




**Planning & Development Department**

2725 Judge Fran Jamieson Way  
Building A, Room 114  
Viera, Florida 32940

**BOARD OF COUNTY COMMISSIONERS**

**TO:** Frank Abbate, County Manager

**THRU:** John Denninghoff, Assistant County Manager, Development and Environmental Services Group

**FROM:** Tad Calkins, Director, Planning and Development Department 

**SUBJECT:** Citizen Efficiency and Effectiveness Recommendation (CEER) #2024018

**DATE:** April 1, 2024

---

CEER #2024018 was received by the County from Eleanor E. Glover.

**Citizen Statement:**

Identifying properties that are zoned for legal use as a Vacation Rental or Resort dwelling. Registration for Tourist Development Tax

While researching the process which a resident must go through to obtain proper licensing to establish a "Vacation Rental" operation, I was very puzzled by the fact that the Tax Collector does not coordinate with zoning before issuing a license for the business of operating a "Vacation Rental". It would seem, that the application would ask; what is the zoning of your property? If the zoning was researched during the registration process, the zoning classification would eliminate the illegal "Vacation Rentals". The owner would be denied, up front and would not have to wait for a concerned citizen to report the illegal business to Code Enforcement. At this date, Code Enforcement is overwhelmed with the investigations of illegal "Vacation Rentals".

This Application/Registration, to my knowledge, does not have the question; What is your Department of Business and Professional, Division of Hotels and Restaurants license number? State Law requires Business Owners to have a State License.

**Citizen Recommendation:**

Revise the Brevard County Registration for Tourist Development Tax and link with the Planning and Zoning Department, to confirm proper zoning.

Benefits to the Neighborhood Communities that are having to deal with illegal Vacation Rentals and reduce the workload on the Code Enforcement Department.

Thank you for giving me this opportunity to voice my opinion. I am a retired, senior citizen that is actively working to eliminate illegal Business owners of "Vacation Rentals" in my community.



**Planning & Development Department**

2725 Judge Fran Jamieson Way  
Building A, Room 114  
Viera, Florida 32940

**BOARD OF COUNTY COMMISSIONERS**

**Staff Analysis:**

As part of the Brevard County Tax Collector's process for issuing Business Tax Receipts for the operation of a vacation rental, the Tax Collector requests a review by Brevard County zoning staff. Staff processes approximately 100 such requests relating to vacation rentals annually. However, it has been the experience of staff that most of the vacation rentals for which a complaint has been received lack a Business Tax Receipt.

On August 22, 2023, the Brevard County Board of County Commissioners directed staff to prepare a report on the County's enforcement of unpermitted resort dwellings. It stated that this report should identify opportunities and challenges for more effective enforcement including, but not limited to, proactive enforcement, potential software improvements, fines imposed by the Code Enforcement Special Magistrate, due process challenges, and fiscal impacts. Staff did so, and the Board acknowledged receipt of this report on October 24, 2023. Since that time, the Florida Legislature has taken up consideration of legislation that would address certain concerns previously raised by the Board and members of the public. For instance, as of February 23, 2024, CS/SB 280 includes a requirement that vacation rental listings include a "unique identifier" issued by the State and allows local governments to access information on the properties associated with these identifiers through a newly established "vacation rental information system." Staff continues to monitor the 2024 Legislative Session and will provide the Board with any new opportunities for improvement that may result.

Staff will also continue to explore other technological opportunities to review more vacation rental properties for compliance consistent with Florida Statutes.

**Staff Recommended Action:**

It is recommended that the Board of County Commissioners accept the recommendation with revisions as detailed in the staff analysis.

## Recommendation Details

## Contact Information

**Full Name:** Eleanor E Glover **Email Address:** glovprop@bellsouth.net

**Mailing Address:** 6630 Floridana Ave  
Melbourne Beach fl 32951 **Alt Email Address:**  
**Phone Number** 321-726-0800

## Group/Organization

N/A

## Recommendation Information

**Recommendation Title:** Resort Dwelling Registration Process

**Areas Affected:** Entire Brevard County

## Department:

TAX COLLECTOR

Identifying properties that are zoned for legal use as a Vacation Rental or Resort dwelling. Registration for Tourist Development Tax

**Problem Description:**

While researching the process which a resident must go through to obtain proper licensing to establish a "Vacation Rental" operation, I was very puzzled by the fact that the Tax Collector does not coordinate with zoning before issuing a license for the business of operating a "Vacation Rental". It would seem, that the application would ask: what is the zoning of your property? If the zoning was researched during the registration process, the zoning classification would eliminate the illegal "Vacation Rentals". The owner would be denied, up front and would not have to wait for a concerned citizen to report the illegal business to Code Enforcement. At this date, Code Enforcement is overwhelmed with the investigations of illegal "Vacation Rentals".

This Application/Registration, to my knowledge, does not have the question; What is your Department of Business and Professional, Division of Hotels and Restaurants license number? State Law requires Business Owners to have a State License.

Revise the Brevard County Registration for Tourist Development Tax and link with the Planning and Zoning Department, to confirm proper zoning.

**Recommendation Description**

Benefits to the Neighborhood Communities that are having to deal with illegal Vacation Rentals and reduce the workload on the Code Enforcement Department.

Thank you for giving me this opportunity to voice my opinion. I am a retired, senior citizen that is actively working to eliminate illegal Business owners of "Vacation Rentals" in my community.

## Attachments

There are no attachments for this recommendation.

## Administrative Action

## Evaluation

### Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 17, 2023	
Karen Conde	Department Assigned	Dec 20, 2023	PLANNING AND DEVELOPMENT DEPARTMENT Assigned

Awaiting action from department director