



BOARD OF COUNTY COMMISSIONERS

## Planning and Development Department

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

### STAFF COMMENTS

25Z00047

C. Steven Douglas

### Single-family mobile home (TR-2) with BDP to Agriculture (AGR) with Removal of existing BDP

Tax Account Number: 3006469  
Parcel I.D.: 30-38-14-00-273  
Location: 8290 Pine Ridge Trail (SW end of road) (District 3)  
Acreage: 5.06 acres

Planning and Zoning Board: 1/19/2026

Board of County Commissioners: 2/05/2026

### 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
<b>Zoning</b>	TR-2 with BDP	AGR with removal of BDP
<b>Potential*</b>	5 units	1 unit
<b>Can be Considered under the Future Land Use Map</b>	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 seeking a change of zoning classification from Single-family mobile home (TR-2) zoning with a Binding Development Plan (BDP) recorded in ORB 3980 Pages 3401-3405, dated March 16, 1999, limiting property development to one unit per acre (total of 5 lots on 5.0 acres) to the Agriculture (AGR) zoning classification with removal of the existing BDP for the purpose of building a barn and to retain the existing mobile home. Retention of the BDP is unnecessary as the AGR zoning requires a minimum lot size of 5.0-acres (only one home/residential unit) is allowed on the property. AGR would allow the applicant to build a barn without any size restrictions.

The TR-2 single-family mobile home zoning classification encompasses land devoted to single-family mobile homes. However, permitted uses include a mobile home or detached dwelling unit.

AGR classification encompasses lands devoted primarily to productive agricultural pursuits and rural residential development. AGR permits single-family or mobile home residences on 5 acre lots, with a

minimum width of 200 feet and depth of 300 feet. The minimum house size in AGR is 750 square feet.

Pursuant to Section 62-1102, Buildings or structures secondary and incidental to agricultural uses include, but are not limited to stables, barns, paddock areas and storage areas.

TR-2 permits accessory buildings or uses that are customary to residential uses. A barn is an incidental to agricultural uses, therefore the AGR zoning is required for the applicant to have a barn and retain the existing mobile home.

The subject property appears to have been created on August 1, 1976, under ORB 1649 Page 8; however, a scrivener's error was identified, and the deed was re-recorded on June 28, 1979, under ORB 2071 Page 463.

There are no open code enforcement complaints on the property.

### Surrounding Area

	Existing Land Use	Zoning	Future Land Use
<b>North</b>	Single-family mobile home	RRMH-1	RES 1
<b>South</b>	vacant	GU	RES 1
<b>East</b>	3 Single-family mobile homes	RRMH-1	RES 1
<b>West</b>	vacant	AU	RES 1

Abutting the subject property to the north is a 1.09-acre parcel developed as a single-family mobile home with RRMH-1 zoning and RES 1 designation.

Abutting the subject property to the South is a 99.03-acre undeveloped parcel with GU zoning and RES 1 FLU designation.

To the East, is a 5.06-acre parcel that has been split into three lots under Administrative Action AA-1477 which split the property into a frontage lot abutting the end of Pine Ridge Trail and one flag lot with shared easement to create a development of three lots with RRMH-1 zoning and RES 1 FLU designation.

To the West of the subject property, is a 16-acre undeveloped parcel with AU zoning and RES 1 FLU designation.

The AGR classification encompasses lands devoted primarily to productive agricultural pursuits and rural residential development. This zoning classification also implements the county's future land use policies which require low-intensity uses and low-density development in rural areas to prevent urban

sprawl. AGR permits single-family or mobile home residences on 5 acre lots, with a minimum width of 200 feet and depth of 300 feet. The minimum house size in AGR is 750 square feet.

The RRMH-1 classification encompasses lands devoted to single-family mobile home development of spacious character, together with accessory uses as may be necessary or are normally compatible with residential surroundings, and at the same time permit agricultural uses which are conducted in such a way as to minimize possible incompatibility to residential development. RRMH-1 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 GU zoning classification is a holding category, that encompasses rural single-family residential development or unimproved lands for which there is no definite current proposal for development or land in areas lacking specific development trends on five acre lots with a minimum width and depth of 300 feet. The minimum house size in GU is 750 square feet.

The 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 permits all agricultural pursuits, including the raising/grazing of animals, fowl, and beekeeping. plant nurseries, and the packing and processing of commodities raised on site. Conditional uses in AU include hog farms, zoological parks, and land alteration.

Florida Statute 570.86 defines “agritourism activity” as “any agricultural related activity consistent with a bona fide farm, livestock operation, or ranch or in a working forest which allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy activities, including farming, ranching, historical, cultural, civic, ceremonial, training and exhibition, or harvest-your-own activities and attractions.” Local government is prohibited from adopting ordinances, regulations, rules, or policies that prohibit, restrict, regulate, or otherwise limit an agritourism activity on land that has been classified as agricultural land. At this time, there is no agricultural exemption on the subject property.

**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.

### **Future Land Use**

Although the subject property’s TR-2 zoning classification is not consistent with the Residential 1 (RES 1) Future Land Use designation provided on the FLUM series contained within Chapter XI – Future Land Use Element of Brevard County’s Comprehensive Plan that zoning is bound by a BDP which limits development to one acre lots. The proposed AGR zoning classification can be considered consistent with the existing RES 1 FLUM 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 parcel has an existing mobile home as the residence. The request is not anticipated to diminish the enjoyment of safety or quality of life in existing residential area. The proposed rezoning will need to comply with Brevard County's Performance Standards defined by Sections 62-2251 through 62-2272.**

- 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 or mobile homes on properties at least one acre in area. To the NW of this property, the Barefoot Bay development, is noted as 0.16-acre lots within subdivisions approved prior to the 1988 Comprehensive Plan adoption and are considered nonconforming to the Comprehensive Plan.**

**There are six (6) FLU designations (RES 1, RES 2, RES 4, RES 10, NC and CC) within a 0.5-mile radius of the subject property. RES 1 is the prominent FLU in this area.**

**There are nineteen (19) zoning classifications (GU, AU, RR-1, RRMH-1, RU-1-11, RU-1-9, RU-1-7, SR, TR-1, TR-2, TR-3, TRC-1, RU-2-8, RU-2-10 (7), RU-2-10, BU-1, BU-2, GML AND IU-1) within a 0.5-mile radius of the subject property. TRC-1 is the prominent zoning classification in this area.**

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

**There has been no development within 0.5 miles approved within the past three years.**

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

**There has not been any approved development within this area in the preceding three (3) years that has yet to be constructed.**

- 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.

**Based on staff analysis, the requested rezoning from TR-2 with BDP to AGR zoning classification with removal of existing BDP is not anticipated to materially or adversely affect the surrounding developments. This request is not anticipated to have a measurable impact on the area in terms of trip generation, or parking. No commercial or industrial activity is proposed.**

- 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.

**Staff analysis has determined the property is located in an existing residential area. The area lies east of the Barefoot Bay mobile home development which can be characterized as a mobile home community with compact lot sizes.**

- 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 mobile home neighborhood. There are two neighborhood commercial land uses established in this area. The closest area lies 1,400 feet to the north along the north side of Micco Road. The second lies between the FEC railroad and US Hwy 1 over 1,700 feet to the east.**

- 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 predominately mobile home residential use. There has not been commercial, industrial, or other non-residential uses approved in this area during the previous five (5) years. This area is not transitional.**

### **Analysis of 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.

**Natural Resources has noted a portion of the subject parcel contains mapped St. Johns River Water Management District (SJRWMD) wetlands and hydric soils (Valkaria sand); indicators that wetlands may be present on the property. A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal.**

**Please review all comments from the Natural Resources Management Department found at the end of this report.**

### **Preliminary Concurrency**

The closest concurrency management segment to the subject property is Micco Road located between US Highway 1 to Fleming Grant Road, which has a Maximum Acceptable Volume (MAV) of 22,400 trips per day, a Level of Service (LOS) of D, and currently operates at 18.17% of capacity daily. The maximum development potential from the proposed rezoning increases the percentage of MAV utilization by 0.00%. The corridor is anticipated to operate at 18.17% 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 on county facilities and is using well water and septic service.

### **Environmental Constraints**

#### **Summary of Mapped Resources and Noteworthy Land Use Issues:**

- Wetlands and Hydric Soils
- Aquifer Recharge Soils
- Floodplain Protection
- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Protected and Specimen Trees
- Protected Species

### **For Board Consideration**

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

In addition, the Board may wish to consider the potential impacts of Agritourism, or any the more intense agricultural uses permitted in AGR, on surrounding properties.



**NATURAL RESOURCES MANAGEMENT DEPARTMENT**  
**Zoning Review & Summary**  
**Item No. 25Z00047**

**Applicant:** C. Steven Douglas (Owner: C. Steven Douglas)

**Zoning Request:** TR-2 with BDP to AGR and removal of existing BDP

**Note:** to have barn and keep existing mobile home on property use

**Zoning Hearing:** 01/12/2026; **BCC Hearing:** 02/05/2026

**Tax ID No.:** 3006469

- 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:**

- Wetlands and Hydric Soils
- Aquifer Recharge Soils
- Floodplain Protection
- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Protected and Specimen Trees
- Protected Species

**Land Use Comments:**

**Wetlands and Hydric Soils**

A portion of the subject parcel contains mapped National Wetlands Inventory (NWI) and St. Johns River Water Management District (SJRWMD) wetlands and hydric soils (Anclote sand, frequently ponded, 0 to 1 percent slopes); indicators that wetlands may be present on the property. **A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal.**

**Per Section 62-3694(c)(1), residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres** unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. **Per Section 62-3694(e), any wetland impact, authorized under this division, for residential use shall be limited to the structural building area requirements for the primary use as defined by**

**the zoning code, on-site disposal system requirements, and the 100-year flood elevation requirement for first floor elevations, and necessary ingress and egress. Wetland impacts for accessory uses are not permissible.** Any permitted wetland impacts must meet the requirements of Section 62-3694(e) including avoidance of impacts and will require no net loss mitigation in Brevard County in accordance with Section 62-3696. **The applicant is encouraged to contact NRM at 321-633-2016 prior to any plan or permit submittal.**

### **Aquifer Recharge Soils**

This property contains Pomello sand, 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.

### **Floodplain Protection**

This property is located within an area mapped as FEMA Special Flood Hazard Area (SFHA) A, 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, including compensatory storage. 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." **The applicant is encouraged to continue communication with NRM prior to any plan or permit submittal or performing any land clearing activities.**

### **Indian River Lagoon Nitrogen Reduction Septic Overlay**

The 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.

### **Protected and Specimen Trees**

Protected and Specimen Trees likely exist on the parcel. 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.