Island is by driving through Kennedy Space Center property and then crossing the SR 405 drawbridge. There are times when this bridge is closed to traffic (during transfer of space hardware, for example). In addition, construction has begun on a new bridge that will replace this aging structure. However, the project will not be complete for several years. All of this (allowing increased density in particular) will cause concerns during a hurricane evacuation.

Admin policy 7 states: the proposed use shall not cause or substantially aggravate any drainage problem on surrounding properties. A substantial part of the Hayes' property is wetland and the remaining buildable area is still low. So before any construction begins, the owners will need to raise the elevation. This, combined with impervious surfaces from the proposed apartments and parking areas, will create an increase in stormwater runoff that has to go somewhere. In addition, the ongoing Courtenay Parkway repaving project (on the east side of the Hayes' property) includes the removal of drainage ditches between the north and south bound lanes, along with the installation of concrete barriers or curbing (in place of the ditches). This will

prevent water from flowing across the road, but will also result in additional drainage onto the Hayes' property, and will most likely compel them to add a drainage ditch or swale in front of their property (further reducing their buildable area). During a significant rain event, if stormwater from the Hayes' property doesn't drain east onto or across Courtenay Parkway, there's a higher possibility of it running towards the homes bordering the west side of the property. I live in one of these homes and regularly experience drainage issues. My immediate neighbors and I are separated by the Hayes' property by a permanent body of water that's 35 to 50 feet wide and 5 to 10 feet deep in some areas, and this is during the dry season. One of these neighbors has no dry land between his pool and patio structure and the permanent water source behind it. If all of the runoff associated with the proposed new construction cannot be contained on the Hayes' property, it is likely to worsen the existing drainage problems experienced by those of us that live on the west side of their property.

Admin Policy 8 addresses public health, safety and welfare. Because most of North Merritt Island does not have ready access to a sewer system, any increase in housing density typically means more septic systems and ultimately more damage to the environment, and possibly to the Indian River Lagoon. Unfortunately, we are seeing episodes of Red Tide and fish kills all too often, and increased density is not helping solve this problem. Although the current property owners (Carter and Jessica Hayes) have stated that they plan to connect to a sewer system, there is no guarantee that they will actually do this. Most developers install septic systems on North Merritt Island because it is cheaper and because they can. If they are successful in getting their property rezoned to allow higher density, there is nothing preventing the Carters from selling it at a profit, and the new owners could then be motivated to install a septic system to increase their profits.

An alternative use would be to develop these lots to a density of 1, or even 2, unit(s) per acre, in keeping with the history, flood-prone tendencies and character of this and the surrounding properties.

I respect your consideration. Thank you.

Michael Christopher McLeod

From: Commissioner, D1

To: malcolm cater

Cc: Pritchett, Rita; Mascellino, Carol; Smith, Nathan; Price, Jessica; Jones, Jennifer

Subject: RE: H11 File 3717 Planning Application

Date: Wednesday, February 2, 2022 9:50:12 AM

Attachments: <u>image001.png</u>

Good morning,

On behalf of Commissioner Pritchett, thank you for your email. The Commissioner has reviewed your email and wants you to know that she will take your comments into consideration.

Thank you for contacting our office and sharing your concerns.

Best regards,

Carol Mascellino Legislative Aide to Commissioner Rita Pritchett



District 1 Commission Office 7101 S. Highway 1 Titusville, FL 32780 Telephone: 321-607-6901

Please note:

Florida has a very broad public records law. Most written communications to or from the offices of elected officials are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

From: malcolm cater <m.cater5310@att.net> Sent: Wednesday, February 2, 2022 9:47 AM

To: Commissioner, D2 <D2.Commissioner@brevardfl.gov>

Cc: Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D1

<D1.Commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>

Subject: H11 File 3717 Planning Application

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

Lady and Gentlemen

With respect to the above application, I would like to make the following observations.

- The application does not endorse the spirit of the guidelines recommended by the North Merritt Island Development Board as to housing density. It has been the desire that any development North of Hall Road be limited to one unit per acre, this clearly does not meet these guidelines.
- Increased development in the last decade has resulted in drainage issues and residents are now experiencing much higher water levels in retention ponds and drainage canals and several location are having issues with standing water even after moderate rainfall.
- 3. Part of the area of proposed development, is to my understanding, an area of natural wetlands. Any filling in or alterations will result in loss of natural wildlife habitat and in all likelihood interrupt the flow of water for natural drainage, in this area the flow is from the South to the North to Pine Island.
- 4. Will result in another point of access to SR 3 which is already becoming busy with traffic levels returning to levels not seen since the completion of the Shuttle program.

In conclusion I would earnestly ask you to consider rejecting this application on the above grounds

Respectfully yours

Malcolm Cater

5310 Lovett Drive

MΙ

From: Jan Salmon
To: Jones, Jennifer
Subject: Rezoning Merritt Island

Date: Wednesday, February 2, 2022 12:55:35 PM

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

Dest Jennifer,

We are unable to attend the meeting on February 3, so this letter is to state our strong objections to the proposed rezoning. I understand that progress marches on, but at what price? When every square inch of dirt is paved over and flooding becomes even more rampant?

Please let common sense prevail and do not make a decision based on the greed of developers. Do the right thing by the people of Merritt Island.

Thank you for your consideration.

Jan and Gary Salmon

5350 Lovett Dr, Merritt Island, FL 32953

From: Commissioner, D1

To: Mary Hillberg

Cc: <u>Pritchett, Rita; Mascellino, Carol; Smith, Nathan; Price, Jessica; Jones, Jennifer</u>

Subject: RE: Item 21Z00042, Hayes

Date: Wednesday, February 2, 2022 2:06:46 PM

Attachments: <u>image001.png</u>

Good afternoon,

On behalf of Commissioner Pritchett, thank you for your email. The Commissioner has reviewed your email and wants you to know that she will take your comments into consideration.

Thank you for contacting our office and sharing your concerns.

Best regards,

Carol Mascellino Legislative Aide to Commissioner Rita Pritchett



District 1 Commission Office 7101 S. Highway 1 Titusville, FL 32780 Telephone: 321-607-6901

Please note:

Florida has a very broad public records law. Most written communications to or from the offices of elected officials are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

From: Mary Hillberg hillberg@earthlink.net>
Sent: Wednesday, February 2, 2022 2:04 PM

To: Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Commissioner, D1

<D1.Commissioner@brevardfl.gov>
Subject: Item 21Z00042, Hayes

Importance: High

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

Dear Commissioners.

The Hayes application to change 2.79 acres on SR 3, North Merritt Island from AU to RU-2-4 (Low Density Multi-family Residential), to 11 units ((High Density Multi-Family Residential), was heard by the North Merritt Island Dependent Special Advisory Board on January 6th. Several community members including a Licensed Environmental Engineer, spoke in opposition for a variety of reasons including the physical constraints of the land, potential for wetland disruption, lack of space for stormwater containment, flooding, and lack of compatibility and character with the surrounding properties.

The Board voted to recommend denial of the high density zoning considering the reasons above, including multiple violations of listed Administrative Policies. Instead, the board voted to recommend SR zoning with a BDP, providing reasonable use of the 2.79 acres for the owners, compatibility with the surrounding residential area and safety with the floodplain/wetland impacted character of the lot. The Applicants and community members agreed with this option and all seemed settled.

At the P&Z meeting the applicants again requested 11 units and were initially approved for 3 units. After further urging by a member of the board, a second vote was taken to allow the Applicants 4 units on this lot, with two members abstaining from a second vote.

It is our understanding that the Applicants may again request 11 units (the maximum High Density Multi-family Residential allowed on the 2.79 acres of this wetland/floodplain constrained piece). We are very concerned this high density of residential construction will be out of character with the area, incompatible with the surrounding developed properties, and create flooding and traffic issues detrimental to the safety and values of the abutting properties and community.

We urge your consideration of SR with a BDP which will provide safe and appropriate use of the land and compatibility with the surrounding area.

Thank you,
Mr.& Mrs. William Hillberg
North Merritt Island

From: Mary Hillberg

To: Commissioner, D2; Commissioner, D4; Commissioner, D3; Commissioner, D5; Commissioner, D1

Subject: Item 21Z00042, Hayes

Date: Wednesday, February 2, 2022 2:04:36 PM

Importance: High

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

Dear Commissioners,

The Hayes application to change 2.79 acres on SR 3, North Merritt Island from AU to RU-2-4 (Low Density Multi-family Residential), to 11 units ((High Density Multi-Family Residential), was heard by the North Merritt Island Dependent Special Advisory Board on January 6th. Several community members including a Licensed Environmental Engineer, spoke in opposition for a variety of reasons including the physical constraints of the land, potential for wetland disruption, lack of space for stormwater containment, flooding, and lack of compatibility and character with the surrounding properties.

The Board voted to recommend denial of the high density zoning considering the reasons above, including multiple violations of listed Administrative Policies. Instead, the board voted to recommend SR zoning with a BDP, providing reasonable use of the 2.79 acres for the owners, compatibility with the surrounding residential area and safety with the floodplain/wetland impacted character of the lot. The Applicants and community members agreed with this option and all seemed settled.

At the P&Z meeting the applicants again requested 11 units and were initially approved for 3 units. After further urging by a member of the board, a second vote was taken to allow the Applicants 4 units on this lot, with two members abstaining from a second vote.

It is our understanding that the Applicants may again request 11 units (the maximum High Density Multi-family Residential allowed on the 2.79 acres of this wetland/floodplain constrained piece). We are very concerned this high density of residential construction will be out of character with the area, incompatible with the surrounding developed properties, and create flooding and traffic issues detrimental to the safety and values of the abutting properties and community.

We urge your consideration of SR with a BDP which will provide safe and appropriate use of the land and compatibility with the surrounding area.

Thank you, Mr.& Mrs. William Hillberg North Merritt Island

0

Petition to OPPOSE Rezoning

Doubling and a	
background	Background: Reference ID# 21Z00042 (attached) Notice from the Brevard County Planning and Development Department. Informing Citrus River Groves Residents of a re-zoning request for, Carter and Jessica Hayes from AU (Agricultural) to RU-2-4 (Multi-Family Residential), supporting the construction of 10 Townhomes and/or Multi-Family Units on the West side of Courtenay Parkway. County Commissioners Meeting (2/3/22)
	Summary: This rezoning will impact ALL residents of Citrus River Groves and surrounding neighborhoods.
	 Inconsistent with current established neighborhood plans/sub-divisions West of Courtenay Blvd Rental properties normally have less pride in ownership
	 Flooding, the rezoning will force water into an already stressed irrigation canal for the immediate residents on Deanna Court impacting Horseshoe Bend Rd where drainage merges
	 FEMA flood zone identifications (Currently X, possibly update AE) direct impact to Homeowners insurance making flood protection mandatory at an estimated cost of \$800vr
	• Wetland/wildlife preservation impact
	Material reduction in value of abutting/surrounding lands
	 Safety & Quality of life
	Rezoning will drive change to an already established/planned neighborhood forcing residents to incur costs while the property owner profite. Landauron has a family of the property owner profite.
	agreement. Once rezoned the owners do not have to fulfill their proposed promises
	 North Merritt Island Homeowners Association OPPOSES the proposed rezoning and recommends alternative density single family homes limiting 1, or even 2 per acre, equaling 4 or 5 homes, as permitted land use
	 Brevard Planning & Zoning Board meeting held on January 10, 2022, initially OPPOSED, then retracted, the decision for a proposed reduction/compromise in the number of units citing this was to be their recommendation to County Commissioners final approval
	 The Zoning Board Hearing was conducted in the middle of the workday, most residents were unable to attend, in- person, to oppose and share/voice their concerns
Action petitioned for	We, the undersigned, are concerned citizens, electors, and surrounding residents, who STRONGLY OPPOSE the Hayes'
	Casandra Carpentier and to others, as referenced and described. By signing this petition, I/WE, give permission to Alain and/or Casandra Carpentier and to others, as appointed, to act as proxy for opposing on MY/OUR behalf during the final Board of County Comissioners Meeting, for the Agenda item H 10 Carter 8, Jacob Daniel Board of County Comissioners Meeting, for the Agenda item H 10 Carter 8, Jacob Daniel Board of County Comissioners Meeting.
	, control of the cont

		Signature/Date	Address	
120 120 5175 KEST 120 120 5795 120 120	· (-	1		The state of the s
The state of the second of the		- S - S - S - S - S - S - S - S - S - S	い。この「多い」	アン
		12 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	201 1007	4

6	2	1
1	0)
1	V	J

Printed Name	Signature/Date	Address
Barbura Marino	Barbar Morro	4510 Deannald WIT
Kenneth Marini	Komy ma	ilsglas 4516 Deannald M.I
Tori Kuscsik	Ten Kunnand	1/24/22-4570 Deame Ct FI. MI
DIAN C GATES	y Section !	19/22 4590 Danna Cf. Fl. MT
Don GATES	Den, Catto 1/21	h
Star Shidis	Am 1/24	1/24/22 210 Amelisa pl M. El
Lisa Radlem	She Fall 129/22	Ŋ
Leilani Zidan	Red 129/22	
Emach Zidan	E. A. Z. M. 2	1/29/77 234 Annalisa DI MIJFL
	Mr Peyer	
Ware Burd	mile Il	1/24/22 242 Marshesoft 41 FL
JAWA DENCESTE	1/29,	129/2L 4560 DEANNAC: M5.PL
Kenneth Manne	18/1/ 1/29/20	4510 Canna Cord 1
Michael Melecal	My 14le 1/30/2022	2022 4530 Denn Ct. MI
Bittan McLcod	Richard Makend 1/30/2022	
Donald BANKER	of while its	122/2022 4540 Dogwood. MJ. FL

CR	7	1	ď
1	60.7 2)	١
	\	-	

Printed Name	Signature/Date Address	
asandra Carpentier	orputur 1/27/22	L+ MI FL
y BR0		et 32753
Jim Tootle	James H. Forthe 1/28/22 +580 Horseshor Bank gus? 3	Sand 5-473
Manney Boy	7	x 18 nd 3223
Gwen melallough	22955 US 128 12 454 Horseshoeben & 32955	12 Ben & 52955
With Me Me (sall ons 2		Ben & 32999
Scott Cancaster	Season 1/24/2002 4590 Amothe Ct 32953	32453
Juce Rummer	ans My 1/29 /2020 4665 Horsesto	Cleans Hosavally
Tran Velez		Bend 32953
Pures Fink		800 32853
Robert Cucamussing	My Case 424 4400 Horsestive Board	the Board
X no Casamassima	No larging way, 129/22 4400 Horseshoe Bend MI	Bend MI
LIZ Frasco	0/23/20	hoe Mend MI
JAMES S. Tharpe	Janos & Haype of 29/22 4325 ""	H 21
Jane M. Tharpe	George M. Thanks i laglas 4325 "	11 11
CHUCK CHAUT	(1 THE 129/21 47a HORE SHOT BEND	of BENJ

1		`
(-	7	-
1	2	/

Printed Name	Signature/Date,	Address
Amy bassings	1/28/1 S	
KIRK LOGSDON		34 3
Day Ceres al		5830 Cagle Was
WESLEY PERSAL	Mr haf 1/30/22	5830 EAGST WAY
Alliso (Jetchell	40000 (peterross 11 20122	SB20 Foode Wall
Chris Getchell	Chilles 1130122	SEAD EAGLE WAY
ROPEN ROLE	- Clee 1/30/22	5800 Egal + Wan
Charles Roce.		
Janey Wicks		KING FACI
Mareia Holland	Modern Debreland	1
Cason (ox	LIM A TU	5700 Facto was
C) ENNY (DX	Many Dx	
Delori Dulany	10 old 12 let	2725 ERS # WES
mex Oll	n. 16 725m	5705 EM-151, 112
Christian Luker	July 1/301	22 5625 E 40/0 WAY
Jodes Hw	1/30/12 1/30/22	12 5625 Eagle Way
		5

-	-	
11	1	1
((1	٠	

Printed Name	Signature/Date Address	SSS
Look Hicks	- y - 3/2/2/5	131.22 STV (Jacked of MI)
RACHEL DOWISTIE	10 10 10 10 131 72 45c	3/22 USGEO DEARNOSECT HILL
Kasey WHITCH	1151 22 455	151 22 4555 Deanna Ct M.I.
Stie How	A MELI COMPANIED,	426 pains of NI.
Cary P. Hanner	4345 Decembra	5 Deanna (+ MT
Noraida FAYYAR	Normiga FAYYAr 1/31/22/45	-5
Me Disterter	The state of the s	4520 topone C+WIT
GOAM NATORIO	113414238	285 mactinghical Lo. MT
Amber Dover	Juden 1 1 1 1 1 28	131/22 285 Machinebia Ln. MI
John Facra	Spart for 1/2/20 4535 Box	35 Ben & MI
Alhis CArpentier	1/31/22 455	4550 DeamA Court, MI., FL