



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

2725 Judge Fran Jamieson Way

Building A, Room 114

Viera, Florida 32940

(321)633-2070 Phone / (321)633-2074 Fax

<https://www.brevardfl.gov/PlanningDev>

STAFF COMMENTS

25Z00023

Lawrence Crumley

AU (Agricultural Residential) to RU-1-13 (Single-Family Residential)

Tax Account Number: Portion of 2501503
Parcel I.D. 25-36-02-27-1-1
Location: 885 Goldenrod St., Merritt Island, FL 32952 (District 2)
Acreage: 0.51 acres of 3.03 acres

Planning & Zoning Board: 10/13/2025

Board of County Commissioners: 11/06/2025

Consistency with Land Use Regulations

- Current zoning can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal would maintain acceptable Levels of Service (LOS) (XIII 1.6.C)

	CURRENT	PROPOSED
Zoning	AU	RU-1-13
Potential*	0 Single-family residence	1 Single-family residence
Can be Considered under the Future Land Use Map	Yes RES 15	Yes RES 15

* Zoning potential for concurrency analysis purposes only, subject to applicable land development regulations.

Background and Purpose of Request

The applicant is requesting a change of zoning classification from AU (Agricultural Residential) to RU-1-13 (Single-family residential) on 0.51 acres of 3.03 acres. The applicant proposes to split a 0.5-acre portion from the parent parcel per the survey provided, creating two lots. Subject property, here within, refers to the 0.5-acre portion. Approval of the request will legitimize the proposed lot. The remaining portions of the lot will be in conformance with zoning requirements; the proposed configuration will not create a substandard lot.

There is an existing barn on the parent parcel that will need to be relocated/removed, or a variance sought to the side setback requirement. Another concern raised as part of the request

is that the proposed lot split may trigger Code requirements to create turnaround (this will be determined at permitting). The subject property is located on the north end of the cul-de-sac of Goldenrod Street, a county-maintained roadway. The new vacant lot description will be Lot 2 and 3, Block 1, and a portion of the vacated right of way of Goldenrod Street as depicted on the provided survey and legal description.

On May 22, 1958, the subject property was established with the AU (Agricultural Residential) zoning classification.

Previous zoning actions:

Z-1083 AU to RU-1, Denied, July 1, 1963.

Z-2741 Special Use Permit for guesthouse with kitchen facilities, January 28, 1971.

Residential 15 (RES 15) is the original established FLU designation.

Surrounding Area

	Existing Land Use	Zoning	Future Land Use
North	Single-family residence	EU	RES 15
South	Single-family residence	AU	RES 15
East	Vacant/Single-family residence	RU-1-13, RU-1-9	RES 15, RES 6
West	Indian River	N/A	N/A

North of the subject property is a 1.65-acre parcel, developed with a single-family residence, which has EU zoning classification with RES 15 FLU designation.

South of the subject property is a single-family residence and a portion of a vacated right-of-way.

East of the subject property across South Tropical Trail are three parcels. The first parcel is 0.14 acres, developed with a single-family residence which has RU-1-9 zoning classification and RES 6 FLU designation. The second parcel is 1.89 acres, developed with a single-family residence and a poultry farm, AU zoning classification with RES 15 FLU designation. The third parcel is 2.58 acres, developed with a single-family residence and a plant nursery, AU zoning classification with RES 15 FLU designation.

West of the subject property is the Indian River.

EU zoning classification encompasses lands devoted to single-family residential development

of a spacious character, together with such accessory uses as may be necessary or are normally compatible with the surrounding residential. The minimum lot size is 15,000 square feet with a minimum lot width and depth of 100 feet. The minimum living area is 2,000 square feet.

AU zoning classification encompasses lands devoted to agricultural pursuits and single-family residential development of spacious character on 2.5-acre lots, with a minimum lot width and depth of 150 feet. The minimum house size in AU is 750 square feet. The AU classification also permits the raising/grazing of animals, fowl, and beekeeping.

RU-1-13 zoning classification encompasses lands devoted to single-family residential development of spacious character, together with such accessory uses as may be necessary or are normally compatible with residential surroundings on minimum 7,500 square foot lots, with minimum widths and depths of 75 feet. The minimum house size is 1,300 square feet. RU-1-13 does not permit horses, barns, or horticulture.

RU-1-9 classification encompasses lands devoted to single-family residential development of spacious character, together with such accessory uses as may be necessary or are normally compatible with residential surroundings on lots of 6,600 square feet (minimum). The minimum house size is 900 square feet

Future Land Use

The subject property's current AU zoning is consistent with the RES 15 FLU designation. The proposed RU-1-13 zoning is consistent with the existing RES 15 FLU designation.

The Board should evaluate the compatibility of this application within the context of Administrative Policies 2 – 8 of the Future Land Use Element.

Analysis of Administrative Policy #3 - Compatibility between this site and the existing or proposed land uses in the area:

Compatibility shall be evaluated by considering the following factors, at a minimum:

Criteria:

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foreseeably be affected by the proposed use.

The potential development of one additional single-family residence is not anticipated to diminish the enjoyment of safety or quality of life in the existing residential area. The proposed property split is compatible with the established residential character in the area. Any new development would need to meet Performance Standards defined by Sections 62-2251 through 62-2272 for hours of operations, lighting, odor, noise levels, traffic, or site activity.

- B. Whether the proposed use(s) would cause a material reduction (five per cent or more) in the value of existing abutting lands or approved development.

Only a certified MAI (Master Appraiser Institute) appraisal can determine if material reduction has or will occur due to the proposed request.

- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through an analysis of:

1. historical land use patterns.

The historical land use patterns of the surrounding development can be characterized as predominantly single-family residences. Properties range in size from approximately 0.14 acres to 2.94 acres. There are approximately six properties in the immediate surrounding area with lots sizes larger than one acre.

West of S. Tropical Trail, within the segment lying between Moore Ave and Oak Grove Lane, has RES 15 FLU designation on the river. However, RES 6 FLU is the prominent designation in this area.

The predominant zoning classification is RU-1-13 on the west side of South Tropical Trail. The predominant zoning on the east side of South Tropical Trail is RU-1-9.

There are multiple parcels with RU-1-13 zoning located within a 0.5-mile radius of the subject property. The closest parcel with this zoning classification is abutting the subject property to the east.

2. actual development over the immediately preceding three years; and

There has been one development, a single-family residence, within a 0.5-mile radius during the preceding three years.

Zoning actions during the preceding three years:

- **22Z00002 rezoned from AU to RU-1-13 on April 7, 2022. The rezoning resulted in three nonconforming lots being converted to two conforming lots, which are currently undeveloped.**

3. development approved within the past three years but not yet constructed.

There has been one development approved within the past three years that has not been constructed.

- **25Z00001 rezoned from BU-1-A (Restricted neighborhood commercial) to BU-2 (Retail, warehousing, and wholesale commercial)**

with a new binding development plan (BDP) on July 18, 2025. The BDP limits the use to indoor RV and boat storage as the only BU-2 use and all BU-1 uses.

- D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

No material violation of relevant policies has been identified.

Analysis of Administrative Policy #4 - Character of a neighborhood or area.

Character of a neighborhood or area shall be a factor for consideration whenever a rezoning or any application involving a specific proposed use is reviewed. The character of the area must not be materially or adversely affected by the proposed rezoning or land use application. In evaluating the character of an area, the following factors shall be considered:

Criteria:

- A. The proposed use must not materially and adversely impact an established residential neighborhood by introducing types or intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, etc.), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.

The proposed use can be considered compatible with the existing character of the area. Preliminary concurrency indicates a 0.12% increase in MAV utilization.

- B. In determining whether an established residential neighborhood exists, the following factors must be present:

1. The area must have clearly established boundaries, such as roads, open spaces, rivers, lakes, lagoons, or similar features.

The property is located in an existing platted residential neighborhood. There are clearly established roads and residential lot boundaries. The road boundaries are Victoria St. to the south and South Tropical Trail to the East.

2. Sporadic or occasional neighborhood commercial uses shall not preclude the existence of an existing residential neighborhood, particularly if the commercial use is non-conforming or pre-dates the surrounding residential use.

The request is not for commercial use. It is located in a residential area.

3. An area shall be presumed not to be primarily residential but shall be deemed transitional where multiple commercial, industrial or other non-residential uses have been applied for and approved during the previous five (5) years.

The area is primarily single-family residential along this portion of South Tropical Trail south of Cone Road. Commercial uses are predominantly found approximately 0.4 miles to the east along South Courtenay Parkway corridor.

Administrative Policy 7- Proposed use(s) shall not cause or substantially aggravate any (a) substantial drainage problem on surrounding properties; or (b) significant, adverse and unmitigable impact on significant natural wetlands, water bodies or habitat for listed species.

The subject property is part of a Type 3 Aquifer Recharge area, which is subject to impervious area restrictions. The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance. The western portion of the property is located within the Coastal High Hazard Area (CHHA). This property is mapped as FEMA Special Flood Hazard Area (SFHA) AE. The entire property is mapped within the Indian River Lagoon Nitrogen Reduction Overlay. The subject property is located on the Indian River Lagoon, designated as a Class III Water in this location. Federally and/or state-protected species may be present on the property.

Please refer to all comments provided by the Natural Resource Management Department at the end of this report.

Preliminary Concurrency

The closest concurrency management segment to the subject property is South Tropical Trail from Plantation Rd. to Cone Rd., which has a Maximum Acceptable Volume (MAV) of 12,480 trips per day, an Acceptable Level of Service (ALOS) of E, and currently operates at 54.17% of capacity daily. The maximum development potential from the proposed rezoning increases the percentage of MAV utilization by 0.12%. The corridor is anticipated to operate at 54.29% of capacity daily. The addition of one single family dwelling unit will have a minimal impact on the level of service. This is only a preliminary review and is subject to change.

No school concurrency information has been provided as the development potential of this site falls below the minimum number of new residential lots that would require a formal review.

The property has access to Brevard County Utilities for sewer service and the City of Cocoa for water service.

Environmental Constraints

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Aquifer Recharge Soils
- Coastal High Hazard Area
- Floodplain Protection
- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Surface Waters of the State
- Land Clearing and Landscape Requirements
- Protected Species

Please refer to all comments provided by the Natural Resource Management Department at the end of this report.

For Board Consideration

The Board should consider whether the proposed zoning request is consistent and compatible with the surrounding area.

NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary
Item No. 25Z00023

Applicant: Bruce Moia (Owner: Lawrence Crumley)

Zoning Request: AU to RU-1-13

Note: wants to split off 0.53-acre portion of existing 2.94 ac parcel

Zoning Hearing: 10/13/2025; **BCC Hearing:** 11/06/2025

Tax ID No.: 2501503 (portion of)

- This is a preliminary review based on best available data maps reviewed by the Natural Resources Management Department (NRM) and does not include a site inspection to verify the accuracy of the mapped information.
- In that the rezoning process is not the appropriate venue for site plan review, specific site designs submitted with the rezoning request will be deemed conceptual. Board comments relative to specific site design do not provide vested rights or waivers from Federal, State or County regulations.
- **This review does not guarantee whether or not the proposed use, specific site design, or development of the property can be permitted under current Federal, State, or County Regulations.**

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Aquifer Recharge Soils
- Coastal High Hazard Area
- Floodplain Protection
- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Surface Waters of the State
- Land Clearing and Landscape Requirements
- Protected Species

Land Use Comments:

Aquifer Recharge Soils

This property contains Paola fine sand, 0 to 8 percent slopes, classified as an aquifer recharge soil. Additionally, the mapped topographic elevations show that the property falls within a Type 3 Aquifer Recharge area, which is subject to impervious area restrictions. The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance.

Coastal High Hazard Area

The western portion of this property is located within the Coastal High Hazard Area (CHHA) as defined by Florida Statute 163.3178(2)(h), and as shown on the CHHA Map. The Coastal Management Element of the Comprehensive Plan, Policy 6.1, designates Coastal High Hazard Areas to be those areas below the elevation of the Category 1 storm surge elevation as defined in Chapter 163, Florida Statute. Objective 7 of the

Coastal Management Element aims to limit densities within the coastal high hazard area and direct development outside of this area.

Floodplain Protection

This property is located within an area mapped as FEMA Special Flood Hazard Area (SFHA) AE, as identified by the Federal Emergency Management Agency, and as shown on the FEMA Flood Map. The parcel is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance. Chapter 62, Article X, Division 6 states, "No site alteration shall adversely affect the existing surface water flow pattern." Chapter 62, Article X, Division 5, Section 62-3723 (2) states, "Development within floodplain areas shall not have adverse impacts upon adjoining properties."

Indian River Lagoon Nitrogen Reduction Septic Overlay

The entire property is mapped within the Indian River Lagoon Nitrogen Reduction Overlay. Per Chapter 46, Article II, Division IV - Nitrogen Reduction Overlay, if adequate sewer for the development is not available, then the use of an alternative septic system, designed to provide at least 65% total nitrogen reduction through multi-stage treatment processes, shall be required. NRM requires a Septic Maintenance Notice be filed with the Brevard Clerk of Courts.

Surface Waters of the State

The subject property is located on the Indian River Lagoon, designated as a Class III Water in this location. A 25-foot Surface Water Protection Buffer is required. Primary structures shall be located outside the Buffer. Accessory structures are permissible within the Buffer with conditions (e.g., storm water management is provided, avoidance/minimization of impacts, and maximum 30% impervious). The removal of native vegetation located within the Buffer is prohibited unless approved through an active development order. Temporary impacts to native vegetation require in-kind restoration. The Florida Department of Environmental Protection (FDEP) regulates mangrove trimming and can be reached at 407-897-4101. The applicant is encouraged to contact NRM at 321-633-2016 prior to any activities, plan, or permit submittal.

Land Clearing and Landscape Requirements

The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for Protected and Specimen tree preservation. Land clearing is not permitted without prior authorization by NRM. **Applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.**

Protected Species

Federally and/or state protected species may be present on the property. Specifically, Gopher Tortoises can be found in areas of aquifer recharge soils. Prior to any plan, permit submittal, or development activity, including land clearing, the applicant should obtain any necessary permits or clearance letters from the Florida Fish and Wildlife Conservation Commission (FWC), and/or U.S. Fish and Wildlife Service, as applicable.

The applicant is advised to call Valeria Guerrero at 561-882-5714 (O) or 561-365-5696 (C) with the FWC to obtain any necessary permits or clearance letters for Gopher Tortoises.