

Brevard County Board of County Commissioners

*Commission Chambers, Building C
2725 Judge Fran Jamieson Way
Viera, FL 32940*



Minutes

Thursday, March 5, 2026

5:00 PM

Zoning

Commission Chambers

Rollcall

Present: Commissioner District 1 Katie Delaney , Commissioner District 2 Tom Goodson, Commissioner District 3 Kim Adkinson, Commissioner District 4 Rob Feltner, and Commissioner District 5 Thad Altman

Zoning Statement

The Board of County Commissioners acts as a Quasi-Judicial body when it hears request for rezoning and Conditional Use Permits. Applicants must provide competent substantial evidence establishing facts, or expert witness opinion testimony showing that the request meets the Zoning Code and Comprehensive Plan criteria. Opponents must also testify as to facts, or provide expert testimony; whether they like, or dislike, a request is not competent evidence. The Board must then decide whether the evidence demonstrates consistency and compatibility with the Comprehensive Plan and the existing rules in the Zoning Ordinance, property adjacent to the property rezoned, and the actual development of the surrounding area. The Board cannot consider speculation, non-expert opinion testimony, or poll the audience by asking those in favor or opposed to stand up or raise their hands. If a Commissioner has had communications regarding a rezoning or Conditional Use Permit request before the Board, Commissioner must disclose the subject of the communication and the identity of the person, group, or entity, with whom the communication took place before the Board takes action on the request. Each applicant is allowed a total of 15 minutes to present their request unless the time is extended by a majority vote of the Board. The applicant may reserve any portion of the 15 minutes for rebuttal. Other speakers are allowed five minutes to speak. Speakers may not pass their time to someone else in order to give that person more time to speak.

B. PLEDGE OF ALLEGIANCE

Commissioner Feltner led the assembly in the Pledge of Allegiance.

F.1. Resolution setting forth the findings and conclusions of the Board of County Commissioners, re: the denial of a request for a change of zoning classification from RU-1-13 to AU(L) on property owned by Lazy River Investments, LLC.

Chair Altman stated there is a card for Gregory McClasky; and he asked if he wanted to speak.

Mr. McClasky spoke from the audience and was inaudible.

Commissioner Feltner stated he thinks the County Attorney could better answer that, but this is the Findings of Fact on the denials.

Morris Richardson, County Attorney, explained these are findings for one that was denied at last month's zoning meeting.

Someone from the audience stated the last one was a tie and then it went to the Commission to send it back to the zoning.

Attorney Richardson advised when he said the zoning meeting, he meant the Commission zoning meeting; this is not related to the one that was sent back that is at Pioneer and Courtenay, this is the other one in North Merritt Island; and actually, there are two Findings of Fact on the Agenda, but the North Merritt Island one is the one that was heard by the Board of County Commissioners last month and denied.

An audience member asked if Attorney Richardson could tell him when the other one is

supposed to be scheduled back.

Billy Prasad, Planning and Development Director, stated the next time that is heard is at the Planning and Zoning board, which is an advisory board, and that is going to be on March 16th at 3:00 p.m. and then it is expected to come back to the Board of County Commissioners at its April 2nd meeting at 5:00 p.m.; and those are the two public hearings.

Attorney Richardson stated he wanted to point out to the Board and the Clerk that it was brought to his attention by Kim Rezanka, Attorney, who is coming up now, that on the Strada Item, Item F.2., the resolution of findings of fact that there is a record submitted that apparently was cut off in the Agenda packet; the record consists of an excess of 300 pages; unfortunately, the portion attached to the Agenda looks like it cut off at page 126, he believes, so staff is going to provide the full version for the record, for the Clerk, and they will transmit that to Ms. Rezanka as well; and he is not sure what happened to the upload there.

Approval, Re: Commissioner Goodson to Appear Via Telephone

Commissioner Feltner asked if the Board needs to make a motion for Commissioner Goodson to appear by telephone.

Morris Richardson, County Attorney, responded affirmatively.

The Board approved for Commissioner Goodson to participate via telephone.

Result: APPROVED

Mover: Rob Feltner

Seconder: Katie Delaney

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

Resolution setting forth the findings and conclusions of the Board of County Commissioners, re: the denial of a request for a change of zoning classification from RU-1-13 to AU(L) on property owned by Lazy River Investments, LLC.

Kim Rezanka, Lacy Rezanka, stated she would like to speak to Item F.2.; she is here on behalf of Strada Development and Maronda, the contract purchaser; she does not have any comments regarding the statement of the case and the facts, actual final order, but she would like the Board to postpone this until she can get ahold of the entire record; as mentioned, she saw it cut off at page 124, 125, and it goes an excess of 300 pages; additionally, she would ask that the board put the adopted minutes, not the draft minutes, for both North Merritt Island P&Z and Board of County Commissioners; and until those are finalized minutes, until she can see the whole order, she would ask the Board to postpone adoption of this; and if not, she understands, but she would like to have the actual minutes instead of draft minutes.

Attorney Richardson stated he does have concern about extending it because of the timeline in which to finally take action on a development permit application; but if Ms. Rezanka would state for the record that her applicant is waiving any such requirements, then he would not have any problem with staff bringing it back when the full record is attached; and as far as adopted minutes, that is not typical with what they do with Findings of Fact just because those tend to trail.

Ms. Rezanka advised it has been a month, she would think that they would be adopted if they have not been already, at least North Merritt Island and P&Z; but if not, yes, she would waive any requirement of adoption of a development order within a certain statutory timeframe or

ordinance timeframe.

Commissioner Feltner stated maybe the Board could get clarity from the Clerk; and he asked if typically, the minutes are what, two months.

Donna Scott, Assistant Clerk to the Board, stated typically; and she asked if these are the P&Z minutes or Board of Adjustment minutes.

Commissioner Feltner commented he thinks the Board is talking about the Planning and Zoning for the Board of County Commissioners.

Attorney Richardson pointed out there are three sets, North Merritt Island board and Planning and Zoning board, which staff handles, and then the Board Zoning meeting minutes which the Clerk to the Board handles.

Ms. Scott noted they do not finalize the Board of Adjustment minutes.

Attorney Richardson stated right, but just for the Clerk, the Board of County Commissioners zoning meeting; and County staff does the Planning and Zoning and North Merritt Island minutes.

Ms. Scott stated right, so it does take a couple of months as Attorney Richardson said to go through that process to have the minutes completed; and once they are on the next Agenda to be approved, they will be full and posted as a full set of minutes adopted by the Board.

Attorney Richardson stated he is going to suggest the Board, for purposes of any appeal or anything like that . . . first of all, the applicant is responsible for having a transcript of the hearings, but generally for Findings of Fact and for the record, all that is needed is a verbatim transcript, it does not have to be adopted minutes per se; often minutes are not even verbatim, they are speaking minutes, so a transcript is generally preferable for something like Findings of Fact; but he would stipulate to bringing this back next month based on the applicant's statement that they will waive any timeframe; and it is just so the entire record can be in the Agenda packet.

Commissioner Feltner stated for Consent, the Board has F.1. that can be adopted, and then for F.2. that the Board table that to the next month's zoning hearing.

Mr. Prasad advised April 2nd.

The Board adopted Resolution No. 26-014, setting forth the findings of fact and conclusions of the Board pertaining to the denial of a request for a change of zoning classification from RU-1-13 to AU(L) on property owned by Lazy River Investments, LLC.

Result: ADOPTED

Mover: Katie Delaney

Second: Kim Adkinson

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

F.2. Resolution setting forth the findings and conclusions of the Board of County Commissioners, re: the denial of a request for a change of zoning classification from AU and RR-1 to SR with a BDP on property owned by Strada Development, LLC.

Chair Altman asked why the Board is tabling F.2.; and he would like some clarification.

Morris Richardson, County Attorney, explained because the record that was attached to the Agenda somehow in the electronic upload it apparently got cut off at page 126, and there are a couple of hundred more pages; staff did not realize it did not make it into the package; Ms. Rezanka has requested, she stated that she has no issue with the form of the findings of fact order, but she would like to see the rest of the record prior to the Board's adoption; and that seems fair, especially since she has again waived on behalf of the applicant any challenge based on timeline.

Chair Altman mentioned that makes sense.

The Board tabled the proposed resolution setting forth the findings of fact and conclusions of the Board pertaining to the denial of a request for a change of zoning classification from AU and RR-1 to SR with a BDP on property owned by Strada Development, LLC, to the April 2, 2026, Zoning meeting.

Result: TABLED

Mover: Katie Delaney

Secunder: Rob Feltner

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

G. PUBLIC COMMENTS (Individuals may not speak under both the first and second public comment sections.)

Gerhard Claassen stated he is here to speak about the budget; he is very concerned about the ballooning budget of the County; it seems it is not just start today, it started a long time ago; maybe it has been going on forever; but he stated the numbers at the previous meetings. He went on to say this week or last week he was watching the Board's YouTube Channel and he saw a video about the traffic management center groundbreaking ceremony; there was a lady, he did not write down her name, tall lady, blond hair, and a long acronym, the organization that she represented; then Jim Liesenfelt, County Manager, read a speech from Chair Altman who was not there, and then was a Marc Bernath, who basically said what this building was for, so there is a central located place where data people, there are a lot of corporate talk, but basically all of the video cameras that is all over the County will lead to this central place and that is why this is there; and he was thinking, wow, it is a CIA of this County and that chilled his spine to be honest. He went on to say former John Denninghoff came up, he believes is the retired Assistant County Manager for a historic perspective; he said it started in 2003; in 2003 the County was looking at the expansion of people moving into the County, more cars, and stuff, and one would think the County would build more roads and bridges, and the County said no, it was not going to do that because it is too expensive; the County said it was going to make it an intelligent traffic system; there have been fiber optic cables laid and cameras obviously put all over on the buses like he said last time; he is thinking wow, 23 years the County is wasting money on these things and millions of roads and bridges could have been built; and he just does not get that. He went on to say he is a simple man, but it makes no sense to him; he asked why the County does these things; he advised every year the budget goes up, six, seven, eight, 10, 12 percent every year; he has been looking at all of the different departments, everybody is financially irresponsible as the next one; the finger cannot even be pointed and say this one or that one; he can point the finger at the Commissioners; the Commissioners are here to represent him and all of the people here; and he asked the audience if they wanted more bridges or more cameras. He noted he thinks there need to be more bridges and roads; he wonders if the Board actually cares about that; he knows it is harsh

to say it, he does not want to be harsh; he wants the County to do better, to be financially responsible like he and everyone else has to be; he is sure at home the Commissioners are responsible financially; he asked why it cannot be done on a bigger scale; why not for a few years say no, it is not going to increase the budget; he stated it is 140 percent in the last 10 years; and if adjusted for inflation it is 117 percent, all while the population grew by 18 percent; he asked the Board to consider this year to keep the budget where it is; and he reiterated to just do it for one year and get by with what it has.

H.1. Princeton Technology, LLC requests a CUP for (4COP) full liquor, beer and wine license for On-Premises Consumption, accessory to a bar, in a BU-1 zoning classification. (25Z00044) (Tax Account 2104653) (District 1)

Chair Altman called for a public hearing to consider a request by Princeton Technology, LLC for a CUP for Alcoholic Beverages for On-Premises Consumption, accessory to a restaurant, in a BU-1 zoning classification.

Trina Gilliam, Planning and Zoning Manager, stated Item H.1. is Princeton Technology, LLC requests a CUP for (4COP) full liquor, beer and wine license for on-premises consumption, accessory to a bar, in a BU-1 zoning classification, application 25Z00044, and located in District 1.

Sachin Shenoy commented he is the operator of this particular establishment; they are asking for a CUP related to their business only; they do have a full liquor license and will comply with all regulations; the Planning and Zoning commission has seen their plans, and appropriately has given them permission to do so; and they would like the Board to codify it.

Commissioner Delaney stated she would make a motion to approve with the condition that the CUP is acceptable only to establishments operated by C&S Restaurants, Inc.

Commissioner Feltner stated he will second the motion if this is acceptable to the applicant.

Mr. Shenoy stated that is acceptable.

There being no further comments or objections, the Board approved the request of Princeton Technology, LLC for a CUP for (4COP) full liquor, beer and wine license for On-Premises Consumption, accessory to a bar, in a BU-1 zoning classification, and with an additional condition that the CUP is acceptable only to establishments operated by C&S Restaurants, Inc.

Result: APPROVED

Mover: Katie Delaney

Second: Rob Feltner

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

H.2. Spacewalk Groves, Inc. (Kim Rezanka) requests a CUP for land alteration. (25Z00057) (Tax Account 2315318) (District 2)

Chair Altman called for a public hearing to consider a modification to an existing CUP for land alteration in Planned Industrial Park (PIP) zoning classification as requested by Spacewalk Groves, Inc.

Trina Gilliam, Planning and Zoning Manager, stated H.2. is Spacewalk Groves, Inc., represented by Kim Rezanka, requests a CUP for land alteration, application 25Z00057, tax account 2315318, and located in District 2.

There being no objections, the Board approved the request of Spacewalk Groves, Inc. for a CUP for land alteration.

Result: APPROVED

Mover: Tom Goodson

Seconder: Kim Adkinson

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

L.3. Katie Delaney, Commissioner District 1

Commissioner Delaney stated about a year ago when one of the County's hospitals was shut down, the community had to come together and figure out how to give people access to healthcare; the Space Coast Health Foundation pulled together a group of all of the different entities, the hospitals, the State organizations, elected officials, and city managers; it was an amazing group, extremely collaborative, and they worked together extremely well to make sure that people had access to healthcare; he wanted to mention that today was their final meeting; there is going to continue to be a roundtable of the CEOs of the hospitals just so that they can continue collaborating moving forward; it is just a good day to be on the other side of that; and she just wanted to say well done to everybody.

L.7. Thad Altman, Commissioner District 5, Chairman

Chair Altman stated he just got back hours ago; he met with officials in Washington, D.C., the US Department of Transportation, the Department of Railroads, Senator Rick Scott, Senator Ashley Moody, and Congressman Mike Haridopolos; the meetings were very positive; they were there with the City of Cocoa and Brevard County Transportation Planning Organization (TPO); the application he thinks is very strong; although, at first in the one Big Beautiful Bill, he thinks it was around \$5 billion appropriated for rail projects; there was a shortage of applicants; and now there are more applicants for that pot of money than there is money, so it is a little more competitive. He advised they are just going to wait and see and hoping that some news perhaps will be gotten this summer, maybe June, where they will do some initial review of the projects; and he expressed his appreciation to this Board and its support for Brightline.

Upon consensus of the Board, the meeting adjourned at 5:25 p.m.

ATTEST:

RACHEL M. SADOFF, CLERK

THAD ALTMAN, CHAIRMAN
BOARD OF COUNTY

COMMISSIONERS

BREVARD COUNTY, FLORIDA