

# The Michael Gaich Company

COMMERCIAL REAL ESTATE SERVICES

Michael G. Gaich, CCIM  
Maureen Collins  
Sarah Swanson

May 23, 2024

Planning and Zoning Board (email to [Kristen.Champion@brevardfl.gov](mailto:Kristen.Champion@brevardfl.gov) and [Jeffrey.Ball@brevardfl.gov](mailto:Jeffrey.Ball@brevardfl.gov))

Re: 23PUD00001 - Modera Indian River

My name is Michael Gaich, and I purchased 8± acres of riverfront property in 1973. The Brevard County property ID is **2600109**. The property address is 6035 S Hwy 1, Rockledge, FL. You will note that the property is now titled Visions Twenty Inc. containing 6.44 acres of residential property and Visions Thirty, LLC containing 2.1 Acres. I have a real estate background as a licensed Real Estate Broker in Brevard County since 1973. In addition, I became a commercial developer in 1985 developing commercial properties for sale for major tenants.

The combination of Visions Twenty Inc, and Visions Thirty LLC has approximately 330 feet on the Indian River. This location is approximately 400 feet south from the proposed PUD on US Hwy 1. Both parcels of land have the zoning classification of **RU-2-10 (cap of 6)** since at least 1996. The property also includes approvals by the Army Corp of Engineers, Saint Johns River Water Management, including a 5-year mitigation plan for replanting a wetland which has now been completed. Currently, Visions Twenty Inc. has received a site plan approval of 22 luxury Condominiums.

Mill Creek is proposing to build 252 apartments on 14.8 acres of land East of Hwy US 1, which is wholly incompatible with the area, and with the **County's Comprehensive Plan** and **violates** the administrative policy 4, as the property to the south and north are high value single family residences.

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Visions Twenty Inc. property is south of Laguna Vista and has a site plan approved for 24 Luxury Condominiums each intended to sell for \$1,000,000 and up! Before discussing this PUD violation, the developer is disingenuous about the actual zoning of the 14.8 acres. The zoning is RU2-10 (cap of 6). This density cap was put in place to protect the residential river side lands as discussed in **FLU POLICY 1.2**. The PUD seeks to introduce commercial apartments use on an area protected by the stated policy. To approve this PUD would violate this policy also a great deal of the property is the coastal high hazard area, as shown by the attachment to this letter. **Comprehensive Coastal Management Element objective 7**, demands that the County Limits Densities within the coastal high hazard area. To increase the density beyond the limit of 6 units per acre would violate the objective. Similarly, over half of the PUD property is in a special flood zone area, zoned **AE Coastal Flood Plane**, and the number of units should not be increased.

Finally, this apartment complex contemplated by the PUD will **increase traffic on US1 by 1691 trips per day for the 252 units, from 88 units, with approximately 840 trips per day from the PUD site.**

More importantly, this will result in a decrease of two intersections **level of service** as shown in table 9 of the LTG Traffic Impact Report dated January 2024, attached for your reference. This is a concurrency deficiency caused by this PUD and the PUD should not be approved. Please deny this PUD request.

Thank you for your cooperation.

**MICHAEL**

Michael G. Gaich, CCIM

Attachments:

CHAA Map / LTG Table 9

*Serving Brevard Since 1983*  
3019 Wyndham Way \* Melbourne, Florida 32940  
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Legend

Brevard County Coastal Setback Line



Natural Resources (ERM)

Coastal High Hazard Area



Parcels

Block Text

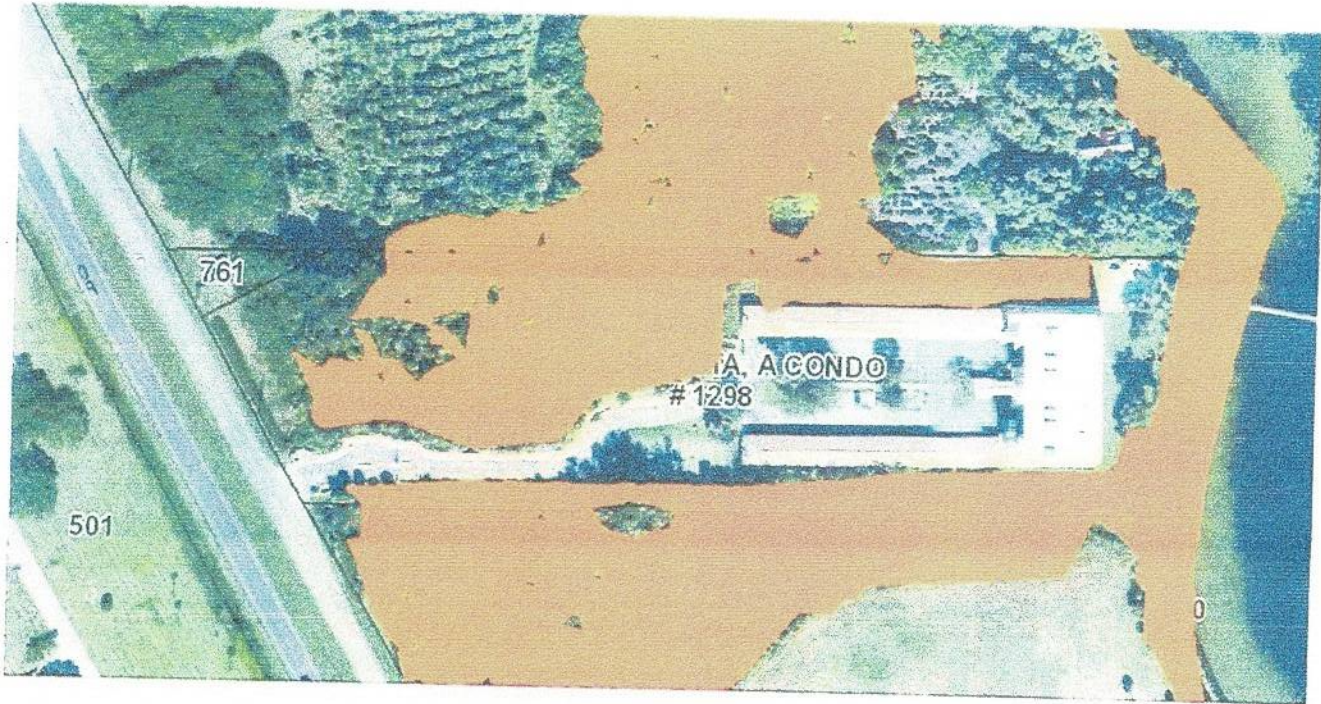
Subdivisions



Parcels



Parcel Property



Subdivisions



Parcels



Parcel Property

## 2027 Build-Out Intersection Analysis

The study area intersections were analyzed to determine the operational LOS under build-out conditions. Table 9 presents the anticipated LOS for the study area intersections during the PM peak hour. The Synchro summary sheets are provided as Appendix G.

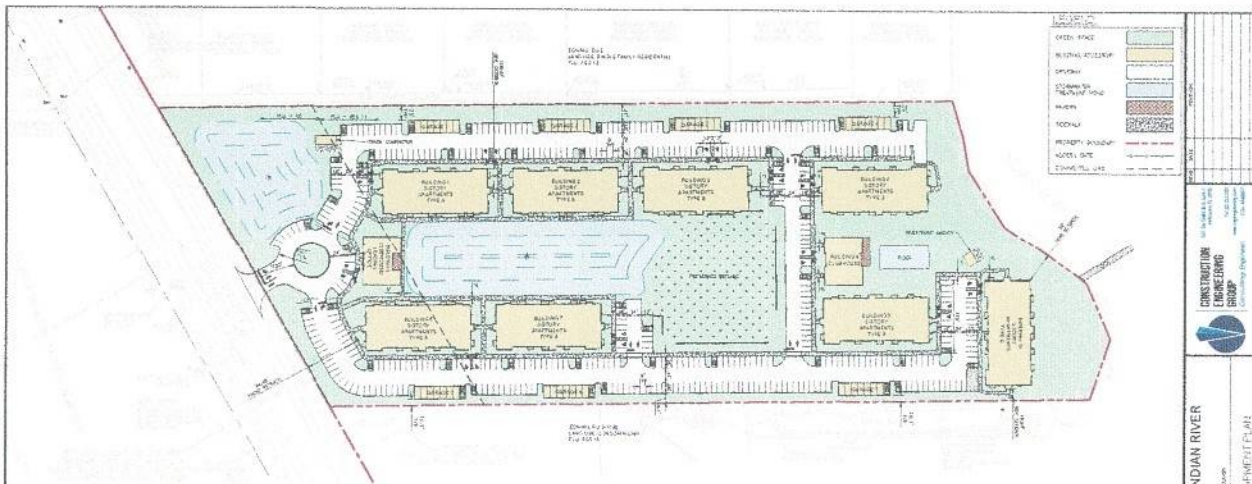
**Table 9**  
**Build-out PM Peak Hour LOS – Intersections**  
**Modera Indian River**

Intersection	Adopted LOS	PM Peak Hour				
		Critical Approach	Delay (sec.)	LOS	V/C greater than 1.0?	Overall Highest V/C
1. US 1 at Suntree Boulevard	D		44.8	D	Yes	1.160
2. US 1 at Full Median Opening/Project Driveway	D	WB	90.2	F	No	0.373
3. US 1 at Viera Boulevard	D		66.5	E	Yes	1.270

As indicated in the table, the intersections of US 1 at Suntree Boulevard and US 1 at Viera Boulevard are anticipated to continue to operate with v/c ratios greater than 1.000 during the PM peak hour. Additionally, the intersection of US 1 at Viera Boulevard is anticipated to continue to operate outside the adopted LOS during the PM peak hour. Please note, for the US 1 at Full Median Opening/Project Driveway intersection, it is common that unsignalized intersections operate at higher levels of service with extended delay on the minor street approaches during peak hour when conflicted with high major street volumes.

## 2027 Build-Out Conditions Roadway Segment Analysis

The build-out daily and PM peak hour two-way LOS for the study area roadway segments are presented in Table 10. As indicated in the table, the build-out volumes along both study area roadway segments are anticipated to operate within the daily and peak hour capacities.



### PRELIMINARY DEVELOPMENT PLAN

**1. SITE INFORMATION**

**SITE ADDRESS:**  
 1000 W. ...  
 PHOENIX, AZ 85001

**SITE AREA:**  
 1.2 ACRES

**APPLICANT:**  
 ...

**PREPARED BY:**  
 ...

**DATE:**  
 ...

**2. SITE CHARACTERISTICS**

**SOILS:**  
 ...

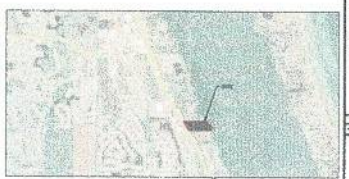
**UTILITIES:**  
 ...

**ADJACENT PROPERTIES:**  
 ...

**3. CONSTRUCTION REGULATIONS**

**MINIMUM REQUIREMENTS:**  
 ...

**MAXIMUM REQUIREMENTS:**  
 ...



**VICINITY MAP**

**GENERAL NOTES:**  
 1. THIS PLAN SHOWS THE PROPOSED DEVELOPMENT OF THE SITE.  
 2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LOCAL ORDINANCES.  
 3. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.  
 4. THIS PLAN IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT REPRESENT A CONTRACT.

MODERA INDIAN RIVER		
CONSTRUCTION SERVICES GROUP		
OWNER:	...	...
DATE:	...	...
SCALE:	...	...
PDP-1		

**From:** [michael corcoran](#)  
**To:** [Champion, Kristen](#)  
**Subject:** Application number 23PUD00001  
**Date:** Wednesday, May 29, 2024 3:07:29 PM

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[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

I have been a resident of this area since 1973. Our growth has been slow and steady until recently when it seems to have achieved a pace that is becoming somewhat out of control. I am strongly against the zoning change to a PUD. All the surrounding developments are under 6 units per acre. Why should the present zoning be changed to allow more. Avoid over-development and leave the zoning as is.

Please distribute this email to all the commissioners for the meetings of July 10 and July 11, 2024 regarding application number 23PUD00001.

Sincerely, Michael F. Corcoran M.D.

May 31, 2024

Kristen Champion

C/O Planning and Zoning Board

Re: Application # 23PUD00001

Dear Ms. Champion:

We are against the drastic increase in density for this single project.

We believe the application for a PUD does not meet the PUD guidelines in the county documents. PUD guidelines are for multiple use developments. This is ONLY an apartment complex, thus not meeting the written intent of PUD designation.

We do not agree that one project would be allowed to increase from a density of 6 units per acre to over 17 units per acre.

This project is not compatible with surrounding area development, and will have a negative impact in many ways. Elevated sound, light, and lowering our property values.

This project goes against the directives of the Coastal High Hazard Area (CHHA) and should not be over-developed.

All the surrounding developments, (including Laguna Vista) fall under the 6 units per acres current zoning designation.

We would like to request the email to be put both in the packet and emailed to the members in advance.

Your assistance is greatly appreciated.

Respectfully,

Pete and Debbie Giorgio  
6005 US Highway 1 # 205  
Laguna Vista Condo  
Rockledge Fl. 32955



**From:** [norm.brownstein](#)  
**To:** [Champion, Kristen](#)  
**Cc:** [Pam Higgins](#)  
**Subject:** ID#23PUD00001  
**Date:** Sunday, June 2, 2024 10:03:56 AM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

## Brevard County Board of County Commissioners

Planning and Development Department 2725 Judge Frann Jamison Way, BldgA Viera, FL 32940

### RE: Opposition to Proposed Zoning Change ID#23PUD00001

Dear Brevard County Board of County Commissioners,

I am writing to express my strong opposition to the proposed zoning change (ID#23PUD00001) for a development project located at [Project Address, if known]. My address is [Your Address].

My concerns regarding this project are as follows:

- **Loss of Green Space:** This development appears to significantly reduce the green space within the corridor. Preserving natural areas is crucial for our environment and quality of life.
- **Increased Density and Neighborhood Character:** The proposed density increase from 6 units per acre to over 17 units per acre drastically changes the character of the neighborhood. This high density is likely incompatible with the surrounding area's development patterns.
- **Traffic Concerns on US-1:** The already dangerous traffic situation on US-1, particularly the specific stretch mentioned, will be further exacerbated by this development. Increased traffic flow can lead to safety hazards and congestion.
- **PUD Designation Concerns:** This project appears to be solely an apartment complex and seems to deviate from the intended use of Planned Unit Developments (PUDs) as outlined in the county's regulations. PUDs are typically designed to incorporate a mix of uses and ensure a well-planned development.
- **Negative Quality of Life Impact:** The proposed development is likely to have a negative impact on the overall quality of life in the neighborhood. Increased noise, light pollution, and potential strain on resources can negatively affect residents' well-being and property values.
- **Coastal High Hazard Area (CHAA) Considerations:** It is unclear whether the project adheres to the directives set forth for developments within Coastal High Hazard Areas. This is a critical factor that needs careful evaluation.

For these reasons, I urge the Brevard County Board of County Commissioners to **reject** the proposed zoning change (ID#23PUD00001). This project, in its current form, appears to have several drawbacks that outweigh any potential benefits.

Thank you for considering my concerns. I would appreciate the opportunity to provide further comments if needed.

Sincerely,

Norman and Marjorie Brownstein

11 Pisces Ln.

Rockledge Fl 32955

Please add this to the agenda packets of each P&Z board member.

**From:** [Kathy Klayman](#)  
**To:** [Champion, Kristen](#)  
**Cc:** [Mark](#)  
**Subject:** Please vote no ID#23PUD00001 Zoning change 5955 S. Hwy. 1, Rockledge  
**Date:** Sunday, June 2, 2024 2:49:16 PM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Ms. Champion, June 2, 2024

In response to the card we received in the mail on May 28, 2024, regarding ID#23PUD00001, a request to change the current zoning classification from BU-1 (General Retail Commercial and RU-2-10 (Medium Density Multi-Family Residential) we would kindly request you forward the following to all parties that are involved in the decision making of this change:

The applicant is seeking a zone change to high density which is inconsistent with the Brevard County Comprehensive Plan therefore the application should be denied because:

The zoning change is not compatible with existing land use. (Admin. Policy 3, Criteria A, Brevard Future Land Use Element)

The zone change will result in property values going down. (Admin. Policy 3, Criteria B, Brevard Future Land Use Element) ([realtor.com](#))

The zoning change will significantly impact traffic negatively. (Admin. Policy 5, Criteria E and Criteria G along with Admin. Policy 4, Criteria A, Brevard Future Land Use Element)

The zoning change is not appropriate as there are no nearby public services that can support this type of development.

The zoning change will create the negative effects of Urban Sprawl.

There is no need for a zoning change as the current zoning provides sufficient use of the property as it allows for responsible development while protecting the Indian River Lagoon.

This zoning request is made by Frank Mastroianni for Modera Apartments who have out of state investors with out of county contractors.

Please support your Brevard County residents and voters by voting no to the zoning change as there is no public service issue to resolve, no change in circumstances needed to be made and is "inconsistent with emerging or existing patterns with surrounding development". (Admin. Policy 3, Criteria C)

If this information cannot be shared with all parties involved in the decision making process. Please let us know as soon as possible. We tried to e-mail all commissioners with e-mail provided on website and they came back invalid.

Thank you for your courtesy and cooperation.

Sincerely,

Mark and Kathy Klayman  
140 Ruby Street, Rockledge [mklayman@cfl.rr.com](mailto:mklayman@cfl.rr.com) [kklayman@cfl.rr.com](mailto:kklayman@cfl.rr.com)

**From:** [Lanny Anaya](#)  
**To:** [Champion, Kristen](#)  
**Subject:** Planning and Zoning Board (Application # 23PUD00001)  
**Date:** Sunday, June 2, 2024 6:44:47 PM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Kristen Champion,

The proposed PUD development at 5955 S Highway 1, Rockledge, FL 32955 (application number 23PUD00001) has come to my attention and it does not conform with the land usage density in the area. I would like to voice that I am against the drastic increase in density for this single project. This project is not compatible with surrounding area development, and will have a negative impact in many ways.- sound, light, property values, etc. This project goes against the directives of the Coastal High Hazard Area (CHHA) and should not be over-developed.

I am not against the property being developed, but it should conform with the 6-units per acre density limit that the Brevard County Commission put in place years ago to ensure the conformity with developments in the area years ago. Nor does this request meet the PUD guidelines as defined by Brevard County.

Thank you for addressing this matter. Please let the Planning and Zoning Board know of my and other voices are against this increase.

Sincerely;

Lanny Anaya  
6200 Anchor Ln  
Rockledge, FL 32955

6-3-2024

Brevard County Planning and Zoning Board  
Brevard County Commissioners

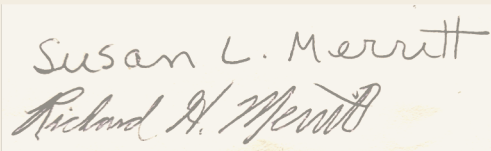
Re: 23PUD00001

Dear P&Z Board and County Commissioner.

Can we ask you where you live? And I bet you love your neighborhood for various reasons. Can we invite you to visit where we live and let us explain to you why we love living at Laguna Vista Condos? You need to see our environment. You need to feel our environment? We know the riverfront land on both sides of us will be developed in due time . . . But why developed with apartment rentals? We ask that you consider other development options. Why not consider a housing development that is more consistent with the riverfront property in our area? I am asking you again, please come visit our piece of paradise and I think you will understand our concerns. Thank you.

Sincerely,

Susan & Richard Merritt,

A rectangular box containing two handwritten signatures in cursive. The top signature reads "Susan L. Merritt" and the bottom signature reads "Richard A. Merritt".

6005 US Highway 1 Unit #405

Laguna Vista Condo

Rockledge, FL 32955

**From:** [Commissioner, D4](#)  
**To:** [Champion, Kristen](#)  
**Cc:** [Commissioner, D4](#)  
**Subject:** Public Comment - 23PUD00001  
**Date:** Monday, June 3, 2024 11:10:36 AM  
**Attachments:** [Public Comment 23PUD00001\\_Anaya.pdf](#)  
[Public Comment 23PUD00001\\_Giorgio.pdf](#)  
[image001.png](#)  
[image002.png](#)

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Good morning Kristen,

On behalf of Commissioner Feltner, please see the attached public comments our office has received. Thank you.

Carol Mascellino, Chief of Staff  
County Commissioner Rob Feltner, District 4  
Brevard County Board of County Commissioners  
2725 Judge Fran Jamieson Way  
Building C, Suite 214  
Viera, FL 32940  
PH: 321-633-2044  
[www.brevardfl.gov](http://www.brevardfl.gov)

*Please note: Florida has a very broad public records law. Most written communications to and from the offices of elected officials are public records available to the public and media upon request. Your email communications may, therefore, be subject to public disclosure.*

**Mascellino, Carol**

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**From:** Lanny Anaya <lanny.anaya@outlook.com>  
**Sent:** Sunday, June 2, 2024 6:37 PM  
**To:** Commissioner, D4  
**Subject:** Planning and Zoning Board (Application # 23PUD00001)

**Categories:** Carol

**[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.**

**Dear Rob Feltner (District 4 Commissioner)**

**I ask that you vote against the proposed PUD development at 5955 S Highway 1, Rockledge, FL 32955 (application number 23PUD00001) as it does not conform with the land usage density in the area.**

**I am not against the property being developed, but it should conform with the 6-units per acre density limit that the Brevard County Commission put in place years ago to ensure the conformity with developments in the area years ago. Nor does this request meet the PUD guidelines as defined by Brevard County.**

**Thank you for addressing this matter. I look forward to seeing how you vote on this matter.**

**Sincerely;**



**Lanny Anaya**

**6200 Anchor Ln**

**Rockledge, FL 32955**

**From:** [Rick Muething](#)  
**To:** [Champion, Kristen](#)  
**Subject:** 23PUD00001 application  
**Date:** Monday, June 3, 2024 11:35:19 AM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Kristen,

We are long-time (30+ years) property owners of residential property in Indian River Isles North (IRIN) and would like to register our opposition to the request for density changes in the above application. The requested high density zoning is not consistent with the virtually all single family and low density condos now on the Indian River Western shoreline.

Please keep us informed of any meetings, changes or actions in the above request.

Gerald F. and Marcia E. Muething  
6143 Anchor Lane (Indian River Isle North)  
Rockledge FL 32955

321-223-6958 [rickmuething@gmail.com](mailto:rickmuething@gmail.com)

120 Ruby Street  
Rockledge, FL 32955  
June 3, 2024

Members of the Planning and Zoning Board  
c/o Brevard County Board of County Commissioners  
Planning & Development Department  
2725 Judge Fran Jamieson Way, Building A  
Viera, FL 32940

**RE: ID# 23PUD00001**  
**June 10, 2024 agenda**

Dear Planning and Zoning Board Member

I am writing in strong opposition to the application (ID# 23PUD00001) by “Modera Indian River” to create a Planned Unit Development (PUD). The subject land is currently zoned as CC (2.88 ac) and Res (15) (11.92 ac). These densities are quite generous and would allow for many (84?) residential units to be built on this property. The proposed change would allow the construction of 265 units (252 proposed) which is a 300% increase in density. Note that this is a Coastal High Hazard Area (CHHA).

The application is a cynical attempt to circumvent the current zoning densities by using a special loophole of PUD zoning.

- The homes on Ruby Street are zoned EU-2 and are immediately adjacent to this land. This is our home.
- The other adjacent neighbor, Laguna Vista Condominiums, is RU-2-10 (6).
- There are no areas of RU-30 between Barnes Blvd and Pineda; so the proposal is not compatible with this area of Brevard County.
- RU-30 is never located directly adjacent to EU-2 without some sort of barrier (such as a road). Ruby Street is a private road and is part of our individual properties.

Besides the incompatibilities and inconsistencies with current zoning, the proposed PUD does not fulfill the purposes and intents as specified by the Brevard County Code. Beyond the fact that the parcel exceeds the minimum 10 acre requirement, the Madera proposal is not a PUD.

To clarify the issues and facilitate your rejection of this proposal, below is verbiage from the Brevard County Ordinance contrasted with my observations.

Brevard County Code of Ordinances section 62-1442 for PUD	Comments/Observations
(a) ...The purpose of a planned unit development is to encourage the development of planned residential neighborhoods and communities that provide a full range of residence types, as well as industrial, commercial and institutional land uses...	There are no “range of residence types” and no “residential neighborhoods” within the Madera plan. It is planned as a monolithic apartment complex.
(a cont'd) ...It is recognized that only through ingenuity, imagination and flexibility can residential developments be produced which are in keeping with the intent of this subdivision while departing from the strict application of conventional use...	There is no imagination, ingenuity, or flexibility in the proposed plan. It is as generic and ho-hum as they come.
(b)This subdivision is intended to establish procedures and standards for planned unit developments within the unincorporated areas of the county, in order that the following objectives may be attained:	
(1) Accumulation of significant areas of usable open spaces for the preservation of natural amenities.	The wetland in the center of the complex is a nod to this requirement but will not be usable open space. It also will not mitigate parking lot runoff, as the wetland and created ponds will be surrounded and blocked by apartment buildings.
(2) Flexibility in design to take the greatest advantage of natural land, trees, historical features and other features.	The plan specifically fills in the pond along Ruby Street to accommodate the huge parking lots. This is not taking advantage of an obvious natural feature. Note that 4.44 acres or 30% of the land would be paved. All of that run off will have to go somewhere and half of it is aimed at Ruby Street.
(3) Creation of a variety of housing types and compatible neighborhood arrangements that give the home buyer greater choice in selecting types of environment and living units.	A development of eight 3-story apartment buildings does not meet the objective of “a variety of housing types.” The plan does not offer “home buyers” greater choice as there will be no opportunities for home buyers at all.
(4) Allowance of sufficient freedom for the developer to take a creative approach to the use of land and related physical development, as well as utilizing innovative techniques to enhance the visual character of the county.	This project does not enhance the visual character of the county. The removal of the pond along Ruby Street diminishes the visual character of the county.
(5) Efficient use of land which may result in smaller street and utility networks and reduce development costs.	There are no efficiencies in this project. The proposed buildings are scattered along the perimeter of the property. While apartment buildings are “efficient,” they are allowed without a PUD designation.

On a personal note, my parents moved to Brevard County in 1984 so that my father could teach for UCF at a satellite campus at BCC. They built their dream home on Ruby Street in 1989 and lived there ever since. In order to care for my parents, I moved in with them in 2013 along with my son, who has since graduated from both Viera High School and FIT. My father passed away in 2015; my mother is still living here in her home.

We are not requesting that the zoning board roll back the clock and block all development on the land. We are simply asking you to reject this outrageous proposal and allow the land to be developed in a sane manner consistent with planning principles already in place for this part of the county. This application for a Planned Unit Development is simply a way to achieve higher densities to increase the developer's profit-at the expense of the current neighbors while ignoring the intended benefits and intentions of the PUD zoning laws.

Please reject the proposal for a PUD on this land.

Thank you.

Sincerely,

Sandra Neustel

**From:** [Kevin Fox](#)  
**To:** [Champion, Kristen](#)  
**Subject:** PUD 23PUD00001 Objection  
**Date:** Monday, June 3, 2024 9:46:04 PM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Ms. Champion,

Can you please forward this email to the Planning and Zoning Board for the meeting scheduled on June 10, 2024.

Thank you for your assistance.

Kevin and Lucia Fox  
6398 Anchor Lane  
Rockledge, FL 32955

June 3, 2024

Brevard County Planning and Zoning  
2725 Judge Fran Jamison Way  
Viera, FL 32940

Dear Board,

I am requesting that you Do Not approve the request for the Planned Unit Development (PUD) application number **23PUD00001**.

I recall, shortly after moving to Brevard in 2002, attending County Commissioners public meetings to determine the density limits for properties along Hwy-1 and the Indian River. The Commissioners ultimately decided that no more than 6-units per acre should be allowed to be constructed on a property to conform with the developments already built in the area.

The PUD **23PUD00001** request for more than 17-dwelling units per acre excessively exceeds the 6-units per acre limitation and does not conform with the “character of the area” in the PUD guidelines as I understand them. Furthermore, the request appears to be a PUD in name only, as it is only an apartment complex, versus being a mixture of residential and commercial use developments.

I am not against the developer building on their land, I simply ask that the Brevard Planning and Zoning Board require them to stay within the 6-dwelling unit per acre restriction. The Laguna Vista Condo developer was able to comply with the 6-unit restriction. I also believe the proposed condominium at 6035 S Highway 1 as depicted in their billboards complies with

the 6-unit restriction. I do not believe there is a development within one-mile of the property along Hwy-1 that is built to the density this developer is requesting.

I again ask that the Planning and Zoning Board not approve the PUD **23PUD00001** request, and recommend to the County Commissioner to do the same. I look forward to attending the public meeting and seeing how the Board votes.

Sincerely,

*Kevin Fox*

*Lucia Fox*

Kevin and Lucia Fox  
6398 Anchor Lane  
Rockledge, FL 32955

**From:** [Billy B](#)  
**To:** [Champion, Kristen](#)  
**Date:** Tuesday, June 4, 2024 8:26:48 AM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Ms. Champion-

I ask that you vote against the proposed PUD development at 5955 S Highway 1, Rockledge, FL 32955 (application number **23PUD00001**) as it does not conform with the land usage density in the area.

I am not against the property being developed, but it should conform with the 6-units per acre density limit that the Brevard County Commission put in place years ago to ensure the conformity with developments in the area years ago. Nor does this request meet the PUD guidelines as defined by Brevard County.

Thank you for addressing this matter. I look forward to seeing how you vote on this matter.

Sincerely;

William Bacon  
Rockledge, Fl

Sent from my iPad



**From:** [Tania Taylor](#)  
**To:** [Champion, Kristen](#)  
**Subject:** ID# 23PUD00001  
**Date:** Tuesday, June 4, 2024 10:08:10 AM

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[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Planning and Zoning Board,

My name is Tania Taylor and I am writing to you today to urge you to vote against the rezoning proposed for the land just south of my home located on Ruby St. Site parcel ID 26-36-01-00-753 (plat #753 on the Brevard County Future Land Use Website)-a 14.5 acre area.

One of the many reasons I purchased my home 10 years ago was to escape the high density suburban housing experience. I reviewed the zoning for the land surrounding my property and was aware that future development would include up to 80 units on the IRL and a commercial development on the highway edge of the 14 acres to the south of my home. This was approximately 6 units per acre. The proposed development (ID# 23PUD00001) FAR exceeds the existing zoning by allowing for a rental property of 250+ apartments and over 500 parking spaces - or the equivalent of 17 units per acre. While this is being presented as a Planned Unit Development, I do not believe a rental complex meets the PUD guidelines as a PUD is a multiple use development, which should include a range of housing, creative planning to include existing land features, and incorporates open land for preservation. The proposed Moderna apartment development does not do any of that.

It should be noted that this proposed rezoning is nothing like any nearby development between Barnes and Pineda and simply does not fit in with the aesthetics and lifestyle of this area, an area where people retreat to for the "old Florida" feel and quiet. This lifestyle would cease to exist with the addition of packing 500+ temporary/transient people onto a 14.5 acre lot when surrounding communities are limited to 6 units per acre.

Another important point is that a development this size and in close proximity to our property will have a significant negative impact on our property values. Studies have shown that high density housing can decrease property values by over 13%. As a property owner, this is of great concern to me.

I again urge you to vote against the proposed rezoning and protect the lifestyles of existing homeowners to the area while responsibly developing this land to include additional homeowners looking for similar peaceful housing.

Thank you for your time and consideration.

Tania Taylor  
Concerned homeowner on Ruby Street

**From:** [Commissioner, D4](#)  
**To:** [Champion, Kristen](#); [Chase, Beatrice Mae](#)  
**Cc:** [Commissioner, D4](#)  
**Subject:** Public Comment - 23PUD00001  
**Date:** Tuesday, June 4, 2024 8:51:21 AM  
**Attachments:** [Public Comment 23PUD00001\\_Bacon.pdf](#)  
[image001.png](#)  
[Public Comment 23PUD00001\\_Smith.pdf](#)  
[image003.png](#)

---

Good morning,

On behalf of Commissioner Feltner, please see the attached public comments our office received.

Thank you.

Carol Mascellino, Chief of Staff  
County Commissioner Rob Feltner, District 4  
Brevard County Board of County Commissioners  
2725 Judge Fran Jamieson Way  
Building C, Suite 214  
Viera, FL 32940  
PH: 321-633-2044  
[www.brevardfl.gov](http://www.brevardfl.gov)

*Please note: Florida has a very broad public records law. Most written communications to and from the offices of elected officials are public records available to the public and media upon request. Your email communications may, therefore, be subject to public disclosure.*

**From:** [Billy B](#)  
**To:** [Commissioner, D4](#)  
**Subject:** 23PUD00001  
**Date:** Tuesday, June 4, 2024 8:30:58 AM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Mr. Feltner-

I ask that you vote against the proposed PUD development at 5955 S Highway 1, Rockledge, FL 32955 (application number **23PUD00001**) as it does not conform with the land usage density in the area.

I am not against the property being developed, but it should conform with the 6-units per acre density limit that the Brevard County Commission put in place years ago to ensure the conformity with developments in the area years ago. Nor does this request meet the PUD guidelines as defined by Brevard County.

Thank you for addressing this matter. I look forward to seeing how you vote on this matter.

Sincerely;

William Bacon  
Rockledge, Fl

Sent from my iPad

**From:** [Becky Smith](#)  
**To:** [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)  
**Subject:** Rezoning Application 23PUD00001  
**Date:** Monday, June 3, 2024 5:00:39 PM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

We are homeowners (Laguna Vista Condominiums) adjacent to a property located at 5955 S Hwy 1 in Rockledge Florida that is seeking a zoning change and is scheduled to be heard by the Board of County Commissioners on July 11th. We respectfully wish to go on record as opposing this rezoning for the following reasons.

This is a drastic increase in density for this single project.

We believe the application for a PUD does not meet the PUD guidelines in the county documents. PUD guidelines are for multiple use developments. This is ONLY an apartment complex, thus not meeting the written intent of PUD designation.

We can't accept that one project would be allowed to increase from a density of 6 units per acre to over 17 units per acre.

This project is not compatible with surrounding area development, and will have a negative impact in many ways: sound, light, property values, etc.

This project goes against the directives of the Coastal High Hazard Area (CHHA) and should not be overdeveloped.

All the surrounding developments, (including Laguna Vista) fall under the 6 units per acres current zoning designation.

Sincerely,  
Kevin & Rebecca Smith  
6005 US Hwy 1, Unit 105  
Rockledge, FL 32955

**From:** [Yahoo](#)  
**To:** [Champion, Kristen](#)  
**Subject:** Ref ID# 23PUD00001  
**Date:** Wednesday, June 5, 2024 10:54:10 AM

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[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

> Ref ID# 23PUD00001

> Please include the following in the agenda packets of each Planning and Zoning Board member. Also, please email this correspondence to them in advance of the 6/10/24 P&Z Board meeting.

>

> This correspondence is regarding the proposed rezoning of the property located on the east side of Hwy 1, abutting Ruby Street to the north, and Laguna Vista Condos to the south. As homeowners on Ruby Street, we want to express several concerns about this project. We certainly understand that this property will be developed some day, but it should be developed in accordance with its current zoning requirements. We expected additional single family homes or a condo complex similar to Laguna Vista that neighbors the property on the south side. When we purchased our Ruby Street home, we researched the zoning requirements of this adjacent property and believed any future development would be built to the existing zoning limitations and would not drastically reduce the value of our home as the high density apartment complex (250+ units) presented by Mill Creek would.

>

> Property Value:

> According to Realtor.com, high density rental property adjacent to single family homes reduces the homes' property value by 13.8%. Brevard County zoning requirements state that if a development reduces home values in the area by more than 5% it should not be allowed. At the developer information meeting held on 3/26/24, the Mill Creek VP of Development, Christopher Burtner, falsely stated that adding high density rental apartments with a parking lot within 25 feet of our homes will increase our property values. How does going from a river view in the back yard and a peaceful wooded view in the front yard to a view of a parking lot and all the noise and lights that come with this proposed development increase our home value? No one enjoys headlights shining in their house windows at all hours of the night. The developer made it clear they were not going to put up a privacy wall to block the view, noise and lights.

>

> High Density Development:

>

> A drastic increase in density at this location does not conform to the surrounding area of single family homes, low density townhomes and condos. We don't understand how the presented development meets the criteria of a PUD. It is only an apartment complex which does not meet the criteria of a PUD.

>

> Brevard County Coastal High Hazard Area Study:

>

> This proposed zoning change is against the directives addressed in this study performed by Brevard County. Nearby developments fall under the current 6 units per acre cap.

>

> Of course there are many other concerns we have as Ruby Street residents that will directly alter our lives. Ruby Street is a quiet and peaceful street. We retired to this street primarily because of the location. Adding high density apartments with a walking trail and parking lots just feet from our property, especially with no privacy wall, will eliminate that peaceful existence we have worked so hard to obtain and significantly reduce the value of our property.

>

> We respectfully ask that the Planning and Zoning Board not approve this request and maintain the current zoning requirements. Please help us keep the development of this property uniform to the surrounding area and not adversely impact the current area communities.

>

> Thank you,

Scott and Linda Otto  
110 Ruby St.  
Rockledge, FL. 32955

**From:** [Chase, Beatrice Mae](#)  
**To:** [Kevin Fox](#)  
**Cc:** [Champion, Kristen](#)  
**Subject:** RE: 23PUD0001 Objection  
**Date:** Wednesday, June 5, 2024 11:47:45 AM  
**Attachments:** [image001.png](#)

---

Good morning,

Your email has been received and is being added to the agenda packet as a public comment, that all Board members will receive a copy of.

Please let us know if we can assist with anything else in the meantime.

*Thank you,*

Beatrice Chase  
Special Projects Coordinator I  
Brevard County/Planning & Development  
321-633-2069 P x58302  
321-633-2074 F



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**From:** Kevin Fox <swa342@aol.com>  
**Sent:** Monday, June 3, 2024 9:54 PM  
**To:** Chase, Beatrice Mae <Beatrice.Chase@brevardfl.gov>  
**Subject:** 23PUD0001 Objection

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Ms. Chase

Can you please forward this email to the Planning and Zoning Board for the meeting scheduled on June 10, 2024. I sent it to Ms. Champion but she is on emergency leave.

Thank you for your assistance.

Kevin and Lucia Fox  
6398 Anchor Lane  
Rockledge, FL 32955

June 3, 2024

Brevard County Planning and Zoning  
2725 Judge Fran Jamison Way  
Viera, FL 32940

Dear Board,

I am requesting that you Do Not approve the request for the Planned Unit Development (PUD) application number 23PUD00001.

I recall, shortly after moving to Brevard in 2002, attending County Commissioners public meetings to determine the density limits for properties along Hwy-1 and the Indian River. The Commissioners ultimately decided that no more than 6-units per acre should be allowed to be constructed on a property to conform with the developments already built in the area.

The PUD 23PUD00001 request for more than 17-dwelling units per acre excessively exceeds the 6-units per acre limitation and does not conform with the "character of the area" in the PUD guidelines as I understand them. Furthermore, the request appears to be a PUD in name only, as it is only an apartment complex, versus being a mixture of residential and commercial use developments.

I am not against the developer building on their land, I simply ask that the Brevard Planning and Zoning Board require them to stay within the 6-dwelling unit per acre restriction. The Laguna Vista Condo developer was able to comply with the 6-unit restriction. I also believe the proposed condominium at 6035 S Highway 1 as depicted in their billboards complies with the 6-unit restriction. I do not believe there is a development within one-mile of the property along Hwy-1 that is built to the density this developer is requesting.

I again ask that the Planning and Zoning Board not approve the PUD 23PUD00001 request, and recommend to the County Commissioner to do the same. I look forward to attending the public meeting and seeing how the Board votes.

Sincerely,

*Kevin Fox*

*Lucia Fox*

Kevin and Lucia Fox  
6398 Anchor Lane  
Rockledge, FL 32955



Members of the Planning and Zoning Board  
c/o Brevard County Board of County Commissioners  
Planning & Development Department  
2725 Judge Fran Jamieson Way, Building A  
Viera, FL 32940

Ref: ID# 23PUD00001

Subj: Change of zoning to PUD (Planned Unit Development)

Dear Planning and Zoning Board Members

My husband and I would like to register our strong opposition to the application (ID#23PUD00001) for rezoning for the 14.8 acres located at 5955 S. Hwy 1, Rockledge (east of US Hwy 1, abutting Ruby Street to the north with established zoning of EU-2, and Laguna Vista Condo with established zoning of RU2-10 capped at 6 to the south) to Planned Unit Development (PUD) in order to create a 252 unit (with 500 parking spaces) rental complex called *Madera Indian River*.

Through a very complex series of steps, including gleaning density from areas on the Coastal High Hazard Area (CHHA) map and by filling in a pond abutting Ruby Street (to make a retention pond at a different location), this applicant dubiously comes up with the density level needed to create a 252-unit rental compound if awarded PUD zoning designation (RU-30 with average 17.2 units/acre). The complexity of the maneuvers applied to spread density over these two parcels to make one high density plat are telltale signs that the framers of PUD zoning had not intended for an applicant to extract this level of density from low density communities around it, especially on the CHHA.

Note that Criteria E of Policy 1.4-Residential 15 from the Comprehensive Plan-Future Land Use Element says “Up to a 25% density bonus to permit up to 18.75 dwelling units per acre may be considered where the PUD concept is utilized, where deemed compatible by the County...**This density bonus shall not be utilized for properties within the CHHA.**”

Density calculations aside, however, and more central to our objection is that the project does not meet the purpose and intent of Planned Unit Development as stated in the Code of Ordinances-Sections 62-1441 to Section 62-145. Please see the attached chart showing the pertinent Code of Ordinances with our corresponding remarks.

The bottom line is that the county is supposed to get something unique and special from a Planned Unit Development with a full range of housing options for purchase at a minimum in exchange for relaxed density guidelines. The only thing this rental complex provides for our county is **more typical rental housing**.

And finally, on a personal note it is important to describe how this plan will affect those of us living on Ruby Street in particular.

The proposed project runs right up to the edges of our properties on Ruby Street without any barrier (natural or otherwise) provided between our homes and the rental complex. The plan calls for plowing down almost all the natural woods and wetland areas (including mangrove along the Indian River) except a small section to be left in the middle of the property. The proposal also calls for a walking/running path to circumnavigate the edge of the proposed complex between the parking areas and our Ruby Street properties, removing all expectation of privacy on our private road going forward. And there will need to be lighting throughout the night for their residents' safety. In addition, we would expect all manner of moving-type vehicles going in and out of the complex at all times to accommodate the yearly leases of the renters.

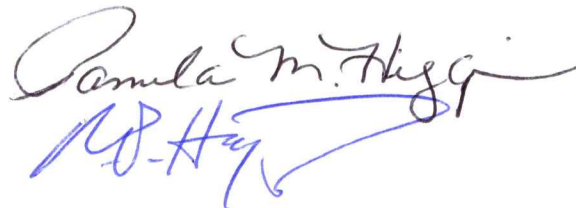
Our home has been our greatest investment for over 29 years on Ruby Street. Realtor.com lists factors that bring down home values with one key item being high-density renter concentration (decreases by 13.8% <https://www.realtor.com/news/trends/things-that-affect-your-property-value/>). This project will hurt us in our pocketbook.

**We do not oppose all development on that property.** To the contrary. We know that the subject property will be developed but we are asking that density be compatible with our area, prescribed on the Future Land Use map at RU-15. There should not be RU-30 bumping up against EU-2 or RU2-10(6) properties. RU-15 provides developers with ample opportunities to create desirable neighborhoods more compatible with our area.

We ask that you deny this application for PUD zoning on the basis that the density required is not compatible with the low-density neighborhoods around it and because it does not meet the intentions of PUD zoning laws. This project is not beneficial to the county, and negatively affects the residents around it.

Thank you

Pamela and Robert Higgins  
100 Ruby Street  
Rockledge, FL 32955



<b>Code of Ordinances</b>	
<b>Planned Unit Development (PUD)</b>	
<b>Purpose and Intent - 62-1442</b>	<b>Remark/Observation/Opposition</b>
"The purpose of a planned unit development is to encourage the development of planned residential neighborhoods and communities that provide a full range of resident types, as well as industrial, commercial and institutional land uses."	This plan provides only for apartment rental units. It does not include a "full range of resident types" which could include single family homes, town homes, condos, duplexes, etc.
<b>Objectives to be attained:</b>	
1) Accumulation of significant areas of usable open spaces for the preservation of natural amenities.	This plan keeps only a small patch of preserved wetlands in the middle of the plot (approx 18% of the total area), removes the pond abutting Ruby Street (and makes a retention pond with a proposed fountain along US1) and mows down all the natural vegetation from the water's edge and all around the perimeter of the plan. The plan is such that 5 of the 8 apartment buildings have no view of the river, and 2 of the remaining 3 buildings have just a few partial-view apartments to offer.
2) Flexibility in design to take the greatest advantage of natural land, trees, historical features and other features.	There is no flexibility to take advantage of the natural land, trees or other features. The trees and indigenous plants are removed. This is a prime piece of property along the Indian River Lagoon. The Plan should center around the natural river feature and provide homeowners with views and water access. This plan is a typical rental complex designed for anywhere USA.
3) Creation of a variety of housing types and compatible neighborhood arrangements that give the home buyer greater choice in selecting types of environments and living units.	There are no "home buyers" in this development, only short-term renters. The only housing types are rental units. There are no compatible neighborhood arrangements.
4) Allowance of sufficient freedom for the developer to take a creative approach to the use of land and related physical development, as well as utilizing innovative techniques to enhance the visual character of the county.	There is no creative approach to the use of this land, it does nothing to feature the Indian River. The visual character of this project is your typical rental community one would find anywhere.
5) Efficient use of land which may result in smaller street and utility networks and reduce development costs.	The streets proposed are as small as they can be while providing 500 parking spaces needed to accommodate 252 units. There will likely be large development costs to accommodate environmental measures (lift stations, pumps, sewage plants, etc.) to ensure no run-off to Lagoon. It is not clear who would maintain any safeguards for the Indian River and our adjacent properties.

6) Establishment of criteria for the inclusion of compatible associated uses to complement the residential areas within the planned unit development.	There is no more room on this plot of land to include compatible associated uses. At this point we have not been provided with any type of criteria for associated uses by the developer.
<b>Land Use Regulations - 62-1446</b>	
"In no case shall the overall number of dwelling units permitted in the PUD be inordinately allocated to any particular portion of the total site area.	Note that only approximately 23 of the 252 rental units would be built on the 3.2 acres along US1 from which the project gleans most of its density thru PUD concessions.
<b>Approval of preliminary development plan and tentative zoning - 62-1448</b>	
5) Review Criteria. The decision of the planning and zoning board on the preliminary development plan application shall include the findings of fact that serve as a basis for its recommendation. In making its recommendation, the planning and zoning board shall consider the following facts:	
a) Degree of departure of the proposed planned unit development from surrounding residential areas in terms of character and density.	This proposed PUD would be a major departure from the EU-2 density of Ruby Street, and the RU2-10 (6) of Laguna Vista. The entire coridor from Barnes Blvd to the Pineda Cswy has been trending to less than 6 units per acre. This project is incompatible with the density of the area.
b) Compatibility within the PUD and relationship with surrounding neighborhoods.	The surrounding neighborhoods consist of homes that are owned by their residents. It is well known that ownership translates to taking better care of properties and surrounding areas. This rental complex would be owned by an investement group from out of state.
c) Prevention of erosion and degrading of surrounding area.	There will need to be considerable development costs for this criteria.
d) Provision for future public eduction and recreation facilities, transportation, water supply, sewage disposal surface drainage, flood control and soil conservation as shown in the preliminary plan	All these areas would need to be addressed adequately. It would seem the only transportation considered is automobile.
e) The nature, intent and compatibility of common open space, including the proposed method for the maintenance and conservation of the common open space.	The method of maintenance for common open space is not clear as the typical HOA method for maintenance under PUD would not apply to rental units.
f) the feasibility and compatibility of the specified stages contained in the preliminary development plan to exist as an independent deveopment.	This high density plan is really an independent development trying to pose as a PUD to squeeze/about right next to low density areas. It does not meet the purpose and intent of PUD.
g) The availability and adequacy of water and sewer service to support the proposed PUD	Likely will require infrastructure to handle up to 500+ persons on 14.8 acres.

<p>h) The availability and adequacy of primary streets and throughfares to support traffic to be generated within the proposed PUD.</p>	<p>Although there is a break in the median, this level of density will likely require a traffic light.</p>
<p>i) The benefits within the proposed development and to the general public to justify the requested departure from standard land use requirements inherent in a PUD classification.</p>	<p>The only benefit one might construe is additional typical rental apartments for the county. But the cost to surrounding home values, welfare of the established residents (lighting and noise pollution), destruction of natural green space, impact on the Lagoon, far outweigh any benefit this typical rental unit complex could provide.</p>
<p>j) the conformity and compatibility of the PUD with any adopted development plan of the county.</p>	<p>Not aware of any other adopted plan of the county that could be related.</p>
<p>k) the conformity and compatibility of the proposed common open space, primary residential and secondary nonresidential uses with the proposed PUD.</p>	<p>Again, this is a very typical rental unit complex. There's very little extra, unique, or special about it. The common open space, apartments, pool clubhouse, and rental office do not meet the intent or purpose of a PUD as described in the Code of Ordinances.</p>

June 2, 2024

Dear Ms. Champion,

In response to the card we received in the mail on May 28, 2024, regarding ID#23PUD00001, a request to change the current zoning classification from BU-1 (General Retail Commercial and RU-2-10 (Medium Density Multi-Family Residential) we would kindly request you forward the following to all parties that are involved in the decision making of this change:

The zone change is seeking high density which is inconsistent with the Brevard County Comprehensive Plan therefore the application should be denied.

The zoning change is not compatible with existing land use. (Admin Policy 3, Criteria A, Brevard Future Land Use Element)

The zone change will result in property values going down. (Admin Policy 3, Criteria B, Brevard Future Land Use Element)

The zoning change will significantly impact traffic negatively. (Admin Policy 5, Criteria E, Criteria G and Admin Policy 4, Criteria A, Brevard Future Land Use Element)

The zoning change is not appropriate as there are no public services that can support this type of development.

The zoning change will create the negative effects of Urban Sprawl.

There is no need for a zoning change as the current zoning provides sufficient use of the property as it allows for responsible development while protecting the Indian River Lagoon.

This zoning request is made by out of county contractors with out of state investors. There is no public service issue to resolve, no change in circumstances needed to be made and is (inconsistent with emerging or existing patterns with surrounding development). (Admin Policy 3, Criteria C)

Please support your county residents and voters by voting no to this zoning change.

If this information cannot be shared with all parties involved in the decision making process or the commissioners who are copied are unable to receive this e-mail please let us know as soon as possible.

Thank you for your courtesy and cooperation.

Sincerely,

Mark and Kathy Klayman  
140 Ruby Street, Rockledge

**From:** [Chase, Beatrice Mae](#)  
**To:** [Champion, Kristen](#)  
**Subject:** FW: ID# 23PUD00001  
**Date:** Thursday, June 6, 2024 11:08:08 AM  
**Attachments:** [image001.png](#)

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Please attach with their letter.

*Thank you,*

Beatrice Chase  
Special Projects Coordinator I  
Brevard County/Planning & Development  
321-633-2069 P x58302  
321-633-2074 F



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**From:** Mark <[mklayman@cfl.rr.com](mailto:mklayman@cfl.rr.com)>  
**Sent:** Thursday, June 6, 2024 10:58 AM  
**To:** Chase, Beatrice Mae <[Beatrice.Chase@brevardfl.gov](mailto:Beatrice.Chase@brevardfl.gov)>  
**Subject:** Fwd: ID# 23PUD00001

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hi Ms Chase, please see below to be added to the file for review. Also can you confirm if Kristen added our email letter dated June 2nd?

Thanks  
Mark Klayman

Begin forwarded message:

**From:** Mark <[mklayman@cfl.rr.com](mailto:mklayman@cfl.rr.com)>  
**Date:** June 6, 2024 at 10:27:53 AM EDT  
**To:** Kristen Champion <[kristen.champion@brevardfl.gov](mailto:kristen.champion@brevardfl.gov)>  
**Cc:** Kathy <[kklayman@cfl.rr.com](mailto:kklayman@cfl.rr.com)>  
**Subject:** ID# 23PUD00001



Hi Ms Champion, As to the issue of conformity and compatibility, please add these photos for board review depicting the 25 ft setback from the front yard at 140 Ruby St where the proposed project's new parking lot will be if zoning request is approved.







Thanks  
Mark Klayman

**From:** [Saggy](#)  
**To:** [Champion, Kristen](#)  
**Subject:** Opposition to Rezoning Application Number 23PUD00001  
**Date:** Thursday, June 6, 2024 11:21:52 AM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

From:

Ronald Sageser

100 Compass Dr

Rockledge, Fl, 32955

June 6, 2024

To:

Brevard Planning and Zoning Board

Subject: Opposition to Rezoning Application Number 23PUD00001

Dear Brevard Planning and Zoning Board,

I am writing to express my strong opposition to the rezoning application number 23PUD00001, which proposes the development of a large 252-unit apartment complex through the Planned Unit Development (PUD) designation.

While I understand that a PUD allows for a mix of businesses, restaurants, and housing similar to developments like Viera, it is evident that in this case, the primary intent is to exploit the PUD designation to increase the density per acre. By combining the "BU-1 General Retail Commercial" property adjacent to HWY1 with the "RU-2-10 Medium-Density Multiple - Family Residential" property, the developer seeks to create an overly dense apartment complex that is incompatible with the surrounding area.

The proposed development not only raises concerns about increased traffic congestion and strain on existing infrastructure but also threatens the character and quality of life of the community. Moreover, the significant increase in density could have adverse effects on the environment and natural resources, particularly given the proximity of the residential component to the river.

It is crucial to prioritize responsible and sustainable development that respects the existing zoning regulations and preserves the integrity of the neighborhood. Rezoning the property to accommodate such a dense development sets a concerning precedent and disregards the concerns of local residents.

I urge the County Planning Department to carefully consider the implications of this rezoning application and reject it in its current form. Instead, I encourage the exploration of alternative development plans that align with the existing land use regulations and promote the long-term well-being of the community.

Thank you for considering my concerns regarding this matter.

Sincerely,

Ronald Sageser

**From:** [David DaSilva](#)  
**To:** [Champion, Kristen](#)  
**Cc:** [Sara DaSilva](#)  
**Subject:** 23pud00001  
**Date:** Thursday, June 6, 2024 12:15:41 PM

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[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Kristen

As a resident of Indian river isle and tax payer in brevard I hope the county keeps the requirements for 6 units an acre on the river property on US1. PLEASE you have implemented regulations recently to preserve our lagoon .changes to this ordinance will only greatly impact the delicate situation . Therefore please note I strongly oppose any changes to the current standards that will allow condos, apartments etc to be built on the river front properties

Sincerely

David DASILVA - P.E.

Sent from my iPad

**From:** [Donald Adams](#)  
**To:** [Champion, Kristen](#)  
**Subject:** 23 PUD00001  
**Date:** Thursday, June 6, 2024 12:20:21 PM

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[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Kristen

I am for property owners to have the right to develop their property based on established zoning, I am against the drastic increase in density requested for the above referenced project. The project is not compatible with the surrounding area development. The increase from 6 units per acre to 17 units per acre will have a negative impact on surrounding property owners from the amount of sound and light generated to the potential decrease in quality of life and property values.

Thanks for your attention to this matter.

Donald Adams

6183 Anchor Ln, Rockledge, Fl 32955

Indian River Isles North

Sent from my iPhone

**From:** [Julie Allen](#)  
**To:** [jason.allen](#); [Champion, Kristen](#)  
**Subject:** ID #23PUD00001 Proposed Project Resident Concerns  
**Date:** Thursday, June 6, 2024 12:40:28 PM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Brevard County Planning and Zoning Department,

As residents of Laguna Vista which is located on the southern property line of a Proposed Project for a Large Apartment Complex which supersedes the designated zoning and is not compatible on several fronts with this area along the Indian River, I would like to share the concerns we have along with our neighbors at Laguna Vista, Ruby Street, Indian River Isles, residents on Pisces Lane and Kieran Lane:

We are not against development but this a Drastic Increase in Density for a single project. Their request to increase density goes against the current zoning.

It is Not a fit for this parcel of land.

We believe the Application for a PUD does not meet the PUD Guidelines within the county documents. PUD Guidelines are for Multi Use Developments- this is an Apartment Complex thus Not meeting the written intent of a PUD Designation.

This High Density Project goes against everything in this area along the Indian River. They are requesting to Change zoning to Allow an increase from a current density of 6 units per acre to 17 units per acre.

This high density project is not compatible with the surrounding area development and will have a Negative impact in many ways: noise, light, traffic and property values.

This project goes against the directives of the Coastal High Hazard (CHHA) and should Not be over developed. Infringement in the Coastal High Hazard Areas along the Indian River - consider DENSITY in Coastal High Hazard Areas Policy 1.11 and Protection of Residential Riverside Lands Policy 1.12. This land area should not be over developed beyond the Future Land Use Map (RU-15)

**ALL OF THE SURROUNDING DEVELOPMENTS INCLUDING LAGUNA VISTA FALL UNDER 6 UNITS PER ACRE - PER ZONING.**

The Zoning of this area is in place for many important reasons. Please consider protecting this on behalf of our beautiful county in maintaining what makes Brevard County such special place to live.

There have been a dozen New Large Apartment Complexes built recently in every direction from this proposed property. Brevard offers many diverse housing options for its residence.

Respectfully,

Julie & Jason Allen



**From:** [Stephanie Bacon](#)  
**To:** [Champion, Kristen](#)  
**Cc:** [Stephanie Bacon](#); [Bill Bacon](#)  
**Subject:** Vote No: application number 23PUD00001  
**Date:** Thursday, June 6, 2024 12:44:57 PM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Ms. Champion and Planning & Zoning Board Members,

I am concerned about a potential change in land usage density in my area. I ask that you vote against the proposed PUD development at 5955 S Highway 1, Rockledge, FL 32955 (application number **23PUD00001**).

This seems to be an apartment complex using the PUD designation to allow for a significant increase in the land usage density. My impression is this does not meet the intent of the PUD guidelines for Brevard County. It seems the 2 properties in application are zoned BU-1 General Retail Commercial and RU-2-10 Medium-Density Multiple-Family Residential (6-units per acre). If stayed to the current 6-unit density for over 14 acres, it would allow for 88-unit complex which is in line with present land use restrictions, instead of the proposed 252-unit complex.

I am not against the property being developed and believe it should conform with the 6-units per acre density limit that the Brevard County Commission already created which aligns with the development in the area, instead of the 17 units per acre the application proposes.

Another consideration is the directive of the Coastal High Hazard Area (CHHA). We as a community have worked so hard to protect the intercoastal, it should be asked whether this significant increase would go against the directive by CHHA?

Thank you for your time and involvement.

Sincerely,  
Stephanie Bacon  
6167 Anchor Lane  
Rockledge, FL 32955

**From:** [Kristen Whittington](#)  
**To:** [Champion, Kristen](#); [Chase, Beatrice Mae](#)  
**Subject:** Proposed PUD Development at 23PUD00001, 5955 S Highway 1, FL  
**Date:** Thursday, June 6, 2024 1:25:38 PM

---

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Ms. Champion,

I ask that you deny the proposed PUD development at 5955 S Highway 1, Rockledge, FL 32955 (application number **23PUD00001**) as it does not conform with the land usage density in the area.

I am not against the property being developed, but it should conform with the 6-units per acre density limit that the Brevard County Commission put in place years ago to ensure the conformity with developments in the area. In addition, this request does not meet the PUD guidelines as defined by Brevard County.

Thank you for addressing this issue.

Sincerely,  
Kristen Whittington  
6285 Anchor Ln.  
Rockledge, FL 32955  
720-254-7250

**From:** [Mascellino, Carol](#)  
**To:** [Champion, Kristen](#); [Chase, Beatrice Mae](#)  
**Cc:** [Commissioner, D4](#)  
**Subject:** Public Comment - 23PUD00001  
**Date:** Thursday, June 6, 2024 1:27:13 PM  
**Attachments:** [Public Comment 23PUD00001\\_Bacon S.pdf](#)  
[image001.png](#)  
[image002.png](#)

---

Good afternoon,

On behalf of Commissioner Feltner, please see the attached public comment our office received.  
Thank you.

Carol Mascellino, Chief of Staff  
County Commissioner Rob Feltner, District 4  
Brevard County Board of County Commissioners  
2725 Judge Fran Jamieson Way  
Building C, Suite 214  
Viera, FL 32940  
PH: 321-633-2044  
[www.brevardfl.gov](http://www.brevardfl.gov)

*Please note: Florida has a very broad public records law. Most written communications to and from the offices of elected officials are public records available to the public and media upon request. Your email communications may, therefore, be subject to public disclosure.*

**From:** [Stephanie Bacon](#)  
**To:** [Commissioner, D4](#)  
**Cc:** [Stephanie Bacon](#)  
**Subject:** Vote No: application number 23PUD00001  
**Date:** Thursday, June 6, 2024 1:01:57 PM

---

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Mr. Feltner,

I am concerned about a potential change in land usage density in my area. I ask that you vote against the proposed PUD development at 5955 S Highway 1, Rockledge, FL 32955 (application number **23PUD00001**).

This seems to be an apartment complex using the PUD designation to allow for a significant increase in the land usage density. My impression is this does not meet the intent of the PUD guidelines for Brevard County. It seems the 2 properties in application are zoned BU-1 General Retail Commercial and RU-2-10 Medium-Density Multiple-Family Residential (6-units per acre). If stayed to the current 6-unit density for over 14 acres, it would allow for 88-unit complex which is in line with present land use restrictions, instead of the proposed 252-unit complex.

I am not against the property being developed and believe it should conform with the 6-units per acre density limit that the Brevard County Commission already created which aligns with the development in the area, instead of the 17 units per acre the application proposes.

Another consideration is the directive of the Coastal High Hazard Area (CHHA). We as a community have worked so hard to protect the intercoastal, it should be asked whether this significant increase would go against the directive by CHHA?

Thank you for your time and involvement.

Sincerely,  
Stephanie Bacon  
6167 Anchor Lane  
Rockledge, FL 32955

**From:** [dcwkan@comcast.net](mailto:dcwkan@comcast.net)  
**To:** [Champion, Kristen](#); [Chase, Beatrice Mae](#)  
**Subject:** Proposed PUD Development at 23PUD00001, 5955 S Highway 1, FL  
**Date:** Thursday, June 6, 2024 2:03:10 PM

---

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Ms. Champion,

I ask that you deny the proposed PUD development at 5955 S Highway 1, Rockledge, FL 32955 (application number **23PUD00001**) as it does not conform with the land usage density in the area.

I am not against the property being developed, but it should conform with the 6-units per acre density limit that the Brevard County Commission put in place years ago to ensure the conformity with developments in the area. In addition, this request does not meet the PUD guidelines as defined by Brevard County.

Thank you for addressing this issue.

Sincerely,  
Douglas Chad Whittington  
6285 Anchor Ln.  
Rockledge, FL 32955  
303-257-4296

**From:** [arielle.fox](#)  
**To:** [Chase, Beatrice Mae](#); [Champion, Kristen](#)  
**Subject:** Stop 252 Apartment Complex  
**Date:** Thursday, June 6, 2024 2:41:56 PM

---

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Board,

I am requesting that you do NOT approve the request for the PUD application number 23PUD00001.

The PUD 23PUD00001 is requesting approval for 17 units per acre, for a proposed apartment complex, which is almost triple the amount of 6 units per acre that the County Commissioners determined was the density limits for properties along Hwy-1 and the Indian River. Plans for this development goes against the directives of the Coastal High Hazard Area (CHHA) and property within this area should not be over-developed.

I am not against development of this property, but ask that the development stay within the density limits as other developers have, such as Laguna Vista Condominiums and that they adhere to the PUD development guidelines.

I believe that when limitations and guidelines have been set, that all current and future developers must adhere to those set limitations and guidelines when developing. I am hopeful that the Planning and Zoning Board as well as the County Commissioners will NOT permit the PUD 23PUD00001 request. Thank you for your time.

--

Best Regards,

Arielle Fox

**From:** [Dell](#)  
**To:** [Champion, Kristen](#)  
**Subject:** 23PUD00001  
**Date:** Thursday, June 6, 2024 3:14:41 PM

---

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Kristen Champion.

I am writing today to ask you to vote against the proposed PUD development at 5955S Highway 1, Rockledge FL, 32955 application number 23PUD00001. This proposal does not conform with the land usage density already established in this area.

I am a strong proponent of property development. I am in favor of keeping the existing 6 unit per acre limit that the Brevard County Commission put in place several years ago. I am not in favor of increasing the units per acre to 17. Increasing to 17 units per acre is not in conformity with surrounding development. This proposal goes against the directives of the CHHA and should not be overdeveloped. The surrounding housing all conforms with existing land development of 6 units per acre, and request it stay that way.

I thank you for your time,  
Sincerely,  
Matthew and Jackie Brait

**From:** [rsmith630@cfl.rr.com](mailto:rsmith630@cfl.rr.com)  
**To:** [Champion, Kristen](#)  
**Subject:** Application No. 23PUD00001  
**Date:** Thursday, June 6, 2024 3:15:48 PM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

TO: Kristen Champion

Please include this email in the packet for the Planning & Zoning Board meeting to be held June 10, 2024. We would appreciate it if you would email this to the members in advance.

Please vote NO on Application 23PUD00001.

This application for a Planned Unit Development (PUD) does not meet the definition and purpose of a PUD as described in the Code of Ordinances.

--PUD guidelines are for multiple use developments. This is ONLY an apartment complex and therefore does not meet the intent and rules of PUD designation.

--It does not provide for a full range of residential and commercial options, which is the stated purpose of a PUD.

--It is not a unique/creative plan that makes use of natural land and features.

--It does not accumulate a significant area of usable open spaces for preservation.

--It does not use innovative techniques to enhance the visual character of the county.

--It also does not include possibilities for compatible associated uses within the plan area.

This project goes against the directives of the Coastal High Hazard Area (CHHA). All the surrounding developments fall under the current zoning designation of 6 units per acres, while this project would drastically increase from a density of 6 units per acre to over 17 units per acre. This project is not compatible with surrounding area development and will have a negative impact in many ways, including more noise, increased light, lowering of property values.

Please vote NO on Application 23PUD00001.

Ron and Annelle Smith  
6005 US Highway 1, Unit 404  
Rockledge, FL 32955



**From:** [Rosemary Layne](#)  
**To:** [Champion, Kristen](#)  
**Cc:** [Chase, Beatrice Mae](#)  
**Subject:** 23PUD00001 - Public Comment for 6/10/24 Planning and Zoning meeting  
**Date:** Thursday, June 6, 2024 3:34:07 PM  
**Attachments:** [23PUD00001 Public comment - Layne 6.6.24.pdf](#)

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

RE: 23PUD00001

Dear Ms. Champion or Ms. Chase,

Please include the attached Public Comment letter in the packet for the Monday, **6/10/24 Planning and Zoning Board meeting**. Thank you for all that you do on behalf of the citizens of Brevard County.

Rosemary Layne  
6134 Anchor Lane, Rockledge, FL 32955  
[rglayne@cfl.rr.com](mailto:rglayne@cfl.rr.com)  
321-258-9464

**Rosemary G. Layne**  
**6134 Anchor Lane, Rockledge, FL 32955**

June 6, 2024

RE: **23PUD00001**

Dear Planning and Zoning Board and County Commissioners,

My name is Rosemary Layne and I have resided in, paid taxes and voted in Brevard County since 1979. For the past 40 years I have owned my home in Indian River Isles North – a single-family waterfront community located slightly south of the proposed development of a 252-unit apartment complex currently under your consideration.

I respectfully urge your **denial** of the above proposed project as it does not conform to land usage density in the area nor PUD guidelines as defined by Brevard County.

Please know that I am not against the property being developed, however, the development should comply with responsible growth management plans, regulations and tenets. Specifically,

- The project does **not** comply with the 6-units per acre density cap (RU-2-10) that the Brevard County Commission put in place years ago to ensure conformity with developments in the area. Rather, the proposed commercial 252-apartment complex is seeking to drastically increase density to over 17-units per acre for this single project.
- The project does **not** meet the PUD guidelines as defined by Brevard County.
- The project is **not** compatible with surrounding area current and planned development and will have an adverse impact including elevated sound, light and increased traffic on US1. (There are no traffic signals on US1 between Viera Blvd. to the north and Suntree Blvd. to the south, increasing safety hazards when entering/exiting our community).
- The project does **not** seem compatible with the directives of Coastal High Hazard Area (AE Coastal Flood Plane).
- Finally, this high-density zoning project has **no** obvious merit beyond increasing the developer's profits at the expense of lowering property values and quality of life for current long-term Brevard County residents.

Thank you for your consideration to **deny** proposed **23PUD00001**. I trust that you will hold fast to your mission to "Contribute to enhancing and ensuring Brevard's quality of life today and always."

Respectfully,



Rosemary G. Layne, Ed.D.

**From:** [Becky Smith](#)  
**To:** [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)  
**Bcc:** [admin@6005lagunavista.com](mailto:admin@6005lagunavista.com)  
**Subject:** Rezoning Application 23PUD00001  
**Date:** Monday, June 3, 2024 5:00:34 PM

---

We are homeowners (Laguna Vista Condominiums) adjacent to a property located at 5955 S Hwy 1 in Rockledge Florida that is seeking a zoning change and is scheduled to be heard by the Board of County Commissioners on July 11th. We respectfully wish to go on record as opposing this rezoning for the following reasons.

This is a drastic increase in density for this single project.

We believe the application for a PUD does not meet the PUD guidelines in the county documents. PUD guidelines are for multiple use developments. This is ONLY an apartment complex, thus not meeting the written intent of PUD designation.

We can't accept that one project would be allowed to increase from a density of 6 units per acre to over 17 units per acre.

This project is not compatible with surrounding area development, and will have a negative impact in many ways: sound, light, property values, etc.

This project goes against the directives of the Coastal High Hazard Area (CHHA) and should not be overdeveloped.

All the surrounding developments, (including Laguna Vista) fall under the 6 units per acres current zoning designation.

Sincerely,  
Kevin & Rebecca Smith  
6005 US Hwy 1, Unit 105  
Rockledge, FL 32955

**From:** [linda.ufmom6183](mailto:linda.ufmom6183)  
**To:** [Champion, Kristen](mailto:Champion,Kristen)  
**Subject:** 23 PUD00001  
**Date:** Thursday, June 6, 2024 9:31:36 PM

---

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Kristen

> I am for property owners to have the right to develop their property based on established zoning. I am against the drastic increase in density requested for the above referenced project. The project is not compatible with the surrounding area development. The increase from 6 units per acre to 17 units per acre will have a negative impact on surrounding property owners from the amount of sound and light generated to the potential decrease in quality of life and property values.

> Thanks for your attention to this matter.

> Linda Adams

> 6183 Anchor Ln, Rockledge, FL 32955

> Indian River Isles North

>

**From:** [Steve Kidd](#)  
**To:** [Champion, Kristen](#)  
**Subject:** PUD application  
**Date:** Friday, June 7, 2024 6:29:05 AM

---

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Madam,

As residents of Indian River Isles we are reaching out today to express our opposition to the proposed PUD application at 5955 Hwy 1 Rockledge, FL 32955(application number 23PUD00001) as it does not conform with the land usage density in the area.

To be clear, we are not against the development of this property. In fact, we are all for the responsible development of this property and any other property in our area. Our issue here is that we think that it should be capped at the 6 units per acre density limit that the Brevard County Commission put in place years ago. It would also appear as though this request does not meet the PUD guidelines as defined by Brevard County. We have a great deal of concern about how this would impact our property values as well.

We appreciate you taking the time to hear our concerns, and I would add that everyone that I have spoken to in our community shares those same concerns. I hope we can count on each one of our commissioners to cast a vote in opposition to this proposal.

Sincerely,  
Steve & Cathy Kidd  
6355 Anchor Ln  
Indian River Isles North

**From:** [Mike R](#)  
**To:** [Champion, Kristen](#)  
**Subject:** application number 23PUD00001  
**Date:** Friday, June 7, 2024 3:34:14 PM

---

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Kristen Champion,

I ask that you vote against the proposed PUD development at 5955 S Highway 1, Rockledge, FL 32955 (*application number 23PUD00001*) as it does not conform with the land usage density in the area.

*I am not against the property being developed, but it should conform with the 6-units per acre density limit that the Brevard County Commission put in place years ago to ensure the conformity with developments in the area years ago. Nor does this request meet the PUD guidelines as defined by Brevard County.*

*Thank you for addressing this matter. I look forward to seeing how you vote on this matter.*

Very Respectfully,  
Michael Rucki  
321-431-2855  
6265 anchor lane  
Rockledge, FL 32955

**From:** [Commissioner, D4](#)  
**To:** [Champion, Kristen](#); [Chase, Beatrice Mae](#)  
**Cc:** [Commissioner, D4](#); [Bellak, Christine](#); [Wines, Katie](#)  
**Subject:** Public Comment - 23PUD00001  
**Date:** Sunday, June 9, 2024 9:26:15 PM  
**Attachments:** [Public Comment 23PUD00001\\_Obert.pdf](#)  
[Public Comment 23PUD00001\\_Orrick.pdf](#)  
[Public Comment 23PUD00001\\_Adams.pdf](#)  
[Public Comment 23PUD00001\\_Goodrich.pdf](#)  
[Public Comment 23PUD00001\\_Kelly.pdf](#)  
[image001.png](#)  
[image002.png](#)

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Kristen,

On behalf of Commissioner Feltner, please see the attached public comments received. Thank you.

Carol Mascellino, Chief of Staff  
County Commissioner Rob Feltner, District 4  
Brevard County Board of County Commissioners  
2725 Judge Fran Jamieson Way  
Building C, Suite 214  
Viera, FL 32940  
PH: 321-633-2044  
[www.brevardfl.gov](http://www.brevardfl.gov)

*Please note: Florida has a very broad public records law. Most written communications to and from the offices of elected officials are public records available to the public and media upon request. Your email communications may, therefore, be subject to public disclosure.*

**From:** [William Dunne](#)  
**To:** [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)  
**Subject:** 2024-6-2 County Density Change Proposal  
**Date:** Friday, June 7, 2024 4:03:01 PM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

To:  
Commissioner Rita Pritchett  
Commissioner Tom Goodson  
Commissioner John Tobia  
Commissioner Rob Feltner  
Commissioner Jason Steele

My wife and I understand that a developer is attempting to change and increase the longstanding Brevard County rule of 6 units per acre for our area to 17 units per acre for a total of 252 units in a small parcel just north of Indian River Isles North.

We purchased our home at 6390 Anchor Lane 38 years ago, because it is located in a single family home environment. Over the years our homes have increased in value because of the care, maintenance, improvements and sweat equity of the residents. We don't want to see that destroyed by rezoning and over building the current environment.

We welcome the development at 6 units per acre as the current rule calls for. The drastic proposal of 17 units would adversely impact our current environment.

Bill and Chris Dunne  
6390 Anchor Lane  
Indian River Isles North



**From:** [diana.sageser](#)  
**To:** [Commissioner, D4](#)  
**Subject:** Proposed zoning change  
**Date:** Thursday, June 6, 2024 6:07:47 PM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

From:

Diana Sageser

100 Compass Dr

Rockledge, FL, 32955

June 6, 2024

To:

Brevard Planning and Zoning Board

Subject: Opposition to Rezoning Application Number 23PUD00001

Dear Brevard Planning and Zoning Board,

I am writing to express my strong opposition to the rezoning application number 23PUD00001, which proposes the development of a large 252-unit apartment complex through the Planned Unit Development (PUD) designation.

While I understand that a PUD allows for a mix of businesses, restaurants, and housing similar to developments like Viera, it is evident that in this case, the primary intent is to exploit the PUD designation to increase the density per acre. By combining the "BU-1 General Retail Commercial" property adjacent to HWY1 with the "RU-2-10 Medium-Density Multiple - Family Residential" property, the developer seeks to create an overly dense apartment complex that is incompatible with the surrounding area.

The proposed development not only raises concerns about increased traffic congestion and strain on existing infrastructure but also threatens the character and quality of life of the community. Moreover, the significant increase in density could have adverse effects on the environment and natural resources, particularly given the proximity of the residential component to the river.

It is crucial to prioritize responsible and sustainable development that respects the existing zoning regulations and preserves the integrity of the neighborhood. Rezoning the property to accommodate such a dense development sets a concerning precedent and disregards the concerns of local residents.

I urge the County Planning Department to carefully consider the implications of this rezoning application and reject it in its current form. Instead, I encourage the exploration of alternative development plans that align with the existing land use regulations and promote the long-term well-being of the community.

Thank you for considering my concerns regarding this matter.

Sincerely,

Diana Sageser

**From:** [Brian O'Neil](#)  
**To:** [Commissioner, D4](#)  
**Subject:** RE: 5955 S Highway 1, Rockledge, FL 32955 (application number 23PUD00001 **\*\*PRIORITY\*\***)  
**Date:** Friday, June 7, 2024 8:28:25 AM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Commissioner Rob Feltner:

Good morning. I grew up in Ft. Lauderdale and moved to Brevard County 30 years ago. I have seen what unchecked, overdevelopment can do to cities. Having restrictions on land use density is a very good thing for the future of Brevard County. When you allow too much density per acre it places a large burden on the infrastructure, water, sewer, etc. In addition, allowing an area to be too densely populated leads to an increase in crime. The current 6 unit per acre restriction for 5955 S Highway 1, Rockledge, FL 32955, is a good thing. There is a reason that was put into effect.

I ask that you vote against the proposed PUD development at 5955 S Highway 1, Rockledge, FL 32955 (application number **23PUD00001**) as it does not conform with the land usage density in the area.

I am not against the property being developed, but it should conform with the 6-units per acre density limit that the Brevard County Commission put in place years ago to ensure the conformity with developments in the area years ago. Nor does this request meet the PUD guidelines as defined by Brevard County.

Thank you for addressing this matter. I look forward to seeing how you vote on this matter.

Sincerely,  
Brian O'Neil  
6126 Anchor Lane  
Rockledge, FL 32955

**From:** [Steve Kidd](#)  
**To:** [Commissioner, D4](#)  
**Subject:** PUD application  
**Date:** Friday, June 7, 2024 6:23:49 AM

---

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Mr.Feltner,

As residents of Indian River Isles we are reaching out today to ask that you vote against the proposed PUD application at 5955 Hwy 1 Rockledge, FL 32955(application number 23PUD00001) as it does not conform with the land usage density in the area.

To be clear, we are not against the development of this property. In fact, we are all for the responsible development of this property and any other property in our area. Our issue here is that we think that it should be capped at the 6 units per acre density limit that the Brevard County Commission put in place years ago. It would also appear as though this request does not meet the PUD guidelines as defined by Brevard County. We have a great deal of concern about how this would impact our property values as well.

We appreciate you taking the time to hear our concerns, and I would add that everyone that I have spoken to in our community shares those same concerns. I hope we can count on each one of you commissioners to cast a vote in opposition to this proposal.

Sincerely,  
Steve & Cathy Kidd  
6355 Anchor Ln  
Indian River Isles North

**From:** [Dell](#)  
**To:** [Commissioner, D4](#)  
**Subject:** Application 23PUD00001  
**Date:** Thursday, June 6, 2024 3:18:20 PM

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[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello Rob Feltner

I am writing today to ask you to vote against the proposed PUD development at 5955S Highway 1, Rockledge FL, 32955 application number 23PUD00001. This proposal does not conform with the land usage density already established in this area.

I am a strong proponent of property development. I am in favor of keeping the existing 6 unit per acre limit that the Brevard County Commission put in place several years ago. I am not in favor of increasing the units per acre to 17. Increasing to 17 units per acre is not in conformity with surrounding development. This proposal goes against the directives of the CHHA and should not be overdeveloped. The surrounding housing all conforms with existing land development of 6 units per acre, and request it stay that way.

I thank you for your time,  
Sincerely,  
Matthew and Jackie Brait

**From:** [Angela O'Neil](#)  
**To:** [Commissioner, D4](#)  
**Subject:** 5955 S Highway 1, Rockledge, FL 32955 (application number 23PUD00001)  
**Date:** Thursday, June 6, 2024 2:50:15 PM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Commissioner Rob Feltner;

I ask that you vote against the proposed PUD development at 5955 S Highway 1, Rockledge, FL 32955 (application number **23PUD00001**) as it does not conform with the land usage density in the area.

I am not against the property being developed, but it should conform with the 6-units per acre density limit that the Brevard County Commission put in place years ago to ensure the conformity with developments in the area years ago. Nor does this request meet the PUD guidelines as defined by Brevard County.

Thank you for addressing this matter. I look forward to seeing how you vote on this matter.

Sincerely,  
Angela O'Neil  
6126 Anchor Lane  
Rockledge, FL 32955

**From:** [Dennis Foster](#)  
**To:** [Commissioner, D4](#)  
**Subject:** rezoning changes property north of Laguna Vista  
**Date:** Thursday, June 6, 2024 2:22:22 PM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

I am writing to object the approval of rezoning changes to the 14 acre property to the north of Laguna Vista. This property is presently zoned for 6 units per acre and would be changed to 17. This is clearly not good for our area, our home values, traffic, noise, lights etc.

Sincerely,  
Dennis Foster

6174 Anchor Lane  
Rockledge, FL 32955  
Indian Rivers North subdivision

**From:** [dcwkan@comcast.net](mailto:dcwkan@comcast.net)  
**To:** [Commissioner, D4](#)  
**Subject:** Proposed PUD development at 23PUD00001, 5955 S Highway 1, FL  
**Date:** Thursday, June 6, 2024 2:20:37 PM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Mr. Feltner,

I ask that you deny the proposed PUD development at 5955 S Highway 1, Rockledge, FL 32955 (application number **23PUD00001**) as it does not conform with the land usage density in the area.

I am not against the property being developed, but it should conform with the 6-units per acre density limit that the Brevard County Commission put in place years ago to ensure the conformity with developments in the area. In addition, this request does not meet the PUD guidelines as defined by Brevard County.

Thank you for addressing this issue.

Sincerely,  
Douglas Chad Whittington  
6285 Anchor Ln.  
Rockledge, FL 32955  
303-257-4296

**From:** [maryfos@aol.com](mailto:maryfos@aol.com)  
**To:** [Commissioner, D4](#)  
**Subject:** proposed zoning changes to property north of Laguna Vista  
**Date:** Thursday, June 6, 2024 2:16:17 PM

---

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

I am writing to object the approval of rezoning changes to the 14 acre property to the north of Laguna Vista. This property is presently zoned for 6 units per acre and would be changed to 17. This is clearly not good for our area, our home values, traffic, noise, lights etc.

Sincerely,  
Mary Foster

6174 Anchor Lane  
Rockledge, FL 32955  
Indian Rivers North subdivision



**From:** [Rosemary Layne](#)  
**To:** [Commissioner, D4](#)  
**Cc:** ["Rosemary Layne"](#)  
**Subject:** 23PUD00001 - Please DENY change of zoning classification  
**Date:** Friday, June 7, 2024 3:55:55 PM

---

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

**RE: 23PUD00001** – Frank Mastroianni (Jake Wise) requests change of zoning classification  
**(File: #6848)**

Dear Commissioner Feltner,

I respectfully urge your **denial** of the proposed project as it does not conform to land usage density in the area nor PUD guidelines as defined by Brevard County.

My name is Rosemary Layne and I have resided in, paid taxes and voted in Brevard County since 1979. For the past 40 years I have owned my home in Indian River Isles North – a single-family waterfront community of 52 homes located a bit south of the proposed development of a 252-unit rental apartment complex currently under your consideration.

Please know that I am not against property development; however, this project does **not** seem to comply with responsible growth management plans, regulations and tenets. Specifically,

- The project does **not** comply with the 6-units per acre density cap (RU-2-10) that the Brevard County Commission put in place years ago to ensure conformity with developments in the area. Rather, the proposed commercial 252-apartment complex is seeking to drastically increase density to over 17-units per acre for this single project.
- The project does **not** meet the PUD guidelines as defined by Brevard County.
- The project is **not** compatible with the surrounding area and will have an adverse impact including elevated sound, light and increased traffic on US1. (There are no traffic signals on US1 between Viera Blvd. to the north and Suntree Blvd. to the south, increasing safety hazards when entering/exiting our community).
- The project does **not** seem compatible with the directives of Coastal High Hazard Area.
- Finally, this high-density zoning project (as presented) has **no** obvious merit beyond increasing the developer's profits at the expense of lowering property values and quality of life for current long-term Brevard County residents.

Thank you for your consideration to **deny** proposed project **23PUD00001**.

Respectfully,

Rosemary G. Layne, Ed.D.  
6134 Anchor Lane, Rockledge, Fl 32955  
Indian River Isles North

**From:** [Mike R](#)  
**To:** [Commissioner, D4](#)  
**Subject:** 23PUD00001  
**Date:** Friday, June 7, 2024 3:39:26 PM

---

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Rob Feltner,

I ask that you vote against the proposed PUD development at 5955 S Highway 1, Rockledge, FL 32955 (*application number 23PUD00001*) as it does not conform with the land usage density in the area.

*I am not against the property being developed, but it should conform with the 6-units per acre density limit that the Brevard County Commission put in place years ago to ensure the conformity with developments in the area years ago. Nor does this request meet the PUD guidelines as defined by Brevard County.*

*Thank you for addressing this matter. I look forward to seeing how you vote on this matter.*

Very Respectfully,  
Michael Rucki  
321-431-2855  
6265 anchor lane  
Rockledge, FL 32955

**From:** [oberts@bellsouth.net](mailto:oberts@bellsouth.net)  
**To:** [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#); [Champion, Kristen](#); [Chase, Beatrice Mae](#)  
**Subject:** Application #23PUD00001 - Development at 5955 S Highway 1, Rockledge, FL 32955  
**Date:** Friday, June 7, 2024 8:04:54 PM

---

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Brevard County Commissioners, Planning and Zoning Board Members,  
Kristen Champion and Beatrice Chase:

We ask that you vote against the proposed PUD development as requested in application number **23PUD00001** at 5955 S Highway 1, Rockledge, FL 32955.

The request does not conform with the land usage density of 6-units per acre as set forth by the Brevard County Commission years ago. The land usage density limit was put in place to ensure the conformity with developments in this area years ago.

We support property development at this location. Our request is simply that the application meets the current land density limit and the Brevard County PUD zoning guidelines.

Thank you for addressing this matter. We look forward to seeing how you vote on this matter.

Sincerely;  
Ron & Theresa Obert

Email: [oberts@bellsouth.net](mailto:oberts@bellsouth.net)  
Ron Mobile: 321.591.4260  
Theresa Mobile: 321.794.9808

**From:** [kirkorrick@gmail.com](mailto:kirkorrick@gmail.com)  
**To:** [Commissioner, D5](#)  
**Subject:** Proposed PUD development at 5955 S Highway 1, Rockledge (application number 23PUD00001)  
**Date:** Saturday, June 8, 2024 8:11:51 AM

---

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Commissioner Steele,

My name is Kirk Orrick, and I am a 16-year resident of the Indian River Isles subdivision, located just south of the proposed apartment complex development. My understanding is that this proposal involves the construction of a 252-unit apartment complex, which requires an increase in density from 6 units per acre to 17 units per acre. I am vehemently opposed to this change as it will impact the value of mine and my neighbors' single-family homes. This is a drastic increase and is not compatible with the surrounding area development. Furthermore, I do not believe the application for a PUD meets the PUD guidelines in the Brevard County documents. PUD guidelines are intended for multiple-use developments. This is simply an apartment complex, thus it does not meet the written intent of a PUD designation.

Additionally, this development will have numerous negative impacts, including increased sound, light pollution, and decreased property values. The project goes against the directives of the Coastal High Hazard Area (CHHA) and should not be overdeveloped. All surrounding developments, including Laguna Vista, fall under the current zoning designation of 6 units per acre and have developed their property accordingly.

Please understand, I am not opposed to developers building in this area, but changing the zoning density laws in this case to accommodate this developer is simply wrong and should be denied.

Thank you for your service and consideration in this matter.

Respectfully,  
Kirk and Sandra Orrick  
6300 Anchor Lane  
Rockledge, 32955  
(518) 322-8004

**From:** [Ronda Kelly](#)  
**To:** [Champion, Kristen](#); [Chase, Beatrice Mae](#)  
**Cc:** [Tom](#)  
**Subject:** Re: Rezoning Application 23PUD00001  
**Date:** Saturday, June 8, 2024 7:01:08 PM

---

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Ms. Chase,

Per Ms. Champion's OOO, I am forwarding our email concerning subject application.

Please let me know if you have any questions or if I need to forward to anyone else.

Thank you,  
Ronda Kelly

On Sat, Jun 8, 2024, 3:42 PM Ronda Kelly <[rondakelly2010@gmail.com](mailto:rondakelly2010@gmail.com)> wrote:

Good afternoon Ms Champion

Below is the email I sent to the County Commisioners concerning the Rezoning Application 23PUD00001.

If possible, please add to the packet to be presented.

Thanks so much!

Ronda and Tom Kelly  
256-509-5803

Thank you,  
Ronda Kelly

----- Forwarded message -----

**From:** **Ronda Kelly** <[rondakelly2010@gmail.com](mailto:rondakelly2010@gmail.com)>  
**Date:** Sat, Jun 8, 2024, 3:22 PM  
**Subject:** Rezoning Application 23PUD00001  
**To:** <[D1.Commissioner@brevardfl.gov](mailto:D1.Commissioner@brevardfl.gov)>, <[D2.Commissioner@brevardfl.gov](mailto:D2.Commissioner@brevardfl.gov)>, <[D3.Commissioner@brevardfl.gov](mailto:D3.Commissioner@brevardfl.gov)>, <[D4.Commissioner@brevardfl.gov](mailto:D4.Commissioner@brevardfl.gov)>, <[D5.Commissioner@brevardfl.gov](mailto:D5.Commissioner@brevardfl.gov)>  
**Cc:** Tom <[tkelly1144@gmail.com](mailto:tkelly1144@gmail.com)>

Good afternoon

My husband and I live at 6005 US Hwy1 Unit 206 Rockledge in Laguna Vista

Condominiums. Our unit is on the north end of the property and has a clear view of the property located at 5955 S Hwy 1 that is seeking a zoning change to their property.

The Board of County Commissioners is scheduled to hear their request on July 11th. We would like to officially go on record as opposing this rezoning request.

The application for a PUD does not meet the guidelines in the county documents. PUD guidelines are for multiple use developments. This is only an apartment complex, therefore, not meeting the written intent of PUD designation.

This is a drastic increase in density for this single project. How can one project be allowed to increase from a density of 6 units per acre to 17+ units per acre? This project would not be anything similar to or compatible with surrounding area developments and will have a negative impact on all areas nearby. (i.e., property values, view, noise, etc.)

This project also goes against the directives of the Coastal High Hazard Area (CHHA) and should not be allowed to overdevelop. All the surrounding developments, (including Laguna Vista) fall under the 6 units per acres current zoning designation.

Thank you for your time and attention to this issue.

Thank you,  
Ronda and Tom Kelly  
6005 US HWY 1 UNIT 206  
Rockledge, FL 32955  
256-509-5803  
[rondakelly2010@gmail.com](mailto:rondakelly2010@gmail.com)

**From:** [Chase, Beatrice Mae](#)  
**To:** [Steve Kidd](#)  
**Cc:** [Champion, Kristen](#)  
**Subject:** RE: PUD application  
**Date:** Monday, June 10, 2024 9:02:39 AM  
**Attachments:** [image001.png](#)

---

Good morning,

Your letter has been received and has been added to the agenda packet as public comment, that all Board members will receive a copy of.

Please let us know if we can assist with anything else in the meantime.

*Thank you,*

Beatrice Chase  
Special Projects Coordinator I  
Brevard County/Planning & Development  
321-633-2069 P x58302  
321-633-2074 F



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**From:** Steve Kidd <737maxflyer@gmail.com>  
**Sent:** Friday, June 7, 2024 6:31 AM  
**To:** Chase, Beatrice Mae <Beatrice.Chase@brevardfl.gov>  
**Subject:** PUD application

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Madam,

As residents of Indian River Isles we are reaching out today to express our opposition to the proposed PUD application at 5955 Hwy 1 Rockledge, FL 32955(application number 23PUD00001) as it does not conform with the land usage density in the area.



To be clear, we are not against the development of this property. In fact, we are all for the responsible development of this property and any other property in our area. Our issue here is that we think that it should be capped at the 6 units per acre density limit that the Brevard County Commission put in place years ago. It would also appear as though this request does not meet the PUD guidelines as defined by Brevard County. We have a great deal of concern about how this would impact our property values as well.

We appreciate you taking the time to hear our concerns, and I would add that everyone that I have spoken to in our community shares those same concerns. I hope we can count on each one of our commissioners to cast a vote in opposition to this proposal.

Sincerely,  
Steve & Cathy Kidd  
6355 Anchor Ln  
Indian River Isles North

**From:** [Commissioner, D1](#)  
**To:** [Champion, Kristen](#)  
**Cc:** [Pritchett, Rita](#); [Alward, Keith A](#); [Schmadeke, Adrienne](#)  
**Subject:** 23PUD00001 public comments received  
**Date:** Monday, June 10, 2024 9:19:20 AM  
**Attachments:** [23 PUD 00001.pdf](#)  
[23PUD00001 - Please DENY change of zoning classification.pdf](#)  
[23PUD00001.pdf](#)  
[2024-6-2 County Density Change Proposal.pdf](#)  
[Application 23PUD00001.pdf](#)  
[application number 23PUD00001.pdf](#)  
[Dell - Application 23PUD00001.pdf](#)  
[Kelly - Rezoning Application 23PUD00001.pdf](#)  
[laguna letter.docx](#)  
[Letter and Attachments re Proposed PUD.pdf](#)  
[Planning and Zoning Board \(Application # 23PUD00001\).pdf](#)  
[Proposed PUD development at 23PUD00001, 5955 S Highway 1, FL.pdf](#)  
[Proposed PUD development at 5955 S Highway 1, Rockledge \(application number 23PUD00001\) .pdf](#)  
[Proposed PUD on US Hwy 1 Rockledge.pdf](#)  
[Proposed zoning change.pdf](#)  
[PUD development 23PUD00001 .pdf](#)  
[PUD 23PUD0001.pdf](#)  
[PUD application .pdf](#)  
[RE\\_PUD development at 5955 S Highway 1, Rockledge, FL 32955 \(application number 23PUD00001\)  
\\_PRIORITY\\_.pdf](#)  
[Rezoning Application 23PUD00001.pdf](#)  
[rezoning changes property north of Laguna Vista.pdf](#)  
[rezoning property north of Laguna Vista.pdf](#)  
[Vote No application number 23PUD00001.pdf](#)  
[Whittington - Proposed PUD development at 23PUD00001, 5955 S Highway 1, FL.pdf](#)

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Good morning Ms. Champion,

On behalf of Commissioner Pritchett, attached are the public comments received up until now for 23PUD00001.

Thank you for your support of her office.

Kind Regards,

*Adrienne Schmadeke*



**Adrienne Schmadeke**

Legislative Aide

Brevard County Commission, District 1

Commissioner Rita Pritchett

[321.607.6901](tel:321.607.6901) | [Adrienne.Schmadeke@brevardfl.gov](mailto:Adrienne.Schmadeke@brevardfl.gov)

7101 S. US Hwy 1  
Titusville, FL 32780

**Please note:**

*Florida has a very broad public records law. Most written communications to or from the offices of elected officials are public records available to the public and media upon request. Your email communications may, therefore, be subject to public disclosure.*

**From:** [Donald Adams](#)  
**To:** [Commissioner, D1](#)  
**Cc:** [Commissioner, D2](#)  
**Subject:** 23 PUD 00001  
**Date:** Friday, June 7, 2024 3:49:09 PM

---

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Commissioners.

I am for property owners having the right to develop their property based on established zoning for the surrounding area. I am against the drastic increase in density requested for the above project. The project is not compatible with the surrounding area's current Zoning. The increase from 6 units per acre to 17 units per acre will have a negative impact on surrounding property owners from the amount of increased noise and outside lighting to a potential decrease in quality of life and property values.

Thanks for your attention to matter.  
Donald Adams  
6183 Anchor Lane  
Rockledge, FL 32955  
Indian River Isles North  
Sent from my iPhone

**From:** [Rosemary Layne](#)  
**To:** [Commissioner, D1](#)  
**Cc:** ["Rosemary Layne"](#)  
**Subject:** 23PUD00001 - Please DENY change of zoning classification  
**Date:** Friday, June 7, 2024 4:04:56 PM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

**RE: 23PUD00001** – Frank Mastroianni (Jake Wise) requests change of zoning classification  
**(File: #6848)**

Dear Commissioner Pritchett,

I respectfully urge your **denial** of the aforementioned proposed project as it does not conform to land usage density in the area nor PUD guidelines as defined by Brevard County.

My name is Rosemary Layne and I have resided in, paid taxes and voted in Brevard County since 1979. For the past 40 years I have owned my home in Indian River Isles North – a single-family waterfront community of 52 homes located a bit south of the proposed development of a 252-unit rental apartment complex currently under your consideration.

Please know that I am not against property development; however, this project does **not** seem to comply with responsible growth management plans, regulations and tenets. Specifically,

- The project does **not** comply with the 6-units per acre density cap (RU-2-10) that the Brevard County Commission put in place years ago to ensure conformity with developments in the area. Rather, the proposed commercial 252-apartment complex is seeking to drastically increase density to over 17-units per acre for this single project.
- The project does **not** meet the PUD guidelines as defined by Brevard County.
- The project is **not** compatible with the surrounding area and will have an adverse impact including elevated sound, light and increased traffic on US1. (There are no traffic signals on US1 between Viera Blvd. to the north and Suntree Blvd. to the south, increasing safety hazards when entering/exiting our community).
- The project does **not** seem compatible with the directives of Coastal High Hazard Area.
- Finally, this high-density zoning project (as presented) has **no** obvious merit beyond increasing the developer's profits at the expense of lowering property values and quality of life for current long-term Brevard County residents.

Thank you for your consideration to **deny** proposed project **23PUD00001**.

Respectfully,

Rosemary G. Layne, Ed.D.  
6134 Anchor Lane, Rockledge, FL 32955  
Indian River Isles North

**From:** [Billy B](#)  
**To:** [Commissioner, D1](#)  
**Subject:** 23PUD00001  
**Date:** Tuesday, June 4, 2024 8:25:02 AM

---

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Name Ms. Pritchett-

I ask that you vote against the proposed PUD development at 5955 S Highway 1, Rockledge, FL 32955 (application number **23PUD00001**) as it does not conform with the land usage density in the area.

I am not against the property being developed, but it should conform with the 6-units per acre density limit that the Brevard County Commission put in place years ago to ensure the conformity with developments in the area years ago. Nor does this request meet the PUD guidelines as defined by Brevard County.

Thank you for addressing this matter. I look forward to seeing how you vote on this matter.

Sincerely;  
William Bacon  
Rockledge, Fl  
Sent from my iPad

**From:** [William Dunne](#)  
**To:** [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)  
**Subject:** 2024-6-2 County Density Change Proposal  
**Date:** Friday, June 7, 2024 4:03:01 PM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

To:  
Commissioner Rita Pritchett  
Commissioner Tom Goodson  
Commissioner John Tobia  
Commissioner Rob Feltner  
Commissioner Jason Steele

My wife and I understand that a developer is attempting to change and increase the longstanding Brevard County rule of 6 units per acre for our area to 17 units per acre for a total of 252 units in a small parcel just north of Indian River Isles North.

We purchased our home at 6390 Anchor Lane 38 years ago, because it is located in a single family home environment. Over the years our homes have increased in value because of the care, maintenance, improvements and sweat equity of the residents. We don't want to see that destroyed by rezoning and over building the current environment.

We welcome the development at 6 units per acre as the current rule calls for. The drastic proposal of 17 units would adversely impact our current environment.

Bill and Chris Dunne  
6390 Anchor Lane  
Indian River Isles North

**From:** [Mike R](#)  
**To:** [Commissioner, D1](#)  
**Subject:** application number 23PUD00001  
**Date:** Friday, June 7, 2024 3:36:10 PM

---

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Rita Pritchett,

I ask that you vote against the proposed PUD development at 5955 S Highway 1, Rockledge, FL 32955 (*application number 23PUD00001*) as it does not conform with the land usage density in the area.

*I am not against the property being developed, but it should conform with the 6-units per acre density limit that the Brevard County Commission put in place years ago to ensure the conformity with developments in the area years ago. Nor does this request meet the PUD guidelines as defined by Brevard County.*

*Thank you for addressing this matter. I look forward to seeing how you vote on this matter.*

Very Respectfully,  
Michael Rucki  
321-431-2855  
6265 anchor lane  
Rockledge, FL 32955



**From:** [Dell](#)  
**To:** [Commissioner, D1](#)  
**Subject:** Application 23PUD00001  
**Date:** Thursday, June 6, 2024 3:20:42 PM

---

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello Rita Pritchett.

I am writing today to ask you to vote against the proposed PUD development at 5955S Highway 1, Rockledge FL, 32955 application number 23PUD00001. This proposal does not conform with the land usage density already established in this area.

I am a strong proponent of property development. I am in favor of keeping the existing 6 unit per acre limit that the Brevard County Commission put in place several years ago. I am not in favor of increasing the units per acre to 17. Increasing to 17 units per acre is not in conformity with surrounding development. This proposal goes against the directives of the CHHA and should not be overdeveloped. The surrounding housing all conforms with existing land development of 6 units per acre, and request it stay that way.

I thank you for your time,  
Sincerely,  
Matthew and Jackie Brait

**From:** [Ronda Kelly](#)  
**To:** [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)  
**Cc:** [Tom](#)  
**Subject:** Rezoning Application 23PUD00001  
**Date:** Saturday, June 8, 2024 3:22:48 PM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good afternoon

My husband and I live at 6005 US Hwy1 Unit 206 Rockledge in Laguna Vista Condominiums. Our unit is on the north end of the property and has a clear view of the property located at 5955 S Hwy 1 that is seeking a zoning change to their property.

The Board of County Commissioners is scheduled to hear their request on July 11th. We would like to officially go on record as opposing this rezoning request.

The application for a PUD does not meet the guidelines in the county documents. PUD guidelines are for multiple use developments. This is only an apartment complex, therefore, not meeting the written intent of PUD designation.

This is a drastic increase in density for this single project. How can one project be allowed to increase from a density of 6 units per acre to 17+ units per acre? This project would not be anything similar to or compatible with surrounding area developments and will have a negative impact on all areas nearby. (i.e., property values, view, noise, etc.)

This project also goes against the directives of the Coastal High Hazard Area (CHHA) and should not be allowed to overdevelop. All the surrounding developments, (including Laguna Vista) fall under the 6 units per acres current zoning designation.

Thank you for your time and attention to this issue.

Thank you,  
Ronda and Tom Kelly  
6005 US HWY 1 UNIT 206  
Rockledge, FL 32955  
256-509-5803  
[rondakelly2010@gmail.com](mailto:rondakelly2010@gmail.com)

May 31, 2024

Board of County Commissioners

Re: Application # 23PUD00001

To whom it may concern:

We are against the drastic increase in density for this single project.

We believe the application for a PUD does not meet the PUD guidelines in the county documents. PUD guidelines are for multiple use developments. This is ONLY an apartment complex, thus not meeting the written intent of PUD designation.

We do not agree that one project would be allowed to increase from a density of 6 units per acre to over 17 units per acre.

This project is not compatible with surrounding area development, and will have a negative impact in many ways. Elevated sound, light, and lowering our property values.

This project goes against the directives of the Coastal High Hazard Area (CHHA) and should not be over-developed.

All the surrounding developments, (including Laguna Vista) fall under the 6 units per acres current zoning designation.

Your assistance is greatly appreciated.

Respectfully,

Pete and Debbie Giorgio  
6005 US Highway 1 # 205  
Laguna Vista Condo  
Rockledge Fl. 32955

**From:** [Lanny Anaya](#)  
**To:** [Commissioner, D1](#)  
**Subject:** Planning and Zoning Board (Application # 23PUD00001)  
**Date:** Sunday, June 2, 2024 6:33:52 PM

---

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Rita Pritchett (District 1 Commissioner)

I ask that you vote against the proposed PUD development at 5955 S Highway 1, Rockledge, FL 32955 (application number 23PUD00001) as it does not conform with the land usage density in the area.

I am not against the property being developed, but it should conform with the 6-units per acre density limit that the Brevard County Commission put in place years ago to ensure the conformity with developments in the area years ago. Nor does this request meet the PUD guidelines as defined by Brevard County.

Thank you for addressing this matter. I look forward to seeing how you vote on this matter.

Sincerely;

Lanny Anaya  
6200 Anchor Ln  
Rockledge, FL 32955

**From:** [dcwkan@comcast.net](mailto:dcwkan@comcast.net)  
**To:** [Commissioner, D1](#)  
**Subject:** Proposed PUD development at 23PUD00001, 5955 S Highway 1, FL  
**Date:** Thursday, June 6, 2024 2:05:58 PM

---

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Ms. Pritchett,

I ask that you deny the proposed PUD development at 5955 S Highway 1, Rockledge, FL 32955 (application number **23PUD00001**) as it does not conform with the land usage density in the area.

I am not against the property being developed, but it should conform with the 6-units per acre density limit that the Brevard County Commission put in place years ago to ensure the conformity with developments in the area. In addition, this request does not meet the PUD guidelines as defined by Brevard County.

Thank you for addressing this issue.

Sincerely,  
Douglas Chad Whittington  
6285 Anchor Ln.  
Rockledge, FL 32955  
303-257-4296

**From:** [kirkorrick@gmail.com](mailto:kirkorrick@gmail.com)  
**To:** [Commissioner, D1](#)  
**Subject:** Proposed PUD development at 5955 S Highway 1, Rockledge (application number 23PUD00001)  
**Date:** Saturday, June 8, 2024 8:01:12 AM

---

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Commissioner Pritchett,

My name is Kirk Orrick, and I am a 16-year resident of the Indian River Isles subdivision, located just south of the proposed apartment complex development. My understanding is that this proposal involves the construction of a 252-unit apartment complex, which requires an increase in density from 6 units per acre to 17 units per acre. I am vehemently opposed to this change as it will impact the value of mine and my neighbors' single-family homes. This is a drastic increase and is not compatible with the surrounding area development. Furthermore, I do not believe the application for a PUD meets the PUD guidelines in the Brevard County documents. PUD guidelines are intended for multiple-use developments. This is simply an apartment complex, thus it does not meet the written intent of a PUD designation.

Additionally, this development will have numerous negative impacts, including increased sound, light pollution, and decreased property values. The project goes against the directives of the Coastal High Hazard Area (CHHA) and should not be overdeveloped. All surrounding developments, including Laguna Vista, fall under the current zoning designation of 6 units per acre and have developed their property accordingly.

Please understand, I am not opposed to developers building in this area, but changing the zoning density laws in this case to accommodate this developer is simply wrong and should be denied.

Thank you for your service and consideration in this matter.

Respectfully,  
Kirk and Sandra Orrick  
6300 Anchor Lane  
Rockledge, 32955  
(518) 322-8004

**From:** [Sarah Swanson](#)  
**To:** [Commissioner, D1](#)  
**Cc:** [Michael Gaich](#)  
**Subject:** Proposed PUD on US Hwy 1 Rockledge  
**Date:** Sunday, June 2, 2024 5:35:02 PM  
**Attachments:** [Letter and Attachments re Proposed PUD.pdf](#)

---

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Commissioner Pritchett,

Please find attached information and my comments regarding the subject property.

I strongly oppose this proposed project, and trust that the provided information will help you to understand my reasoning.

I am currently in Europe and will be returning June 12<sup>th</sup> if you wish to discuss this matter further.

Sincerely,

Michael Gaich

Sarah Swanson  
Executive Assistant  
For  
Michael Gaich CCIM  
The Michael Gaich Company

**From:** [diana.sageser](#)  
**To:** [Commissioner, D1](#)  
**Subject:** Proposed zoning change  
**Date:** Thursday, June 6, 2024 6:06:57 PM

---

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

From:

Diana Sageser

100 Compass Dr

Rockledge, FL, 32955

June 6, 2024

To:

Brevard Planning and Zoning Board

Subject: Opposition to Rezoning Application Number 23PUD00001

Dear Brevard Planning and Zoning Board,

I am writing to express my strong opposition to the rezoning application number 23PUD00001, which proposes the development of a large 252-unit apartment complex through the Planned Unit Development (PUD) designation.

While I understand that a PUD allows for a mix of businesses, restaurants, and housing similar to developments like Viera, it is evident that in this case, the primary intent is to exploit the PUD designation to increase the density per acre. By combining the "BU-1 General Retail Commercial" property adjacent to HWY1 with the "RU-2-10 Medium-Density Multiple - Family Residential" property, the developer seeks to create an overly dense apartment complex that is incompatible with the surrounding area.

The proposed development not only raises concerns about increased traffic congestion and strain on existing infrastructure but also threatens the character and quality of life of the community. Moreover, the significant increase in density could have adverse effects on the environment and natural resources, particularly given the proximity of the residential component to the river.

It is crucial to prioritize responsible and sustainable development that respects the existing zoning regulations and preserves the integrity of the neighborhood. Rezoning the property to accommodate such a dense development sets a concerning precedent and disregards the concerns of local residents.

I urge the County Planning Department to carefully consider the implications of this rezoning application and reject it in its current form. Instead, I encourage the exploration of alternative development plans that align with the existing land use regulations and promote the long-term well-being of the community.

Thank you for considering my concerns regarding this matter.

Sincerely,

Diana Sageser



**From:** [linda.ufmom6183](mailto:linda.ufmom6183)  
**To:** [Commissioner, D1](mailto:Commissioner_D1)  
**Cc:** [ufmom6183@bellsouth.net](mailto:ufmom6183@bellsouth.net)  
**Subject:** PUD development /23PUD00001  
**Date:** Saturday, June 8, 2024 7:37:52 AM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Rita Pritchett

I ask that you vote against the proposed PUD development at 5955 S Highway 1, Rockledge, FL 32955 (application number **23PUD00001**) as it does not conform with the land usage density in the area.

I am not against the property being developed, but it should conform with the 6-units per acre density limit that the Brevard County Commission put in place years ago to ensure the conformity with developments in the area years ago. Nor does this request meet the PUD guidelines as defined by Brevard County.

Thank you for addressing this matter. I look forward to seeing how you vote on this matter.

Sincerely;

Linda M. Adams

6183 Anchor Lane  
Rockledge Fl 32955

**From:** [Dan and Sherry Goodrich](#)  
**To:** [Commissioner, D1](#)  
**Subject:** PUD 23PUD0001  
**Date:** Saturday, June 8, 2024 7:25:06 AM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Commissioner Pritchett

I ask that you vote against the proposed PUD development at [5955 S Highway 1, Rockledge, FL 32955](#) (application number **23PUD00001**) as it does not conform with the land usage density in the area.

I am not against the property being developed, but it should conform with the 6-units per acre density limit that the Brevard County Commission put in place years ago to ensure the conformity with developments in the area years ago. Nor does this request meet the PUD guidelines as defined by Brevard County.

Thank you for addressing this matter. I look forward to seeing how you vote on this matter.

Sincerely;

Dan Goodrich

6335 Anchor Lane. Rockledge, Fl

Dan Goodrich  
(321) 987-7406

**From:** [Steve Kidd](#)  
**To:** [Commissioner, D1](#)  
**Subject:** PUD application  
**Date:** Friday, June 7, 2024 6:18:50 AM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Madam

As residents of Indian River Isles we are reaching out today to ask that you vote against the proposed PUD application at 5955 Hwy 1 Rockledge, FL 32955(application number 23PUD00001) as it does not conform with the land usage density in the area.

To be clear, we are not against the development of this property. In fact, we are all for the responsible development of this property and any other property in our area. Our issue here is that we think that it should be capped at the 6 units per acre density limit that the Brevard County Commission put in place years ago. It would also appear as though this request does not meet the PUD guidelines as defined by Brevard County. We have a great deal of concern about how this would impact our property values as well.

We appreciate you taking the time to hear our concerns, and I would add that everyone that I have spoken to in our community shares those same concerns. I hope we can count on each one of you to cast a vote in opposition to this proposal.

Sincerely,  
Steve & Cathy Kidd  
6355 Anchor Ln  
Indian River Isles North

**From:** [Brian O'Neil](#)  
**To:** [Commissioner, D1](#)  
**Subject:** RE: PUD development at 5955 S Highway 1, Rockledge, FL 32955 (application number 23PUD00001)  
\*\*PRIORITY\*\*  
**Date:** Friday, June 7, 2024 8:33:07 AM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Ms. Rita Pritchett:

Good morning. I grew up in Ft. Lauderdale and moved to Brevard County 30 years ago. I have seen what unchecked, overdevelopment can do to cities. Having restrictions on land use density is a very good thing for the future of Brevard County. When you allow too much density per acre it places a large burden on the infrastructure, water, sewer, etc. In addition, allowing an area to be too densely populated leads to an increase in crime. The current 6 unit per acre restriction for 5955 S Highway 1, Rockledge, FL 32955, is a good thing. There is a reason that was put into effect.

I ask that you vote against the proposed PUD development at 5955 S Highway 1, Rockledge, FL 32955 (application number **23PUD00001**) as it does not conform with the land usage density in the area.

I am not against the property being developed, but it should conform with the 6-units per acre density limit that the Brevard County Commission put in place years ago to ensure the conformity with developments in the area years ago. Nor does this request meet the PUD guidelines as defined by Brevard County.

Thank you for addressing this matter. I look forward to seeing how you vote on this matter.

Sincerely,  
Brian O'Neil  
6126 Anchor Lane  
Rockledge, FL 32955

**From:** [Becky Smith](#)  
**To:** [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)  
**Subject:** Rezoning Application 23PUD00001  
**Date:** Monday, June 3, 2024 5:00:39 PM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

We are homeowners (Laguna Vista Condominiums) adjacent to a property located at 5955 S Hwy 1 in Rockledge Florida that is seeking a zoning change and is scheduled to be heard by the Board of County Commissioners on July 11th. We respectfully wish to go on record as opposing this rezoning for the following reasons.

This is a drastic increase in density for this single project.

We believe the application for a PUD does not meet the PUD guidelines in the county documents. PUD guidelines are for multiple use developments. This is ONLY an apartment complex, thus not meeting the written intent of PUD designation.

We can't accept that one project would be allowed to increase from a density of 6 units per acre to over 17 units per acre.

This project is not compatible with surrounding area development, and will have a negative impact in many ways: sound, light, property values, etc.

This project goes against the directives of the Coastal High Hazard Area (CHHA) and should not be overdeveloped.

All the surrounding developments, (including Laguna Vista) fall under the 6 units per acres current zoning designation.

Sincerely,  
Kevin & Rebecca Smith  
6005 US Hwy 1, Unit 105  
Rockledge, FL 32955

**From:** [Dennis Foster](#)  
**To:** [Commissioner, D1](#)  
**Subject:** rezoning changes property north of Laguna Vista  
**Date:** Thursday, June 6, 2024 2:20:07 PM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

I am writing to object the approval of rezoning changes to the 14 acre property to the north of Laguna Vista. This property is presently zoned for 6 units per acre and would be changed to 17. This is clearly not good for our area, our home values, traffic, noise, lights etc.

Sincerely,  
Dennis Foster

6174 Anchor Lane  
Rockledge, FL 32955  
Indian Rivers North subdivision

**From:** [maryfos@aol.com](mailto:maryfos@aol.com)  
**To:** [Commissioner, D1](#)  
**Subject:** rezoning property north of Laguna Vista  
**Date:** Thursday, June 6, 2024 2:14:02 PM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

I am writing to object the approval of rezoning changes to the 14 acre property to the north of Laguna Vista. This property is presently zoned for 6 units per acre and would be changed to 17. This is clearly not good for our area, our home values, traffic, noise, lights etc.

Sincerely,  
Mary Foster

6174 Anchor Lane  
Rockledge, FL 32955  
Indian Rivers North subdivision

**From:** [Kristen Whittington](#)  
**To:** [Commissioner\\_D1](#)  
**Subject:** Proposed PUD development at 23PUD00001, 5955 S Highway 1, FL  
**Date:** Thursday, June 6, 2024 1:28:17 PM

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[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Ms. Pritchett,

I ask that you deny the proposed PUD development at 5955 S Highway 1, Rockledge, FL 32955 (application number **23PUD00001**) as it does not conform with the land usage density in the area.

I am not against the property being developed, but it should conform with the 6-units per acre density limit that the Brevard County Commission put in place years ago to ensure the conformity with developments in the area. In addition, this request does not meet the PUD guidelines as defined by Brevard County.

Thank you for addressing this issue.

Sincerely,  
Kristen Whittington  
6285 Anchor Ln.  
Rockledge, FL 32955  
720-254-7250



**From:** [Stephanie Bacon](#)  
**To:** [Commissioner, D1](#)  
**Cc:** [Stephanie Bacon](#)  
**Subject:** Vote No: application number 23PUD00001  
**Date:** Thursday, June 6, 2024 12:46:43 PM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Ms. Pritchett,

I am concerned about a potential change in land usage density in my area. I ask that you vote against the proposed PUD development at 5955 S Highway 1, Rockledge, FL 32955 (application number **23PUD00001**).

This seems to be an apartment complex using the PUD designation to allow for a significant increase in the land usage density. My impression is this does not meet the intent of the PUD guidelines for Brevard County. It seems the 2 properties in application are zoned BU-1 General Retail Commercial and RU-2-10 Medium-Density Multiple-Family Residential (6-units per acre). If stayed to the current 6-unit density for over 14 acres, it would allow for 88-unit complex which is in line with present land use restrictions, instead of the proposed 252-unit complex.

I am not against the property being developed and believe it should conform with the 6-units per acre density limit that the Brevard County Commission already created which aligns with the development in the area, instead of the 17 units per acre the application proposes.

Another consideration is the directive of the Coastal High Hazard Area (CHHA). We as a community have worked so hard to protect the intercoastal, it should be asked whether this significant increase would go against the directive by CHHA?

Thank you for your time and involvement.

Sincerely,  
Stephanie Bacon  
6167 Anchor Lane  
Rockledge, FL 32955