



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

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**STAFF COMMENTS
24Z00018**

Michael J. Coop. Sr.

GU (General Use) to RRMH-1 (Rural Residential Mobile Home)

Tax Account Number: 2000674, 2000676
Parcel I.D.: 20G-34-03-AI-6-5.04, 20G-34-03-AI-6-5.06
Location: East side of Blounts Ridge Drive, approximately 1,615 feet north of
Patty Lane (District 1)
Acreage: 2 acres (both parcels one acre each)
Planning & Zoning Board: 07/22/2024
Board of County Commissioners: 08/01/2024

Consistency with Land Use Regulations

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

	CURRENT	PROPOSED
Zoning	GU	RRMH-1
Potential*	0 single family	2 single family
Can be Considered under the Future Land Use Map	YES RES 1	YES RES 1

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

Background and Purpose of Request

The applicant is requesting to rezone the property from GU (General Use) to RRMH-1 (Rural Residential Mobile Home) on two, one-acre parcels to have the zoning classification consistent with the parcels' lot size. When the parcels were subdivided in 1969 and 1970, GU zoning required a minimum lot width and lot depth of 150 feet and one acre in size. The parcels are 100 feet wide and one acre in size. The proposed RRMH-1 zoning requires an area of not less than one acre, having a lot width of not less than 125 feet and a lot depth of not less than 125 feet. The current lot configuration does not meet the zoning classification lot size requirement. The rezoning would allow for two single-family residences.

Two variance applications for the parcels, (24V00020 and 24V00021) were approved on June 19, 2024, to legitimize the 125 feet lot width requirement for the proposed RRMH-1 zoning classification.

The GU zoning is the original zoning for the parcels.

Parcel ID: 2000676 was subdivided into its current configuration on April 01, 1969, per Official Records Book 1120, page 658.

Parcel ID: 2000674 was subdivided into its current configuration on March 01, 1970, per Official Records Book 1120, page 660.

The lot splits caused the parcels to be inadequate to the GU zoning’s 150 feet lot width requirement at the time they were split. Further, per Section 62-2102: No person shall sever any lot in such a manner that a violation of any of the provisions of this chapter would be created on any new or altered lot, including their uses or structures.

The GU zoning lot size requirements were revised on May 20, 1975, to an area of not less than five acres is required, having a minimum width of 300 feet and a minimum depth of 300 feet.

The applicant’s request to change the zoning from GU to RRMH-1 will provide consistency with the size requirement of the parcels.

The subject parcels are located on the east side of Blounts Ridge Drive, a County maintained roadway.

Surrounding Area

	Existing Land Use	Zoning	Future Land Use
North	Single-family residence	TR-2	RES 1
South	Single-family residence	TR-2	RES 1
East	Single-family residence	RRMH-1	RES 1
West	Single-family residence across Blounts Ridge Road	RRMH-1/AU	RES 1

The current GU classification is a holding category, allowing single-family residences on five acre lots with a minimum width and depth of 300 feet. The minimum house size in GU is 750 square feet.

The proposed RRMH-1 classification permits single-family mobile homes and detached single-family residential land uses on minimum one acre lots, with a minimum width and depth of 125 feet. This classification permits horses, barns, and horticulture as accessory uses. The minimum house size is 600 square feet.

The TR-2 is a single family residential mobile home zoning classification which permits mobile homes or residences of standard construction on one-half acre lots.

Future Land Use

The subject property is currently designated as Residential 1 (RES 1) FLUM designation. The current GU zoning and the proposed RRMH-1 zoning are consistent with the existing RES 1 FLUM designation.

FLUE Policy 1.9 –The Residential 1 Future land use designation. The Residential 1 land use designation permits low density residential development with a maximum density of up to one (1) dwelling unit per acre, except as otherwise may be provided for within the Future Land Use Element.

The applicant's request can be considered consistent with the proposed Future Land Use. 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 applicant intends to build one single-family residence on each parcel. The request is not anticipated to diminish the enjoyment of safety or quality of life in existing residential area.

- 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 single-family residences on properties one acre to 5.5 acres in size.

There are three (1) FLU designations (RES 1, AGRIC and PUB-CONS) within a 0.5-mile radius of the subject property. RES 1 is the prominent FLU in this area.

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

There has been no development within 0.5 miles.

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

There has been no development approved within the past three years.

- 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.

Staff analysis has determined the area can be categorized as single-family residential which features one acre or larger lots.

There are multiple zoning classifications within a 0.5 mile radius of the subject. They include TR-2, TR-1, RRMH-1 single family mobile home classifications, SR, RR-1, GU single-family residential zone, AU agricultural zone and PUD a Planned Unit Development. To the north and south of the subject the property is zoned TR-2 with RES 1 FLUM. To the west is RRMH-1 with RES 1 FLUM. West across Blounts Ridge Drive is RRMH-1 with RES 1 FLUM.

The closest parcels with RRMH-1 zoning are located abutting the subject parcel to the east and directly west across Blounts Ridge Road. The abutting RRMH-1 parcel to the east was rezoned from GU to RRMH-1 on 1/14/1982 per zoning action Z-5893 and is developed with a single-family mobile home. The RRMH-1 parcel west across Blounts Ridge Road was rezoned from GU to RRMH-1 on 10/5/2017 per zoning action 17PZ00089 and is developed with a single-family mobile home. The north abutting parcel was rezoned from GU to TR-2 on 3/17/1986 per zoning action Z-7411 and is developed with a single-family mobile home. The south abutting parcel was rezoned from GU to TR-2 on 2/05/1981 per zoning action Z-5555 and is developed with a single-family mobile home.

RRMH-1 has been established zoning classification in the surrounding area.

The request provides consistency with the proposed zoning classification lot size and FLUM. It will also recognize existing development trends.

The request is not anticipated to impact the surrounding established residential neighborhood materially or adversely.

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 residential neighborhood. There are clearly established roads and residential lot boundaries.

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 an existing single-family residential neighborhood.

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 with no commercial zoning nearby.

Preliminary Concurrency

The closest concurrency management segment to the subject property is Highway US-1 located between Burkholm Road and Volusia County, which has a Maximum Acceptable Volume (MAV) of 40,300 trips per day, a Level of Service (LOS) of C, and currently operates at 11.04% of capacity daily. The maximum development potential from the proposed rezoning increases the percentage of MAV utilization by 0.05%. The corridor is anticipated to operate at 11.09% of capacity daily. The proposal is not anticipated to create a deficiency in LOS.

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 parcel is not within any public potable water or sewer lines. The proposed single-family homes will be on well for potable water and on septic.

Environmental Constraints

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Aquifer Recharge Soils
- Protected and Specimen Trees
- Protected Species

No noteworthy land use issues were identified. NRM reserves the right to assess consistency with environmental ordinances at all applicable future stages of development.

For Board Consideration

The Board may wish to consider if the request is consistent and compatible with the surrounding area.

NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary
Item No. 24Z00018

Applicant: Michael Coop, Sr. (Owner: MJCOOP LLC)

Zoning Request: GU to SR

Note: to build SFR on each lot

Zoning Hearing: 07/22/2024; **BCC Hearing:** 08/01/2024

Tax ID Nos.: 2000674 & 2000676

- 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.**

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Land Use Comments:

Aquifer Recharge Soils

The property contains Candler fine sand and Pomello sand, classified as aquifer recharge soils. Mapped topographic elevations indicate the soils may consist of Type 3 Aquifer Recharge soils that have 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.**

Protected and Specimen Trees

Protected and Specimen Trees likely exist on the parcel. Per Brevard County Landscaping, Land Clearing and Tree Protection ordinance, Section 62-4331(3), encourages the protection of Specimen Trees. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for preservation and canopy coverage requirements. **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.