

## **PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES**

The Brevard County Planning & Zoning Board met in regular session on **Monday, June 16, 2025**, at **3:00 p.m.**, in the Florida Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

The meeting was called to order at 3:00 p.m.

Board members present were Mark Wadsworth, Chair (D4); Henry Minneboo, Vice-Chair (D1); Ana Saunders (D5); Erika Orriss (D3); Debbie Thomas (D4); Eric Michajlowicz (D3); Greg Nicklas (D3); Ron Bartcher (D2); Ruth Amato (D1); John Hopengarten (D1); Jerrad Atkins (D1); and Robert Brothers (D5).

Staff members present were Trina Gilliam, Zoning Manager; Paul Body, Planner; Alex Esseesse, Deputy County Attorney; Billy Prasad, Planning and Development Director; Darcie McGee, Natural Resources; Rachel Gerena, Public Works; John Scott, Emergency Management Office; Edward Fontanin, Utility Service Director; Lucas Siegreid, Utility Services; Alice Randall, Operations Support Specialist; and Jordan Sagosz, Operations Support Specialist.

### **Excerpt of complete agenda**

#### **H.1. Aubri Lucille Williamson requests a change of zoning classification from RU-1-9 to RU-2-10. (24Z00052) (Tax Account 2743715) (District 5)**

Trina Gilliam read Item H.1. into the record.

Nathan Meloon spoke to the application. He stated the applicant is looking to have this house as an investment property. She has a current contract for somebody starting in July to be there for one year. She would like to bring it into conformity with the area to the north where there's a big block of RU-2-10. Directly to the right or to the east is some RU-2-12. So, to keep the conformity with the area we're seeking a zoning change to RU-2-10. It's compatible and consistent with the area and it's in line with what else is in that area. This is right outside the shopping center with the Long Doggers in Indialantic just south of where Health First is and the Dunkin Donuts.

#### **Public Comment**

Sandra Sullivan stated she is from South Patrick Shores. She has a friend that lives on this street and there have been two recent zoning requests on Franklin Avenue. One of them is next to Cliffage and they had requested two duplexes at the front and back of the property. It ended in a split vote by the County Commissioners, and it failed. There was a BDP that was proposed for duplexes on front and back off Gross Point because there's a lot of traffic issues there. And the second was no short-term rental and no more than one story. You mentioned in the item that there is a property 200 feet to the east, that property is under a BDP. Again, no short-term rentals by the County. This is an area of no short-term rentals, so a BDP that they could put in a duplex but no short-term rentals and a BDP on that property. This property is so unlike those other two lots. They go from Franklin all the way over to Gross Point. This property's already been split, so if you were to be consistent with the surrounding area the maximum would be to allow a duplex on the property. I want to point out the short-term rental aspect, you do realize and it's missing from the map that was made by staff, which is a major red flag from my perspective, there is Hoover Elementary School literally a house away from this particular property. As a parent of elementary school kids, I wouldn't be happy to have a short-term rental which is inconsistent with this area. I would beg the question why this went to the board of adjustments for a short-term rental for a zoning that they don't have yet. So, this is inconsistent for

the BDP's that are in this area and the Cliffage property was denied by the county a 2:2 vote which also had stipulated no short-term rentals. So, vote no.

End Public Comment

Mark Wadsworth stated that he now sees on the west side it is zoned RU-2-12.

Mr. Meloon stated to the east is RU-2-12. To the north is RU-2-10 and to the south it looks like a multi-family zoning in Indialantic. There's more RU-1-11 further to the south, but then there's a commercial property with a strip plaza and the Publix, the Long Doggers, that kind of a multitude of stores. The property is one-story. There's currently a building on site, so there's not going to be a new building. My client is willing to keep this as a single-family and not have it be a duplex. A duplex is not her intention, and like was stated there's a one-year lease that is in place that begins in July for the property. So, it's intended use is for long-term rental property. As an owner she has a vested interest in keeping the area nice and not having bad things happen in the area.

Henry Minneboo asked the applicant if they are going to do a BDP.

Mr. Meloon stated they are willing to have a BDP that it'll remain a single-family.

Erika Orriss asked if they were willing to do a BDP that there's no short-term rentals. I'm very familiar with that area. We keep talking about long Doggers and Publix, but what's at the end of that street is Hoover Elementary School. There's also Busy Bears Daycare which is right across there too. So, I would just suggest that we say no short-term rentals. I don't think it should be zoned as such.

Mr. Meloon stated they're not willing to do that because they don't want to give away one of those bundles of sticks that his client would have as a property owner and have that go away forever. Who knows what the world would look like in 50, 75, 100 years. The school could be there, or the school could not be there. The same with the daycare. While it's across the street, it's an equal distance away from these commercial establishments. True it's five or six blocks down from some NC zoning, there's the CC zoning and then there's the Indialantic. It's just as easy to get from there to the daycare or to the school as it would be from my client's property. I realize that there are bad things that happen in the world and there's bad people in the world we can't sit here and think well what if somebody rents that. Well there's hotels and I'm sure if somebody had bad motives they could stay at one of the hotels that's a quarter mile up the street and come down and look and do whatever they wanted to do to the school or to the daycare and God forbid that would be a horrible thing to happen, but that wouldn't be a reason for taking a bundle of one of the bundles of sticks that my client has as a property owner in the area.

Ms. Orriss stated she understands that, but she does have friends that live there, and they live in the condos on the south side and they're saying right now as it exists today there's just way too much traffic. People are speeding by and there's kids on that street and Hoover Elementary School has been there for 50 years and I think it's probably going to be there another 50 years. So, I really have a hard time approving this especially with no BDP. That's my thoughts on it. I've stood there in front of my friend's house and almost been run over. I just don't think we need to add to the problems that already exist on that street.

John Hopengarten stated he agrees that without a BDP for short-term rental restrictions this won't fly.

Ruth Amato agreed with Mr. Hopengarten.

Mr. Wadsworth asked the applicant if they are willing to do a BDP.

Mr. Meloon responded yes; we're willing to do a BDP for no short-term rentals.

Ms. Orriss stated the BDP would be on because the previous BDP that was put on for the other property said developer agrees not to use property for resort purposes and therefore such is prohibited. The developer shall limit ingress and egress to one unit on Franklin and one on Gross Point. I don't know if that's what we'd be willing to do and obviously we're open for input on this but to have no resort dwellings and then to keep it with one unit on the property and you already have the one unit.

Mr. Meloon responded with correct. The one unit is already in existence. It's a 3:2. It would be no resort dwellings and keep it as the single-family one unit. And single story as well in keeping with the character of the street.

Motion to recommend approval of Item H.1. with a BDP by Erika Orriss, seconded by John Hopengarten. Motion passed unanimously.