



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

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STAFF COMMENTS

25Z00063

Ambewith, LLC (Everett Rolle)

Agricultural Residential (AU) to Single-Family Residential (RU-1-11)

Tax Account Number: 2411074 & 2411077 (Parcels have been combined with one deed)
 Parcel I.D.: 24-36-07-01-*5 & 24-36-07-01-*5.03 (Parcels combined with one deed)
 Location: Southwest corner of West Railroad Avenue and Rolle Place (District 1)
 Acreage: 0.899 acres

Planning and Zoning Board: 3/16/2026

Board of County Commissioners: 4/02/2026

Consistency with Land Use Regulations

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

	CURRENT	PROPOSED
Zoning	AU	RU-1-11
Potential*	0 units	3 units
Can be Considered under the Future Land Use Map	YES RES 4	YES RES 4

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

Background and Purpose of Request

The applicant is seeking a change of zoning classification from AU (Agricultural Residential) to RU-1-11 (Single-Family Residential) for the purposes of legitimizing an undersized parcel and subdivide the parcel into three lots to build three single-family homes. The current lot width is approximately 210 feet in width. RU-1-11 requires a lot width of 75 feet. The applicant has been advised that a variance will be needed for one of the proposed lots to meet the lot width.

The subject property was two undersize AU zoned parcels, a 0.275 acre parcel and a 0.624 acre parcel. The 0.275 acre was subdivided into this size configuration on November 09, 1982. The 0.624 acre parcel was subdivided into this size configuration on July 08, 1964. The parcels as they existed did not meet the minimum AU size requirements to be Non-conforming lots to be developed. Both of these parcels were combined together as a single parcel per warranty deed recorded on December 16, 2025, in Official Records Book 10504, Pages 227-232. Splitting the subject parcel into three parcels will require a minor subdivision plat as required per Brevard County code Section 62-2805.

RU-1-11 classification encompasses lands devoted to single-family residential development of spacious character, together with such accessory uses as may be necessary or are normally compatible with residential surroundings on minimum 7,500 square foot lots, with a minimum width and depth of 75 feet. The minimum house size is 1,100 square feet. RU-1-11 does not permit horses, barns or horticulture. The closest RU-1-11 zoned parcel is located approximately 42 feet northwest of the subject parcel on the north side of Rolle Place.

There are no current code enforcement complaints on the property.

Surrounding Area

	Existing Land Use	Zoning	Future Land Use
North (across Rolle Place)	Vacant Land	TR-1	RES 4
South	Vacant Land	TR-2	RES 4
East (across West Railroads Ave.)	Florida East Coast Railway	No Zoning	No Future Land Use
West	Vacant Land	TR-1 (3)	RES 4

To the north of the subject parcel across Rolle Place are two 0.18 acre parcels that are vacant land with TR-1 (Single-Family Mobile Home) zoning classification and RES 4 FLU designation.

Abutting the subject property to the South is a 0.92 acre parcel that is vacant land with TR-2 Single-Family Mobile home) zoning classification and RES 4 FLU designation.

To the East, across West Railroad Avenue is the right-of-way for the Florida East Coast Railway which does not have a zoning classification or a FLU designation.

To the West of the subject property is a 3.27 acre parcel that is vacant land with TR-1 (3) zoning classification with a Binding Concept Plan (BCP) with a density cap of 3 units per acre and RES 4 FLU designation.

The current AU zoning classification encompasses lands devoted to agricultural pursuits and single-family residential development of spacious character on 2.5-acre lots, with a minimum lot width and depth of 150 feet. The minimum house size in AU is 750 square feet. The AU classification permits all agricultural pursuits, including the raising/grazing of animals, fowl, and beekeeping. plant nurseries, and the packing and processing of commodities raised on site. Conditional uses in AU include hog farms, zoological parks, and land alteration.

The proposed RU-1-11 classification encompasses lands devoted to single-family residential development of spacious character, together with such accessory uses as may be necessary or are normally compatible with residential surroundings on minimum 7,500 square foot lots, with a minimum width and depth of 75 feet. The minimum house size is 1,100 square feet. RU-1-11 does not permit horses, barns or horticulture.

TR-1 is a single family residential mobile home zoning classification which permits mobile homes or residences of standard construction on lots of 7,500 square feet (minimum) with lot width of 65 feet and lot depth of 100 feet.

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

FLUE Policy 1.7 – The Residential 4 Future land use designation affords an additional step down in density from more highly urbanized areas. This land use designation permits a maximum density of up to four (4) units per acre, except as otherwise may be provided for within the Future Land Use Element.

Future Land Use

The subject property’s AU zoning classification can be considered consistent with the Residential 4 (RES 4) Future Land Use designation provided on the FLUM series contained within Chapter XI – Future Land Use Element of Brevard County’s Comprehensive Plan. The proposed RU-1-11 zoning classification can be considered consistent with the existing RES 4 FLUM designation.

The Board should evaluate the compatibility of this application within the context of Administrative Policies 2 – 8 of the Future Land Use Element.

Analysis of Administrative Policy #3 - Compatibility between this site and the existing or proposed land uses in the area:

Compatibility shall be evaluated by considering the following factors, at a minimum:

Criteria:

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foreseeably be affected by the proposed use;

The subject parcel is vacant land. The proposed rezoning will need to comply with Brevard County's Performance Standards defined by Sections 62-2251 through 62-2272.

- B. Whether the proposed use(s) would cause a material reduction (five per cent or more) in the value of existing abutting lands or approved development.

Only a certified MAI (Master Appraiser Institute) appraisal can determine if material reduction has or will occur due to the proposed request.

- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through an analysis of:
 - 1. historical land use patterns;

The historical land use patterns of the surrounding development can be characterized as single-family uses on properties from 0.18 acre to 3 acres in size.

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

There are two (2) FLU designations (RES 4 and IND) located west of the Florida East Coast Railway within a 0.5-mile radius of the subject property. RES 4 is the prominent FLU in this area.

There are eighteen (18) zoning classifications (GU, AU, EU, RU-1-7, RU-1-11, RU-1-13, RRMH-1, RRMH-2.5, TR-1, TR-2, TR-3, BU-1-A, BU-1, BU-2, IN(L), PIP, IU and IU-1) within a 0.5-mile radius of the subject property. TR-1 is the prominent zoning classification in this area.

There are ten (10) zoning classification designations (GU, AU, RU-1-7, RU-1-11, RRMH-1, TR-1, TR-2, IN(L), IU and IU-1) located west of the Florida East Coast Railway within a 0.5-mile radius of the subject property. AU is the prominent zoning classification in this area.

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

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

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

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

- D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

No material violation of relevant policies has been identified.

Analysis of Administrative Policy #4 - Character of a neighborhood or area.

Character of a neighborhood or area shall be a factor for consideration whenever a rezoning or any application involving a specific proposed use is reviewed. The character of the area must not be materially or adversely affected by the proposed rezoning or land use application. In evaluating the character of an area, the following factors shall be considered:

Criteria:

- A. The proposed use must not materially and adversely impact an established residential neighborhood by introducing types or intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, etc.), parking, trip generation, commercial activity

or industrial activity that is not already present within the identified boundaries of the neighborhood.

This request is not anticipated to have a measurable impact on the area in terms of trip generation, or parking. No commercial or industrial activity is proposed.

B. In determining whether an established residential neighborhood exists, the following factors must be present:

1. The area must have clearly established boundaries, such as roads, open spaces, rivers, lakes, lagoons, or similar features.

The property is located in an existing residential area.

The area, known as John M. Sanders Subdivision, can be characterized as a single-family residential area with lot sizes of 0.18 acre to 3.3 acres and roadways.

2. Sporadic or occasional neighborhood commercial uses shall not preclude the existence of an existing residential neighborhood, particularly if the commercial use is non-conforming or pre-dates the surrounding residential use.

The request is not for commercial use. It is located in an existing single-family residential neighborhood. There are no neighborhood commercial land uses established in this area.

3. An area shall be presumed not to be primarily residential but shall be deemed transitional where multiple commercial, industrial, or other non-residential uses have been applied for and approved during the previous five (5) years.

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

Analysis of Administrative Policy #7

Proposed use(s) shall not cause or substantially aggravate any (a) Substantial drainage problem on surrounding properties; or (b) significant, adverse and unmitigable impact on significant natural wetlands, water bodies or habitat for listed species.

Natural Resources has noted this property contains Candler fine sand, classified as an aquifer recharge soil. Additionally, the mapped topographic elevations show that the property falls within a Type 2 Aquifer Recharge area, which is subject to impervious area restrictions.

Natural Resources has also noted Protected and Specimen Trees likely exist on the parcel.

Federally and/or state protected species may be present on the property. Specifically, Gopher Tortoises can be found in areas of aquifer recharge soils.

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

Preliminary Concurrency

The closest concurrency management segment to the subject property is Highway US-1 located between SR 528 and Canaveral Goves Boulevard, which has a Maximum Acceptable Volume (MAV) of 38,430 trips per day, a Level of Service (LOS) of D, and currently operates at 90.35% of capacity daily. The maximum development potential from the proposed rezoning increases the percentage of MAV utilization by 0.07%. The corridor is anticipated to operate at 90.42% of capacity daily. The proposal is not anticipated to create a deficiency in LOS. Although the existing roadway is at 90.35 capacity, the proposed rezoning will not create a deficiency in roadway capacity. However, while it does not create a deficiency, per subsection of 62-602(f)(6)(a)(1), vesting provisions for roadway capacity will not be available due to the capacity being over 85%

No school concurrency information has been provided as the development potential of this site falls below the minimum number of new residential lots that would require a formal review.

The parcel is within the City of Cocoa public potable water service and septic service.

Environmental Constraints

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Aquifer Recharge Soils
- Protected and Specimen Trees
- Protected Species
- Potential Code Enforcement

For Board Consideration

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

NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary
Item No. 25Z00063

Applicant: Everette Rolle (Owner: AMBEWITH LLC)

Zoning Request: AU to RU-1-11

Note: to build homes

Zoning Hearing: 03/16/2026; **BCC Hearing:** 04/02/2026

Tax ID No.(s): 2411074 & 2411077

- This is a preliminary review based on best available data maps reviewed by the Natural Resources Management Department (NRM) and does not include a site inspection to verify the accuracy of the mapped information.
- In that the rezoning process is not the appropriate venue for site plan review, specific site designs submitted with the rezoning request will be deemed conceptual. Board comments relative to specific site design do not provide vested rights or waivers from Federal, State or County regulations.
- **This review does not guarantee whether or not the proposed use, specific site design, or development of the property can be permitted under current Federal, State, or County Regulations.**

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Aquifer Recharge Soils
- Protected and Specimen Trees
- Protected Species
- Potential Code Enforcement

Land Use Comments:

Aquifer Recharge Soils

This property contains Candler fine sand, classified as an aquifer recharge soil. Additionally, the mapped topographic elevations show that the property falls within a Type 2 Aquifer Recharge area, which is subject to impervious area restrictions. The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance.

Protected and Specimen Trees

Protected and Specimen Trees likely exist on the parcel. Brevard County Landscaping, Land Clearing and Tree Protection ordinance, Section 62-4331(3), encourages the protection of Specimen Trees. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for preservation and canopy coverage requirements. **Applicant should contact NRM at 321-633-2016 prior to performing any further land clearing activities (see Potential Code Enforcement below).**

Protected Species

Federally and/or state protected species may be present on the property. Specifically, Gopher Tortoises can be found in areas of aquifer recharge soils. Prior to any plan, permit submittal, or

development activity, including land clearing, the applicant should obtain any necessary permits or clearance letters from the Florida Fish and Wildlife Conservation Commission (FWC), and/or U.S. Fish and Wildlife Service, as applicable. The applicant is advised to call Valeria Guerrero at 561-882-5714 (O) or 561-365-5696 (C) with the FWC to obtain any necessary permits or clearance letters for Gopher Tortoises.

Potential Code Enforcement

Information available to NRM indicates that unpermitted land clearing and land alteration activities likely occurred on this parcel between 2023 and 2024. The confirmation of unpermitted land clearing and alteration activities may result in code enforcement action. There is also the potential that unpermitted taking of gopher tortoise(s) occurred. **Applicant should contact NRM at 321-633-2016 prior to performing any further land clearing or land alteration activities.**